

# **Bulletin of the European Communities**

Commission



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# **Bulletin of the European Communities**

**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:

ECU	=	European currency unit
BFR	=	Belgische frank / Franc belge
DKR	=	Dansk krone
DM	=	Deutsche Mark
DR	=	Greek drachma
ESC	=	Escudo
FF	=	Franc français
HFL	=	Nederlandse gulden (Hollandse florijn)
IRL	=	Irish pound / punt
LFR	=	Franc luxembourgeois
LIT	=	Lira italiana
PTA	=	Peseta
UKL	=	Pound sterling
USD	=	United States dollar



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# I — Brussels European Council

## Brussels, 10 and 11 December

*1.1.* The meeting of Heads of State or Government held in Brussels on 10 and 11 December was chaired by Mr Dehaene, President of the Council and Prime Minister of Belgium, and attended by Mr Delors, President of the Commission. It was preceded by an exchange of views with Mr Klepsch, President of the European Parliament, on the main items on the agenda.

## Conclusions of the Presidency

### Introduction

*1.2.* Meeting for the first time following the entry into force of the Treaty on European Union, the Heads of State or Government expressed their resolve to use to the full, immediately, the new possibilities offered by the Treaty to confront current problems and impart a further impetus to the Union.

The European Council focused above all on examination of the economic situation and measures to combat unemployment. In the light of the White Paper presented by Mr Delors, it adopted a short and medium-term action plan whose implementation it will itself monitor.

Subsequently, as regards justice and home affairs the European Council adopted a first action plan which, given the major importance of cooperation in this sphere to ensure the security of citizens, will need to be reinforced in future.

As regards foreign and security policy, the European Council undertook in particular an initial preventive-diplomacy step in deciding that the European Union will convene an inaugural conference on a

stability pact with respect to the countries of Central and Eastern Europe in spring 1994.

Lastly, the European Council took a number of decisions linked with the implementation of the Union Treaty and the conclusions of its October meeting.

The European Council's discussions were preceded by an exchange of views with Mr Klepsch, President of the European Parliament, on the main topics on the agenda.

## Growth, competitiveness and employment

### References:

Commission White Paper on growth, competitiveness and employment — The challenges and ways forward into the 21st century: COM(93) 700; point 1.2.44 of this Bulletin; Supplement 6/93 — Bull. EC

Council Recommendation 94/7/EC concerning the broad guidelines of the economic policies of the Member States and of the Community: OJ L 7, 11.1.1994; point 1.2.45 of this Bulletin

Final Act concluding the Uruguay Round negotiations: point 1.3.99 of this Bulletin

Proposal for a Council Decision on the provision of Community interest subsidies on loans for SMEs extended by the EIB under its temporary lending facility: point 1.2.48 of this Bulletin

Commission communication 'Making the most of the internal market: strategic programme': point 1.2.1 of this Bulletin

Commission communication on the development of guidelines for the trans-European transport network: point 1.2.116 of this Bulletin

Proposal for a Decision of the European Parliament and the Council concerning the fourth framework programme of activities in the field of research, technological development and demonstration (1994-98): point 1.2.103 of this Bulletin

## *The fight against unemployment — The action plan*

*1.3.* Today's level of unemployment, with all its direct and indirect effects, is endangering our society's cohesion.

There is no miracle cure for unemployment. Nor can we simply resign ourselves to it. We must act and our response will be all the more effective for being a joint one. Energy must be mobilized as it was when the Single Act was adopted if a new period of prosperity is to be ensured for the Community.

The subject of growth, competitiveness and the fight against unemployment has been on the agenda of every recent European Council meeting. In Edinburgh it resulted in the adoption of a European growth initiative, which was strengthened in Copenhagen and in Brussels.

The seriousness of the crisis and the difficulties faced by all Member States in improving the employment situation dictate that the effort undertaken hitherto be amplified and directed to a greater extent towards structural aspects.

President Delors was the first to emphasize forcefully, in Copenhagen, the urgent need for overall consideration of the causes of the present crisis and of possible solutions. The result of this exercise is now the subject of the White Paper on the medium-term strategy for growth, competitiveness and employment, prepared by the Commission. The European Council considers that the White Paper, whose quality it stressed and which served as a basis for its discussions, contains a lucid analysis of the present economic and social situation of the Union and constitutes a reference point for future work.

The European Council decided on this basis to implement an action plan based on specific measures at the levels of the Union and of the Member States directed at, in the short term, reversing the trend and then, by the end of the century, significantly reducing the number of unemployed, at present standing at the unacceptable level of 17 million.

The action plan consists of:

- ☐ a general framework for the policies to be pursued at Member State level to promote employment;
- ☐ specific accompanying measures to be conducted at Community level;
- ☐ a monitoring procedure.

The primary purpose of the action plan is to reinforce the competitiveness of the European economy. The economy must respond to new requirements. It must also adapt to a world undergoing unprecedented change in production systems, organization of work and modes of consumption. The action plan rests on four prerequisites:

(i) *A healthy economy.* Only stable and coherent economic and monetary policies with the objective

of a low rate of inflation and controlled public expenditure trends can lead to the progressive lowering of interest rates which is necessary to provide effective support for recovery and investment. Furthermore, exchange-rate stability is essential if the potential of the single market is to be fully exploited. In this context, the European Council approved, in accordance with Article 103 of the Treaty, the outline of the draft for the broad economic policy guidelines drawn up by the Ecofin Council. It called upon the Ecofin Council to finalize the text at its meeting on 13 December 1993 in the light of the discussions it held on this subject and the relevant conclusions on the White Paper.

(ii) *An open economy.* Only an open system of world trade based on the principle and practice of multilateralism can provide effective support for recovery. This implies the creation of a world trade organization capable of watching over rules drawn up jointly, making it possible, *inter alia*, to prevent certain unfair competition practices.

The conclusion of the GATT negotiations under the conditions laid down by the European Council in Copenhagen and in Brussels will constitute a decisive step forward in this respect.<sup>1</sup> This general spirit of openness will be particularly noticeable in relation to the Community's neighbouring countries to the east and south. At the same time advantage should be taken of expanding markets in other parts of the world.

(iii) *An economy geared to solidarity.* The necessary adjustments must not call into question the model of our society, which is founded on economic and social progress, a high level of social protection and continuous improvement in the quality of life. Solidarity must first be shown between those with jobs and those without; one expression of such solidarity is to allocate part of productivity gains on a priority basis to investment and job creation, in particular through a policy of wage moderation. In addition, solidarity must contribute, by means of a comprehensive policy covering both prevention and reintegration, to the fight against social exclusion. Solidarity must also be shown between regions in the context of economic and social cohesion.

(iv) *A more decentralized economy.* Given the growing importance of the local level, the economy needs to be geared to the possibilities offered by the new technologies and to mobilize to a greater extent than hitherto the job-creation potential available within small and medium-sized enterprises.

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<sup>1</sup> See also Annex IV.

## *Action to be undertaken at national level — General framework*

Because of the institutional, legislative and contractual peculiarities of each Member State, the Community's action must focus on defining objectives, while leaving Member States free to choose the means appropriate to their situation within a general framework defined in common. With this in mind, the European Council considers that, in order to strengthen the capacity of the European economy to create jobs, Member States should draw on suggestions from the Commission White Paper. Member States should pay particular attention to the following measures:

- ☐ improving education and training systems. Continuing training is, in particular, to be facilitated so as to ensure ongoing adjustment of skills to the needs of competitiveness and to combating unemployment;
- ☐ improving flexibility within enterprises and on the labour market by removing excessive rigidities resulting from regulation as well as through greater mobility;
- ☐ examination, at enterprise level, of economically sound formulas for the reorganization of work; such measures must not be directed towards a general redistribution of work, but towards internal adjustments compatible with improved productivity;
- ☐ targeted reductions in the indirect cost of labour (statutory contributions), and particularly of less-skilled work, in order to achieve a better balance between the costs of the various factors of production; fiscal measures possibly relating, *inter alia*, to the environment could be one of the means of offsetting a drop in social contributions, within a general context of stabilizing all statutory contributions and reducing the tax burden;
- ☐ better use of public funds set aside for combating unemployment by means of a more active policy of information, motivation and guidance of job-seekers through specialized agencies, whether public or private;
- ☐ specific measures concerning young people who leave the education system without adequate training;
- ☐ developing employment in connection with meeting new requirements linked to the quality of life and protection of the environment.

The common framework thus defined will serve as a reference for Member States' policies. These policies will be periodically reviewed within the

Council in order to analyse the results and learn from experience how future action should be conducted.

## *Specific action at Community level*

### **Full use of the single market**

The existence of a large export-oriented internal market is a major asset of the European economy, and this must be fully exploited. In order to do so, an effort must be made on four fronts:

- ☐ full incorporation of Community legislation into national law must be achieved as soon as possible;
- ☐ legislation must be simplified and reduced in accordance with the principle of subsidiarity, and consistency between national and Community legislation must be ensured;
- ☐ the trend towards a decentralized economy, which has been made possible by new information technologies, must be encouraged, particularly by creating a fiscal, administrative and financial environment favourable to small and medium-sized enterprises, which constitute one of the most dynamic factors in the Community economy. The European Council asks the Commission to examine ways of achieving this objective, for example by providing for an audit of Community and national regulations in terms of their consequences for employment. Furthermore, the European Council asks the Ecofin Council to adopt before the end of the year the system of interest-rate subsidies for SMEs decided upon at the Copenhagen and Brussels European Councils;
- ☐ the rules on competition and control of State aid must be applied rigorously;
- ☐ the capital market must be made more efficient in order to encourage a flow of savings into productive job-creating investments.

The European Council invites the Council and the Commission to continue their work in the light of these guidelines and of the Commission document on a strategic programme for the internal market. An examination of the Commission's annual report on the operation of the internal market will be part of the follow-up to the action plan for employment.

### **Trans-European networks in transport and energy**

Speedy completion of the trans-European networks (as described in development theme II of the White

Paper) will enable several objectives essential to Community development to be pursued: effective operation of the single market, reinforcement of economic competitiveness, regional planning, stepping up relations with the countries of Eastern Europe and the Mediterranean, and the welfare of citizens, who will benefit from faster and safer means of communication.

For this reason the European Council invites the Council to make full and rapid use of the possibilities offered by the Treaty (Article 129b), which defines the Community's tasks and the instruments available to it in this area.

The first stage is to define guidelines; these already exist for high-speed trains, combined transport, roads and inland waterways. The European Council asks the European Parliament and the Council to speed up procedures so that the guidelines still outstanding (conventional rail infrastructures, airport infrastructures, port infrastructures, electricity, gas) can be adopted before 1 July 1994 with a view to identifying projects of common interest. The performance of transport networks will be optimized by improving the cabotage system.

The networks will, moreover, contribute to environmental protection by virtue, for example, of the use of combined transport, which will make it possible to eliminate road traffic congestion to the benefit of the railways, which cause less pollution.

It is also necessary to carry out work to ensure the safety of nuclear power stations in the countries of Eastern Europe.

At the same time, the European Council invites the Member States to prepare as quickly as possible the investment programmes to be integrated with the networks. These programmes should grant facilities to structures which call on private capital and should highlight those priority projects which can be implemented speedily.

Generally speaking, selection and decision-making procedures should be carried out swiftly and efficiently so as to permit prompt and effective implementation in the field.

In order to implement the infrastructure programmes efficiently, consistently and as soon as possible, the Commission, assisted by a group of personal representatives of the Heads of State or Government, will be responsible for leadership and coordination. The Ecofin Council will assist the Commission in this task, as regards the aspects which concern it.

## **Infrastructures in the sphere of information**

The new information and communication technologies (as described in development theme I of the White Paper) have brought about fundamental changes in the structures and methods of production. Europe must adapt itself quickly to these developments and must control their consequences. Those economies which are the first to complete this transformation will have a significant competitive edge.

As a result, the European Council requests that a report be prepared for its next meeting by a group of prominent persons fully representative of all relevant industries in the Union and of users and consumers, designated by the Council and the Commission, on the specific measures to be taken into consideration by the Community and the Member States in this sphere. The report should cover the following aspects:

- ☐ development and interoperability of networks for facilitating the dissemination of information;
- ☐ trans-European basic services (databanks, electronic mail, interactive video, etc.);
- ☐ new applications.

On the basis of this report, the Council will adopt an operational programme defining the precise procedures for action and the necessary means.

## **Funding of the energy, transport and environment networks and infrastructures in the sphere of information**

*I.4.* With respect to funding, the Community's principal task is to ensure, by reducing the financial risks, that private investors are involved to a greater extent in projects of European interest, i.e. viable and profitable projects. The decisive role played by private investors will be supported by the Community in accordance with the procedures set out below. Over the next six years and within the financial perspective defined in Edinburgh:

- ☐ the Community budget will supply some ECU 5 billion per annum from the 'networks' budget heading, from the Structural Funds, the Cohesion Fund and research and development appropriations;
- ☐ the European Investment Bank, as part of its normal activities, and the European Investment Fund will contribute ECU 7 billion per annum in the form of loans and guarantees;



□ additional funding will be provided, as far as is necessary, to ensure that priority projects do not run into financial obstacles which would jeopardize their implementation. With this in mind, the European Council called upon the Ecofin Council to study, together with the Commission and the EIB, procedures which would enable the Community to mobilize up to an additional ECU 8 billion per annum in loans for operators involved in setting up networks. The possibility thus provided should not run counter to the efforts undertaken by the Member States to reduce public debt, nor to the stability of financial markets.

### Research framework programme for 1994-98

1.5. The implementation of an ambitious, well-targeted research programme constitutes a significant contribution to efforts towards recovery, particularly in areas such as information technology, the importance of which has been stressed elsewhere. The European Council considers that the total budget for the research framework programme should be not less than ECU 12 billion, to which might be added a reserve of ECU 1 billion, to be released at a later date.

### Social dialogue

1.6. The success of the action plan presupposes the commitment of all those involved to preserving social cohesion; this will be easier to achieve if a dialogue is established at all appropriate levels on the objectives to be pursued and the means to be employed. In this connection the European Council invites the Commission to continue its efforts to lead the social dialogue and to make full use, subject to the provisions of the Protocol annexed to the Treaty, of the new possibilities available under the Treaty on European Union, and calls upon both sides of industry to respond constructively.

### Follow-up procedure

1.7. Each year, beginning in December 1994, the European Council will take stock of the results of the action plan and will at the same time take any measure it deems necessary to achieve the objectives it has set itself.

The European Council's discussions will be based on:

□ a summary report from the Commission, accompanied by any new suggestions; in this context the European Council in particular requests the Commission to study the question of new sources of jobs;

□ a report from the Council on the lessons to be drawn from national employment policies in accordance with the procedure provided for in B above, possibly accompanied by proposals for new guidelines;

□ the annual report from the Ecofin Council on the implementation of the broad economic-policy guidelines;

□ the Commission's annual report on the operation of the internal market;

□ a statement established by the Commission on the progress of the trans-European infrastructure networks in the spheres of transport and energy and on the implementation of the operational programme in the area of information infrastructures.

### Cooperation in the field of justice and home affairs

**Reference:** Council report to the European Council — Action plan in the field of justice and home affairs: Bull. EC 11-1993, point 1.5.1

1.8. The European Council is determined to use to the full the new possibilities available under the Union Treaty in this sphere, which is a particularly sensitive one for the day-to-day life of citizens, involving as it does both the free movement of persons and the security of citizens.

It took note of the initial work done on the matter and recorded its agreement on the plan of action drawn up by the Council, while bearing in mind one Member State's reservation on the implementation of common action regarding asylum.

That agreement covers the following areas:

□ the immediate start-up of the Europol Drugs Unit and the completion of the Europol Convention before October 1994. Particular attention is to be paid to the provisions on the protection of data;

□ the application of a comprehensive anti-drugs strategy, including effective measures against the laundering of illicit profits and cooperation with non-member countries engaged in combating producers of illegal drugs and international trade in them. In this connection the Council will consider

the possibility of renewing the existing tariff preferences for the Andean countries;

□ the establishment of a common list of non-member countries whose nationals require visas;

□ the stepping-up of judicial cooperation, particularly on extradition and action against international organized crime;

□ the exploitation of the possibilities offered by better coordination between policies in the field of justice and home affairs and the common foreign and security policy, particularly as regards re-admission of illegal immigrants by non-member countries.

With regard to asylum policy, the European Council considers it necessary for there to be close cooperation based on mutual confidence between Member States. It requests the Council to consider the conclusions to be drawn in each Member State as regards nationals of other Member States. It notes that the implementation of common action in the field of asylum — conducive to further alignment of Member States' policies, particularly as regards the procedure for examining applications for asylum — is closely bound up with this issue.

The European Council stresses that the action plan is only a first step. It trusts, now that the Treaty on European Union is in force, that the Council will rapidly take practical steps, particularly in the fight against drug-trafficking and organized crime, so as to respond to the wishes of society and of our citizens. It calls on the Justice and Home Affairs Council to draw up a report on such steps each year, starting in late 1994.

## Foreign and security policy

### *Stability pact*

**Reference:** Council Decision 93/728/CFSP concerning the joint action on the inaugural Conference on the Stability Pact: OJ L 339, 31.12.1993; point 1.4.9 of this Bulletin

1.9. In the CFSP framework, the draft pact on stability in Europe is intended to promote preventive diplomacy and therefore is not concerned with countries in conflict. Initially, it will be directed at those countries of Central and Eastern Europe which have the prospect of becoming members of the European Union and with which the Union has concluded or negotiated agreements. The aim of the initiative is to contribute to stability by averting tension and potential conflicts in Europe, fostering

neighbourly relations and encouraging countries to consolidate their borders and to resolve problems of national minorities.

The European Council took note of the Council's report spelling out the objectives of and procedures for the planned initiative (see Annex I). It decided to launch the diplomatic process which should result in the conclusion of a pact for stability in Europe. It called upon the Council to implement this initiative as a joint action in accordance with the Treaty on European Union.

The European Union will convene an inaugural conference in Paris in April 1994, to which will be invited to attend, as participants, the countries mainly concerned by the initiative, the countries immediately bordering on the countries principally concerned, the States able to make a particular contribution to the initiative, countries with an interest in stability in Europe by virtue of their defence commitments and countries having association agreements with the Union (Albania, Austria, Belarus, Bulgaria, Canada, Cyprus, the Czech Republic, Estonia, Finland, the Holy See, Hungary, Iceland, Latvia, Lithuania, Malta, Moldova, Norway, Poland, Romania, Russia, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine, and the USA) and representatives of international organizations concerned by the initiative (CSCE, Council of Europe, WEU, NATO and the United Nations). Those countries and organizations would be prepared to support the idea of and arrangements for the conference as decided on by the Union following its formal consultations. Other CSCE participating States agreeing to that idea and those arrangements would also be invited as observers. The conference will be preceded by consultations with all the countries concerned by way of preparation.

### *Former Yugoslavia*

1.10. The European Council adopted the declaration set out in Annex II.

### *Middle-East peace process — Framework for joint action*

1.11. The European Union will continue to support the Middle-East peace process with a view to achieving a just, lasting and comprehensive peace in the region. The PLO-Israeli mutual recognition and Declaration of Principles constitute a first important step.

To this end, the Union confirms its intention, announced at the extraordinary European Council of 29 October, to support the peace process by mobilizing political, economic and financial means of the Union through joint action and examination of relevant Commission proposals in this context. The European Council identified the following areas as suitable for initiatives to be implemented according to appropriate procedures:

- ☐ participating in international arrangements in support of a peace settlement in the framework of the process initiated in Madrid;
- ☐ strengthening the democratic process, including through assistance, if requested, with the preparation and monitoring of the elections to be held in the autonomous Palestinian Territories;
- ☐ consolidating peace through building regional cooperation. The Union's efforts will be channelled in particular through the multilateral working groups on regional economic development and arms control and regional security with a view to contributing to economic development and regional security in the Middle East;
- ☐ supporting the Palestinian Interim Self-Government Authority to be established under the Israeli-PLO Agreement through the rapid, efficient and transparent implementation of European Union aid programmes for the development of the Occupied Territories, in close consultation with the Palestinians. As the largest donor of aid to the Occupied Territories, the European Union will play an important role in the *Ad Hoc* Liaison Committee in order to coordinate its aid programmes as closely as possible with the programmes of other donors active in the region;
- ☐ providing aid in the framework of existing guidelines to the other parties to the bilateral negotiations as they progress substantially towards peace;
- ☐ assuring follow-up to action under way on confidence-building measures submitted to the regional parties;
- ☐ using the European Union's influence to encourage full support on all sides for the peace process.

The European Council supports the proposal for the holding of an international businessmen's conference regarding infrastructure projects for the Middle East region.

## *Relations with Israel*

**Reference:** Draft Association Agreement with Israel: point 1.3.31 of this Bulletin

*I.12.* The conclusion of a new agreement with Israel is one of the key elements of the development of cooperation between the European Union and the Middle East region.

The European Council noted with satisfaction the progress already made on the Commission's Recommendation of 28 September 1993 for the negotiation of that agreement. It approves the main components of the negotiating directives and wishes the negotiations to begin early in 1994 and to be completed as soon as possible.

## **Implementation of the Union Treaty**

### *Economic and monetary union*

*I.13.* The Heads of State or Government decided to appoint Baron Alexandre Lamfalussy President of the European Monetary Institute for a three-year period starting on 1 January 1994.

The European Monetary Institute will have an important role to play in strengthening arrangements for the coordination of Member States' monetary policies and in overseeing the European Monetary System.

Overall, the European Council notes with satisfaction that all the conditions are fulfilled to allow the second stage of EMU to start effectively on the agreed date, i.e. 1 January 1994.

### *Subsidiarity*

#### **References:**

Interinstitutional declaration on democracy, transparency and subsidiarity: Bull. EC 10-1993, points 1.6.1 to 1.6.5 and points 2.2.1 to 2.2.3

Commission report to the European Council on the adaptation of existing Community legislation to the subsidiarity principle: COM(93) 595; Bull. EC 11-1993, point 1.7.2

Commission communication on subsidiarity — Action to be taken on the 'Edinburgh list': Bull. EC 11-1993, points 1.7.1 and 2.2.1

*I.14.* The European Council took note of the Commission's report on the adaptation of existing legislation to the principle of subsidiarity and recalled that the Interinstitutional Agreement concluded on 25 October between the Council, the European Parliament and the Commission bore witness to the commitment of the three institutions in this area.

The European Council noted with satisfaction that the Commission, in response to the commitments entered into at the Lisbon and Edinburgh European Councils, was withdrawing a number of proposals and suggesting the repeal of certain existing legislative acts and the simplification or recasting of others.

The European Council asked the Commission to submit formal proposals in this connection at an early date for adoption as speedily as possible. It underlined the importance of this streamlining and simplification exercise for economic operators, in particular small and medium-sized enterprises. It wanted the Commission to submit formal proposals at an early date for adoption as speedily as possible.

The European Council also asked the Commission to respond to suggestions of the Member States which have not yet been taken into account and to report back regularly on the application of the principle of subsidiarity. The next Commission report on the subject will be submitted in December 1994.

### *Place of the applicant countries in the institutions of the Union*

I.15. The European Council adopted the position of the Union on the place of the applicant countries in the institutions (see Annex III); it invites the General Affairs Council to supplement that decision by determining the threshold for the qualified majority of votes within the Council in the context of finalizing the enlargement negotiations.

## *Annex I*

### **Stability pact — summary report**

#### *Introduction*

I.16. At their meeting in Copenhagen on 21 and 22 June 1993 the Heads of State or Government considered that an initiative on a pact on stability in Europe was timely and decided to examine it in December on the basis of a report to be submitted by the Ministers.

On 4 October the Council adopted an initial document for this purpose, and decided to hold informal consultations on it with the countries concerned.

The European Council meeting on 29 October 1993 proposed that the stability pact to resolve the prob-

lem of minorities and to strengthen the inviolability of frontiers would be a staple component of joint action to promote stability, reinforcement of the democratic process and the development of regional cooperation in Central and Eastern Europe.

This summary report incorporates the outcome of the consultations carried out and submits to the European Council proposals for giving concrete form to these guidelines. It is accompanied by an Annex detailing the practical procedures which could be adopted for the purpose.

#### *The project*

The objective is to contribute to stability by preventing tension and potential conflicts in Europe; it is not concerned with countries in open conflict; it is intended to promote good neighbourly relations and to encourage countries to consolidate their borders and to resolve the problems of national minorities that arise; to this end it is an exercise in preventive diplomacy in which the European Union will have an active role to play as catalyst; it also seeks to facilitate *rapprochement* between the Union and countries which have or are negotiating agreements with it.

The project would have a geographically open and evolutionary character, with the possibility of focusing initially on those countries of Central and Eastern Europe which have the prospect of becoming members of the European Union and *vis-à-vis* which the Union has greater opportunities to exert its influence more effectively, particularly the six CCEE and the three Baltic countries. The objective of the project would be to facilitate *rapprochement* between those States and the Union and their cooperation with it by helping them to fulfil the conditions listed by the European Council in Copenhagen. That action could be extended to other regions or countries.

#### *Organization of the project*

In order to launch the plan the Union would convene an inaugural conference in about April 1994 in Paris. The Union would invite to attend the inaugural conference the countries mainly concerned by the initiative, the countries immediately bordering on the countries principally concerned, the States able to make a particular contribution to the initiative, countries with an interest in stability in Europe by virtue of their defence commitments and countries having association agreements with the Union (Albania, Austria, Belarus, Bulgaria,

Canada, Cyprus, the Czech Republic, Estonia, Finland, the Holy See, Hungary, Iceland, Latvia, Lithuania, Malta, Moldova, Norway, Poland, Romania, Russia, Slovakia, Slovenia, Sweden, Switzerland, Turkey, Ukraine, and the USA) and representatives of international organizations concerned by the initiative (CSCE, Council of Europe, WEU, NATO and the United Nations). Those countries and organizations would be prepared to support the idea of and arrangements for the conference as decided on by the Union following its formal consultations. Other CSCE participating States agreeing to that idea and those arrangements would also be invited as observers. The conference will be preceded by consultations with all the countries concerned by way of preparation.

The task of the inaugural conference would be to set up round tables to accompany the bilateral discussions.

The inaugural conference would be preceded by preparatory formal consultations. Their main purpose would be to define the nature, role, operation and composition of the round tables and the input of participants, and the rules which would govern the conference.

The result aimed at in the process is the conclusion of agreements which would cover in particular the problems of national minorities and the consolidation of borders and which, with complementary arrangements, would constitute the essential elements of the pact. The complementary arrangements would cover in particular regional cooperation formats, would specify the contribution of the European Union, the cooperation of third countries willing to provide support and the role of instruments governed by international bodies.

The pact will ratify all the agreements concluded by the participating States and the complementary arrangements and, once approved by all the participants, will be intended to be forwarded to the CSCE, which will act as its guardian.

### *Means*

The aim of the project is the establishment of good neighbourly relations based, in some cases, on bilateral agreements between the countries principally concerned, relating in particular to the consolidation of borders and the problems of national minorities.

It will have to take account of agreements already concluded and of efforts made by the States with regard to their national minorities; it will implement accompanying and confidence-building measures; it

will build on the principles and instruments of existing organizations, and it will foster cooperation formats between neighbouring countries, with the support of the Union and third countries.

It proposes to use the principles and instruments of the CSCE and the Council of Europe, avoiding any duplication and establishing close contacts with them throughout the process of drawing up and implementing the pact.

### *Role of the Union*

The Union will actively accompany the process of drawing up the pact; it will take the initiative of convening the inaugural conference, it will encourage the parties to establish 'good neighbour' agreements amongst themselves, and to undertake efforts to improve, *de jure* and *de facto*, the situation of national minorities; it will encourage regional cooperation arrangements, and it will provide support, in particular deriving the best advantage from agreements already in existence or being negotiated.

The Union will take the necessary steps to ensure the effectiveness and success of its initiative by using the joint action procedure as provided for in the guidelines of the special European Council meeting on 29 October, notably for launching the conference.

### *Reasons*

There are three reasons for undertaking this project: first, the urgent need to reinforce stability in Europe; secondly, the contribution of the Union to the efforts of the countries preparing for accession; finally, the implementation of the common foreign and security policy.

The Union hopes, by establishing *de facto* solidarity arrangements and implementing a new concept of borders based on free movement, to contribute to the settlement of issues still unresolved in connection with the problems of national minorities and the consolidation of borders. The diversity of cultures, languages, religions, traditions and origins must become a source of enrichment and a unifying factor, and cease to be a cause of tension and rivalries.

### *Proposal*

It is therefore proposed that the European Council approve the above guidelines, together with those in this Annex which give them concrete form, and request the Council to ensure their implementation.

## Annex II

### Declaration on the former Yugoslavia

*I.17.* A humanitarian disaster is threatening Bosnia-Herzegovina this winter. The war and the atrocities must end. That is why the European Union has put forward an action plan to ensure the conveying of aid and the resumption of negotiations. The plan has been accepted by all parties as the basis for negotiation. There is now a real possibility of achieving peace, provided the parties concerned really wish it. In order to achieve peace, all parties must demonstrate the necessary flexibility and negotiate in good faith without wasting any more time.

The European Union is providing the major part of the humanitarian effort. Its joint action is currently being implemented. The European Union continues to insist that Tuzla airport be reopened. Although the humanitarian convoys are subject to less obstruction, the parties concerned are still far from fulfilling the obligations entered into on 29 November in Geneva. They must adhere strictly to them.

At political level, enormous obstacles have still to be overcome. The Serbian side has still not agreed to the necessary territorial adjustments. The Bosnians are entitled to a viable territory including access to the sea, and an appeal is made to the Croatian side on this point. The arrangement on Sarajevo, as agreed on board *HMS Invincible*, will have to guarantee, under United Nations supervision, free access and free movement for all its citizens throughout the city. The claim by the Bosnian side to a third of the territory of Bosnia-Herzegovina is legitimate and must be met.

The Serbs must be aware of the responsibility which they take upon themselves should they continue adopting an inflexible attitude. They must realize that only real territorial concessions by them in Bosnia-Herzegovina and acceptance of the *modus vivendi* in Croatia will induce the European Union to work, as it promised to do in Geneva, for the progressive and conditional suspension of sanctions in line with implementation. In the meantime, the European Union will endeavour to promote a more rigorous application of sanctions.

The European Council requires all parties to act in a constructive spirit and expects third States to dissuade the parties involved from resorting to the military option. The European Union again confirms that it is ready to play its role in implementing

the peace plan. As regards the Bosnian side, the European Union will endeavour to obtain credible assurances regarding the effective implementation of a peace settlement. In this context, it will endeavour to ensure that the necessary facilities are established under the authority of the United Nations Security Council using, *inter alia*, the resources of NATO. The Member States of the European Union will make their contribution to these arrangements and appeal to the other States concerned to provide their support as well.

The European Council confirmed its confidence in the negotiators, who are concentrating their efforts to push through the action plan, which constitutes the basis for negotiations. It invites the Serb, Bosnian and Croat leaders to meet the Council in Brussels on 22 December.

## Annex III

### The place of the applicant countries in the institutions and bodies

#### *I.18. The Commission*

##### Number of Members

- ☐ Austria: 1
- ☐ Belgium: 1
- ☐ Denmark: 1
- ☐ Finland: 1
- ☐ France: 2
- ☐ Germany: 2
- ☐ Greece: 1
- ☐ Ireland: 1
- ☐ Italy: 2
- ☐ Luxembourg: 1
- ☐ Netherlands: 1
- ☐ Norway: 1
- ☐ Portugal: 1
- ☐ Spain: 2
- ☐ Sweden: 1
- ☐ United Kingdom: 2

Total: 21

## *The European Parliament*

### **Number of Members**

- ☐ Austria: 20
- ☐ Belgium: 25
- ☐ Denmark: 16
- ☐ Finland: 16
- ☐ France: 87
- ☐ Germany: 99
- ☐ Greece: 25
- ☐ Ireland: 15
- ☐ Italy: 87
- ☐ Luxembourg: 6
- ☐ Netherlands: 31
- ☐ Norway: 15
- ☐ Portugal: 25
- ☐ Spain: 64
- ☐ Sweden: 21
- ☐ United Kingdom: 87

Total: 639

### *Court of Justice*

☐ Each Member State will propose one Judge for appointment. In addition, should an even number of States accede, Germany, France, Italy, Spain and the United Kingdom will take part in a system involving the rotation of an additional Judge;<sup>1</sup>

☐ Germany, France, Italy, Spain and the United Kingdom will each propose one Advocate-General for appointment;

☐ the other Member States will take part in a system involving the rotation of three Advocates-General.

### *The Court of First Instance*

Each Member State will propose one member for appointment.

### *The Court of Auditors*

Each Member State will propose one member for appointment.

## *The Economic and Social Committee*

### **Number of Members**

- ☐ Austria: 11
- ☐ Belgium: 12
- ☐ Denmark: 9
- ☐ Finland: 9
- ☐ France: 24
- ☐ Germany: 24
- ☐ Greece: 12
- ☐ Ireland: 9
- ☐ Italy: 24
- ☐ Luxembourg: 6
- ☐ Netherlands: 12
- ☐ Norway: 9
- ☐ Portugal: 12
- ☐ Spain: 21
- ☐ Sweden: 11
- ☐ United Kingdom: 24

Total: 229

### *The Committee of the Regions*

### **Number of Members**

- ☐ Austria: 11
- ☐ Belgium: 12
- ☐ Denmark: 9
- ☐ Finland: 9
- ☐ France: 24
- ☐ Germany: 24
- ☐ Greece: 12
- ☐ Ireland: 9
- ☐ Italy: 24
- ☐ Luxembourg: 6
- ☐ Netherlands: 12
- ☐ Norway: 9
- ☐ Portugal: 12
- ☐ Spain: 21
- ☐ Sweden: 11
- ☐ United Kingdom: 24

Total: 229

<sup>1</sup> A joint declaration, similar to that adopted for the 1973 enlargement, will be entered in the Act of Accession to cover the eventuality of an uneven number of applicant countries acceding by allowing the 13th acting Judge to become an Advocate-General.

## *The Council*

### **Rotation of the Presidency**

(i) Article 146 of the Treaty will be amended as follows:

'The Council shall consist of a representative of each Member State at ministerial level, authorized to commit the government of that Member State.

The office of President shall be held in turn by each Member State in the Council for a term of six months in the order decided by the Council acting unanimously.'

(ii) When the Accession Treaty enters into force the Council will adopt the following Decision:<sup>1</sup>

'The office of President shall be held:

- ☐ for the first six months of 1995 by France;
- ☐ for the second six months of 1995 by Spain;
- ☐ for the subsequent periods of six months by the following countries in turn in the following order: Italy, Ireland, the Netherlands, Luxembourg, the United Kingdom, Austria, Norway, Germany, Finland, Portugal, France, Sweden, Belgium, Spain, Denmark, Greece.

The Council, acting unanimously on a proposal from the Member States concerned, may decide that a Member State may hold the Presidency during a period other than that resulting from the above order.'

### **Weighting of votes within the Council**

- ☐ Present Member States: current weighting maintained
- ☐ Austria, Sweden: 4 votes per country
- ☐ Norway, Finland: 3 votes per country

### *Official languages*

The official languages of the Union after enlargement will be the nine existing official languages, to which will be added on accession Finnish, Norwegian and Swedish.

The following declaration will appear in the official record of the conference:

'In adopting the institutional provisions of the Accession Treaty, the Member States and the applicant countries agree that, as well as examining the legislative role of the European Parliament and the other matters envisaged in the Treaty on European Union, the Intergovernmental Conference to be convened in 1996 will consider the questions relating to the number of Members of the Commission and the weighting of the votes of the Member States in the Council. It will also consider any measures deemed necessary to facilitate the work of the institutions and guarantee their effective operation.'

## *Annex IV*

### **Guidelines of the European Council for the conclusion of the GATT negotiations and the 'general affairs' Council meeting on 13 December 1993**

**Reference:** Final Act concluding the Uruguay Round negotiations: point 1.3.99 of this Bulletin

### *Negotiations in Geneva*

I.19. Several problems still have to be resolved in order to reach agreement, particularly regarding textiles, which is of vital importance to one Member State, and the multilateral trade organization, and which also guarantees special and separate treatment of audiovisual matters both now and in the future.

### *Agriculture*

The European Council takes note of the Commission's prognosis of the compatibility with the reformed CAP of the new international commitments which would result from an agreement in GATT. If, however, additional measures were to prove necessary, the Council agrees that they should not increase the constraints of the reformed CAP, nor affect its proper operation. It would, if necessary, take the requisite steps while respecting the decisions of the Edinburgh European Council.

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<sup>1</sup> This Decision will be adjusted if enlargement involves fewer than four countries.



# **PART ONE**

## **ACTIVITIES IN DECEMBER 1993**

# News in brief

## **The single market and the Community economic and social area**

### *Economic and monetary policy*

- ☐ The Commission adopts a White Paper on growth, competitiveness and employment (→ point 1.2.44).
- ☐ The Council adopts a recommendation on the broad guidelines of the economic policies of the Member States and of the Community (→ point 1.2.45).

### *Internal market*

- ☐ The Commission adopts a communication setting out a strategic programme for the internal market (→ point 1.2.1).
- ☐ The Council adopts a Regulation on the Community trade mark (→ point 1.2.38).
- ☐ The Council agrees a proposal for a Directive relating to VAT on second-hand goods, works of art, antiques and collectors' items (→ point 1.2.14).
- ☐ The Council agrees a common position on a proposal for a Directive on the legal protection of biotechnological inventions (→ point 1.2.40).
- ☐ The Commission adopts a recommendation on the taxation of certain income derived by individuals from a Member State other than that of their residence (→ point 1.2.31).

### *Competition*

- ☐ The Council gives its assent to draft Decisions in individual aid cases in the context of the restructuring of the Community steel industry (→ points 1.2.92 to 1.2.97).
- ☐ The Commission adopts new Community guidelines on State aid for environmental protection (→ point 1.2.73).

### *Research and technology*

- ☐ The Council agrees a common position on the fourth framework programme in the field of research, technological development and demonstration (→ point 1.2.103).

### *Education, vocational training and youth*

- ☐ The Commission adopts a proposal for a Decision establishing an action programme for the implementation of a Community vocational training policy (→ point 1.2.113).

*Energy*

- ☐ The Commission adopts amended proposals for Directives concerning common rules for the internal market in electricity and in natural gas (→ point 1.2.121).
- ☐ The Commission establishes new Community rules for State aid to the coal industry (→ point 1.2.125).

*Economic and social cohesion: structural measures*

- ☐ The Commission adopts a proposal for a Regulation establishing a Cohesion Fund (→ point 1.2.145).

*Social dimension*

- ☐ The Commission adopts a communication on application of the Agreement on social policy (→ point 1.2.163).

*Environment*

- ☐ The Council agrees a common position on a proposal for a Directive on packaging and packaging waste (→ point 1.2.178).
- ☐ The Council adopts a common position on a proposal for a Directive relating to measures to be taken against air pollution by emissions from motor vehicles (→ point 1.2.180).
- ☐ The Council adopts Decisions on the conclusion of the Framework Convention on Climate Change (→ point 1.2.183) and of an amendment to the Montreal Protocol (→ point 1.2.181).

*Agriculture*

- ☐ The Council adopts a Regulation adjusting the agrimonetary arrangements (→ point 1.2.189).
- ☐ The Council agrees a proposal for a Regulation modifying the support system for producers of certain arable crops (→ point 1.2.188).

*Fisheries*

- ☐ The Council adopts a Decision relating to the objectives for restructuring the fisheries sector (→ point 1.2.232) and a Regulation establishing a Community system of fishing licences (→ point 1.2.233) and the Commission adopts a communication on the new elements of the common fisheries policy and a proposal for a Regulation fixing management objectives and strategies for certain fisheries (→ point 1.2.231).
- ☐ The Council fixes TACs and quotas for 1994 (→ point 1.2.236).

### *A people's Europe*

☐ The Council adopts a Directive laying down detailed arrangements for the exercise of the right to vote and stand as a candidate for elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (→ point 1.2.254).

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

#### *Central Europe and the independent States of the former Soviet Union*

☐ The Council adopts Decisions concluding Europe Agreements with Hungary and Poland (→ point 1.3.20) and an Interim Agreement with Bulgaria (→ point 1.3.15).

☐ The Commission adopts a recommendation for a Decision authorizing it to negotiate trade agreements with Estonia, Latvia and Lithuania (→ point 1.3.13).

#### *Mediterranean and Middle East*

☐ The Council adopts negotiating directives relating to draft association agreements with Israel (→ point 1.3.31), Morocco (→ point 1.3.33) and Tunisia (→ point 1.3.38).

#### *Asia and Latin America*

☐ A Cooperation Agreement is signed with India (→ point 1.3.52).

#### *Commercial policy*

☐ The Council agrees a proposal for a Regulation on the introduction of time-limits for investigations carried out under the Community instruments of commercial defence (→ point 1.3.73).

#### *International organizations and conferences*

☐ The Final Act concluding the Uruguay Round multilateral trade negotiations is signed (→ point 1.3.99).

### **Common foreign and security policy**

☐ The Council adopts joint action Decisions on South Africa (→ point 1.4.3), on a pact on stability in Europe (→ point 1.4.9) and on humanitarian aid in Bosnia-Herzegovina (→ point 1.4.5).

# 1. European Union

## **Follow-up to the Brussels European Council**

*1.1.1.* Parliament resolution on the conclusions of the European Council of 10 and 11 December 1993.

**Reference:** Conclusions of the Brussels European Council: points I.1 to I.19 of this Bulletin

*Adopted on 15 December.* Parliament welcomed the decisions taken by the European Council, which reflected a new cohesion following the period of instability caused by the difficulties resulting from the process of ratifying the Treaty on European Union. In particular, it approved the action plan adopted by the European Council on the basis of the Commission White Paper on competitiveness, growth and employment but it regretted that the infrastructure initiatives had not been adequately funded and that the total allocation for the research budget had been limited to ECU 12 billion.

With regard to cooperation in the field of justice and home affairs, Parliament welcomed the immediate start-up of Europol, the comprehensive anti-drugs strategy and the strengthening of judicial cooperation, but called on the Member States to take tangible measures to combat international organized crime. It also stressed the importance of implementing Articles K.1 and K.6 of the Union Treaty, which enshrine Parliament's right to be informed and consulted.

As for the institutional adjustments necessitated by enlargement, Parliament noted that the European Council had not proposed anything other than a purely mechanical transposition of the present rules and reiterated its intention to link its assent to achievement of the conditions necessary to ensure the viability of the Union and its decision-making capacity.

OJ C 20, 24.1.1994

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

### Internal market

#### General

1.2.1. Commission communication entitled 'Making the most of the internal market: Strategic programme'.

##### References:

Commission communication on the operation of the internal market after 1992: follow-up to the Sutherland report: Bull. EC 12-1992, point 1.3.14

Commission communication to Parliament and to the Council on reinforcing the effectiveness of the internal market, accompanied by a Commission working document on a strategic programme on the internal market: COM(93) 256; Bull. EC 6-1993, point 1.2.1

Commission White Paper on growth, competitiveness and employment: The challenges and ways forward into the 21st century: point 1.2.44 of this Bulletin

*Approved by the Commission on 7 December.*

*Formally adopted by the Commission on 22 December.* The strategic programme for the completion, management and future development of the internal market follows on from the communication on reinforcing the effectiveness of the internal market, presented by the Commission in June, and takes account of the reactions to that communication. Its aim, as envisaged by the White Paper on growth, competitiveness and employment, is to promote full exploitation of the potential of the single market. Among the priority measures to be taken, the Commission focuses particularly on those relating to completion of the basic legal framework, those relating to the management of the single market and those relating to the dynamic development of that market.

Of the legislative measures that still have to be taken before the single market can function smoothly, the Commission singles out those designed to introduce competition into regulated sectors and to create a business environment geared more closely to the needs of the single market, including a more favourable tax regime, particularly for cross-frontier activities.

With a view to improving the management of the single market, the Commission lays stress on the need to ensure that Community rules are implemented consistently and effectively, to develop the partnership with the Member States, to increase transparency with a view to eliminating obstacles to freedom of movement more rapidly and to improve access to justice.

In order to encourage the dynamic development of the internal market, it calls for steps to be taken to promote the coordinated development of trans-European networks, to encourage the formulation of European standards in industrial sectors and to facilitate the involvement of SMEs in the opening-up of markets.

COM(93) 632

1.2.2. Council conclusions on the Commission communication entitled 'Making the most of the internal market: Strategic programme'.

##### References:

Conclusions of the European Council meeting in Brussels: point I.3 of this Bulletin

Commission communication entitled 'Making the most of the internal market: Strategic programme': COM(93) 632; point 1.2.1 of this Bulletin

*Adopted by the Council on 16 December.* In the context of the action plan adopted by the European Council, the Council welcomes the Commission's strategic programme and undertakes to examine as a matter of priority the

communications and proposals provided for in that programme in order to arrive at swift decisions.

**1.2.3.** Commission communication to the Council and to Parliament on legislative consolidation to enhance the transparency of Community law in the area of the internal market: follow-up to the Sutherland report.

#### References:

Conclusions of the European Council meeting in Edinburgh: Bull. EC 12-1992, point 1.25

Commission communication on the operation of the internal market after 1992: follow-up to the Sutherland report: Bull. EC 12-1992, point 1.3.14

Commission's legislative programme for 1993: COM(93) 43; Bull. EC 1/2-1993, point 1.6.16; Supplement 1/93 — Bull. EC

Commission communication entitled 'Making the most of the internal market: Strategic programme': COM(93) 632; point 1.2.1 of this Bulletin

*Adopted by the Commission on 16 December.* This communication is one of the series of measures being taken in the light of the Sutherland report to increase the transparency of Community legislation and within the framework of the strategic programme for the internal market. It is also a follow-up to the European Council meeting in Edinburgh, which underscored the importance of legislative consolidation in making Community legislation more accessible, concise and comprehensible, while at the same time guaranteeing legal certainty. The Commission identifies the broad legislative areas in which the need for consolidation is greatest, namely technical legislation, recognition of qualifications, financial services and indirect taxation.

It also draws attention to certain obstacles to the consolidation process — obstacles that are linked in particular to the necessary resources and to certain constraints of the decision-making process.

COM(93) 361

**1.2.4.** Commission communication on the handling of urgent situations in the context

of the implementation of Community rules: follow-up to the Sutherland report.

#### References:

Commission communication on the operation of the internal market after 1992: follow-up to the Sutherland report: Bull. EC 12-1992, point 1.3.14

Commission communication entitled 'Making the most of the internal market: Strategic programme': COM(93) 632; point 1.2.1 of this Bulletin

*Adopted on 16 December.* This communication was drawn up in response to a recommendation made following the Sutherland report and in the context of the strategic programme for the internal market. It reviews all the mechanisms dealing with urgent cases presenting serious problems for the consumer. The Commission stresses the importance for Member States of having available mechanisms for the rapid exchange of information and identifies the main areas involved: consumer products, foodstuffs, and veterinary and plant health controls.

COM(93) 430

**1.2.5.** Commission communication on the management of the mutual recognition of national rules after 1992, accompanied by a proposal for a European Parliament and Council Decision establishing a procedure for the exchange of information on national measures derogating from the principle of the free movement of goods within the Community.

*Adopted on 15 December.* On the basis of the lessons drawn and the operational conclusions reached in the light of the inventory drawn up pursuant to Article 100b of the EC Treaty, the Commission is putting forward a proposal covering the non-harmonized areas and establishing a mutual information procedure for all cases where, owing to lack of compliance with its national legislation, a Member State impedes the free movement of goods manufactured and/or marketed in another Member State.

OJ C 353, 31.12.1993; OJ C 18, 21.1.1994;  
COM(93) 669 and 670

## Free movement of goods

### *Technical aspects*

#### **Dangerous substances**

**1.2.6.** Proposal for a European Parliament and Council Directive amending for the 14th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

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

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

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

*Amended proposal adopted by the Commission on 1 December.*

COM(93) 633

*Common position agreed by the Council on 16 December.* The amendment is designed to restrict the use of nickel in jewellery and personal items coming into direct contact with the skin.

**1.2.7.** Proposal for a European Parliament and Council Directive amending for the 15th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

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

*Endorsed by Parliament (first reading) on 15 December.*

OJ C 20, 24.1.1994

#### **Industrial products**

**1.2.8.** Proposal for a European Parliament and Council Directive on the approximation

of the laws of the Member States concerning pressure equipment.

**Commission proposal:** OJ C 246, 9.9.1993; COM(93) 319; Bull. EC 7/8-1993, point 1.2.2

*Endorsed by the Economic and Social Committee on 21 December,* subject to reservations regarding the complexity of the approval procedure for pressure equipment.

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

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

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

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

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

*Common position adopted by the Council on 16 December.* This Directive aims to eliminate barriers to the free movement of recreational craft and some of their components by laying down basic requirements which they have to meet and by introducing procedures for assessing compliance with those requirements.

#### **Foodstuffs**

**1.2.10.** Proposal for a European Parliament and Council Regulation on novel foods and novel food ingredients.

**Commission proposal:** OJ C 190, 29.7.1992; COM(92) 295; Bull. EC 7/8-1992, point 1.3.15

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.13

**Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.2.13

*Amended proposal adopted by the Commission on 1 December.*

OJ C 16, 19.1.1994; COM(93) 631

**1.2.11.** Proposal for a European Parliament and Council Regulation laying down a Com-



munity procedure for flavouring substances used in foodstuffs.

**Basic Directive:** Council Directive 88/388/EEC on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production: OJ L 184, 15.7.1988; Bull. EC 6-1988, point 2.1.38

*Adopted by the Commission on 1 December.* This proposal, which has been put forward in the context of the implementation of the framework Directive on the use of flavourings in foodstuffs, establishes a Community procedure for drawing up a list of flavouring substances to be used in food for human consumption.

OJ C 1, 4.1.1994; COM(93) 609

**1.2.12.** Proposal for a European Parliament and Council Directive amending for the second time Directive 88/344/EEC on the approximation of the laws of the Member States relating to extraction solvents used in the production of foodstuffs and food ingredients.

**Directive to be amended:** Council Directive 88/344/EEC: OJ L 157, 24.6.1988; Bull. EC 6-1988, point 2.1.37, as last amended by Directive 92/115/EEC: OJ L 409, 31.12.1992; Bull. EC 12-1992, point 1.3.42

*Adopted by the Commission on 14 December.* This proposal reinstates cyclohexane in the list of solvents authorized for the extraction of flavourings from natural flavouring materials for use in the production of foodstuffs in the light of additional scientific data received by the Scientific Committee for Food.

OJ C 15, 18.1.1994; COM(93) 659

**1.2.13.** Proposal for a European Parliament and Council Directive on food additives other than colours and sweeteners.

**Commission proposal:** OJ C 206, 13.8.1992; COM(92) 255; Bull. EC 6-1992, point 1.3.22

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.12

**Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.8

**Amended Commission proposal:** OJ C 189, 13.7.1993; COM(93) 290; Bull. EC 6-1993, point 1.2.16

*Common position agreed by the Council on 16 December.* The aim of this proposal is to draw up a list of additives other than colours and sweeteners that are authorized for use on the Community market and to specify the conditions under which they may be used in foodstuffs, and in particular the permitted maximum doses.

## *Tax aspects*

**1.2.14.** Proposal for a Council Directive supplementing the common system of value-added tax and amending Articles 32 and 28 of Directive 77/388/EEC — special arrangements for second-hand goods, works of art, antiques and collectors' items.

**Commission proposal:** OJ C 76, 28.3.1989; COM(88) 846; Bull. EC 12-1988, point 2.1.95

**Economic and Social Committee opinion:** OJ C 201, 7.8.1989; Bull. EC 6-1989, point 2.1.41

**Parliament opinion:** OJ C 323, 27.12.1989; Bull. EC 11-1989, point 2.1.28

*Agreed by the Council on 13 December.* The proposal for a seventh Directive is designed to establish a common system of VAT for second-hand goods, works of art, antiques and collectors' items under which the dealer's profit margin rather than the total value of the goods will be taxed and transactions between individuals excluded from the scope of VAT. The Council has reached agreement on the proposal subject to certain clarifications involving the definition of new cars and derogations for the United Kingdom and Germany. Until 30 June 1999 the United Kingdom will be authorized to apply an effective VAT rate of 2.5% to imports of works of art that are currently exempted on importation while Germany will be authorized, by way of derogation from the margin scheme, to tax supplies of works of art, collectors' items and antiques according to the normal VAT rules.

**1.2.15.** Proposal for a Council Directive on fiscal marking of gas oils.

*Adopted by the Commission on 16 December.* The aim of this proposal is to limit fraud by establishing a common marking standard for all types of gas oil that are released for con-

sumption within the Community after being subject to a rate other than the standard rate applicable to diesel fuel.

OJ C 15, 18.1.1994; COM(93) 352

## *Animal and plant health*

### **Animal health**

**1.2.16.** Council resolution on the strengthening of veterinary epidemiological surveillance measures.

*Adopted by the Council on 22 December.* In order to ensure effective control over the movement of animals following the abolition of border checks, the Council considers it necessary to supplement and reinforce the existing arrangements for supervising holdings and trade so as to permit a high level of veterinary inspection and effective supervision of holdings.

OJ C 16, 19.1.1994

**1.2.17.** Proposal for a Council Decision amending Decision 90/424/EEC on expenditure in the veterinary field.

**Decision to be amended:** Council Decision 90/424/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141, as last amended by Commission Decision 93/439/EEC: OJ L 203, 13.8.1993

*Adopted by the Commission on 6 December.* The aim of this proposal is to improve the mechanisms through which the Community contributes financially to programmes for the eradication and monitoring of animal diseases.

OJ C 4, 6.1.1994; COM(93) 470

**1.2.18.** Parliament resolution on the Commission's communication to the Council and to Parliament on the protection of animals.

**Reference:** Commission communication on the protection of animals: COM(93) 384; Bull. EC 7/8-1993, point 1.2.8

*Adopted by Parliament on 15 December.* Parliament welcomes the broad conclusions of the Commission communication. It calls for Community competence in the animal welfare field to be clarified when the EC Treaty is amended on the occasion of the 1996 Intergovernmental

Conference. It points out that monitoring of the application of the Directives on animal welfare in the Member States can be improved and calls for the work in progress in this field to be completed quickly.

OJ C 20, 24.1.1994

**1.2.19.** Council Directive 93/119/EC on the protection of animals at the time of slaughter or killing.

#### **References:**

Council Directive 74/577/EEC on stunning of animals before slaughter: OJ L 316, 26.11.1974

Council Decision 88/306/EEC on the conclusion of the European Convention for the Protection of Animals for Slaughter: OJ L 137, 2.6.1988; Bull. EC 5-1988, point 2.1.160

**Commission proposal:** OJ C 314, 5.12.1991; COM(91) 136; Bull. EC 11-1991, point 1.2.117

**Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.154

**Parliament opinion:** OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.176

**Amended Commission proposal:** OJ C 328, 12.12.1992; COM(92) 460; Bull. EC 11-1992, point 1.3.171

*Agreed by the Council on 17 December.*

*Formally adopted by the Council on 22 December.* This Directive on the slaughter and killing of animals lays down rules based on the European Convention for the Protection of Animals for Slaughter and on recent scientific research, the aim being to spare animals any avoidable suffering at the time of their slaughter.

OJ L 340, 31.12.1993

**1.2.20.** Proposal for a Council Directive amending Directive 91/628/EEC concerning the protection of animals during transport.

**Commission proposal:** OJ C 250, 14.9.1993; COM(93) 330; Bull. EC 7/8-1993, point 1.2.9

*Endorsed by Parliament on 15 December,* subject to various amendments designed to reinforce the rules governing the duration of transport, rest periods, and the feeding and watering of animals.

OJ C 20, 24.1.1994

**1.2.21.** Proposal for a Council Directive laying down the principles relating to the zootech-

nical and genealogical conditions applicable to imports from third countries of animals, their semen, ovules and embryos.

**Commission proposal:** OJ C 306; 12.11.1993; COM(93) 497; Bull. EC 10-1993, point 1.2.17

*Endorsed by Parliament on 17 December.*

OJ C 20, 24.1.1994

**1.2.22.** Council Decision 93/218/EEC amending Decision 90/218/EEC concerning the placing on the market and administration of bovine somatotrophin (BST).

**References:**

Council Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector: OJ L 405, 31.12.1992; Bull. EC 12-1992, point 1.3.239

Commission communication on bovine somatotrophin: COM(93) 331; Bull. EC 7/8-1993, point 1.2.7

**Decision amended:** Council Decision 90/218/EEC: OJ L 116, 8.5.1990, as last amended by Council Decision 92/98/EEC: OJ L 39, 15.2.1992; Bull. EC 1/2-1992, point 1.3.179

**Commission proposal:** OJ C 3, 5.1.1994; COM(93) 605; Bull. EC 11-1993, point 1.2.12

*Endorsed by Parliament on 17 December*, subject to an amendment designed to prohibit the importation from third countries of products derived from cows which have been treated with bovine somatotrophin.

OJ C 20, 24.1.1994

*Agreed by the Council on 17 December.*

*Adopted by the Council on 22 December.* This Decision extends until 31 December 1994 the ban on the marketing of bovine somatotrophin and on its administration to dairy cows.

OJ L 333, 31.12.1993

**1.2.23.** Council Directives 93/121/EC and 93/120/EC amending Directives 91/494/EEC and 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries, of fresh poultrymeat, poultry and hatching eggs.

**Directives amended:**

Council Directive 91/494/EEC on animal health conditions governing intra-Community trade in, and imports from third countries, of

fresh poultrymeat: OJ L 268, 24.9.1991; Bull. EC 6-1991, point 1.2.139

Council Directive 90/539/EEC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs: OJ L 303, 31.10.1990; Bull. EC 10-1990, point 1.3.141

**Commission proposals:** OJ C 89, 31.3.1993; COM(93) 96; Bull. EC 3-1993, point 1.2.7

**Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.11

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.11

*Adopted by the Council on 22 December.* These two Directives are designed, firstly, to clarify the requirements of Directive 90/539/EEC and to simplify its application in the Member States in the light of experience and, secondly, to lay down, within the framework of Directive 91/494/EEC, rules governing vaccination against Newcastle disease.

OJ L 340, 31.12.1993

**1.2.24.** Parliament resolution on the transposition of Directive 91/497/EEC on fresh meat.

**References:**

Council Directive 91/497/EEC on health problems affecting intra-Community trade in fresh meat: OJ L 268, 24.9.1991; Bull. EC 7/8-1991, point 1.2.193

Council Directive 91/498/EEC on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of fresh meat: OJ L 268, 24.9.1991; Bull. EC 7/8-1991, point 1.2.194

*Adopted by Parliament on 15 December.* Parliament calls on the Commission to present proposals for facilitating the transposition of Directives 91/497/EEC and 91/498/EEC. It draws attention in particular to the considerable social impact that the closure of small slaughterhouses could have as a result of the technical problems and financial burdens arising from this transposition process.

OJ C 20, 24.1.1994

**1.2.25.** Council Directive 93/118/EC amending Directive 85/73/EEC on the financing of health inspections and controls of fresh meat and poultrymeat.

**Reference:** Council Directive 89/662/EEC concerning veterinary checks in intra-Community

trade with a view to the completion of the internal market: OJ L 395, 30.12.1989; Bull. EC 12-1989, point 2.1.196

**Directive amended:** Council Directive 85/73/EEC: OJ L 32, 5.2.1985; Bull. EC 1-1985, point 2.1.45

**Commission proposal:** OJ C 325, 14.12.1991; COM(91) 81; Bull. EC 11-1991, point 1.2.119

**Parliament opinion:** OJ C 94, 13.4.1992; Bull. EC 3-1992, point 1.2.155

**Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.155

*Agreed by the Council on 17 December.*

*Formally adopted by the Council on 22 December.* This Directive extends the principle of charging a fee for health inspections to all products of animal origin covered by Directive 89/662/EEC and placed on the market, whether of Community origin or imported.

OJ L 340, 31.12.1993

**1.2.26.** Proposal for a Council Regulation concerning the prohibition on the use in stock-farming of certain substances having a hormonal or thyrostatic action and of beta-agonists; proposal for a Council Regulation on measures to monitor certain substances and residues thereof in live animals and animal products; proposal for a Council Regulation amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal.

**Commission proposal:** OJ C 302, 9.11.1993; COM(93) 441; Bull. EC 9-1993, point 1.2.10

*Endorsed by the Economic and Social Committee on 21 December.* The Committee points out, however, that questions arise as to the proportionality of the resources used and the involvement of, and obligation on, the parties concerned.

## Plant health

**1.2.27.** Parliament resolution on plant protection products.

### References:

Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms: OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.79

Council Directive 91/414/EEC concerning the placing of plant protection products on the market: OJ L 230, 19.8.1991; Bull. EC 7/8-1991, point 1.2.203

Proposal for a Council Directive establishing Annex VI of Council Directive 91/414/EEC: COM(93) 117; Bull. EC 4-1993, point 1.2.18

*Adopted by Parliament on 15 December.* Parliament rules out any lowering of the standards governing the quality of drinking water. It considers in this context that Directive 90/220/EEC contains appropriate guidelines for the authorization of plant protection products.

OJ C 20, 24.1.1994

## Animal feedingstuffs

**1.2.28.** Council Directive 93/114/EC amending Directive 70/524/EEC concerning additives in feedingstuffs.

**Directive amended:** Directive 70/524/EEC: OJ L 270, 14.12.1970, as last amended by Commission Directive 92/113/EEC: OJ L 16, 28.1.1993

**Commission proposal:** OJ C 107, 17.4.1993; COM(93) 110; Bull. EC 3-1993, point 1.2.12

**Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.15

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.15

*Amended proposal adopted by the Commission on 7 December.*

OJ C 4, 6.1.1994; COM(93) 636

*Adopted by the Council on 14 December.* This Directive amends the labelling rules in Directive 70/524/EEC to cover new additives.

OJ L 334, 31.12.1993

*Endorsed by the Economic and Social Committee on 21 December,* subject to various comments relating in particular to the provisional authorization of additives.

**1.2.29.** Council Directive 93/113/EC concerning the use and marketing of enzymes, micro-organisms and their preparations in animal nutrition.

**Commission proposal:** OJ C 116, 27.4.1993; COM(93) 119; Bull. EC 3-1993, point 1.2.13

**Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.16  
**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.16

*Amended proposal adopted by the Commission on 7 December.*

OJ C 5, 7.1.1994; COM(93) 637

*Adopted by the Council on 14 December.* This Directive establishes a common legal framework enabling Member States to permit the provisional use on their territory of enzymes and micro-organisms in animal nutrition.

OJ L 334, 31.12.1993

## Free movement of persons

**1.2.30.** Proposal for a Council Regulation determining the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States.

**Reference:** Conclusions of the European Council meeting in Edinburgh: Bull. EC 10-1993, point 1.5

**Commission approval:** Bull. EC 11-1993, point 1.2.20

*Formally adopted by the Commission on 10 December.*

OJ C 11, 15.1.1994; COM(93) 684

**1.2.31.** Commission recommendation on the taxation of certain income derived by individuals from a Member State other than that of their residence.

*Adopted on 21 December.* The Commission recommends Member States to amend their legislation in such a way that persons carrying out an activity in a Member State while retaining their place of residence in another Member State are taxed in the Member State of their activity and benefit from the same tax treatment (particularly as regards consideration of their family situation) as residents if they earn at least 75% of their income in that Member State.

**1.2.32.** Recommendation for a Council Decision on the opening of negotiations

between the European Community and Switzerland on the free movement of persons.

**Reference:** Commission communication on future relations with Switzerland: COM(93) 486; Bull. EC 10-1993, point 1.3.11

*Adopted by the Commission on 9 December.* In accordance with the objectives set out in its communication on future relations with Switzerland, the Commission calls on the Council to authorize the negotiation of a bilateral agreement on the free movement of persons that would provide for all the Community acts in this sphere to be extended to Switzerland.

## Free movement of services

### General

**1.2.33.** Commission communication concerning the free movement of services across frontiers.

#### References:

Conclusions of the European Council meeting in Edinburgh: Bull. EC 12-1992, point 1.25

Judgment in Case C-288/89: OJ C 224, 29.8.1991; Bull. EC 7/8-1991, point 1.7.12

*Adopted by the Commission on 6 December.* This communication answers the need for transparency of Community rules as defined by the European Council in Edinburgh. Its purpose is to inform the public about important developments in the interpretation of the EC Treaty provisions guaranteeing free cross-frontier movement of services as a result of recent judgments handed down by the Court of Justice.

OJ C 334, 9.12.1993

### Financial services

**1.2.34.** Council Decision authorizing the Commission to negotiate bilateral agreements with third countries on the supervision of credit institutions on a consolidated basis.

**Reference:** Council Directive 92/30/EEC on the supervision of credit institutions on a consoli-

dated basis: OJ L 110, 28.4.1992; Bull. EC 4-1992, point 1.3.7

*Adopted on 20 December on a recommendation from the Commission.* The aim of this Decision is to facilitate the supervision of credit institutions on a consolidated basis in certain third countries, and in particular those in which there are numerous branches of Community credit institutions or whose own credit institutions are well established in the Community.

**1.2.35.** Proposal for a European Parliament and Council Directive amending Directive 80/390/EEC coordinating the requirements for the drawing-up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock exchange listing, with regard to the obligation to publish listing particulars.

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

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

*Endorsed by Parliament (first reading) on 15 December,* subject to various amendments relating in particular to the publication of the opinions of auditors.

OJ C 20, 24.1.1994

**1.2.36.** Proposal for a European 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, and Directive 93/22/EEC in the field of investment firms in order to reinforce prudential supervision.

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

*Endorsed by the Economic and Social Committee on 21 December.* The Committee stresses the importance of clarifying provisions which could lead to differences of interpretation.

## *Tax aspects*

**1.2.37.** Council conclusions on the taxation of savings.

*Adopted on 13 December.* With a view to receiving a report from it, the Council calls on the Commission to consider the general principles set out below, including the issue of third countries, in particular those with which the risks of displacement of savings are greatest:

☐ interest received by Community residents is to be subject either to withholding tax at a minimum rate of 15% or to notification of the tax authorities of the country of residence;

☐ where a bilateral agreement between Member States provides either for the charging of withholding tax at a rate of at least 15% or, in order to enable a preferential rate to be charged, for adequate notification of the tax authorities of the country of residence, the provisions of that agreement will continue to be applicable;

☐ Member States which have a system of automatic declarations made by paying institutions to the tax authorities will continue to apply that system to their residents;

☐ in the context of bilateral agreements, Member States may agree on exchanges of information on interest received by their residents in another Member State;

☐ in Member States which apply a withholding tax system, it will be open to any resident of another Member State to request not to be subject to withholding tax, provided that he authorizes the institution paying the interest to report his identity and the amount of interest paid.

## **Intellectual property**

**1.2.38.** Council Regulation (EC) No 40/94 on the Community trade mark.

**Reference:** Council Directive 89/104/EEC on the approximation of the laws of the Member States relating to trade marks: OJ L 40, 11.2.1989; Bull. EC 12-1988, point 2.1.37, as last amended by Directive 92/10/EEC: OJ L 6, 11.1.1992

**Commission proposal:** OJ C 351, 31.12.1980; COM(80) 635; Bull. EC 11-1980, point 2.1.13

**Economic and Social Committee opinion:** OJ C 310, 30.11.1981

**Parliament opinion:** OJ C 307, 14.11.1983; Bull. EC 10-1983, point 2.1.19

**Amended Commission proposal:** OJ C 230, 31.8.1984; COM(84) 470; Bull. EC 7/8-1984, point 2.1.21

**Second Parliament opinion:** OJ C 280, 28.10.1991; Bull. EC 10-1991, point 1.2.8

**Second amended Commission proposal:** COM(92) 443; Bull. EC 11-1992, point 1.3.41

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

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

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

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

*Agreed by the Council on 6 December.*

*Formally adopted by the Council on 20 December.* This Regulation will enable Community firms to obtain, by means of a single procedure, a Community trade mark providing uniform protection throughout the Community. This protection will enable the proprietor of a Community trade mark to prevent any other person from using the mark for the same products or services or for similar products if there is a danger of confusion. The Community trade mark will be granted for a period of 10 years, which is renewable, by the Office for Harmonization in the Internal Market, the language arrangements of which will permit any economic operator to file an application for a trade mark in any one of the nine Community languages. Protection will be reinforced by the existence of quasi-judicial bodies — the Boards of Appeal of the Office for Harmonization in the Internal Market (trade marks and designs) — whose decisions may be challenged before the Court of Justice of the European Communities. This system supplements the national trade-mark systems which exist in the Member States and were harmonized by Directive 89/104/EEC.

OJ L 11, 14.1.1994

**1.2.39.** Proposal for a European Parliament and Council Regulation on the Community design; proposal for a European Parliament and Council Directive on the legal protection of designs.

**Commission approval:** Bull. EC 7/8-1993, point 1.2.21

*Formally adopted by the Commission on 3 December.*

OJ C 345, 23.12.1993; OJ C 29, 31.1.1994; COM(93) 342 and 344

**1.2.40.** Proposal for a European Parliament and Council Directive on the legal protection of biotechnological inventions.

*Common position agreed by the Council on 16 December.* This proposal is designed to harmonize the conditions for issuing patents for biotechnological inventions; it lays down strict criteria for the patentability of procedures and methods which interfere with the physical integrity of man or animals.

The proposal also clarifies the scope of the protection conferred by such patents in the light, for example, of the 'farmer's privilege', which permits farmers to use, for purposes of multiplication or propagation on their own farms, the seeds obtained from crops cultivated on their own farms using seeds protected by patent.

**1.2.41.** Council Decision 94/4/EC on the extension of the legal protection of topographies of semiconductor products to persons from the United States of America.

#### References:

Council Directive 87/54/EEC: OJ L 24, 27.1.1987; Bull. EC 12-1986, point 2.1.33

Council Decision 93/16/EEC: OJ L 11, 19.1.1993

Commission Decision 93/217/EEC: OJ L 94, 20.4.1993

*Adopted by the Commission on 10 December.*

COM(93) 660

*Adopted by the Council on 20 December.* This Decision extends the right to legal protection of topographies of semiconductor products to individuals and companies from the United States until 1 July 1994, the time needed to complete the procedure that should lead to the mutual granting of unlimited protection.

OJ L 6, 8.1.1994

## Public procurement

**1.2.42.** Proposal for a Council Decision concerning the extension of the benefit of the pro-

visions of Directive 90/531/EEC to Austria, Finland, Iceland, Liechtenstein, Norway and Sweden.

**Reference:** Agreement on the European Economic Area: point 1.3.7 of this Bulletin

**Directive to be amended:** Council Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors: OJ L 297, 29.10.1990; Bull. EC 9-1990, point 1.2.6

*Adopted by the Commission on 20 December.* This proposal has been put forward in the context of the implementation of the EEA Agreement as regards the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors. The Commission is proposing that Norway alone should benefit from a derogation from the provisions of Directive 90/531/EEC until 31 December 1994.

COM(93) 667

## Economic and monetary policy

*1.2.43.* The European Council welcomed the Commission's White Paper on growth, competitiveness and employment. On the basis of that document, which it regarded as a reference point for future work, it decided to implement an action plan designed ultimately to reduce substantially the number of unemployed. The main elements of the plan are a general framework for the policies to be pursued at Member State level, specific accompanying measures to be taken at Community level and a monitoring procedure. In this context, the European Council approved the draft for the broad economic policy guidelines drawn up by the Council (→ point 1.3).

### Growth, competitiveness and employment

*1.2.44.* Commission White Paper entitled 'Growth, competitiveness, employment: The

challenges and ways forward into the 21st century'.

#### References:

Conclusions of the European Council meeting in Copenhagen: Bull. EC 6-1993, point 1.5

Conclusions of the European Council meeting in Brussels: point 1.3 of this Bulletin

Council Recommendation 94/7/EC on the broad guidelines of the economic policies of the Member States and of the Community: OJ L 7, 11.1.1994; point 1.2.45 of this Bulletin

Final act of the multilateral trade negotiations of the Uruguay Round: point 1.3.99 of this Bulletin

Commission communication entitled 'Making the most of the internal market: Strategic programme': COM(93) 632; point 1.2.1 of this Bulletin

*Adopted on 5 December.* In this White Paper, which was drawn up in response to the request made by the European Council in Copenhagen, the Commission analyses the causes of the rise in unemployment in the Community and points in particular to the link between growth, competitiveness and employment. In this context, it presents a medium and long-term plan for combating unemployment, improving competitiveness and providing a macroeconomic framework for promoting sustained growth.

The Commission distinguishes between three different forms of unemployment:

☐ cyclical unemployment, which is due to slackening growth;

☐ structural unemployment, which is linked to certain factors affecting the competitiveness of Community industry, notably its failure to adapt adequately to the new international division of labour, competition from low-cost countries, the excessive level of non-wage costs (especially for unskilled labour) and the inflexibility of employment systems;

☐ 'technological' unemployment, which is due to failure to adapt adequately to the consequences of technical progress.

It examines the conditions under which these different forms of unemployment can be reduced:

☐ a healthy economy, this being a precondition of growth. The Commission refers par-



ticularly to the broad economic-policy guidelines submitted to the European Council;

□ an open economy within the framework of expanding international trade guaranteed by a global agreement on the Uruguay Round and by the setting-up of a world trade organization;

□ a decentralized economy underpinned by the new technologies needed to promote the rise of an 'information society'; the Commission proposes in this connection that the establishment of 'information highways' (broadband networks) be speeded up and that the corresponding services be developed; it puts the cost of these infrastructures at ECU 67 billion by 1999, to be borne mainly by the private sector;

□ a more competitive economy: the Commission draws attention to the need to exploit the potential of the single market to the full, as provided for in the strategic programme entitled 'Making the most of the internal market', to take action in support of SMEs, to reinforce the research and technological development effort and to speed up the establishment of the trans-European networks, particularly in the transport and energy fields, based on a partnership between the public and the private sector. The Commission singles out priority projects (new transfrontier links, combined transport, traffic management systems, gas pipelines) and puts their cost at ECU 95 billion by 1999;

□ an economy characterized by solidarity.

The Commission then sets out the priorities for action on jobs:

□ the development of lifelong education and training;

□ greater labour-market flexibility;

□ increased decentralization and greater participation of the social partners;

□ a reduction in the cost of unskilled labour: the Commission suggests that non-wage costs be cut by an amount equivalent to between one and two percentage points of GNP by the year 2000;

□ an overhaul of employment policy aimed at preventing long-term unemployment;

□ use of sources of employment linked to meeting new needs: local services, audiovisual

sector, leisure and cultural facilities, improvements in the quality of life, environmental protection.

The Commission points out in conclusion that combating unemployment calls for structural reforms and behavioural and policy changes at all levels (Community, national and local) and for the solutions adopted to be tailored to the particular situation in each Member State.

COM(93) 700; Supplement 6/93 — Bull. EC

## Coordination of economic policies

1.2.45. Council Recommendation 94/7/EC on the broad guidelines of the economic policies of the Member States and of the Community.

**Commission recommendation:** COM(93) 629; Bull. EC 11-1993, point 1.2.24

*Adoption by the Council on 5 December of draft broad guidelines* to be submitted to the European Council in accordance with Article 103(2) of the EC Treaty.

*Adoption of conclusions by the European Council on 11 December* (→ point 1.3).

*Agreed by the Council on 13 December.*

*Formally adopted on 22 December.* These guidelines, which are provided for in Article 103 of the EC Treaty, were drawn up in the light of the conclusions of the European Council meeting in Brussels. They are designed to constitute the reference point for the next multilateral surveillance exercises. The Council points out that the priority aim is to return to sustainable and non-inflationary economic growth in order to reverse the unemployment trend. It emphasizes the need to establish a stable and coherent macroeconomic framework and to remove obstacles to growth. It lays down the following guidelines: price and exchange-rate stability, sound public finances, job creation, an increase in the share of investment in gross domestic product, a reduction in indirect labour costs, an active employment policy and completion of the single market, particularly through the development of the trans-European networks. The full text of this

recommendation is set out in Part Two of this Bulletin (→ point 2.2.1).

OJ L 7, 11.1.1994

**1.2.46.** Parliament resolution on the broad guidelines of the economic policies of the Member States and of the Community.

*Adopted on 2 December.* Parliament reaffirms that unemployment, caused by the economic recession, is the most serious problem facing the European Union and argues that the overriding objective of the economic-policy guidelines should be to bring about a massive reduction in unemployment by implementing measures designed to achieve sustainable, non-inflationary growth and to ensure that such growth is actually translated into jobs. It draws attention particularly to the current shortage of demand as a result of excessively high interest rates, to the role that public investment can play and to the need for the benefits of productivity gains to be shared more evenly and for the burden of taxation to be shifted away from labour.

OJ C 342, 20.12.1993

## Economic and monetary convergence

**1.2.47.** Commission report to the Council on the progress made with regard to economic and monetary convergence and to implementation of Community law concerning the internal market.

**Commission approval:** Bull. EC 11-1993, point 1.2.25

*Formally adopted on 8 December.*

## Growth initiative

**1.2.48.** Proposal for a Council Decision on the provision of Community interest subsidies on loans for small and medium-sized enterprises (SMEs) extended by the European Investment Bank.

**Reference:** conclusions of the European Council meeting in Brussels: Bull. EC 10-1993, point 1.8

**Commission proposal:** OJ C 10, 14.1.1994; COM(93) 577; Bull. EC 11-1993, point 1.2.29

*Agreed by the Council on 22 December.* This Decision provides for the Community to grant, for a maximum period of five years, 2% interest subsidies on loans granted by the EIB to SMEs under the temporary facility agreed by the European Council up to a total amount of ECU 1 billion in principal.

## Implementation of Stage II of economic and monetary union

**1.2.49.** The Council completed its adoption of the proposals introducing the secondary legislation necessary for implementing Stage II of economic and monetary union (→ points 1.2.50 to 1.2.54).

**1.2.50.** Council Regulation (EC) No 3604/93 specifying definitions for the application of the prohibition of privileged access referred to in Article 104a of the Treaty.

**Commission proposal:** OJ C 324, 1.12.1993; COM(93) 371; Bull. EC 7/8-1993, point 1.2.28

**Economic and Social Committee opinion:** OJ C 352, 30.12.1993; Bull. EC 10-1993, point 1.2.31

**Council agreement:** Bull. EC 10-1993, point 1.2.31

**Parliament opinion (first reading):** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.36

**Amended Commission proposal:** OJ C 340, 17.12.1993; COM(93) 617; Bull. EC 11-1993, point 1.2.36

**Council common position:** Bull. EC 11-1993, point 1.2.36

*Endorsed by Parliament (second reading) on 2 December.*

OJ C 342, 20.12.1993

*Adopted by the Council on 13 December.* This Regulation amplifies the expressions 'privileged access', 'financial institutions', 'prudential considerations' and 'public undertakings' used in Article 104a of the EC Treaty.

OJ L 332, 31.12.1993

**1.2.51.** Council Regulation (EC) No 3603/93 specifying definitions for the application of the

prohibitions referred to in Articles 104 and 104b(1) of the Treaty.

**Commission proposal:** OJ C 324, 1.12.1993; COM(93) 371; Bull. EC 7/8-1993, point 1.2.28

**Economic and Social Committee opinion:** OJ C 352, 30.12.1993; Bull. EC 10-1993, point 1.2.31

**Council agreement:** Bull. EC 10-1993, point 1.2.31

**Parliament opinion (first reading):** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.37

**Amended Commission proposal:** OJ C 340, 17.12.1993; COM(93) 617; Bull. EC 11-1993, point 1.2.37

**Council common position:** Bull. EC 11-1993, point 1.2.37

*Endorsed by Parliament (second reading) on 2 December.*

OJ C 342, 20.12.1993

*Adopted by the Council on 13 December.* This Regulation amplifies the terms used in Articles 104 and 104b of the EC Treaty.

OJ L 332, 31.12.1993

**1.2.52.** Council Regulation (EC) No 3607/93 amending Regulation (Euratom, ECSC, EEC) No 549/69 laying down the categories of officials and other servants of the European Communities to whom the provisions of Articles 12, 13(2) and 14 of the Protocol on the privileges and immunities of the European Communities apply.

**Commission proposal:** OJ C 324, 1.12.1993; COM(93) 436; Bull. EC 9-1993, point 1.2.23

**Council agreement:** Bull. EC 10-1993, point 1.2.31

*Endorsed by Parliament on 2 December.*

OJ C 342, 20.12.1993

*Adopted by the Council on 13 December.* This Regulation concerns the privileges and immunities from which the staff of the European Monetary Institute will benefit.

OJ L 332, 31.12.1993

**1.2.53.** Decision taken by common accord by the governments of the Member States of the European Community at the level of Heads of State or Government and appointing the President of the European Monetary Institute.

**Reference:** conclusions of the European Council meeting in Brussels (I): Bull. EC 10-1993, point 1.3

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.38

*Adopted on 11 December.* Mr A. Lamfalussy has been appointed President of the European Monetary Institute for a period of three years as from 1 January 1994.

OJ L 319, 21.12.1993

**1.2.54.** Parliament resolution on the independence of the national central banks in the context of the second and third stages of economic and monetary union.

*Adopted on 15 December.* Parliament calls on the Member States to make their national central banks independent and, in so doing, to comply with the requirements laid down by the EC Treaty, particularly as regards the priority nature of the objective of price stability and the institutional, operational, staffing and material independence of the banks. It takes the view that the involvement of private shareholders runs counter to the principle of independence. It considers that no national central bank currently meets these criteria.

OJ C 20, 24.1.1994

## International cooperation

**1.2.55.** Parliament resolution on international monetary cooperation within the framework of the easing of restrictions on capital markets.

*Adopted on 15 December.* Parliament draws attention to the impact of the globalization of capital markets on the room for manoeuvre available to the Community and its Member States in the monetary policy sphere and emphasizes the need for better control over speculation. It recommends that international cooperation be reinforced, particularly through the conclusion of a trilateral monetary agreement between the European Community, the United States and Japan, and that the Community implement protective measures where appropriate, particularly by using Article 73c of the EC Treaty or by introducing

a tax on speculative foreign-exchange transactions.

OJ C 20, 24.1.1994

## Statistical area

### Policy aspects

**1.2.56.** Proposal for a Council Regulation on the statistics relating to the trading of goods by the Community and its Member States with non-member countries.

#### **Regulations to be repealed:**

Council Regulation (EEC) No 1736/75 on the external trade statistics of the Community and statistics of trade between Member States — OJ L 183, 14.7.1975 — as last amended by Council Regulation (EEC) No 1629/88 — OJ L 147, 14.6.1988

Council Regulation (EEC) No 200/83 on the adaptation of the external trade statistics of the Community to the Directives concerning the harmonization of procedures for the export of goods and for the release of goods for free circulation — OJ L 26, 28.1.1983

*Adopted by the Commission on 9 December.* Purpose: to bring the legislation on the statistics of trade with non-member countries into line with recent developments, particularly the completion of the single market, the harmonization of customs legislation and the increased need for statistics.

OJ C 5, 7.1.1994 and COM(93) 476

**1.2.57.** Additional Economic and Social Committee opinion on the final report from the Commission on the implementation of Council Decision 90/665/EEC regarding a two-year programme (1991-92) for developing Community tourism statistics.

#### **References:**

Council Decision 90/665/EEC — OJ L 358, 21.12.1990; Bull. EC 12-1990, point 1.7.2

Final report from the Commission on the implementation of Council Decision 90/665/EEC — COM(93) 345

*Adopted by the Economic and Social Committee on 21 December.* The Committee recommended in particular that users' needs be identified accurately and that consideration be given to the extra workload which data collection may entail for firms, particularly SMEs.

## Results

### *Women in the European Community*

**Reference:** Council Directive 92/85/EEC concerning measures to encourage improvements in the safety and health of pregnant workers, women workers who have recently given birth and those who are breastfeeding — OJ L 348, 28.12.1992; Bull. EC 10-1992, point 1.3.77

**1.2.58.** Women account for 51.2% of the total Community population, but only 41% of the labour force. This under-representation of women on the labour market is due primarily to the difficulties of reconciling family and work-related responsibilities. Nevertheless, more and more women are living alone or bringing up children alone, and women often bear the economic responsibility for their families. Moreover, they tend to be concentrated in low-wage sectors and are hit harder by unemployment than are men.

On 1 January 1993 there were more than 177 million women in the Member States of the European Community — 51.2% of the total population. There are more women than men in every Member State, but the percentage of females in the total population varies: the highest figures are 51.8% in Portugal and 51.6% in Germany, and the lowest 50.1% in Ireland. These percentages closely match the structure of the population by age group: the older the population, the higher the percentage of women. Germany has the lowest percentage of young women aged 0-19 (20.4%) and the highest percentage of women over the age of 60 (24.7%). In Ireland, at the other end of the scale, the youngest age group accounts for 35.1% of the female population and the oldest for only 17.0%. The ratio of women to men increases with age. Since more boys are born than girls, there are more males than females

in the younger age groups. After the age of 50, however, the tables turn and there is a sharp increase in the ratio of women to men. In the 60-79 age group there are 132 women to every 100 men; after the age of 80 the figure goes up to 223. This phenomenon, which is found in every Member State, is due to the higher male mortality rate in all age groups.

In the European Community as a whole and in most Member States, the gross marriage rate (the number of marriages per 1 000 inhabitants) is falling. Between 1980 and 1992 the rate in the Community dropped from 6.4 to 5.6 per thousand, with the highest rate in Portugal (7.1) and the lowest in Ireland (4.5) and France (4.7). The average age of women at first marriage rose in every Member State during the 1980s, increasing for the Community as a whole from 23.2 in 1980 to 25.1 in 1990. As a result, women are having their first child increasingly late in all Member States (the average age ranging from over 27 in the Netherlands and the United Kingdom, to just under 25 in Greece and Portugal). The gross divorce rate (the number of divorces per 1 000 inhabitants) in the Community rose from 1.4 to 1.6 between 1980 and 1992, ranging from 2.9 in the United Kingdom (1990) and 2.5 in Denmark to 0.6 in Greece and Spain (1989) and 0.4 in Italy (in Ireland, the law makes no provision for divorce). Similarly, an increase in the number of births outside marriage can be observed in all Member States. Nearly half of all births in Denmark and nearly a third in France and the United Kingdom take place outside marriage; Greece and Italy have much lower rates of 2.5 and 6.8% respectively. 14.8% of women in the 20-39 age group live alone, with the highest percentages in the Netherlands and Germany. In the Europe of the Twelve, 6.5% of women aged 20 to 39 are heads of single-parent households (living alone with children); the equivalent figure for men is 0.4%. Among the over-40s, the number of women living alone without children increases with age; 51.6% of women over 60 live alone.

Social security systems, which influence the roles of women in society, differ tremendously from country to country. Council Directive 92/85/EEC, which must be complied with by 19 October 1994, stipulates a minimum maternity

leave of 14 weeks, but the exact length of leave and the amount of benefit to be paid during this period are determined by each Member State. Social expenditure on maternity accounts for a small proportion of GDP which nevertheless differs widely from country to country (Denmark: 0.52%; France: 0.47%; Ireland: 0.44%; Greece: 0.05%; Italy: 0.10%). The percentage of GDP spent on family benefits (of which child benefit is a major component) ranges from 2.99% in Denmark to 0.11% in Spain.

In 1990-91, 49% of children in compulsory schooling (primary and lower secondary) in the Community were girls — a figure which reflects the balance between the sexes at birth. Fifty per cent of pupils at upper secondary level and 48% of students in higher education were female. Numbers of women students are increasing in certain fields of study in all Member States. Of women graduates in the Community, the highest percentages are in medicine (24% compared with 11% of all male graduates) and the arts (13% of all female graduates, 6% of male). Men are particularly predominant in engineering and architecture, which account for 26% of male but only 4% of female graduates.

Women make up 41% of the labour force in the European Community as a whole and less than 50% in all Member States, the highest proportions being in Denmark, France, Portugal and the United Kingdom and the lowest in Ireland, Spain, Greece and Luxembourg. The economic activity rate (including both employment and unemployment) of women has been on the increase in recent years, but differs according to family circumstances. Rates decline as the number of children increases, but to an extent which varies according to child-care facilities in the country concerned (these are particularly advanced in Denmark, making it easier for women there to reconcile their careers with family life).

Nearly three quarters of women with jobs in the Community work in services (domestic and health services and teaching), 20.1% in industry (particularly in traditional sectors such as textiles, footwear, etc.) and 5.6% in agriculture. The available data on earnings in

manufacturing and retailing show a large gap between male and female wages in all Member States. These earnings differentials are directly linked to the vertical and horizontal segregation in the labour market: different occupations in the same branch, different qualifications and seniority and a concentration of women in less well-paid sectors. Women are in general more likely to receive low wages and to work part-time: 27.9% of women in the Community, above all in the Netherlands and the United Kingdom, work part time, compared to 3.9% of men.

In the Community as a whole and in all Member States except the United Kingdom, the unemployment rate for women is higher than that for men. The younger age-groups are particularly hard-hit; unemployment in the 14-24 age group is highest in Spain, Italy and Greece, where 30-40% of young women are jobless. Female unemployment diminishes with age, but there is a slight increase in the 55-59 age group, particularly in Denmark and Germany. Across the Community and in almost all Member States, far more men than women are unemployed following the loss of a job. Conversely, unemployment while seeking a job after a period of non-activity is typical of women who, because of family commitments, have never worked or have not worked for some time (although there are major differences here between Member States).

In the Member States as a whole, 12.3% of members of the lower houses of parliament are women, but there are significant differences between countries. Feminization is relatively high in the lower houses in Denmark (33%) and the Netherlands (22.7%) but low in Greece (4.7%) and France (6.0%). Women hold 19.3% of the seats in the European Parliament. There are equally few women at ministerial level: 12.6% of government posts throughout the Community are held by women, the highest rates being once again in the Netherlands (24%) and Denmark (21.1%), while in four other Member States the figure is less than 10%. Women are often better represented in civil-service jobs in the Member States (possibly as a result of the variety of posts available). This does not mean, however, that more women have a say in public decision-making,

since there are far fewer women towards the top of the civil-service ladder.

## Information

### *Publications*

1.2.59. New publications available from sales offices:

- ☐ *Rapid reports (Population and social conditions)*: Women in the European Community (the above is an extract from this publication);
- ☐ *Rapid reports (Population and social conditions)*: International migration flows in selected EC countries, 1991;
- ☐ *Rapid reports (Population and social conditions)*: Old people in the European Community: Life expectancy;
- ☐ *Rapid reports (Services and transport)*: 1993: Recession in the Motor Vehicle Market;
- ☐ *Rapid reports (External trade and balance of payments)*: EC trade with Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia (CEECs): Results for March 1993;
- ☐ *Regions — Statistical yearbook 1993*;
- ☐ *Earnings in agriculture 1991*.

## Competition

### **General rules applying to businesses**

1.2.60. Commission Regulation (EC) No 3666/93 amending Regulation No 27 and Regulations (EEC) No 1629/69, (EEC) No 4260/88, (EEC) No 4261/88 and (EEC) No 2367/90 with a view to implementing the competition provisions laid down in the Agreement on the European Economic Area.

**Reference:** Agreement on the European Economic Area: point 1.3.7 of this Bulletin

**Regulations amended:**

Commission Regulation No 27: OJ 35, 10.5.1962

Commission Regulation (EEC) No 1629/69: OJ L 209, 21.8.1969

Commission Regulations (EEC) Nos 4260/88 and 4261/88: OJ L 376, 31.12.1988; Bull. EC 12-1988, points 2.1.102 and 2.1.101

Commission Regulation (EEC) No 2367/90: OJ L 219, 14.8.1990; Bull. EC 7/8-1990, point 1.3.46

*Adopted on 15 December.* Following the entry into force of the Agreement on the European Economic Area, the Regulation provides that, when suspected infringements of Articles 85 and 86 of the Treaty are being investigated, the businesses concerned must furnish information relating to the whole of the European Economic Area.

OJ L 336, 31.12.1993

**1.2.61.** Commission Regulation (EC) No 3652/93 on the application of Article 85(3) of the Treaty to certain categories of agreements between undertakings relating to computerized reservation systems for air transport services.

**References:**

Commission Regulation (EEC) No 83/91: OJ L 10, 15.1.1991; Bull. EC 12-1990, point 1.3.45; as last amended by Regulation (EEC) No 1618/93: OJ L 155, 26.6.1993; Bull. EC 6-1993, point 1.2.48

Council Regulation (EEC) No 3089/93 amending Regulation (EEC) No 2299/89 on a code of conduct for computerized reservation systems: OJ L 278, 11.11.1993; Bull. EC 10-1993, point 1.2.85

*Adopted on 14 December.* Regulation (EEC) No 83/91, which has expired, is replaced by a new block exemption Regulation which takes account of the new code of conduct for computerized reservation systems.

OJ L 333, 31.12.1993

**1.2.62.** Draft Commission Directive amending Directives 88/301/EEC and 90/388/EEC with regard to satellite communications.

**Reference:** Commission Green Paper on a common approach in the field of satellite communications in the European Community: COM(90) 490; Bull. EC 11-1990, point 1.3.64

**Directives to be amended:**

Commission Directive 88/301/EEC on competition in the markets for telecommunications terminal equipment: OJ L 131, 27.5.1988; Bull. EC 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

*Approved (first reading) on 1 December.* The draft, which the Commission has decided to send to the Council, Parliament and the Economic and Social Committee for consultation, seeks to extend the scope of Directive 88/301/EEC to include satellite communications terminal equipment and that of Directive 90/388/EEC to include satellite communications services; the aim is to afford operators new opportunities and thereby to stimulate the development of satellite communications services in the Community. The draft does not apply to voice telephony for the public or to cable broadcasting.

## Application of the competition rules to businesses: specific cases

### Mergers

#### Commission decisions under the merger control Regulation

**Reference:** Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings: OJ L 395, 30.12.1989 (corrected version: OJ L 257, 27.11.1990); Bull. EC 12-1989, point 2.1.78; Supplement 2/90 — Bull. EC

### UAP/Vinci

**1.2.63.** *Adopted on 1 December.* The decision approves the take-over of Vinci by the société centrale Union des assurances de Paris (UAP). UAP is a French group which transacts all classes of insurance in France and abroad. Vinci is a Dutch holding company which groups together virtually all the insurance activities of the Victoire group outside France. It is present in Germany, Belgium, Italy, Spain,

the Netherlands and Luxembourg. Even if a distinction is made between the various types of risk in indemnity insurance and even if the analysis is carried out on a national basis, the conclusion that has to be drawn is that the merger cannot lead to the creation or strengthening of a dominant position.

*Kali und Salz/MdK/Treuhand*

**1.2.64. Adopted on 14 December.** The decision approves a link-up between Kali und Salz AG (K + S) and Mitteldeutsche Kali AG (MdK) in the potash and rock salt sectors. The purpose of the operation is to combine the potash and rock salt activities of K + S, a BASF subsidiary, and of MdK in a joint venture between K + S and the Treuhandanstalt.

The Commission opened an investigation under Article 6(1)(c) of the merger control Regulation to see whether the operation would create a dominant position in infringement of the Regulation. It found that, as far as the German potash market is concerned, the dominant position of K + S would be strengthened after the operation. This would have happened, however, even in the absence of any link-up. Consequently, there was no relationship of cause and effect between the transaction and the strengthening of the dominant position. With regard to the European potash market excluding Germany, the Commission considered that the operation would lead to the creation of a duopolistic dominant position between K + S/MdK and the French company SCPA. The parties have, however, given the Commission an undertaking that the existing links between K + S and SCPA will be severed.

*Philips/Grundig*

**1.2.65. Adopted on 3 December.** The decision authorizes a switch from joint control to sole control of a company in the consumer electronics industry by approving an operation whereby Philips acquires all the shares in Grundig Verwaltungsgesellschaft, which holds the majority of the shares in Grundig AG. Before

the merger Grundig Verwaltungsgesellschaft was jointly controlled by Philips and three banks. The merger's impact on the market is negligible despite the fact that the two companies concerned occupy a strong position in the market for television sets and other electronic equipment. The risk of a dominant position being created is slight given the strength of other competitors and the presence in the market of large distribution or buying groups. The merger does not bring about any substantial change in the relationship between the two companies inasmuch as Philips already managed Grundig's industrial operations prior to the merger.

*BAI/Banca Popolare di Lecco*

**1.2.66. Adopted on 20 December.** The decision authorizes the acquisition of a shareholding in a bank. It approves an operation by which Banca d'America e d'Italia (BAI), an Italian subsidiary of Deutsche Bank AG, acquires 58.07% of the capital of Banca Popolare di Lecco (BPL) from Banca Popolare di Novara. A bid will be launched for the remainder at the beginning of 1994. In terms of total assets BAI and BPL rank 37th and 64th among Italian banks, and their combined market share will still be less than 1%. The operation therefore does not raise serious doubts as to its compatibility with the common market.

*Pilkington-Techint/SIV*

**Reference:** previous decision: Bull. EC 9-1993, point 1.2.31

**1.2.67. Adopted on 21 December.** The decision authorizes the joint acquisition of the Italian company SIV by Pilkington and Techint. Pilkington, one of the world's largest producers of float glass, and Techint, the Italian subsidiary of a South American conglomerate, propose to acquire SIV, another float-glass producer which is being privatized by the Italian Government. Pilkington will occupy a stronger market position after the purchase of SIV, but Pilkington/SIV will still be preceded by the market leader in Europe, St Gobain.



On 2 September the Commission decided to open an investigation under Article 6(1)(c) of the merger control Regulation to assess whether a dominant position might be created. After a detailed analysis it concluded that there was insufficient evidence that the structure of the market alone would enable the five float-glass producers remaining in the market to engage in anti-competitive parallel behaviour. Firstly, there are asymmetries in the producers' market positions. Secondly, there is insufficient market transparency to allow such parallel behaviour. And thirdly, significant new capacity will soon be coming on stream and the resulting output will have to be sold. The Commission therefore declares the concentration compatible with the common market without attaching any conditions or obligations to its decision.

#### *Hoechst/Schering*

**1.2.68. Adopted on 22 December.** The decision authorizes the formation of a joint venture by Hoechst AG and Schering AG in the crop protection sector (herbicides, insecticides and pesticides). The two companies are to transfer all their existing interests in this sector to the new company, which will be called Hoechst Schering Agrevo GmbH. The Commission declares the transaction compatible with the common market because the company will face competition both from other multinational crop protection producers and from producers of generic products.

#### *Mannesmann/RWE/Deutsche Bank*

**1.2.69. Adopted on 22 December.** The decision authorizes the formation of a joint venture by Mannesmann, RWE and Deutsche Bank in the business telecommunications sector. The three companies will transfer their telecommunications businesses to the joint venture, which will provide corporate networks and value-added services to the parent companies and to third parties (privately or publicly owned groups). This new market is characterized by the presence of DB Telekom, which is the lead-

ing supplier, and by partial regulation. By creating a new competitor, the concentration will have positive effects on competition. The Commission therefore declares it compatible with the common market.

### *Permissible forms of cooperation*

#### **Distribution**

##### *Grundig*

**Reference:** Commission Decision 85/404/EEC relating to a proceeding under Article 85 of the EEC Treaty (IV/29.420 Grundig's EEC distribution system): OJ L 233, 30.8.1985; Bull. EC 7/8-1985, point 2.1.50

**1.2.70. Adopted on 21 December.** The decision prolongs an exemption granted under Article 85(3) of the EC Treaty for Grundig's selective distribution system. Grundig, a German firm, is one of Europe's largest manufacturers of consumer electronics equipment. Since 1984 Grundig's manufacturing operations have been run by the Dutch company Philips Electronics, which recently took full control of Grundig by buying out the other shareholders. Grundig operates a system of selective distribution, that is to say it distributes products through specialist wholesalers and retailers whom it selects on the basis of stated criteria (availability of trained sales personnel, ability to advise customers and to display and demonstrate products, and provision of an after-sales service).

As established by past Commission decisions and the case-law of the Court of Justice, such systems are compatible with Community competition law where they are justified by the specific nature of the products concerned. The Grundig system has already been exempted once, by a Commission decision adopted on 10 July 1985, which expired on 28 March 1989. At Grundig's request the exemption is now extended until 1999. However, in the interests of better consumer protection, the Commission has asked Grundig to amend its warranty terms so that, even where a defective item was purchased in another Member State, a consumer

can have it repaired under warranty in the Member State in which he lives. To that end, Grundig intends to introduce a uniform, Europe-wide, contractual comprehensive warranty and has begun building up an appropriate network of repair shops. It has undertaken, pending completion of the network, to honour all cross-border warranty claims on an *ex gratia* basis.

OJ L 20, 25.1.1994

## Application of the competition rules to government intervention

### State aid

#### Shipbuilding

1.2.71. Council Directive 93/115/EC amending Directive 90/684/EEC on aid to shipbuilding.

**Directive amended:** Seventh Council Directive 90/684/EEC on aid to shipbuilding: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.64; as last amended by Directive 92/68/EEC: OJ L 219, 4.8.1992; Bull. EC 7/8-1992, point 1.3.56  
**Commission proposal:** OJ C 126, 7.5.1993; COM(93) 160; Bull. EC 4-1993, point 1.2.47  
**Economic and Social Committee opinion:** OJ C 249, 13.9.1993; Bull. EC 6-1993, point 1.2.56  
**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.49

*Adopted on 16 December.* The Directive extends the term of validity of the seventh Directive on aid to shipbuilding until 31 December 1994.

OJ L 326, 28.12.1993

1.2.72. Commission decision fixing the aid ceiling for 1994.

#### References:

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

Previous decision: Bull. EC 12-1992, point 1.3.76

*Adopted on 21 December.* For 1994 the production aid ceiling is maintained at 9%. It is to be reduced if an agreement is reached within the OECD on the subject. The 4.5% ceiling for ship conversion and for the building of small ships costing less than ECU 10 million is also maintained.

### Environment

1.2.73. Commission decision on Community guidelines on State aid for environmental protection.

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

**Decision repealed:** Community framework on State aids in environmental matters: Bull. EC 7/8-1980, point 2.1.38; last amended: Bull. EC 6-1993, point 1.2.55

*Adopted on 8 December.* The new 'guidelines', which, like the previous 'framework', are designed to ensure compliance with the EC Treaty competition rules when environmental aid is granted, contain a number of amendments to take account of the fifth environmental programme. They represent an important step towards application of the 'polluter pays' principle.

Henceforth, investments which help to improve the environment may qualify for aid, but only in respect of the extra costs necessary to meet environmental objectives, up to a ceiling of 15% gross of eligible expenditure in the case of adaptation of existing plant more than two years old to new mandatory standards, and up to a ceiling of 30% gross where the investment improves on mandatory standards (or where there are no standards). If the investment is carried out by SMEs, an extra 10 percentage points gross of aid may be allowed. Environmental aid granted in assisted areas where rates of regional aid are higher may also be raised to this level.

Operating aid is in principle prohibited and may be authorized only by way of exception, on a case-by-case basis, on condition that it is temporary and is to be wound down over time, and provided it is needed in order to launch

new, more costly environmental protection policies or to maintain the international competitiveness of Community industry.

## Regional aid

**1.2.74.** Commission decision amending the mechanism for fixing and revising the reference rates used to calculate the grant equivalent of aid.

### References:

Commission communication on the principles of coordination of regional aid systems: OJ C 31, 3.2.1979

Last revision of the reference rates: Bull. EC 7/8-1993, point 1.2.47

*Adopted on 21 December.* The decision amends the mechanism for fixing the reference rates used to calculate the grant equivalent of aid. These rates will now be fixed at the beginning of each year on the basis of the average indicative rates for the quarter preceding the calculation (September, October and November). They may be revised in the course of the year if the difference between the reference rate applicable and the average indicative rate for the past three months, calculated as a percentage of the reference rate applicable, is greater than 15%.

## Decisions to raise no objection

### Steel

**Reference:** Commission Decision No 3855/91/ECSC establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. EC 11-1991, point 1.2.26

### Germany

**1.2.75.** Commission decision on aid to Brandenburger Elektrostahlwerke and Henningsdorfer Elektrostahlwerke, Brandenburg.

### References:

Commission decision on the application to the ECSC steel sector in the new German *Länder* of several regional investment aid schemes: Bull. EC 1/2-1992, point 1.3.80

Commission decision on the privatization of Brandenburger Elektrostahlwerke and Hen-

ningsdorfer Elektrostahlwerke: Bull. EC 4-1992, point 1.3.41.

*Adopted on 8 December.* Both companies were sold in May 1992 to Riva, the Italian steel group. The privatization, which was carried out without any State aid, was approved by the Commission.

The aid covered by the present decision is to help modernize and rationalize the companies' existing plant with a view to producing higher-value products without increasing production capacity. It concerns in particular the electric furnace shops and the hot-rolling mills. It consists of an investment grant and an allowance against tax worth, in the case of Brandenburger, DM 18.4 million (ECU 9.7 million) and DM 5.04 million (ECU 2.7 million) for an eligible investment of DM 80 million, and, in the case of Henningsdorfer, DM 27.6 million (ECU 14.5 million) and DM 7.04 million (ECU 3.7 million) for an eligible investment of DM 120 million (ECU 63.2 million). The aid intensity is 29.3% and 28.9% respectively.

The aid is being granted under regional investment aid schemes introduced in the new *Länder* with the Commission's approval. It has been authorized by the Commission in view of its compatibility with the Steel Aid Code, in particular Articles 1 and 5 thereof: the aid intensity is below the 35% ceiling, production capacity is being reduced throughout the new *Länder*, and the end-1994 and end-1995 deadlines for phasing out aid are being adhered to.

**1.2.76.** Commission decision extending the application of several ERP (European recovery programme) schemes to the steel industry in the new German *Länder*.

**Reference:** Commission decision on the guidelines concerning ERP loans to assist investment in the new *Länder*: Bull. EC 5-1992, point 1.1.52

*Adopted on 21 December.* The granting of investment aid in the new *Länder* under the ERP was approved by the Commission in 1992 for activities falling within the EC Treaty. The decision extends this approval to activities falling within the ECSC Treaty.

### Spain

**1.2.77.** Commission decision on aid to Siderúrgica Balboa, Extremadura.

*Adopted on 14 December.* Siderúrgica Balboa was set up in October 1992 to produce long products. Its capital is held to the tune of 51% by a private investor and 49% by Sofiex, a regional public holding company. The Commission finds that the private investor's economic and financial position is very sound and that the new company, which will employ 150 people, stands an excellent chance of being profitable. It concludes that, in acquiring its minority shareholding, the public holding company has without question acted as an investor under normal market conditions and that there are therefore no grounds for raising any objection.

### *Shipbuilding*

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

### **Germany**

**1.2.78.** Commission decisions on aid to shipbuilding in the former German Democratic Republic.

**Reference:** Council Directive 92/68/EEC of 20 July 1992, which amended the seventh Directive so as to allow the additional aid needed to restructure shipyards in the new *Länder*: OJ L 219, 4.8.1992; Bull. EC 7/8-1992, point 1.3.56.

*Adopted on 21 December.* The Commission here grants authorization under Directive 92/68/EEC for certain aid measures which are essential to the restructuring of the recipient yards, and on condition that 40% of existing shipbuilding capacity in the new *Länder* is closed down. Thus, in Mecklenburg-Western Pomerania the following aid payments are to be made: to Peene Werft, Wolgast, DM 121.3 million (ECU 63 million); to Volkswerft, Stralsund, DM 680.5 million (ECU 352 million); to Elbe Werft, Boizenburg, DM 114.1 million (ECU 59 million); and to Warnow Werft, Warnemünde, DM 617.1 million (ECU 319 million).

### **Denmark**

**1.2.79.** Commission decision on aid to Dan-yard.

*Adopted on 21 December.* The Commission authorizes, under Article 4(3) of the seventh Directive, an extension of the three-year delivery period for seven chemical tankers ordered by Stolt Parcel Tankers Inc. The building of chemical tankers is always quite demanding in view of their complex structure and the special materials needed. The time taken for design and construction is longer than for most other types of tanker. In view of the technical complexity of the project, the Commission is allowing a one-year extension of the delivery period, from 1996 to 1997.

### **United Kingdom**

**1.2.80.** Commission decision on aid to Swan Hunter.

*Adopted on 21 December.* Swan Hunter is currently doing only naval work. The Commission here authorizes a partial and limited reconversion for the fulfilment of two or three merchant orders in 1994 and 1995, qualifying for UKL 7 million in aid.

### *Other industries*

### **The Netherlands**

**1.2.81.** Commission decision on discounts granted by Gasunie to ammonia producers on supplies of natural gas used as a raw material.

**Reference:** Previous decision: OJ C 340, 23.12.1992; Bull. EC 11-1992, point 1.3.60

*Adopted on 8 December.* In November 1992 the Commission decided that the new tariff arrangements introduced by Gasunie in the Netherlands for the distribution of natural gas did not contain an aid component caught by Article 92 of the EC Treaty. The new arrangements included a clause allowing the delivery price for gas used as a raw material by ammonia producers to be adjusted, and the Commission asked the Dutch Government to inform it, under Article 93(3) of the Treaty, of any instances of the application of that clause. The clause also provided that any reduction in tariffs should not result in a price lower than those charged for the export of Dutch gas to Belgium, Germany and France for use in the ammonia industry.

The Dutch Government informed the Commission that Gasunie intended to invoke the price adjustment clause during the periods from March to October 1992 and May to July 1993 and during those periods to grant discounts of 6% and 3.8% respectively on the normal gas tariff applicable to ammonia producers. The Government argued that ammonia prices in Western Europe had fallen by more than 20% compared with the prices normally charged, mainly because of low-price imports from the former Soviet Union. This had resulted in the permanent or temporary shut-down of a large number of production plants in most Member States. The granting of the discounts would not cause prices to fall below the price for exports to Belgium, Germany and France.

After considering the arguments advanced by the Dutch Government to justify the granting of the discounts, the Commission concludes that the discounts are not caught by Article 92(1) of the Treaty. It is unable to detect in Gasunie's decision to grant the discounts any behaviour on the part of the Dutch authorities that goes beyond that of a private shareholder. Given the situation in the ammonia and nitrogenous fertilizer markets, the Commission takes the view that, in providing support for an important group of customers whose survival was manifestly in jeopardy, Gasunie has acted out of purely commercial considerations.

OJ C 35, 3.2.1994

## Germany

**1.2.82.** Commission decision on aid to potash producer.

**Reference:** Commission decision on the link-up between MdK and K+S: point 1.2.64 of this Bulletin

*Adopted on 14 December.* The decision authorizes the granting of aid up to a maximum of DM 1 536 million to Mitteldeutsche Kali AG (MdK), in the form of a capital injection and the repayment of bank loans, in the context of that company's link-up with Kali und Salz AG (K+S), a BASF subsidiary, involving the establishment of a joint venture to be known as MdK GmbH; that operation has likewise been authorized by the Commission under the merger control Regulation.

Before 1989 MdK grouped together the 10 potash mines in the former German Democratic Republic and one rock-salt mine. It employed 32 000 people and produced 3.3 million tonnes of potash a year. It is currently in serious financial difficulties owing to high operating costs, inadequate plant and a fall-off in demand. With a view to restoring it to profitability so that the deal with K+S can go ahead as planned, the Treuhandanstalt is carrying out a thorough restructuring of the company involving the closure of eight potash mines, a reduction in potash production capacity by two thirds (2 million tonnes), and a drastic cutback in the workforce to 3 000. K+S is also sharply reducing its potash production capacity, so much so that in 1994 the new company will have a capacity amounting to only 56% of that of the two original companies.

In authorizing the aid, the Commission has taken account of the fact that there will be a very substantial reduction in the production capacity of MdK (61%) and of the new company (44%), leading to a sizeable reduction in its Community market share (from 60 to 50%). It has also taken account of the fact that MdK is located in an area eligible for assistance under Objective 1 of the Structural Funds and of the importance of the company to the economies of Thuringia and Saxony-Anhalt.

## *Aid for small businesses*

**Reference:** Community guidelines on State aid for small and medium-sized enterprises (SMEs): OJ C 213, 19.8.1992; Bull. EC 5-1992, point 1.1.33

## Germany

**1.2.83.** Commission decision on a scheme to promote SMEs in Baden-Württemberg.

*Adopted on 8 December.* The Government of Baden-Württemberg is to grant low-interest loans for the setting-up of SMEs. The loans may cover up to 66% of eligible expenditure. The maximum loan per firm will be DM 500 000 (ECU 250 000), or DM 1 million (ECU 500 000) in the case of high-technology companies, the maximum aid intensities being

15% for small firms and 7.5% for medium-sized firms. The scheme is to have a budget of approximately DM 38 million (ECU 19 million) and should benefit between 2 200 and 3 300 firms a year.

### *Job creation*

#### **Denmark**

**1.2.84.** Commission decision on three job creation schemes.

*Adopted on 8 December.* The Danish Government plans to implement, between 1994 and 1996, three aid schemes aimed at reducing Denmark's very high unemployment rate. The total annual budget of the three schemes will be DKR 16 billion (ECU 2 billion). It is estimated that some 98 000 people should find employment in 1994 under the schemes.

The first scheme offers grants of up to DKR 72 000 (ECU 9 300) spread over 12 months to employers who take on persons who have been unemployed for between 12 and 15 months and in so doing lead to a net increase in the labour force. The second scheme seeks to promote the recruitment, generally in public services, of unemployed persons having particular difficulties in finding a permanent job, such as immigrants, refugees, etc. The third scheme offers grants of 50% of the top rate of unemployment benefit, subject to a ceiling of DKR 150 000 (ECU 19 000), for a maximum period of 30 months to unemployed persons setting up their own businesses.

### *Research and development*

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

#### **Germany**

**1.2.85.** Commission decision on an R&D aid scheme entitled 'Microsystemtechnik 1994-99'.

**Reference:** Previous decision: Bull. EC 12-1989, point 2.1.88

*Adopted on 8 December.* The scheme is more or less a continuation of the 1990-93 scheme, 78% of which consisted of basic industrial

research, the remainder being applied research and development. Those eligible are enterprises and scientific institutes, and the total budget amounts to DM 253.4 million (ECU 134 million). The notified intensities are below the ceilings set in the R&D aid framework.

**1.2.86.** Commission decision on a research and development programme in the transport sector.

**Reference:** Previous decision: Bull. EC 6-1990, point 1.3.42

*Adopted on 21 December.* The programme, entitled 'Verkehrsforschung', is in fact a prolongation for 1993 of a scheme already authorized in 1990. It consists of several research projects in the areas of urban and suburban transport, and road, rail and combined transport. The intensities provided for comply with the maxima laid down in the R&D aid framework.

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

#### *France*

**1.2.87.** Commission decision on aid to Avenir graphique, located at Torcy, Marne la Vallée.

*Adopted on 14 December.* Avenir graphique is a printing business which operates eight offset rotary presses. In 1991, when it was in difficulties, the three State-owned banks Crédit lyonnais, Banque Hervet and Banque nationale de Paris provided the financial resources needed to rescue it, namely FF 150 million, in the form of acquisitions of holdings, convertible bonds and a credit line of FF 10 million. In 1992, when Avenir graphique was faced with new financial difficulties, the Jacques Lopès group acquired 66% of its capital in return for the three banks' renouncing almost all of their claims. The Commission now initiates proceedings under Article 93(2) of the EC Treaty in respect of these two transactions as it considers that they might constitute State aid which, on the basis of the information in its possession, does not seem to qualify for exemption under Article 92 of the Treaty.

## United Kingdom

1.2.88. Commission decision on aid to Abingdon Carpets plc, Gwent.

**Reference:** Code on aid to the synthetic fibres industry: OJ C 346, 30.12.1992; Bull. EC 12-1992, points 1.3.73 and 1.3.74

*Adopted on 14 December.* Abingdon Carpets produces a range of carpets in the manufacture of which it uses various fibres including wool, nylon and polypropylene. It is the third largest manufacturer of tufted carpets in the United Kingdom. The proposed aid, which is intended to support investments totalling UKL 4.9 million and would be granted in the form of a regional development grant under the Industrial Development Act 1982, would amount to approximately UKL 750 000. The Commission is initiating proceedings in respect of the proposal because the investments in question concern the creation of new bcf polypropylene yarn production, and the aid does not seem to be in keeping with the code on aid to the synthetic fibres industry.

## Conditional positive final decision

### Germany

1.2.89. Commission decision to terminate proceedings under Article 93(2) of the EC Treaty in respect of the German Government's proposal to grant aid to SST Garngesellschaft mbH, Thuringia.

**Reference:** Proceedings initiated: Bull. EC 4-1993, point 1.2.54

*Adopted on 21 December.* The Commission authorizes the granting of DM 4 669 000 (ECU 2 500 million) of aid towards an investment project aimed at setting up new polyester fibre production plants in Thuringia. It considers that the project must be viewed against the background of the overall plan for restructuring and reorganizing the synthetic fibres industry in the new *Länder*, which should lead to a significant reduction in capacity relative to total capacity there. The authorization is conditional, however, on the German Government granting no aid for any investment which

would have the effect of increasing production capacity in the new *Länder* to beyond 75% of its pre-unification level, given that between 1978, the first year of recession in the industry, and 1992 capacity in the Community fell by 25%.

## Decision to reject a complaint

### France

1.2.90. Commission decision on a complaint against measures taken by the French Government in respect of Securipost.

*Adopted on 8 December.* The Commission has decided to reject a complaint against various measures taken by the French Government in respect of Securipost, a Post Office subsidiary. Securipost transports valuable consignments, under contract, for the Post Office and for private-sector firms. In 1989 a complaint was lodged with the Commission under Articles 92 and 93 of the EC Treaty by some of its competitors acting through the Systraval association and by other firms such as Brink's, alleging that they had suffered damage as a result of a set of measures concerning the setting-up and operation of Securipost.

In 1992 the Commission rejected the complaint, but the decision was challenged before the Court of Justice and the Commission decided to investigate the case further. It has now rejected the complaint once again. After studying the objections raised, the Commission is unable to conclude that there has been any infringement of the EC Treaty rules on state aid. It finds that the FF 29 million capital increase in January 1988 would have been acceptable to a private investor operating under market economy conditions, that Post Office employees who were transferred to Securipost were paid by Securipost, which also paid social security contributions to the Treasury, and that Securipost paid for the Post Office premises it used.

The Commission decision is not concerned with more recent allegations regarding the privatization of Securipost, nor with a complaint which was lodged in 1989 under Articles 86

and 90 of the EC Treaty alleging abuse of a dominant position; these are being dealt with separately.

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

1.2.91. The Council has given its assent to six draft Commission decisions on State aid granted in the context of the restructuring of the public-sector steel industry in Germany (→ points 1.2.92 and 1.2.93), Spain (→ points 1.2.94 and 1.2.95), Italy (→ point 1.2.96) and Portugal (→ point 1.2.97). It has also agreed to the provisions envisaged by the Commission on monitoring implementation of the aid. In agreement with the Commission, it has stressed the need to put an end to State subsidies in the steel industry and has indicated that it will not agree to any further derogations.

*Germany*

1.2.92. Draft Commission decision on aid to Sächsische Edelstahlwerke, Freital.

**Commission draft:** Bull. EC 4-1993, point 1.2.56  
**ECSC Consultative Committee opinion:** Bull. EC 5-1993, point 1.6.27

*Council agreement in principle given on 17 December.*

*Council assent given on 22 December.*

1.2.93. Draft Commission decision on aid to Eko-Stahl.

**Commission draft:** Bull. EC 11-1993, point 1.2.60

*ECSC Consultative Committee opinion delivered on 17 December.*

*Council agreement in principle given on 17 December.*

*Council assent given on 22 December.*

*Spain*

1.2.94. Draft Commission decision on aid to CSI.

**Commission draft:** Bull. EC 9-1993, point 1.2.49  
**ECSC Consultative Committee opinion:** Bull. EC 11-1993, point 1.7.55

*Council agreement in principle given on 17 December.*

*Council assent given on 22 December.*

1.2.95. Draft Commission decision on aid to Sidenor.

**Commission draft:** SEC(93) 1434  
**ECSC Consultative Committee opinion:** Bull. EC 11-1993, point 1.7.55

*Council agreement in principle given on 17 December.*

*Council assent given on 22 December.*

*Italy*

1.2.96. Draft Commission decision on aid for reorganizing and privatizing Ilva.

**Commission draft:** Bull. EC 11-1993, point 1.2.61

*Amended draft adopted on 15 December.*

*ECSC Consultative Committee opinion delivered on 17 December.*

*Council agreement in principle given on 17 December.*

*Council assent given on 22 December.*

*Portugal*

1.2.97. Draft Commission decision on aid to Siderurgia Nacional.

**Commission draft:** Bull. EC 11-1993, point 1.2.62

*ECSC Consultative Committee opinion delivered on 17 December.*

*Council agreement in principle given on 17 December.*

*Council assent given on 22 December.*



# Industrial policy

## Individual industries

### Steel

**1.2.98.** Forward programme for steel for the first half of 1994 and for the year as a whole.

**Previous programme:** Bull. EC 6-1993, point 1.2.81

*Adopted by the Commission (first reading) on 15 December.* Given the modest growth forecasts for the European economies in 1994, the sluggish recovery in the United States and the weak performance in Japan, no improvement in the market situation is expected before the summer of 1994. However, a slight upturn is expected in the second half of the year, along with a better pattern of industrial activity and a revival in exports.

On the basis of these developments and trends, actual steel consumption is put at 60.6 million tonnes for the first half of the year and at 116.5 million tonnes for the year as a whole.

A more marked drop in exports is anticipated during the first half of 1994 and imports are expected to stabilize at the previous year's levels. Steel production will probably total 64.5 million tonnes for the first half of 1994 and 126.5 million tonnes for the year as a whole, representing falls of 5 and 2% compared with the corresponding periods in 1993. Following something of a dip at the end of 1993, steel prices could start to edge up during 1994.

*Endorsed by the ECSC Consultative Committee on 16 December.*

**1.2.99.** Commission communication establishing guidelines relating to production and deliveries of steel products in the Community for the first quarter of 1994.

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

*Adopted on 15 December.* According to the overall forecasts drawn up by the Commission pursuant to its 1993 communication, the continuing decline in the activity of the main steel-consuming sectors will continue to have a negative effect on internal demand. As far as flat products are concerned, the fall in demand is connected in particular with difficulties in both the consumer-goods industries, such as motor vehicles and household electrical appliances, and capital-goods industries, such as tubes and shipbuilding. As regards exports, the prospects afforded by the reopening of the US market are not sufficient to offset the current drop in orders from China. As regards long products, account must be taken of the seasonal component, which is closely linked to activity in the construction industry. The foreseeable drop in deliveries in the Community remains substantial in relation to the figures for the first quarter of 1993. Furthermore, there is at present no longer any scope for exports to China.

**1.2.100.** Parliament resolution on the Commission communication 'Towards greater competitiveness in the steel industry: the need for further restructuring'.

**Reference:** Commission communication: Bull. EC 11-1992, point 1.3.76

*Adopted by Parliament on 15 December.* Parliament supports the restructuring plan proposed by the Commission in its communication and urges the Commission to speed up its implementation. It asks that absolute priority be given to accompanying social measures, expresses its concern regarding the budgetary aspects and proposes resorting to the use of part of the existing reserves, a firm commitment to the social measures and use of the Structural Funds for vocational training and retraining.

OJ C 20, 24.1.1994

**1.2.101.** Draft Commission Decisions on aid to the steel firms Freital and Eko-Stahl (Germany), CSI and Sidenor (Spain), Ilva (Italy) and Siderurgia Nacional (Portugal) (→ points 1.2.92 to 1.2.97).

## Aircraft industry

**1.2.102.** Parliament resolution on the communication from the Commission to the Council on 'The European aircraft industry: first assessment and possible Community action'.

**Reference:** Commission communication: COM(92) 164; Bull. EC 4-1992, point 1.3.54

*Adopted by Parliament on 15 December.* Parliament states that a suitable environment for the development of the aircraft industry needs to be created and proposes that an aircraft research action programme be drawn up in collaboration with the industry. It stresses the need to achieve a European consensus on the removal of regulatory barriers by expediting the harmonization of industrial technical standards and to implement measures so as to provide better air traffic control.

OJ C 20, 24.1.1994

## Research and technology

### Framework programme 1994-98

**1.2.103.** Proposal for a European Parliament and Council Decision concerning the fourth framework programme of European Community activities in the field of research, technological development and demonstration (1994-98).

**Reference:** Conclusions of the Brussels European Council: point I.5 of this Bulletin

**Commission proposal:** OJ C 230, 26.8.1993; COM(93) 276; Bull. EC 6-1993, point 1.2.86

**Parliament opinion (first reading):** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.75

**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.75

*Common position agreed by the Council on 22 December.* Following the agreement reached at the Brussels European Council meeting, the maximum overall amount for the Community's financial contribution towards the

research framework programme was set at ECU 12 billion, with the possibility of an extra ECU 1 billion to be allocated by 30 June 1996 at the latest following an evaluation of progress with the implementation of the framework programme, the general economic situation within the Union and the Community's budgetary situation. The total amount is divided between the four areas of activities covered by the programme: ECU 10 536 million for the implementation of research, technological development and demonstration programmes by promoting cooperation with and between businesses, research centres and universities; ECU 420 million to encourage cooperation in the field of research, technological development and demonstration activities with industrialized third countries, the countries of Central and Eastern Europe, the new independent States of the former Soviet Union, the developing countries and international organizations; ECU 300 million for all Community R&TD activities, with the aim of improving the dissemination and application of the results of Community research activities; and ECU 744 million to encourage the training and mobility of research scientists in the Community.

**1.2.104.** Proposal for a Council Decision concerning a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98).

**Commission proposal:** OJ C 230, 26.8.1993; COM(93) 276; Bull. EC 6-1993, point 1.2.86

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.76

**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.76

*Agreed by the Council on 22 December.*

### Accompanying, promotion and support measures and other activities

#### Technical coal research

**1.2.105.** Commission Decision granting financial aid to a technical coal research project.

**Reference:** Medium-term guidelines for technical coal research (1990-95): OJ C 52, 1.3.1989; Bull. EC 2-1989, point 2.1.33  
**Commission draft:** Bull. EC 10-1993, point 1.2.67  
**ECSC Consultative Committee opinion:** Bull. EC 11-1993, point 1.2.77

*Assent given by the Council on 10 December.*

*Adopted on 16 December.* Purpose: to grant ECU 2 million for a mining engineering project.

**1.2.106.** Commission Decision granting financial aid to two technical coal research projects.

**Commission draft:** Bull. EC 11-1993, point 1.2.78  
**ECSC Consultative Committee opinion:** Bull. EC 11-1993, point 1.2.78

*Assent given by the Council on 10 December.*

*Adopted on 16 December.* Purpose: to grant ECU 2.4 million to two coal utilization projects.

**1.2.107.** Draft Commission Decision granting financial aid to five projects under the 1993 supplementary technical coal research programme.

**Reference:** Medium-term guidelines for technical coal research (1990-95): OJ C 52, 1.3.1989; Bull. EC 2-1989, point 2.1.33

*Adopted (first reading) on 16 December.* Purpose: to grant ECU 1.781 million.

## Technical steel research

**1.2.108.** Draft Commission Decision granting financial aid to a technical steel research project.

**Reference:** Medium-term guidelines for ECSC technical steel research programmes and steel pilot and demonstration projects (1991-95): OJ C 252, 6.10.1990; Bull. EC 9-1990, point 1.2.78

*Adopted (first reading) on 2 December.* Purpose: to grant ECU 580 850.

## International cooperation

**1.2.109.** Draft Protocol on the provisional application of the agreement establishing an International Science and Technology Centre.

**Reference:** Agreement establishing the Centre: OJ L 409, 31.12.1992; Bull. EC 12-1992, point 1.4.17  
**Commission recommendation:** Bull. EC 11-1993, point 1.2.79  
**Negotiating directives:** Bull. EC 11-1993, point 1.2.79

*Proposal for a Council Regulation on the conclusion of the Protocol adopted by the Commission on 1 December.*

COM(93) 644

*Decision concerning signature of the Protocol adopted by the Council on 6 December.*

**1.2.110.** Draft Protocol 2 to the agreement between the EAEC, the Government of Japan, the Government of Russia, and the Government of the United States of America on cooperation in the engineering design activities (EDA) for the International Thermonuclear Experimental Reactor (ITER).

**Reference:** Cooperation agreement between the Community, the United States, Japan and Russia: Bull. EC 7/8-1992, point 1.3.83

*Negotiating directives adopted by the Council on 10 December.*

## Education, vocational training and youth

### Cooperation in the field of education

**1.2.111.** Parliament resolution on environmental education.

**Reference:** Conclusions of the Council and the Ministers for Education meeting within the Council on the development of environmental

education: OJ C 151, 16.6.1992; Bull. EC 6-1992, point 1.3.112

*Adopted by Parliament on 17 December.* Parliament suggested that the Member States and the Commission should encourage the inclusion in environmental education of practical environmental protection activities, and called on them to define, in the form of an appropriate legal instrument, the principles of a genuine European policy on environmental education. Parliament also advocated that one week each year be devoted to the environment in all Community schools.

OJ C 20, 24.1.1994

#### 1.2.112. Parliament resolution on health education.

**Reference:** Conclusions of the Council and the Ministers for Health meeting within the Council concerning health education: OJ C 326, 11.12.1992; Bull. EC 11-1992, point 1.3.238

*Adopted by Parliament on 17 December.* Parliament called on the Commission and the Member States to continue and build on the measures already undertaken in the health-education field by way of exchanges of experience and the preparation of health-education programmes geared to each stage of a child's development.

OJ C 20, 24.1.1994

## Vocational training

#### 1.2.113. Proposal for a Council Decision establishing an action programme for the implementation of a European Community vocational-training policy.

**References:**

Council Decision 87/569/EEC concerning an action programme for the vocational training of young people and their preparation for adult and working life (PETRA): OJ L 346, 10.12.1987; Bull. EC 12-1987, point 2.1.143

Council Decision 89/27/EEC adopting the second phase of the programme on cooperation between universities and industry regarding training in the field of technology (Comett II): OJ L 13, 17.1.1989; Bull. EC 12-1988, point 2.1.159

Council Decision 89/657/EEC establishing an action programme to promote innovation in the field of vocational training resulting from technological change in the European Community (Eurotecnet): OJ L 393, 31.12.1989; Bull. EC 12-1989, point 2.1.128

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

Commission working paper setting out guidelines for Community action in the field of education and training: COM(93) 183; Bull. EC 5-1993, point 1.2.62

#### *Adopted by the Commission on 21 December.*

The Commission proposes the adoption of a new five-year (1995-99) vocational training programme with a budget of ECU 801.8 million, in line with the Community action guidelines on education and training. The programme is designed to continue and develop Community action in this field, which is currently based on four Community programmes due to terminate on 31 December 1994: Comett, PETRA, FORCE and Eurotecnet. The new programme, which seeks to rationalize and coordinate Community action, is based on Article 127 of the EC Treaty providing for a vocational training policy which supports and supplements action by the Member States. It is designed to give support to transnational schemes for exchanges and for the pooling of know-how and experience, to placement programmes in undertakings or training organizations in another Member State, and to study and analysis work aimed at establishing common reference frameworks.

The measures and projects which are eligible for Community support focus on three strands of action: measures to sustain the quality of training systems and arrangements; measures to support innovative capacity in training processes; and, more generally, the European dimension of training. They will be geared towards the general aim of transnational cooperation and will be based on a European vocational training network.

COM(93) 686

#### 1.2.114. Report from the Commission to the Council and the European Parliament on

experience gained in the application of the Mattheaus programme.

**Reference:** Decision 91/341/EEC adopting a Community action programme for the vocational training of customs officials (Mattheaus programme); OJ L 187, 13.7.1991; Bull. EC 6-1991, point 1.2.14

*Adopted by the Commission on 15 December.* In its report the Commission takes stock of the first years of the Mattheaus programme, whose aim is to prepare the Community's customs officials for the implications of the internal market, and presents the broad lines which the Commission proposes to pursue with a view to improving overall efficiency. The Commission points out that the objectives in terms of setting up the structures and measures underlying joint projects for the training of customs officials have been attained. Some 1 800 customs officials have benefited from an exchange scheme involving another customs administration, and a wide range of training seminars have been organized. The Commission also stresses that the context of Community training action is no longer the preparation, but the efficient management of the internal market. It therefore proposes promoting Mattheaus-programme activities in conjunction with the operational priorities of management of the Customs Union.

COM(93) 661

*1.2.115.* Commission decision on the granting of a Community contribution to the funding of projects under Council Regulation (EEC) No 3904/92 on measures to adapt the profession of customs agent to the internal market.

**Reference:** Council Regulation (EEC) No 3904/92; OJ L 394, 31.12.1992; Bull. EC 12-1992, point 1.3.23

*Adopted by the Commission on 21 December.* Purpose: to grant two sets of aid, one for Italy in the total sum of ECU 4.4 million, the other for Greece in the total sum of ECU 3 million.

## Trans-European networks

### Transport networks

*1.2.116.* Commission communication on the development of guidelines for the trans-European transport network.

#### References:

Council conclusions on high-speed trains: Bull. EC 12-1990, point 1.3.272

Proposal for a Council Decision on the development of a European high-speed rail network: Bull. EC 12-1990, point 1.3.271

Council Decision 93/628/EEC on the creation of a trans-European combined transport network: OJ L 305, 10.12.1993; Bull. EC 10-1993, point 1.2.77

Council Decision 93/629/EEC on the creation of a trans-European road network: OJ L 305, 10.12.1993; Bull. EC 10-1993, point 1.2.75

Council Decision 93/630/EEC on the creation of a trans-European inland waterway network: OJ L 305, 10.12.1993; Bull. EC 10-1993, point 1.2.76

*Adopted on 21 December.* In this communication the Commission gives an overview of the work in progress to establish guidelines for trans-European transport networks. It indicates the state of progress with the master plans which have already been adopted by the Council, i.e. those concerning combined transport, roads and inland waterways, or which have been favourably received by the Council, i.e. the master plan for high-speed trains. It also summarizes the reports drawn up for three new network master plans in preparation concerning conventional rail, airports and seaports.

COM(93) 701

### Data communications and telecommunications networks

*1.2.117.* Proposal for a Council Decision on inter-administrative telematic networks for statistics relating to the trading of goods

between Member States. (Comedi: Commerce electronic data interchange).

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

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

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

*Agreed by the Council on 16 December.* The purpose of this proposal for a Decision is to establish a set of measures to facilitate the migration of regional, national and Community systems towards interoperable systems at European level (by using harmonized standards and communication procedures) for the collection of returns on the trading of goods between Member States from businesses, the validation and pre-processing of such returns and the dissemination of the statistics derived therefrom. These systems will be developed in such a way as to take account of requirements concerning the preparation of statistics needed for ensuring market transparency, assessing the competitiveness of businesses, and possibly extending the system to include production statistics. The total budget proposed is ECU 20 million for two years.

*1.2.118.* Commission communication to the European Parliament and the Council on the development of the integrated services digital network (ISDN) as a trans-European network, together with a proposal for a Council Decision on a series of guidelines for the development of ISDN as a trans-European network, and a proposal for a Council Decision adopting a multiannual Community action concerning the development of ISDN as a trans-European network.

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

*Endorsed by the Economic and Social Committee on 22 December.* However, the Committee makes a number of comments, e.g. concerning the extension of the ISDN network to cover Central and Eastern Europe.

## Energy

### Community energy strategy

#### *Promotion of energy technology*

**Reference:** Council Regulation (EEC) No 2008/90; OJ L 185, 17.7.1990; Bull. EC 6-1990, point 1.3.256

*1.2.119.* Commission report on the implementation of Council Regulation (EEC) No 2008/90 of 29 June 1990 concerning the promotion of energy technology in Europe (Thermie programme).

*Adopted on 9 December.* In this report, the Commission reviews the results of the Thermie programme for the years 1990-93 inclusive. The objective of this programme is to provide Community financial support to projects promoting energy technologies in the field of rational use of energy, renewable energy sources, solid fuels and oil and gas. Financial support for the period in question totalled ECU 428 million and helped to increase potential market penetration of these technologies, to reduce their environmental impact and to make energy savings.

COM (93) 642

*1.2.120.* Commission Decision granting financial support to projects to promote energy technologies (Thermie programme).

*Adopted on 13 December.* Purpose: to grant financial support totalling ECU 12.89 million to three projects in the field of solid fuels and three in the field of renewable energy sources.

### Internal energy market

#### *Natural gas and electricity*

*1.2.121.* Proposal for a European Parliament and Council Directive concerning common rules for the internal market in electricity; proposal for a European Parliament and Council

Directive concerning common rules for the internal market in natural gas.

**Commission proposals:** OJ C 65, 14.3.1992; COM (91) 548; Bull. EC 1/2-1992, point 1.3.117

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.98

**Parliament opinion (first reading):** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.82

*Amended proposals adopted by the Commission on 7 December.* The Commission has made some amendments to its proposals, the most important being:

□ firstly, the possibility for electricity producers and gas undertakings to negotiate access to the network under certain conditions; to conclude supply contracts with large industrial consumers and with distributors; this possibility replaces the regulated access envisaged by the original proposals; there is provision for independent arbitration mechanisms to settle disputes relating to negotiation or implementation of the contract, although these mechanisms do not exclude the rights of appeal provided under Community law;

□ secondly, the Commission will prepare proposals on greater harmonization, necessary to the effective operation of the internal market in electricity and natural gas.

The amended proposals also introduce tender procedures for the construction of new electricity transmission and production capacity in addition to a transparent, non-discriminatory licensing system, simplified rules on the functioning of networks and a stronger reference to the public service obligations.

COM(93) 643

## *Oil and gas exploration and production*

**1.2.122.** Proposal for a European Parliament and Council Directive on the conditions for granting and using authorizations for oil and gas prospecting, exploration and extraction.

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

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

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

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

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

*Council agreement on a common position on 10 December.*

*Council common position adopted on 22 December.* The proposal is designed, in the context of the completion of the internal market, to ensure non-discriminatory access to and pursuit of the activities concerned under conditions which encourage greater competition in this sector.

The principle underlying the proposed Directive is that Member States have sovereign rights over oil and gas resources on their territories. They therefore retain the right to determine the areas within their territory to be made available for oil and gas prospecting, exploration and production. For national security reasons, Member States may refuse to allow access to and exercise of these activities to any entity which is effectively controlled by third countries or third-country nationals.

There are also provisions to ensure that there is no discrimination between entities as regards access to and exercise of these activities. In particular, it is specified that authorizations must be granted on the basis of objective criteria and that State participation in the activities in question must be exercised on the basis of transparent, objective and non-discriminatory criteria.

## **Individual sectors**

### *Solid fuels*

**1.2.123.** Draft Commission report on the market for solid fuels in the Community in 1993 and the outlook for 1994.

**Previous report:** Bull. EC 3-1993, point 1.2.63; Bull. EC 9-1993, point 1.2.68

*Adoption by the Commission (first reading) on 16 December.* In this report the Commission presents the development of prices and demand

in the various market sectors. It analyses the main data on production, imports and deliveries of solid fuels. It notes that overall demand for hard coal in terms of inland deliveries could reach 274 tonnes in 1993, which represents a drop of 37.8 million tonnes compared with 1992. The forecasts for 1994 indicate a contraction of the Community market for solid fuels owing to the decline in internal hard coal deliveries and imports from third countries.

## Relations with energy-producing and energy-importing third countries

### *European Energy Charter*

*1.2.124. International Conference on the European Energy Charter.*

**References:**

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

Commission communication 'European Energy Charter: fresh impetus from the European Community': Bull. EC 11-1993, point 1.2.84

**Previous meeting:** Bull. EC 10-1993, point 1.2.80

*Plenary meeting held in Brussels from 14 to 17 December.* At this Conference chaired by Mr Rutten, the Community officially presented its proposal to the other participants in the Charter concerning a two-stage approach which the Commission had outlined in its November communication. This proposal was welcomed by the Conference.

## State aid

### *Coal industry*

*1.2.125. Commission Decision No 3632/93/ECSC establishing Community rules for State aid to the coal industry.*

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

**Commission approval:** Bull. EC 11-1992, point 1.3.106

**Draft Decision:** Bull. EC 1/2-1993, point 1.2.101

**ECSC Consultative Committee opinion:** Bull. EC 4-1993, point 1.2.76

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.86

*Council agreement on assent on 10 December.*

*Assent given by the Council on 22 December.*

*Adopted by the Commission on 28 December.*

Purpose: establishment of new Community rules on State aid to the coal industry owing to the expiry of the previous system. The new code stipulates that aid granted to the coal industry may be considered to be compatible with the proper functioning of the common market if it helps to achieve at least one of the following objectives:

- ☐ to make further progress towards economic viability, in the light of coal prices on international markets, with the aim of reducing aid progressively;
- ☐ to solve the social and regional problems created by total or partial reductions in the activity of production units;
- ☐ to help the coal industry adjust to environmental protection standards.

Furthermore, for the sake of greater transparency, on expiry of a transitional period not exceeding three years, aid shall be authorized only if it is entered in Member States' national, regional or local budgets. The Decision also lays down the conditions for the granting of operating aid, aid for the reduction of activity, aid to cover exceptional costs, aid for research and development and aid for environmental protection. The new aid code will remain in force until 23 July 2002.

OJ L 329, 30.12.1993

*1.2.126. Commission Decision on State aid to the coal industry in Portugal.*

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

*Adopted on 8 December.* Purpose: to authorize the granting of aid totalling ECU 7 million for the year 1993.



# Transport

## General policy

### *Research and technological development*

**1.2.127.** Commission mid-term review of the EURET, specific research and technological development programme in the field of transport.

#### **References:**

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

Council Decision 91/11/EEC adopting a specific research and technological development programme in the field of transport (EURET) (1990-93): OJ L 8, 11.1.1991; Bull. EC 12-1990, point 1.3.124

*Adopted on 13 December.* The Commission takes stock of the mid-term results of the EURET programme, which is part of the second framework programme for research and technological development and aims to support the common transport policy with the most efficient technical means to increase the competitiveness, safety, quality of service and environmental compatibility of the Community's transport system. Following an analysis of the nine projects selected, which provide for concerted activities in the field of air transport, multimodal transport, rail and maritime transport, the Commission notes that progress on the projects is generally satisfactory.

COM(93) 640

### *Summer time*

**1.2.128.** Proposal for a seventh European Parliament and Council Directive on summer-time arrangements.

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

**Endorsed by the Economic and Social Committee:** Bull. EC 11-1993, point 1.2.88

*Endorsed by Parliament (first reading) on 17 December.* However, Parliament recommends dates that differ from those proposed by the Commission: the summer-time period in all Member States should begin on 26 March 1995, 31 March 1996 and 30 March 1997. It should end on 24 September 1995, with the exception of the United Kingdom and Ireland for whom it should end on 22 October 1995, 27 October 1996 and 26 October 1997. Parliament also asks the Commission to examine the non-economic effects of the change from summer time to winter time.

OJ C 20, 24.1.1994

## Infrastructure

### *Financial support for projects of Community interest*

**1.2.129.** Commission Decision granting financial support to transport infrastructure projects in the Member States.

**Basic Regulation:** Council Regulation (EEC) No 1738/93 for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market: OJ L 161, 2.7.1993; Bull. EC 6-1993, point 1.2.112

*Adopted on 17 December.* Purpose: granting by the Commission of financial support of ECU 15.99 million from the 1993 budget to 11 transport infrastructure projects of Community interest in the field of rail transport, multimodal transport and road transport. The recipient Member States are Belgium, Spain, Greece, Luxembourg, Portugal and the United Kingdom.

## Inland transport

### *Rail transport*

**1.2.130.** Proposal for a Council Directive on, firstly, the licensing of railway undertakings and, secondly, the allocation of railway infra-

structure capacity and the charging of infrastructure fees.

**Reference:** Council Directive 91/440/EEC on the development of the Community's railways: OJ L 237, 24.8.1991; Bull. EC 7/8-1991, point 1.2.108

*Adopted on 15 December.* The two proposals are a follow-up to Directive 91/440/EEC which gives access rights to rail infrastructure, enabling different undertakings to use the same infrastructure. Their objective is to guarantee that Member States grant access to international combined-transport capacity in a manner that is fair, non-discriminatory and efficient, while ensuring safety and a high level of public service. The first proposal concerns the introduction of operating licences for railway undertakings, with the aim of guaranteeing that new operators meet the required standards as to competence, financial fitness and probity. The second lays down rules on access to infrastructure and on non-discriminatory, uniform charging of infrastructure utilization fees.

OJ C 24, 28.1.1994; COM(93) 678

## Road transport

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

**Reference:** Proposal for a Council Directive on the approximation of the laws of Member States with regard to the transport of dangerous goods by road: COM(93) 548; Bull. EC 11-1993, point 1.2.92

*Adopted on 15 December.* The purpose of this proposal, which reinforces that adopted by the Commission in November, is to ensure compliance with, and improve, the safety conditions for the transport of dangerous goods by road and to ensure the free movement of such goods transported by road throughout the Community. Its objective is to organize a system of checks on dangerous goods that interferes as little as possible with the flow of such consignments. In addition, it aims to draw up a uniform framework for checks on national safety standards that is also applicable to road

vehicles transporting dangerous goods coming from third countries.

OJ C 26, 29.1.1994; COM(93) 665

**1.2.132.** Proposal for a Council Directive laying down maximum authorized weights and dimensions for road vehicles over 3.5 tonnes circulating within the Community.

**Reference:** Council Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain road vehicles: OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200; amended by Directive 92/7/EEC: OJ L 57, 2.3.1992; Bull. EC 12-1991, point 1.2.93; Bull. EC 1/2-1992, point 1.3.114

*Adopted on 15 December.* Purpose: to harmonize the maximum authorized weights and dimensions for road vehicles in the Community. The Commission proposes to apply uniform rules to vehicles within the Community, and to extend the scope of Directive 85/3/EEC on the weights and dimension of vehicles in international transport to national transport, while proposing amendments that take account of the national standards in force in Member States. The Commission also proposes that the abovementioned Directive should be consolidated.

OJ C 38, 8.2.1994; COM(93) 679

**1.2.133.** Proposal for a Council Directive on admission to the occupation of road-haulage operator and road-passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national and international transport operations.

### Directives to be replaced:

Council Directives 74/561/EEC and 74/562/EEC on admission to the occupation of road-haulage and road-passenger transport operator respectively in national and international transport operations: OJ L 308, 19.11.1974; Bull. EC 11-1974, point 2.2.82; as last amended by Directive 89/438/EEC: OJ L 212, 22.7.1989; Bull. EC 6-1989, point 2.1.183

Council Directive 77/796/EEC concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications for goods-haulage operators and road-passenger

transport operators, including measures intended to enable these operators effectively to exercise their right to freedom of establishment: OJ L 334, 24.12.1977, as last amended by Directive 89/438/EEC: OJ L 212, 22.7.1989; Bull. EC 6-1989, point 2.1.183

**Commission proposal:** OJ C 286, 14.11.1990; Bull. EC 10-1990, point 1.3.189

*Amended proposal adopted on 16 December.* Purpose: to incorporate Directive 77/796/EEC in the proposal for a consolidated directive, to the extent that it contributes to achievement of the objectives of Directives 74/561/EEC and 74/562/EEC which were the subject of the Commission's initial proposal.

COM(93) 586

**1.2.134.** Resolution of the Council and the representatives of the governments of the Member States, meeting within the Council, concerning young drivers.

**Reference:** Conclusions of the Council on an action programme on road safety: Bull. EC 11-1993, point 1.2.90

*Adopted by the Council and by the representatives of the governments of the Member States, meeting within the Council, on 16 December.* The Council and the representatives of the governments of the Member States, noting in particular the Council's conclusions of November and in view of the fact that young drivers of cars and two-wheeled vehicles constitute a particularly vulnerable group of road users, agree that 1995 will be considered as the 'Year of the Young Driver'. They call on the Commission to coordinate this initiative with the Member States within an appropriate framework, so that effective measures can be taken to ensure that this initiative has the greatest possible impact on the public concerned.

OJ C 351, 30.12.1993

**1.2.135.** Parliament resolution on seat-belts in coaches.

**Reference:** Council Directive 90/628/EEC adapting to technical progress Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety-belts and restraint systems of motor vehicles: OJ L 341, 6.12.1990

*Adopted by Parliament on 16 December.* Parliament calls on the Commission to amend Directive 90/628/EEC in order to make it obligatory to fit safety-belts in new school buses and coaches. It also calls on Member States to apply uniform standards of road safety and type-approval measures for vehicles.

OJ C 20, 24.1.1994

**1.2.136.** Parliament resolution on the legal base of the Commission proposal for a Council Decision on the creation of a Community database on road accidents.

**Reference:** Proposal for a Council Decision on the creation of a Community database on road accidents (CARE project): OJ C 225, 20.8.1993; COM(93) 348; Bull. EC 7/8-1993, point 1.2.102

*Adopted by Parliament on 17 December.* Parliament considers that the Commission's proposal should be based on Article 75 of the EC Treaty.

OJ C 20, 24.1.1994

## Maritime transport

**1.2.137.** Proposal for a Council Directive concerning the setting-up of a European vessel-reporting system in the maritime zones of Community Member States.

### References:

Commission communication on a common policy on safe seas: COM(93) 66; Bull. EC 1/2-1993, point 1.2.104

Council Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods: OJ L 247, 5.10.1993; Bull. EC 9-1993, point 1.2.73

*Adopted on 17 December.* This proposal is a follow-up to Directive 93/75/EEC which introduces a notification system requiring vessels bound for or leaving Community ports to supply certain information to the Member States in which these ports are situated. It constitutes the second phase of a two-stage process intended to establish at Community level a European vessel-reporting system (Eurorep) which would give coastal States a fuller picture of movements of ships off their coasts, given

that such movements represent a potential hazard to their safety and their environment.

OJ C 22, 26.1.1994; COM(93) 647

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

*Adopted on 8 December.* The objective of this proposal is to apply, to vessels coming from or bound for Community ports, IMO Resolution A.747 (18) which encourages the use of oil-tankers with environment-friendly segregated ballast tanks, through a financial incentive scheme agreed at the IMO which would reduce the operating costs of oil-tankers.

OJ C 5, 7.1.1994; COM(93) 468

## International cooperation

### Austria

*1.2.139.* Visit by Mr Matutes on 13 and 14 December.

#### References:

Agreement on transit traffic between the Community and Austria: OJ L 373, 21.12.1992; Bull. EC 11-1992, point 1.3.103

The Commission's general guidelines on transalpine traffic through Austria: Bull. EC 9-1993, point 1.2.79

Mr Matutes was received by Mr Vranitzky, the Chancellor, Mr Klima, the Minister for Transport and Mr Schüssel, the Minister for Economic Affairs. The discussions concentrated mainly on the issue of transalpine transit traffic. The international economic situation and the question of Austria's accession to the European Union were also discussed.

## Telecommunications, information services and industry

### Telecommunications policy

#### Legislation

*1.2.140.* Council resolution on the development of Community postal services.

**Reference:** Green Paper on the development of the single market for postal services — COM(91) 476; Bull. EC 6-1992, point 1.3.70

*Agreed by the Council on 7 December.* The Council gave its support to the general approach contained in the Commission's Green Paper and specified a number of policy goals, including the definition of a universal service at Community level, ensuring the economic and financial viability of the provision of services, reconciling the gradual liberalization of the postal market with a durable guarantee of the provision of the universal service, working out quality standards, establishing tariff principles related to real costs, further harmonization of technical standards, ensuring fair conditions of competition and respect for the needs of consumers, protecting the interests of postal-sector employees and taking account of the objectives of cohesion.

*1.2.141.* Council resolution on the development of a universal service in the telecommunications sector.

**Commission proposal:** COM(93) 543; Bull. EC 11-1993, point 1.2.100

*Agreed by the Council on 7 December.* The Council recognized that the maintenance and development of a universal telecommunications service based on the principles of universality, equality and continuity was a key factor for the future development of telecommunications in the Community and stressed the basic characteristics of a universal service, which were access to a defined minimum service of specified quality and the provision of this service for all users everywhere at an affordable price. The Council welcomed the intention of the Commission to take full account of the requirement for universal service in preparing the future adjustment of the regulatory framework for the telecommunications sector.

*1.2.142.* Conclusions of the Council on measures concerning radio-frequencies.

*Adopted by the Council on 7 December.* The Council considers that the availability and allocation of radio-frequencies is an important condition for the establishment of an internal market in radiocommunications equipment

and services, considers it necessary to ensure that the mechanism of European Radiocommunications Committee (ERC) decisions is implemented and invites the Commission to sign to that end a memorandum of understanding (MOU) and the framework agreement with the ERC.

**1.2.143.** Council resolution on the introduction of satellite personal communications services in the European Community.

**References:**

Commission communication on the European Community and space — COM(92) 360; Bull. EC 9-1992, point 1.2.57

Council Directive 93/97/EEC supplementing Directive 91/263/EEC in respect of satellite earth-station equipment OJ L 290, 24.11.1993; Bull. EC 10-1993, point 1.2.88

**Commission proposal:** COM(93) 171; Bull. EC 4-1993, point 1.2.85

**Parliament opinion:** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.2.89

*Adopted by the Council on 7 December.* The Council recognizes the importance of the planned use of satellites for personal communications and the challenge for the Community of developing a forward-looking regulatory framework. It stresses the importance of developing a Community policy with regard to satellite personal communications that will build on existing telecommunications policies, particularly those concerning satellite communications, and asks the Commission to take the necessary measures to achieve this.

OJ C 339, 16.12.1993

## Promotion of innovation and technology transfer

**1.2.144.** Council Decision 94/5/EC amending Decision 89/286/EEC on the implementation at Community level of the main phase of the Strategic programme for innovation and technology transfer (1989-93) (Sprint programme).

**Council Decision amended:** Decision 89/286/EEC — OJ L 112, 25.4.1989; Bull. EC 4-1989, point 2.1.69

**Commission proposal:** OJ C 200, 24.7.1993; COM(93) 306; Bull. EC 7/8-1993, point 1.2.110

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.102

**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.102

*Adopted by the Council on 21 December.* Purpose: to extend the duration of the implementation of the Sprint programme to 31 December 1994. The budget allocated to the implementation of this programme is ECU 19 million.

OJ L 6, 8.1.1994

## Economic and social cohesion: structural measures

### Cohesion Fund

**1.2.145.** Proposal for a Council Regulation establishing a Cohesion Fund; proposal for a Council Regulation laying down detailed rules for implementing that Regulation.

**References:**

Conclusions of the Edinburgh European Council: Bull. EC 12-1992, points 1.61 to 1.70

Amended proposal for a Council Regulation establishing a Cohesion Fund: OJ C 38, 12.2.1993; COM(92) 599; Bull. EC 12-1992, point 1.2.2

Council Regulation (EEC) No 792/93 establishing a cohesion financial instrument: OJ L 79, 1.4.1993; Bull. EC 3-1993, point 1.2.83

*Adopted by the Commission on 21 December.* These proposals, made following entry into force of the Treaty on European Union and in line with the conclusions of the Edinburgh European Council, cover establishment of the Cohesion Fund that is to help finance environmental and trans-European network transport infrastructure projects in Member States with a gross national product per inhabitant less than 90% of the Community average that have set up a programme to meet the economic convergence requirements indicated in Article

104c of the EC Treaty. They replace the amended proposal for a Regulation establishing a Cohesion Fund presented in 1992, in which certain changes were needed in connection particularly with the operation of the cohesion financial instrument.

For the period 1993-99 total resources available for commitment for the Fund under the proposed Regulation and that establishing the cohesion financial instrument amount to ECU 15.15 billion at 1992 prices. The rate of assistance will be 80 to 85% of public or similar expenditure but preliminary studies and technical support measures can be financed at 100% of total cost, particularly when undertaken at the Commission's initiative. Up to 1999 only the four Member States (Greece, Ireland, Portugal, Spain) at present meeting the eligibility criterion of GNP less than 90% of the Community average will be assisted, entitlement being lost if the 1996 mid-term review shows the 90% threshold to be exceeded. The proposals include other financing rules and monitoring provisions.

OJ C 39, 9.2.1994; COM(93) 699

## Development, coordination and implementation of policies and measures

**1.2.146.** Commission Decision on an indicative allocation between Objectives 2 to 5(b) of Structural Fund appropriations for the period 1994-99.

### References:

Conclusions of the Edinburgh European Council: Bull. EC 12-1992, points 1.53 to 1.55

Regulations (EEC) Nos 2080/93 to 2085/93 amending the Structural Fund Regulations: OJ L 193, 31.7.1993; Bull. EC 7/8-1993, points 1.2.114 to 1.2.120

Commission Decision on indicative amounts for Objective 1 purposes: OJ L 280, 13.11.1993; Bull. EC 10-1993, point 1.2.96

*Adopted on 21 December.* Following Structural Fund overhaul the Commission, on the basis of the Edinburgh European Council conclusions, has decided the following indicative allocation of the ECU 45.120 billion at 1992 prices allotted to Objectives 2 to 5(b) for 1994 to 1999:

□ Objective 2 (conversion of regions affected by industrial decline): ECU 15.316 billion;

□ Objectives 3 (combating long-term unemployment and facilitating integration into working life of young people and persons exposed to exclusion) and 4 (accompanying structural change by anti-unemployment action): ECU 15.84 billion;

□ Objective 5(a) (adjustment of agricultural and fisheries structures): ECU 6.143 billion, of which ECU 858 million for fisheries;

□ Objective 5(b) (development of rural areas): ECU 6.296 billion;

□ transitional and innovatory measures: ECU 1.53 billion.

**1.2.147.** Commission Decision on lists of eligible areas for action under Objectives 2 and 5(b) of the Structural Funds.

**Reference:** Regulations (EEC) Nos 2080/93 to 2085/93 amending the Structural Fund Regulations: OJ L 193, 31.7.1993; Bull. EC 7/8-1993, points 1.2.114 to 1.2.120

*Approved on 21 December.* The Commission approved these provisional lists covering nine Member States, Ireland, Greece and Portugal being debarred from consideration since their entire territories are eligible under Objective 1.

**1.2.148.** Council Regulation (EC) No 3699/93 laying down criteria and arrangements regarding Community structural assistance for fisheries and aquaculture and processing and marketing of their production.

**Basic Regulation:** Regulation (EEC) No 2080/93 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the Financial Instrument for Fisheries Guidance (FIFG): OJ L 193, 31.7.1993; Bull. EC 7/8-1993, point 1.2.120

**Commission proposal:** OJ C 305, 11.11.1993; COM(93) 481; Bull. EC 10-1993, point 1.2.98

*Endorsed by Parliament on 15 December* subject to amendments relating *inter alia* to exploratory fishing and the special situation of very remote areas.

OJ C 20, 24.1.1994

Bull. EC 12-1993

*Economic and Social Committee opinion, 21 December.* Favourable. The Committee made comments covering management of fishing effort in particular.

*Adopted on 21 December.* From 1 January 1994, this Regulation fully integrates the structural aspects of the common fisheries policy into Structural Fund legislation by setting rules for the granting of assistance from the FIFG for:

- implementation of multiannual guidance programmes for fishing fleets, covering in particular adjustment of fishing effort, reorientation of fishing activities, fleet renewal and vessel modernization;
- investment in aquaculture, resource development in coastal waters, fishing port facilities and processing and marketing of production;
- other activities such as promotion campaigns, searching for new outlets and temporary cessation of fishing.

Maximum assistance levels and rules on the relative contribution of Community, Member State and recipient of the assistance are also set.

OJ L 346, 31.12.1993

*1.2.149.* Council Regulation (EC) No 3669/93 amending Regulations (EEC) Nos 2328/91, 866/90, 1360/78, 1035/72 and 449/69 with a view to expediting adjustment of production, processing and marketing structures as part of the reform of the common agricultural policy.

#### References:

Council Regulations implementing CAP reform: OJ L 180, 1.7.1992; OJ L 181, 1.7.1992; OJ L 215, 30.7.1992; Bull. EC 6-1992, points 1.3.140 to 1.3.147

Regulations (EEC) Nos 2080/93 to 2085/93 amending the Structural Fund Regulations: OJ L 193, 31.7.1993; Bull. EC 7/8-1993, points 1.2.114 to 1.2.120

#### Regulations amended:

Regulation (EEC) No 449/69 on reimbursement of aid granted by Member States to organizations of fruit and vegetable producers: OJ L 61, 13.3.1969

Regulation (EEC) No 1035/72 on common organization of the market in fruit and veg-

etables (OJ L 118, 20.5.1972), as last amended by Regulation (EEC) No 1754/92: OJ L 180, 1.7.1992; Bull. EC 6-1992, point 1.3.148

Regulation (EEC) No 1360/78 on producer groups and associations thereof (OJ L 166, 23.6.1978), as last amended by Regulation (EEC) No 3808/89: OJ L 371, 20.12.1989; Bull. EC 12-1989, point 2.1.158

Regulation (EEC) No 866/90 on improving processing and marketing conditions for agricultural products (OJ L 91, 6.4.1990), as last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures (OJ L 218, 6.8.1991), as last amended by Regulation (EEC) No 2080/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.146

**Commission proposal:** OJ C 235, 31.8.1993; COM(93) 270; Bull. EC 6-1993, point 1.2.135

**Amended Commission proposal:** OJ C 317, 24.11.1993; COM(93) 443; Bull. EC 9-1993, point 1.2.82

*Agreed by the Council on 17 December.*

*Endorsed by Parliament on 17 December* subject to amendments relating in particular to fair conditions of competition and the need for proper planning.

OJ C 20, 24.1.1994

*Endorsed by the Economic and Social Committee on 21 December* but with comments regarding national plans in particular.

*Adopted on 22 December.* Amends the Regulations relating to Objective 5(a) (adjustment of production, processing and marketing structures in agriculture and forestry) in line with the Regulations amending the Structural Fund Regulations and with CAP reform and affects programming in particular. Procedures are simplified and greater flexibility introduced.

OJ L 338, 31.12.1993

## Financial assistance

### *Cohesion financial instrument*

1.2.150. Total assistance approved by the Commission in 1993: see Table 1.

Table 1 — *Aid from the cohesion financial instrument*

(million ECU)	
Country/general purpose	Total assistance
<i>Spain</i>	
Environment	252
Transport	606.3
Total	858.3
<i>Greece</i>	
Environment	175.2
Transport	105.1
Total	280.3
<i>Ireland</i>	
Environment	55.9
Transport	85.9
Total	141.8
<i>Portugal</i>	
Environment	122.8
Transport	160.7
Total	283.5
Grand total	1 565

1.2.151. Commission decisions: see Table 2.

Table 2 — *Aid from the cohesion financial instrument*

(million ECU)	
Country/general purpose	Total assistance
<i>Spain</i>	
Environment	212.58
Transport	219.96
<i>Greece</i>	
Environment	128.41
Transport	304.13
<i>Ireland</i>	
Environment	16.73
Transport	27.44
<i>Portugal</i>	
Environment	40.33
Transport	10.92

### *Less-developed regions*

1.2.152. Commission decisions: see Table 3.

Table 3 — *Financing under Objective 1*

(million ECU)		
Country/description	Fund	Total assistance
<i>Denmark</i>		
Operational programme	ESF	1.2
<i>Germany</i>		
Processing and marketing of agricultural products	EAGGF	6.36
<i>Italy</i>		
Investment in infrastructure	ERDF	213
Processing and marketing of agricultural products	EAGGF	2.038
Processing and marketing of agricultural and forestry products	EAGGF	25



(million ECU)		
Country/description	Fund	Total assistance
Telecommunications modernization in the regions of the Calabria-Campania axis	EAGGF ERDF	0.201 30
Accelerated telecommunications provision in the regions of the south Adriatic axis	ERDF	28
SME global grant	ERDF	2.17
<i>Ireland</i>		
Processing and marketing of agricultural products	EAGGF	6.554
<i>Spain</i>		
Investment project in Andalusia: motorways	ERDF	80.67
Investment project in Extremadura: motorways	ERDF	74.67
Investment project in Valencia: motorways	ERDF	20.77
Operational programme in Andalusia	ERDF	7.07
Development works in Andalusia	ERDF	26.29
<i>France</i>		
Processing and marketing of forestry products	EAGGF	3.48
<i>Portugal</i>		
Operational programme	ESF	1.47
Processing and marketing of agricultural products	EAGGF	2.23
Processing and marketing of agricultural and forestry products	EAGGF	5.07

### *Combating long-term unemployment and occupational integration of young people*

1.2.153. Commission decision: see Table 4.

Table 4 — *Financing under Objectives 3 and 4*

(million ECU)		
Country	Fund	Total assistance
<i>Italy</i>	ESF	4.46

### *Adjustment of agricultural structures*

1.2.154. Commission decisions: see Table 5.

Table 5 — *Financing under Objective 5a*

(million ECU)		
Description/country	Fund	Total assistance
Processing and marketing of agricultural products		
<i>France</i>	EAGGF	19.83
<i>Luxembourg</i>	EAGGF	0.37
<i>Italy</i>	EAGGF	52.12

### *Fisheries structures*

1.2.155. Commission decisions: see Table 6.

Table 6 — *Fisheries: financing of structural activities*

(million ECU)		
Description/country	Fund	Total assistance
Facilities at fishing ports <i>Belgium, Spain, Italy, Portugal</i>	EAGGF	3.62
Joint enterprise projects <i>Greece, Spain, Portugal</i>	EAGGF	1.2
Campaigns to promote consumption of marine products <i>Belgium, Germany, Spain, United Kingdom</i>	EAGGF	1.66
Specific measures <i>Greece, Italy</i>	EAGGF	1.36

*Community initiatives*

1.2.156. Commission decisions: see Table 7.

Table 7 — *Financing of Community initiatives*

<i>(million ECU)</i>			
Initiative	Country	Fund	Total assistance
RETEX	Germany	ERDF	1.5
Stride	Germany	ERDF	0.1
Konver	Belgium	ERDF/ESF	1.09
	Germany	ERDF	30.55
	Spain	ERDF	7.55
	Greece	ERDF/ESF	4.91
	France	ERDF/ESF	32.63
	Ireland	ERDF	0.24
	Italy	ERDF/ESF	17.92
	Netherlands	ERDF/ESF	3.6

*Other financial assistance*

1.2.157. Commission decisions: see Table 8.

Table 8 — *Other financial assistance*

<i>(million ECU)</i>			
Type of action	Description/country	Fund	Total assistance
Innovatory operations	Germany	ESF	3.64
	Spain	ESF	12.47
	Ireland	ESF	2.85
	Portugal	ESF	0.32
Studies	Seaports and their hinterland: processes of economic and spatial interaction	ERDF	0.1
	The Italian urban network: comparative study	ERDF	0.09
	Creation of a Mediterranean economic axis	ERDF	0.1

(million ECU)			
Type of action	Description/country	Fund	Total assistance
	Euroregion: strategic interregional planning and infrastructure framework	ERDF	0.06
	Multilingual dictionaries and glossaries	ERDF	0.15
	Colloquium: European enterprise creation days	ERDF	0.04
	Directoria 94	ERDF	0.19
	CESAR project	ERDF	0.37
Transitional action	France	ESF	8.42
	Greece	ESF	6.33
Pilot projects	Atlantis	ERDF	7
	ECOS	ERDF	2.55
	Europartenariat DOM 94	ERDF	0.08
	Europartenariat Poland	ERDF	0.22
	European urban and regional planning awards 1993-94	ERDF	0.19
	German/Dutch/Danish colloquium on spatial development	ERDF	0.02

### Measures for very remote regions

1.2.158. Commission decisions: see Table 9.

*Adopted on 21 December.* Grants aid of ECU 14 million for projects mainly for environmental protection.

Table 9 — *Financing under the Poseima programme*

(million ECU)	
Country	Total amount
<i>Portugal</i>	
Azores and Madeira	2

1.2.159. Commission Decision granting special Community assistance for a set of structural projects for the Aegean islands.

### Measures for very remote regions

1.2.160. Proposal for a Council Regulation introducing a compensation scheme for the additional cost of disposing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana owing to their remoteness (→ point 1.2.252).

## Other regional action

### *Integrated Mediterranean programmes*

1.2.161. Parliament resolution on the Commission's fifth progress report on the Integrated Mediterranean programmes.

**Reference:** Commission's report on the IMPs for 1991 and 1992: COM(93) 485; Bull. EC 10-1993, point 1.2.108

*Adopted on 17 December.* Parliament welcomed the high rate of commitment for the French and Greek programmes but regretted the low effective take-up of European Investment Bank loans and proposed that should this continue, the Community try to find appropriate solutions with regional and local banks. It noted with satisfaction that all monitoring committees had become operational.

OJ C 20, 24.1.1994

### *Conurbations*

1.2.162. Parliament resolution on the problems of and prospects for conurbations.

*Adopted on 17 December.* Parliament drew attention to the risks attendant on excessive urban concentration, considered that a fresh approach was needed, suggested funding of pilot projects and town networks for exchange of information on instruments for urban development and recommended implementation of projects to aid integration of ethnic minorities and immigrants.

OJ C 20, 24.1.1994

## Social dimension

### General

1.2.163. Communication from the Commission to the Council and to the European

Parliament concerning the application of the Agreement on social policy.

*Adopted by the Commission on 14 December.* In its communication, the Commission examines the conditions for the implementation of the Agreement and the Protocol on social policy annexed to the Treaty on European Union. It points out that future legislative proposals in the social policy field will be governed, on the one hand, by the provisions of the EC Treaty (where such proposals address the 12 Member States) and, on the other, by the Protocol on social policy from which the United Kingdom is excluded. In deciding which procedure to adopt, the Commission suggests certain elements which should be taken into consideration: the nature of the proposal, the attitude of management and labour (the social partners) to it, the need to ensure that the social dimension progresses at the same pace as other Community policies, and hence the possibility for the Council to reach decisions by qualified majority, the desire to ensure that all workers throughout the Community benefit from the proposed measures, and the possibility for all 12 Member States to move forward together. The Commission also intends to promote the consultation of the social partners by ensuring that they are closely associated with the decision-making process. Two stages are envisaged: the first precedes the submission of proposals, the second entails the delivery of an opinion or recommendation in respect of proposed Community action. The communication lays down the criteria to be taken into consideration in deciding which organizations should be consulted.

COM(93) 600

1.2.164. Third Commission report on the application of the Community Charter of the Fundamental Social Rights of Workers.

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

**Previous report:** COM(92) 562; Bull. EC 12-1992, point 1.3.153

*Adopted by the Commission on 21 December.* The report takes stock of the application of

the Charter in 1993. The first part deals with the application of the Charter in the Community context, the second with its application by the Member States.

COM(93) 668

**1.2.165.** Parliament resolution on the outcome of the Social Affairs Council of 23 November 1993.

**References:**

Proposal for a Council Directive on the establishment of a European Works Council in Community-scale undertakings for the purposes of informing and consulting employees: COM(91) 345; Bull. EC 9-1991, point 1.2.62

Green Paper on European social policy — Options for the Union: COM(93) 551; Bull. EC 11-1993, point 1.2.119

Council Directive 93/104/EC concerning certain aspects of the organization of working time: OJ L 307, 13.12.1993; Bull. EC 11-1993, point 1.2.125

Proposal for a Council Directive on the protection of young people at work: COM(93) 35; Bull. EC 11-1993, point 1.2.126

Council Directive 93/103/EC concerning minimum safety and health requirements on board fishing vessels: OJ L 307, 13.12.1993; Bull. EC 11-1993, point 1.2.127

Legislative programme for 1994: COM(93) 588; Bull. EC 11-1993, point 1.7.22

Commission communication on the application of the Agreement on social policy: COM(93) 600; point 1.2.163 of this Bulletin

*Adopted by Parliament on 16 December.* Parliament welcomed the adoption of the Directive on the organization of working time, the drafting of the Green Paper on European social policy, the agreement on the protection of young people at work, the proposal concerning the protection of workers on fishing vessels and the implementation of the social policy Agreement following the entry into force of the Treaty on European Union. However, Parliament regretted that the Commission had given too little consideration to social affairs in its legislative programme for 1994, and considered it necessary to strengthen the Directive on the organization of working time and the proposed Directive on the protection of young people at work. Finally, it regretted the fact that no agreement had been reached in respect of directives on European Works Councils and

on atypical employment, and that no agreement had yet been reached on the identity of the social partners to be entrusted with implementing the Agreement on social policy.

OJ C 20, 24.1.1994

## Health and safety at work

**1.2.166.** Commission report on the execution of the Council Decision concerning the organization of the European Year of Safety, Hygiene and Health Protection at Work.

**References:**

Third four-year programme of the European Foundation for the Improvement of Living and Working Conditions: Bull. EC 9-1988, point 2.1.69

Council Decision 91/388/EEC on an action programme for the European Year of Safety, Hygiene and Health at Work: OJ L 214, 2.8.1991; Bull. EC 7/8-1991, point 1.2.141

*Adopted by the Commission on 3 December.* The report takes stock of the European Year of Safety, Hygiene and Health Protection at Work (1992), prompted by the completion in 1992 of the third programme of action on safety and health and by the need to alert public opinion, increase public information and raise awareness of the content and implications of Community legislation. The Commission's view is that the Year had a positive impact.

COM(93) 627

## Working conditions

### *Measures for ECSC industry workers*

**1.2.167.** Commission Decision concerning the granting of redeployment aid for workers in the coal and steel industries.

*Adopted by the Commission on 22 December.* This aid is granted under Article 56(1)(c) and (2)(b) of the ECSC Treaty to Belgium, Germany, Spain, France, Greece, Italy, the Netherlands, Portugal and the United

Kingdom. It is worth ECU 180 million and benefits 77 000 workers.

**1.2.168.** Commission Decision concerning the granting of redeployment aid for workers in the steel industry.

*Adopted by the Commission on 22 December.* This aid is granted under Article 56(2)(b) of the ECSC Treaty to Belgium, Germany, Spain, France, the Netherlands, Portugal and the United Kingdom. It is worth ECU 60 million and benefits 24 000 workers.

**1.2.169.** Commission Decision concerning the granting of redeployment aid for workers in the coal industry.

*Adopted by the Commission on 22 December.* This aid is granted under Article 56(1)(c) and (2)(b) of the ECSC Treaty, as part of the Rechar programme, to Belgium, Germany, Spain, France, Portugal and the United Kingdom. It provides an additional ECU 50 million of aid to 36 000 workers.

**1.2.170.** Proposal for a Commission Decision on the granting of loans under the 12th ECSC housing programme.

**Commission proposal:** Bull. EC 9-1993, point 1.2.100

*Assent given by the Council on 17 December.*

## Combating social exclusion

**1.2.171.** Proposal for a Council Decision establishing a medium-term action programme to combat exclusion and promote solidarity (1994-99), accompanied by a report on the implementation of the Community programme for the social and economic integration of the least-privileged groups (1989-94).

**Commission proposal:** COM(93) 435; Bull. EC 9-1993, point 1.2.99

*Endorsed by the Economic and Social Committee on 21 December.* The Committee drew particular attention to the need to make socially excluded people more aware of their rights. It also underlined the importance of effective monitoring and evaluation of the programme.

**1.2.172.** Parliament resolution on emergency aid to the homeless.

**Reference:** Proposal for a Council Decision establishing a medium-term action programme to combat exclusion and promote solidarity (1994-99): COM(93) 435; point 1.2.171 of this Bulletin

*Adopted by Parliament on 16 December.* Parliament called for special Community aid to be made available without delay to homeless people suffering from the cold. It supported the Commission's proposal to double the Community funding for the 1994-99 anti-poverty programme and called for the swift implementation by the Commission, in cooperation with the authorities of the Member States, of a comprehensive plan for the benefit of the homeless.

OJ C 20, 24.1.1994

## Environment

### General

#### Policy aspects

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

**1.2.173.** Council conclusions on implementation and application of Community environmental legislation.

#### References:

Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network: OJ L 120, 11.5.1990; Bull. EC 5-1990, point 1.2.115

Council Directive 90/313/EEC on the freedom of access to information on the environment: OJ L 158, 23.6.1990; Bull. EC 12-1990, point 1.3.125

Council Directive 91/692/EEC standardizing and rationalizing reports on the implemen-

tation of certain directives relating to the environment: OJ L 377, 31.12.1991; Bull. EC 12-1991, point 1.2.312

Council conclusions concerning the implementation and enforcement of Community environmental legislation: Bull. EC 12-1992, point 1.3.187

*Adopted on 2 December.* The Council restated the guiding principles for drafting and implementation of the Community legislation by the Commission and the Member States. It particularly emphasized the need for legislation to be prepared and applied on the basis of thorough consultation with all interested parties, in line with the concept of shared responsibility which underlies the fifth action programme, and the importance of ensuring that the action taken is effective and of reports on implementation thereof. It also underlined the role of the existing 'horizontal' directives in the context of application of Community environmental legislation.

**1.2.174.** Commission Decision 93/701/EC on the setting-up of a General Consultative Forum on the Environment.

*Adopted on 7 December.* The General Consultative Forum consisting of 32 members from manufacturing industry, the business world, regional and local authorities, professional associations, trade unions and environmental protection and consumer organizations, was set up to help to achieve the objectives of the fifth Community action programme on the environment.

OJ L 328, 29.12.1993

*Taking the environment into account in other policies*

**1.2.175.** Commission Decision on the framework for State aids in environmental matters (→ point 1.2.73).

## *International cooperation*

### **Norway**

**1.2.176.** Visit to the Commission by Mr Bernsten, Norwegian Minister for the Environment on 13 December.

**Reference:** Ministerial conference on Norway's accession to the European Union (→ point 1.3.2)

Mr Bernsten met Mr Paleokrassas for talks on Norway's environmental standards in the context of the accession negotiations in progress.

## **Industry and environment, civil protection**

### *Waste management*

**1.2.177.** Proposal for a Council Directive amending Directive 91/689/EEC on hazardous waste.

**Reference:** Council Directive 78/319/EEC on toxic and dangerous waste: OJ L 84, 31.3.1978

**Directive to be amended:** Council Directive 91/689/EEC on hazardous waste: OJ L 377, 31.12.1991; Bull. EC 12-1991, point 1.2.304

**Commission proposal:** OJ C 271, 7.10.1993; COM(93) 425; Bull. EC 9-1993, point 1.2.105

**Parliament opinion (first reading):** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.133

**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.133

*Common position agreed by the Council on 2 December.* Purpose: to postpone until 1 January 1995 the entry into force of Directive 91/689/EEC establishing a list of hazardous wastes and repealing Directive 78/319/EEC.

*Amended proposal adopted by the Commission on 28 December.*

COM(93) 696

**1.2.178.** Proposal for a Council Directive on packaging and packaging waste.

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

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

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

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

*Common position agreed by the Council on 15 December.* The objectives of this proposal are to provide a high level of protection for the environment and to ensure the functioning of the internal market. The proposal provides for the Member States to adopt measures aimed at:

- ☐ preventing the production of packaging waste;
- ☐ reusing packaging;
- ☐ recycling and recovering packaging and reducing the volume of such waste for final disposal, with targets for the first five-year phase of recovering between 50 and 65% by weight of all packaging waste and recycling 25 to 45% of all packaging materials contained in waste.

Member States will be authorized to set higher targets provided the measures cause no distortion of the internal market and in no way prevent the other Member States from complying with the Directive. Finally, regarding the composition of packaging, within three years of adoption of the Directive, Member States must ensure that packaging cannot be placed on the market unless it complies with the essential requirements defined by the Directive.

### *Emissions from industrial plants and products*

**1.2.179.** Proposal for a European Parliament and Council Directive relating to the classification, packaging and labelling of dangerous substances (consolidated version of Directive 67/548/EEC).

**Directive to be consolidated:** Council Directive 67/548/EEC relating to the classification, packaging and labelling of dangerous substances: OJ L 196, 16.8.1967, as last amended by Commission Directive 93/105/EC: OJ L 294, 30.11.1993

*Adopted by the Commission on 21 December.* Purpose: to consolidate Directive 67/548/EEC.  
COM(93) 638

## **Environmental quality and natural resources**

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

**1.2.180.** Proposal for a European Parliament and Council Directive amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles.

**Commission proposal:** OJ C 56, 26.2.1993; COM(92) 572; Bull. EC 12-1992, point 1.3.181  
**Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.107  
**Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.2.130

*Amended proposal adopted by the Commission on 1 December.*

OJ C 345, 23.12.1993; COM(93)626

*Common position agreed by the Council on 2 December.*

*Common position adopted on 10 December.* Purpose: to set new limit values for pollutant emissions from private cars with petrol or diesel engines. These values will be compulsory for new type approvals with effect from 1 January 1996 and for all newly registered vehicles with effect from 1 January 1997. Also, to define the conditions under which Member States may grant tax incentives for the sale of new vehicles which comply with the conditions laid down in the proposal before the specified dates.

### *Global environment: climate change, geosphere and biosphere*

**1.2.181.** Amendment to the Montreal Protocol on substances that deplete the ozone layer.

**Commission proposal concerning conclusion:** OJ C 103, 14.4.1993; COM(93) 102; Bull. EC 3-1993, point 1.2.105  
**Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.109  
**Parliament opinion:** OJ C 268, 4.10.1993; Bull. EC 9-1993, point 1.2.111



*Adoption by the Council of Decision 94/68/EC concerning the conclusion of the Agreement on 2 December.* This amendment, due to be ratified by the Community and the Member States by June 1994, sets, with effect from 1 January 1996, a consumption limit for hydrochlorofluorocarbons (HCFCs) of 3.1% of the calculated level of consumption of chlorofluorocarbons (CFCs) and HCFCs in 1989 and a time-scale for phasing out such substances completely by 1 January 2030. The amendment also freezes methyl bromide production and consumption at 1991 levels and will phase out hydrobromofluorocarbons (HBFCs) by 1 January 1996.

OJ L 33, 7.2.1994

**1.2.182.** Proposal for a Council Regulation on substances that deplete the ozone layer.

**Commission proposal:** COM(93) 202; Bull. EC 6-1993, point 1.2.173

*Endorsed by the Economic and Social Committee on 21 December* subject to a comment on the need to impose stricter controls on imports from third countries.

**1.2.183.** Framework convention on climate change.

**Commission recommendation:** Bull. EC 1/2-1991, point 1.2.223

**Commission proposal concerning signature:** COM(92) 76; Bull. EC 3-1992, point 1.2.139

**Council Decision concerning signature:** Bull. EC 5-1992, point 1.1.117

**Signature:** Bull. EC 6-1992, point 1.3.128

**Commission proposal concerning conclusion:** OJ C 44, 16.2.1993; COM(92) 508; Bull. EC 12-1992, point 1.3.198

**Council agreement concerning conclusion:** Bull. EC 3-1993, point 1.2.106

**Economic and Social Committee opinion:** OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.108

**Parliament opinion:** OJ C 194, 19.7.1993; Bull. EC 6-1993, point 1.2.175

*Council Decision 94/69/EC on the conclusion of the convention adopted on 16 December.* The objective of this convention is to stabilize greenhouse gas concentrations in the air at a level avoiding dangerous climate change. It was signed at the United Nations Conference on Environment and Development and provides a framework for cooperation, exchanges

of information, research and financial support between industrialized and developing countries. The Community ratified the convention on 21 December 1993. Now that the 50 ratifications required have been obtained, the way is clear for the convention to enter into force on 21 March 1994.

OJ L 33, 7.2.1994

**1.2.184.** Council conclusions on Community strategy on climate change.

#### References:

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

Council Decision 93/389/EEC on a mechanism for monitoring CO<sub>2</sub> and other greenhouse gas emissions in the Community: OJ L 167, 9.7.1993; Bull. EC 6-1993, point 1.2.174

Conclusions of the European Council meeting in Brussels: point I.4

*Adopted on 15 December.* Recalling the conclusions of the European Council meeting in Brussels on the possibility of fiscal measures relating to the environment and the Community's commitment to stabilize carbon dioxide (CO<sub>2</sub>) emissions, the Council declared that it was necessary to conclude the ongoing work on this subject as soon as possible and requested the Commission to take the decisions necessary to implement Decision 93/389/EEC and to report on the national instruments, particularly the economic and fiscal instruments, relevant to attaining the Community's target of stabilizing CO<sub>2</sub> emissions.

## Nuclear safety

### Plant safety

**1.2.185.** Commission report on the implementation of the Council resolutions of 22 July 1975 and 18 June 1992 on the technological problems of nuclear safety.

#### References:

Council resolution of 22 July 1975 on the technological problems of nuclear safety: OJ C 185, 14.8.1975

Report on the implementation of the Council resolution of 22 July 1975 (1987-91): Bull. EC 1/2-1992, point 1.3.165

Council resolution on the technological problems of nuclear safety: OJ C 172, 8.7.1992; Bull. EC 6-1992, point 1.3.137

*Adopted on 13 December.* This report examines the progress made in the areas covered by the 1992 Council resolution, i.e. closer cooperation between the nuclear safety authorities in the Community and the need to transfer the know-how and experience acquired in the Community to Central and Eastern Europe. The Commission considers that the harmonization work carried out has allowed more consistent support for these countries' efforts to improve safety at their nuclear plants.

COM(93) 649

## *International cooperation*

### **Central and Eastern Europe**

*1.2.186.* Communication from the Commission to the Council and the European Parliament on nuclear safety in the context of the electricity sector in Central and Eastern Europe and in the Commonwealth of Independent States.

*Adopted on 9 December.* Purpose: to draw practical conclusions on nuclear safety in Central and Eastern Europe, taking account of the economic development of these countries and the Community's security of supply. A substantial proportion of the electricity supply in Central and Eastern Europe is generated from nuclear energy. However, often the conditions in which this is done give cause for concern. Although some reactor types show fundamental design deficiencies and should be shut down, others can be upgraded. In addition, the regulatory, technological, engineering and industrial environment varies from one country to another. The Commission therefore suggests defining a consistent framework making it possible to adopt different approaches tailored to the diversity of the local situations and to develop a longer-term strategy, including investment and industrial cooperation, along-

side the emergency action called for by exceptional, temporary situations. The European Union's assistance will therefore be targeted on two principal objectives:

☐ to agree guidelines with each of the recipient countries in order to create an environment more conducive to investment, to analyse projects more effectively and to ensure rationality and, therefore, cost-effectiveness;

☐ to make the funding by the Union subject to certain conditions in order to ensure that the safety objectives are properly met and that the aid and investments result in the earliest possible shut-down of the less safe reactors.

COM(93) 635

*1.2.187.* Parliament resolutions on nuclear safety and on nuclear safety in the countries of Eastern Europe and the Commonwealth of Independent States.

*Adopted on 15 December.* Parliament called on the Council and the Commission to ensure that all economic and commercial aid is subject to prior definition of a strategic safety plan negotiated with each country concerned, the establishment of an independent safety authority in each country concerned, compliance with the main international safety agreements and accession to the Vienna and Paris Conventions. These strategic safety plans must take full account of the political authorities' commitment to shut down the most dangerous nuclear power stations, to introduce a legislative control framework, to take energy saving measures, to phase in realistic energy prices and to define a general energy programme. Parliament also called on the Commission and the Council to ensure that Community funding and aid are not used for the construction or renovation of nuclear units generating cheap electricity, with scant regard for safety rules, for export to the Community and the EFTA countries and to protect the Community and all States involved in shipments of radioactive materials from accidents. It considered that the PHARE and TACIS programmes should give priority to funding projects which involve genuine partnership, encourage parallel schemes by operators and safety authorities and step up twinning schemes between nuclear power plants and safety bodies in Eastern and

Western Europe. Parliament requested the Commission to provide it with regular assessments of the relevant aid programmes to Central and Eastern Europe and to submit proposals on the storage of radioactive waste. Finally, to ensure that all this action is effective, Parliament proposed the establishment of a task force to deal with nuclear safety issues and simplification of the current procedures.

OJ C 20, 24.1.1994

## Agriculture

### Development and future of the CAP

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

**Commission proposal:** OJ C 265, 30.9.1993; COM(93) 417; Bull. EC 9-1993, point 1.2.113

**Economic and Social Committee opinion:** OJ C 352, 30.12.1993; Bull. EC 10-1993, point 1.2.134

**Parliament opinion:** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.2.134

*Agreed by the Council on 17 December.* Under the new Regulation, designed to make the system less rigid, the set-aside compensation rate will be increased, Member States given more flexibility in establishing their regionalization plans, non-rotational set-aside at a higher rate and transfer of obligations between neighbouring producers on certain conditions will continue to be allowed, and biomass production on set-aside land will be encouraged. The Council also asked the Commission to take action to ease the situation of producers in regions where the base area has been overshot.

**1.2.189.** Council Regulation (EEC) No 3528/89 amending Regulation (EEC) No 3813/92 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy.

**Regulation amended:** Council Regulation (EEC) No 3813/92: OJ L 387, 31.12.1992; Bull. EC 12-1992, point 1.3.209

**Commission proposal:** OJ C 298, 4.11.1993; COM(93) 483; Bull. EC 10-1993, point 1.2.132

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.139

*Agreed by the Council on 17 December.*

*Adopted on 21 December.* Widens the neutral gap within which the green rates are not adjusted to 5 percentage points instead of 4, skewed 2% for depreciation and 3% for appreciation (adjustable by the Commission as far as 0% and 5% respectively) in order to help prevent national currency price and income falls in countries with a currency appreciating against the ecu.

OJ L 320, 22.12.1993

**1.2.190.** Proposal for a Council Regulation on the conservation, characterization and utilization of genetic resources in agriculture.

**Commission proposal:** OJ C 266, 1.10.1993; COM(93) 337; Bull. EC 9-1993, point 1.2.114

*Endorsed by the Economic and Social Committee on 21 December* with comments on circulation of the information collected and the need to limit management expenditure on the proposed arrangements.

### Agricultural structures and rural development

**1.2.191.** Council Regulation (EEC) No 3669/93 amending Regulations (EEC) Nos 2328/91, 866/90, 1035/72, 1360/78 and 449/69 with a view to expediting adjustment of production, processing and marketing structures as part of the reform of the common agricultural policy (→ point 1.2.149).

**1.2.192.** Proposal for a Council Regulation extending Regulation (EEC) No 1615/89 establishing a European forestry information and communication system (EFICS).

**Regulation to be amended:** Council Regulation (EEC) No 1615/89: OJ L 165, 15.6.1989; Bull. EC 5-1989, point 2.1.177

*Adopted by the Commission on 2 December.* Would extend to 1997 the setting-up period for the system.

OJ C 3, 5.1.1994; COM(93) 593

## Market organization

### Cereals

**1.2.193.** Council Regulation (EC) No 3670/93 on special arrangements for imports of maize into Portugal.

**Reference:** Memorandum of Understanding between the Community and the United States on oilseeds within the GATT framework: OJ L 147, 18.6.1993; Bull. EC 6-1993, point 1.2.190

**Commission proposal:** COM(93) 539; Bull. EC 11-1993, point 1.2.142

*Agreed by the Council on 17 December.*

*Adopted on 22 December.* Enacts the special Portuguese maize import arrangements agreed in the Uruguay Round negotiations.

OJ L 338, 31.12.1993

**1.2.194.** Council Regulation (EC) No 3640/93 on special arrangements for maize and sorghum imports into Spain for 1993.

**Reference:** Agreement between the Community and the United States under GATT Article XXIV.6 (OJ L 98, 10.4.1987; Bull. EC 1-1987, points 1.2.1 and 1.2.2), last prolonged by Council Regulation (EEC) No 991/93: OJ L 104, 29.4.1993; Bull. EC 4-1993, point 1.3.75

**Commission proposal:** COM(93) 540; Bull. EC 11-1993, point 1.2.143

*Adopted on 17 December.* Makes arrangements covering 1993 for importation of maize and sorghum into Spain pursuant to the Agreement with the United States under GATT Article XXIV.6.

OJ L 333, 31.12.1993

### Sugar

**1.2.195.** Proposal for a Council Regulation amending Regulation (EEC) No 1785/81 on

common organization of the markets in the sugar sector.

**Regulation to be amended:** Council Regulation (EEC) No 1785/81 (OJ L 177, 1.1.1981), as last amended by Regulation (EEC) No 1548/93: OJ L 154, 25.6.1993; Bull. EC 6-1993, point 1.2.189

**Commission proposal:** OJ C 312, 18.11.1993; COM(93) 442; Bull. EC 9-1993, point 1.2.115

**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.144

*Endorsed by Parliament on 15 December* subject to editorial and procedural amendments.

OJ C 20, 24.1.1994

*Agreed by the Council on 17 December.* Prolongs the present market organization to 1994-95 and includes inulin syrup.

### Oils and fats

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

**Reference:** Memorandum of Understanding with the United States on oilseeds within the GATT framework: OJ L 147, 18.6.1993; Bull. EC 6-1993, point 1.2.190

**Commission proposal:** OJ C 266, 1.10.1993; COM(93) 389; Bull. EC 7/8-1993, point 1.2.152

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.145

*Agreed by the Council on 17 December.* In line with the provisions on oilseeds agreed with the United States, tightens the restrictions on areas sown to oilseeds on which specific aid may be given.

**1.2.197.** Agreements on certain oilseeds between the Community and Argentina, Brazil, Canada, Poland, Sweden and Uruguay.

**Commission proposal for approval:** COM(93) 536; Bull. EC 11-1993, point 1.2.147

*Council Decision approving the agreements adopted on 20 December.*

**1.2.198.** Proposal for a Council Regulation laying down special measures for importation of olive oil from Tunisia.

**Reference:** Council Decision 91/105/EEC on conclusion of the Agreement in the form of an exchange of letters between the Community and Tunisia laying down arrangements applicable to imports into the Community of untreated olive oil originating in Tunisia: OJ L 56, 2.3.1991; Bull. EC 1/2-1991, point 1.2.202

*Adopted by the Commission on 16 December.* Would continue in 1994 and 1995 the preferential import arrangements for Tunisian olive oil.

COM(93) 682

## *Fruit and vegetables*

*1.2.199.* Council Regulation (EC) No 3511/93 on free distribution outside the Community of fruit and vegetables withdrawn from the market during the 1993/94 marketing year.

*Proposal adopted by the Commission on 6 December.*

COM(93) 475

*Adopted on 14 December.* Authorizes supply of apples and oranges withdrawn from the market to non-governmental organizations for free distribution to victims of the conflict in the former Yugoslavia.

OJ L 320, 22.12.1993

## *Wine*

*1.2.200.* Parliament resolution on the Commission's report to the Council on the activities of the body of specific officials of the Commission for controls in the wine sector.

**Reference:** Commission report: SEC(92) 2014

*Adopted on 17 December.* Parliament called for the fraud-fighting corps in the wine sector to be strengthened and given more resources and for a central Community arbitration laboratory to be established.

OJ C 20, 24.1.1994

*1.2.201.* Draft agreement with the United States of America on mutual recognition and protection of certain spirit drinks.

**Recommendation for a Decision:** COM(93) 6; Bull. EC 1/2-1993, point 1.2.178

*Amended recommendation adopted by the Commission on 21 December.*

COM(93) 714

## *Tobacco*

*1.2.202.* Proposal for a Council Regulation amending Regulation (EEC) No 2076/92 fixing leaf tobacco premiums by variety group and processing quotas by variety group and Member State.

**Regulation to be amended:** Council Regulation (EEC) No 2076/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.142

**Commission proposal:** OJ C 313, 19.11.1993; COM(93) 507; Bull. EC 10-1993, point 1.2.143

*Endorsed by Parliament on 17 December* subject to amendments including adjustments within the total amounts proposed for Italy and Spain.

OJ C 20, 24.1.1994

*Agreed by the Council on 17 December.* Adjusts the processing quotas for the variety groups to current market conditions without altering the overall quantity allocated to each Member State.

## *Milk and milk products*

*1.2.203.* Proposal for a Council Regulation derogating from Regulation (EEC) No 1637/91 as regards payment of compensation to milk producers for reduction of reference quantities.

### **References:**

Council Regulation (EEC) No 1637/91 fixing compensation for reduction of the milk reference quantities referred to in Article 5c of Regulation (EEC) No 804/68 (OJ L 150, 15.6.1991; Bull. EC 6-1991, point 1.2.156), as amended by Regulation (EEC) No 1188/92: OJ L 124, 9.5.1992; Bull. EC 4-1992, point 1.3.156

Council Regulation (EEC) No 1560/93 amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector: OJ L 154, 25.6.1993; Bull. EC 6-1993, point 1.2.187

*Adopted by the Commission on 14 December.* Would allow assignment to national milk abandonment programmes under Regulation

(EEC) No 1560/93 of the funds still available for general producer compensation under Regulation (EEC) No 1637/91.

OJ C 23, 27.1.1994; COM(93) 675

**1.2.204.** Proposal for a Council Regulation amending Regulation (EEC) No 804/68 on common organization of the market in milk and milk products.

**Commission proposal:** OJ C 210, 4.8.1993; COM(93) 323; Bull. EC 7/8-1993, point 1.2.163

*Endorsed by Parliament on 17 December* subject to minor drafting amendments.

OJ C 20, 24.1.1994

**1.2.205.** Council Regulation (EC) No 3610/93 relating to the continued import of New Zealand butter into the United Kingdom on special terms.

**Reference:** Council Regulation (EEC) No 3841/92 relating to the continued import of New Zealand butter into the United Kingdom on special terms: OJ L 390, 31.12.1992; Bull. EC 12-1992, point 1.3.242

*Proposal adopted by the Commission on 1 December.*

*Agreed by the Council on 17 December.*

*Adopted on 20 December.* Extends by one year the special arrangements facilitating importation of New Zealand butter into the United Kingdom.

OJ L 328, 29.12.1993

## Beef and veal

**1.2.206.** Council Regulation (EC) No 3611/93 amending Regulation (EEC) No 805/68 on common organization of the market in beef and veal.

**Regulation amended:** Council Regulation (EEC) No 805/68 (OJ L 148, 28.6.1968), as last amended by Regulation (EEC) No 747/93: OJ L 77, 31.3.1993; Bull. EC 3-1993, point 1.2.109  
**Commission proposal:** OJ C 265, 30.9.1993; COM(93) 418; Bull. EC 9-1993, point 1.2.122  
**Amended Commission proposal:** COM(93) 614; Bull. EC 11-1993, point 1.2.155

*Endorsed by Parliament on 15 December.*

OJ C 20, 24.1.1994

*Agreed by the Council on 17 December.*

*Adopted on 22 December.* Authorizes Member States to make payment of the premiums conditional on respect for certain environmental requirements, adjusts weight categories for imports of young male bovines and increases additional rights to the suckler cow premium for Luxembourg.

OJ L 328, 29.12.1993

**1.2.207.** Proposals for Council estimates for the period 1 January to 31 December 1994 covering young male bovines weighing up to 300 kilograms for fattening and beef and veal for processing.

*Adopted by the Commission on 8 December.* Estimate 1994 import requirements of young bovines for fattening at 198 000 head and of meat for processing at nil.

COM(93) 478

## Sheepmeat and goatmeat

**1.2.208.** Proposal for a Council Regulation amending Regulations (EEC) No 3013/89 on common organization of the market in sheepmeat and goatmeat and No 3493/90 establishing general rules on granting of the premium to sheepmeat and goatmeat producers.

### Regulations to be amended:

Council Regulation (EEC) No 3013/89 (OJ L 289, 7.10.1989; Bull. EC 9-1989, point 2.1.104), amended by Regulation (EEC) No 2069/92 (OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.145) and most recently by Regulation (EEC) No 363/93: OJ L 42, 19.2.1993; Bull. EC 1/2-1993, point 1.2.183

Council Regulation (EEC) No 3493/90 (OJ L 337, 4.12.1990; Bull. EC 11-1990, point 1.3.134), as last amended by Regulation (EEC) No 2070/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.145

**Commission proposal:** OJ C 265, 30.9.1993; COM(93) 419; Bull. EC 9-1993, point 1.2.124

**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.157

**Amended Commission proposal:** COM(93) 614; Bull. EC 11-1993, point 1.2.157

*Endorsed by Parliament on 15 December* subject to amendments relating to monitoring of the impact of the Regulation.

OJ C 20, 24.1.1994

*Agreed by the Council on 17 December.* Simplifies application of the ewe premium.

**1.2.209.** Council Regulation (EC) No 3609/93 on suspension of the import levy on sheepmeat and goatmeat sector products.

**Reference:** Voluntary restraint agreements on trade in sheepmeat and goatmeat (→ point 1.2.210)

*Proposal adopted by the Commission on 8 December.*

COM(93) 656

*Agreed by the Council on 17 December.*

*Adopted on 22 December.* Extends suspension of the import levy in 1994 to sheepmeat and goatmeat sector imports from supplier countries other than those to which voluntary restraint agreement provisions will apply.

OJ L 328, 29.12.1993

**1.2.210.** Agreements in the form of exchanges of letters prolonging the validity of the adaptations to the agreements concluded between the Community and Argentina, Australia, New Zealand, Uruguay, Bulgaria, the Czech Republic, Hungary, Poland and Slovakia on trade in sheepmeat and goatmeat.

**Recommendation for a Decision:** Bull. EC 11-1993, point 1.2.158

*Negotiating directives adopted by the Council on 6 December.*

*Draft Decisions approving the agreements adopted by the Commission on 8 December (Argentina, Australia, New Zealand, Uruguay) and 10 December (Bulgaria, the Czech Republic, Hungary, Poland, Slovakia).*

COM(93) 653 and 655

*Agreed by the Council on 17 December.*

*Council Decisions formally approving the agreements adopted on 22 December.*

## Pigmeat

**1.2.211.** Regulation (EC) No 3513/93 amending Regulation (EEC) No 3220/84 determining the Community scale for grading pig carcasses.

**Regulation amended:** Council Regulation (EEC) No 3220/84 (OJ L 301, 20.11.1984; Bull. EC 11-1984, point 2.1.97), as last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

**Commission proposal:** COM(93) 273; Bull. EC 6-1993, point 1.2.195

*Adopted on 14 December.* Adjusts Regulation (EEC) No 3220/84 in line with recent technical developments.

OJ L 320, 22.12.1993

**1.2.212.** Parliament resolution on the situation of the pigmeat market.

*Adopted on 15 December.* Parliament drew attention to the difficulties facing pigmeat producers owing to continuing low prices and the swine fever outbreak and called for the market to be supported, import and export trends to be re-examined and farmers affected by the outbreak to be compensated.

OJ C 20, 24.1.1994

## EAGGF Guarantee Section

**1.2.213.** Proposal for a Council Regulation on part-financing by the Community of remote sensing checks and amending Regulation (EEC) No 3508/92.

**Regulation to be amended:** Council Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes: OJ L 355, 5.12.1992; Bull. EC 11-1992, point 1.3.163

**Commission proposal:** OJ C 282, 20.10.1993; COM(93) 455; Bull. EC 9-1993, point 1.2.128

*Endorsed by Parliament on 15 December* subject to amendments concerning notably the level of Community part-financing.

OJ C 20, 24.1.1994

*Agreed by the Council on 17 December.* Authorizes Community part-financing of the cost of using satellite pictures and air photographs

of agricultural land for control purposes in connection with EAGGF subsidies.

## State aid

### *Decisions to raise no objection*

#### Germany

1.2.214. Commission decision on aid for dairies at Waren and Altentreptow (Mecklenburg-Western Pomerania).

*Adopted on 8 December.* Both dairies have already been the object of a Community co-financing arrangement. The aid rate exceeds the normal limit for investment outside regions where development is lagging behind but the new *Länder* will have this status from 1 January 1994.

#### Denmark

1.2.215. Commission decision on investment aid for animal feed production on Bornholm.

*Adopted on 21 December.* The Commission, normally opposed to investment aid for animal feed production, found that in this case the benefit of the aid would go almost exclusively to the farmers themselves, that the recipient cooperative was the only commercial producer of animal feed on Bornholm and that all the feed would be used on the island itself but have no impact on the volume of its agricultural production.

#### France

1.2.216. Commission decision on aid for the construction of a private slaughterhouse at Strasbourg.

*Adopted on 21 December.* Slaughter capacity will not increase and the beneficiaries are themselves contributing an adequate proportion of the investment.

#### Italy

1.2.217. Commission decision on compensation to farmers in Abruzzi for damage caused by animals of major scientific interest.

*Adopted on 21 December.* Compensation is granted for damage to livestock or crops by protected animals such as the brown bear, Appennine wolf, red deer and golden eagle.

#### Luxembourg

1.2.218. Commission decision on aid relating to milk storage.

*Adopted on 21 December.* The aid is for replacement of milk tanks belonging to the Luxlait agricultural association but is also available to other associations or groupings wishing to benefit from it.

#### Netherlands

1.2.219. Commission decision on aid in the cereals sector.

*Adopted on 8 December.* This aid for research and development is financed by a parafiscal charge on cereals grown in the Netherlands.

1.2.220. Commission decision on aid to improve slaughter facilities.

*Adopted on 8 December.* The aid is designed to secure a reduction in slaughterhouse capacity.

1.2.221. Commission decision on aid for quality control of fresh fruit and vegetables.

*Adopted on 21 December.* The aid is financed by a parafiscal charge on fruit and vegetables grown in the Netherlands not going for industrial processing.

#### United Kingdom

1.2.222. Commission decision on launching aid for the Milk Marque cooperative.

*Adopted on 8 December.* Milk Marque will replace, on a voluntary membership basis, the Milk Marketing Board for England and Wales, to be abolished. The aid will cover expenditure



on informing producers of the options open to them. The Commission has however opened the procedure in regard to the planned transfer of the Milk Marketing Board's assets to Milk Marque (→ point 1.2.223).

### *Decision to open procedure*

#### **United Kingdom**

1.2.223. Commission decision in regard to transfer of certain assets of the Milk Marketing Board for England and Wales to the Milk Marque cooperative.

*Adopted on 8 December.* Since farmers not wishing to become members of the Milk Marque cooperative following abolition of the Milk Marketing Board will be unable to sell before a five-year lapse the Milk Marque entitlement certificates issued to them, the Commission is forced to conclude that membership of the cooperative will not be entirely voluntary and to question compatibility of the proposed arrangements with the market organization for milk. It has raised no objection to launching aid for Milk Marque (→ point 1.2.222) or to the arrangements for payment of the Milk Marketing Board's debts and distribution of the shares of its processed products subsidiary, Dairy Crest.

### *Withdrawal of decision to open procedure*

#### **Germany**

1.2.224. Commission decision on aid to modernize undertakings processing oilseeds.

**Reference:** Procedure opened: Bull. EC 7/8-1993, point 1.2.176

*Adopted on 8 December.* Germany has notified withdrawal of notification of the aid.

### *Decision to close procedure*

#### **Italy**

1.2.225. Commission decision on aid for farms affected by drought in Sardinia.

*Adopted on 8 December.* The Commission considered that the aid, consisting of reduced irrigation water charges, could be seen as an aid to popularize irrigation techniques and as such compatible with the common market.

## **International cooperation**

### *European Economic Area*

1.2.226. Bilateral agricultural agreements in the form of exchanges of letters between the Community and Austria, Finland, Iceland, Norway and Sweden (→ point 1.3.7).

### *Australia*

1.2.227. Visit to the Commission by Mr P. Cook, Minister for Trade, on 10 December.

Mr Cook discussed with Mr Steichen the prospects for conclusion of the Uruguay Round trade negotiations, with particular reference to agriculture.

### *Austria*

1.2.228. Visit to the Commission by Mr Fischler, Minister for Agriculture, on 3 December.

Mr Fischler discussed with Mr Steichen the agricultural aspects of the Austrian accession negotiations, with particular reference to support for mountain farming and Austrian price levels.

### *Finland*

1.2.229. Visit to the Commission by Mr H. Haavisto, Minister for Foreign Affairs, and Mr P. Salolainen, Minister for Foreign Trade, on 21 December.

Messrs Haavisto and Salolainen discussed the accession negotiations with Mr Steichen, with particular reference to agriculture. They stressed the levels of aid required for agricultural production in Finland.

## New Zealand

1.2.230. Visit to the Commission by Mr P. Burdon, Minister for Trade and Trade Negotiations.

### References:

Regulation (EC) No 3610/93 on continued importation of New Zealand butter into the United Kingdom on special terms: OJ L 328, 29.12.1993 and point 1.2.205 herein

Agreement in the form of an exchange of letters prolonging the validity of the adjusted agreement on trade in sheepmeat and goatmeat: point 1.2.210 above

Mr Burdon discussed with Mr Steichen the outlook for conclusion of the Uruguay Round trade negotiations and access for New Zealand butter and meat to the Community market.

## Fisheries

### Review and future development of the common fisheries policy

**Reference:** Council Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture: OJ L 388, 31.12.1992; Bull. EC 12-1992, point 1.3.260

1.2.231. Communication on the new elements of the common fisheries policy and their practical implementation, accompanied by a proposal for a Regulation fixing management objectives and strategies for certain fisheries or groups of fisheries for the period 1994 to 1997.

*Adopted by the Commission on 15 December.* In the communication the Commission specifies the conditions for the implementation of the new components of the common fisheries policy within the framework of the new basic Regulation, Regulation (EEC) No 3760/92. It stresses in particular the need to define medium-term objectives and strategies and pin-

points where these can be set. In this context the purpose of the proposal for a Regulation is to fix management objectives and strategies for the period 1994 to 1997 for those fish stocks which are in a very poor state, such as round-fish, for juveniles whose protection must be regarded as a medium-term investment and also for stocks which are in a safer state, in order to prevent deterioration. In order to replenish stocks, it advocates progressive stabilization of fishing effort by means of more and more direct monitoring, combined with the implementation of management tools on a multiannual basis.

COM(93) 664, OJ C 17, 20.1.1994; COM(93) 663

1.2.232. Council Decision 94/15/EC relating to the objectives for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation.

**Reference:** Commission Decisions 92/588/EEC to 92/598/EEC concerning multiannual guidance programmes for the fishing fleets of France, Belgium, the Netherlands, Germany, Italy, the United Kingdom, Ireland, Denmark, Greece, Spain and Portugal for the period 1993 to 1996, pursuant to Regulation (EEC) No 4028/86: OJ L 401, 31.12.1992; Bull. EC 12-1992, point 1.3.264

**Commission proposal:** OJ C 326, 3.12.1993; COM(93) 544; Bull. EC 11-1993, point 1.2.167

*Endorsed by Parliament on 17 December* subject to amendments relating principally to the granting of Community or national financial assistance and socio-economic measures accompanying the restructuring measures.

OJ C 20, 24.1.1994

*Adopted on 20 December.* The main purpose of this Decision is to confer binding status on the multiannual guidance programmes (1993 to 1996) decided on by the Commission in December 1992. It accordingly sets the target of a 20% reduction in fishing effort for demersal fisheries and a 15% cut for benthic fisheries, 55% of which is to be achieved purely by capacity reductions, together with a stabilization of the other fisheries of each Member State.

OJ L 10, 14.1.1994

**1.2.233.** Council Regulation (EC) No 3690/93 establishing a Community system of fishing licences.

**Commission proposal:** OJ C 310, 16.11.1993; COM(93) 496; Bull. EC 10-1993, point 1.2.154  
**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.169

*Endorsed by Parliament on 17 December* subject to some amendments relating in particular to better access for Member States to data.

OJ C 20, 24.1.1994

*Adopted on 20 December.* This Regulation, which will apply from 1 January 1995, requires Community fishing vessels to carry on board a fishing licence which is attached to the vessel containing at least certification of the information concerning the identification, technical characteristics and equipment of the vessel, the issuing and handling of fishing licences remaining the responsibility of the Member States.

OJ L 341, 31.12.1993

**1.2.234.** Proposal for a Council Regulation on adjustments to the fisheries arrangements provided for in the Act of Accession of Spain and Portugal.

**Commission proposal:** OJ C 321, 27.11.1993; COM(93) 493; Bull. EC 10-1993, point 1.2.152  
**Economic and Social Committee opinion:** Bull. EC 11-1993, point 1.2.170

*Endorsed by Parliament on 17 December* subject to various amendments relating mainly to conservation of resources and limitation of fishing effort.

OJ C 20, 24.1.1994

## Resources

**Basic Regulation:** Council Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture: OJ L 388, 31.12.1992; Bull. EC 12-1992, point 1.3.260

## Internal aspects

### TACs and quotas for 1993

**1.2.235.** Council Regulation (EC) No 3401/93 amending, with respect to sprats and cod,

Bull. EC 12-1993

Regulation (EEC) No 3919/92 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished.

**Regulation amended:** Council Regulation (EEC) No 3919/92 (OJ L 397, 31.12.1992; Bull. EC 12-1992, point 1.3.261), as last amended by Regulation (EEC) No 3177/93: OJ L 285, 20.11.1993; Bull. EC 11-1993, point 1.2.171

**Commission proposal:** COM(93) 618; Bull. EC 11-1993, point 1.2.172

*Adopted on 7 December.*

OJ L 310, 14.12.1993

### TACs and quotas for 1994

**1.2.236.** Council 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.

**Reference:** Council Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources (OJ L 288, 11.10.1986; Bull. EC 10-1986, point 2.1.174), as last amended by Regulation (EEC) No 3094/92: OJ L 307, 23.10.1992; Bull. EC 10-1992, point 1.3.162

*Proposal adopted by the Commission on 17 December.*

COM(93) 707

*Adopted on 21 December.* Fixes the total allowable catches for 1994 (see Table 10). The technical conditions are broadly the same as for 1993, though some provisions are reinforced or amended, particularly with regard to the 'permanent' closure of fisheries defined in Regulation (EEC) No 3094/86, the conditions for fishing for whiting, the minimum mesh size for shrimp fishing and the prohibition of beam trawling in the Southern North Sea.

OJ L 341, 31.12.1993

Table 10 — TACs by stock and by zone for 1994 — Community shares

(tonnes)

Species	Zone	TAC 1994	Community share in 1994
Herring	III a	148 000	63 580
Herring	III b, c, d <sup>1</sup>	125 200	121 450
Herring	II a, <sup>1</sup> IV a, b	440 000	440 000
Herring	IV c, VII d	50 000 <sup>2</sup>	50 000
Herring	V b, <sup>1</sup> VI a North, VI b	62 000	55 140
Herring	VI a South, VII b, c	28 000 <sup>2</sup>	28 000
Herring	VI a Clyde	1 000 <sup>2</sup>	1 000
Herring	VII a	7 000 <sup>2</sup>	7 000
Herring	VII e, f	1 000 <sup>2</sup>	1 000
Herring	VII g, h, j, k	21 000 <sup>2</sup>	21 000
Sprat	III a	43 000	28 280
Sprat	III b, c, d <sup>1</sup>	111 200	109 200
Sprat	II a, <sup>1</sup> IV <sup>1</sup>	114 000	93 680
Sprat	VII d, e	12 000 <sup>2</sup>	12 000
Anchovy	VIII	30 000 <sup>2</sup>	30 000
Anchovy	IX, X, Copace <sup>1</sup>	12 000 <sup>2</sup>	12 000
Atlantic salmon	III b, c, d <sup>1</sup>	112 000 <sup>2</sup>	112 000
Capelin	II b	0 <sup>2</sup>	0
Cod	I, II b	24 220	24 220
Cod	III a Skagerrak	15 500	12 785
Cod	III a Kattegat	6 700	4 040
Cod	III b, c, d <sup>1</sup>	21 600	20 850
Cod	II a, <sup>1</sup> IV	102 000	93 070
Cod	V b, <sup>1</sup> VI, XII, XIV	11 000	11 000
Cod	VII a	3 700	3 700
Cod	VII b to k, VIII, IX, Copace <sup>1</sup>	15 900 <sup>2</sup>	15 900
Haddock	III a, III b, c, d <sup>1</sup>	10 000 <sup>2</sup>	5 630
Haddock	II a, <sup>1</sup> IV	160 000	117 700
Haddock	V b, <sup>1</sup> VI, XII, XIV	12 500	12 500
Haddock	VII, VIII, IX, X, Copace <sup>1</sup>	6 000 <sup>2</sup>	6 000
Saithe	II a, <sup>1</sup> III a, III b, c, d, <sup>1</sup> IV	97 000	48 600
Saithe	V b, <sup>1</sup> VI, XII, XIV	13 100	13 100
Saithe	VII, VIII, IX, X, Copace <sup>1</sup>	14 000 <sup>2</sup>	14 000
Pollack	V b, <sup>1</sup> VI, XII, XIV	1 100 <sup>2</sup>	1 100
Pollack	VII	14 000 <sup>2</sup>	14 000
Pollack	VIII a, b	2 600 <sup>2</sup>	2 600
Pollack	VIII c	800 <sup>2</sup>	800
Pollack	VIII d	50 <sup>2</sup>	50
Pollack	VIII e	100 <sup>2</sup>	100
Pollack	IX, X, Copace <sup>1</sup>	450 <sup>2</sup>	450

(tonnes)

Species	Zone	TAC 1994	Community share in 1994
Norwegian pout	II a, <sup>1</sup> III a, IV <sup>1</sup>	220 000 <sup>2</sup>	180 000
Blue whiting	II a, <sup>1</sup> IV <sup>1</sup>	90 000 <sup>2</sup>	50 000
Blue whiting	V b, <sup>1</sup> VI, VII	340 000 <sup>2</sup>	113 000
Blue whiting	VIII a, b, d	26 500 <sup>2</sup>	26 500
Blue whiting	VIII e	1 000 <sup>2</sup>	1 000
Blue whiting	VIII c, IX, X, Copace <sup>1</sup>	55 000 <sup>2</sup>	55 000
Whiting	III a	15 200 <sup>2</sup>	3 000
Whiting	II a, <sup>1</sup> IV	100 000	67 280
Whiting	V b, <sup>1</sup> VI, XII, XIV	6 100	6 100
Whiting	VII a	8 500	8 500
Whiting	VII b to k	22 000 <sup>2</sup>	22 000
Whiting	VIII	5 000 <sup>2</sup>	5 000
Whiting	IX, X, Copace <sup>1</sup>	2 640 <sup>2</sup>	2 640
Hake	III a, III b, c, d <sup>1</sup>	1 070	1 070
Hake	I a, <sup>1</sup> IV <sup>1</sup>	1 330	1 330
Hake	V b, <sup>1</sup> VI, VII, XII, XIV	21 490	21 490
Hake	VIII a, b, d, e	14 320	14 320
Hake	VIII c, IX, X, Copace <sup>1</sup>	6 600	6 600
Jack and horse mackerels	II a, <sup>1</sup> IV <sup>1</sup>	60 000 <sup>2</sup>	54 250
Jack and horse mackerels	V b, <sup>1</sup> VI, VII, VIII a, b, d, e, XII, XIV	250 000	243 000
Jack and horse mackerels	VIII c, IX	73 000 <sup>2</sup>	73 000
Mackerel	II a, <sup>1</sup> III a, III b, c, d, <sup>1</sup> IV	95 680	28 890
Mackerel	II, <sup>2</sup> V b, <sup>1</sup> VI, VII, VIII a, b, d, e, XII, XIV	493 250	466 760
Mackerel	VIII c, IX, X, Copace <sup>1</sup>	36 570 <sup>2</sup>	36 570
European plaice	III a Skagerrak	11 200 <sup>2</sup>	10 528
European plaice	III a Kattegat	2 800	2 520
European plaice	III b, c, d <sup>1</sup>	3 000 <sup>2</sup>	3 000
European plaice	II a, <sup>1</sup> IV	165 000	153 400
European plaice	V b, <sup>1</sup> VI, XII, XIV	2 400 <sup>2</sup>	2 400
European plaice	VII a	3 100	3 100
European plaice	VII b, c	250 <sup>2</sup>	250
European plaice	VII d, e	9 100	9 100
European plaice	VII f, g	1 200	1 200
European plaice	VII h, j, k	1 350 <sup>2</sup>	1 350
European plaice	VIII, IX, X, Copace <sup>1</sup>	700 <sup>2</sup>	700
Common sole	III a, III b, c, d <sup>1</sup>	2 100 <sup>2</sup>	2 100
Common sole	II, IV	31 000	31 000
Common sole	V b, <sup>1</sup> VI, VII, XIV	155 <sup>2</sup>	155
Common sole	VII a	1 500	1 500
Common sole	VII b, c	75 <sup>2</sup>	75
Common sole	VII d	3 800	3 800
Common sole	VII e	1 000	1 000
Common sole	VII f, g	1 000	1 000
Common sole	VII h, j, k	720 <sup>2</sup>	720
Common sole	VIII a, b	6 600	6 600
Common sole	VIII c, d, e, IX, X, Copace <sup>1</sup>	2 000 <sup>2</sup>	2 000

(tonnes)

Species	Zone	TAC 1994	Community share in 1994
Megrim	V b, <sup>1</sup> VI, XII, XIV	4 840 <sup>2</sup>	4 840
Megrim	VII	16 270	16 270
Megrim	VIII a, b, d	2 110	2 110
Megrim	VIII c, IX, X, Copace <sup>1</sup>	2 500 <sup>2</sup>	2 500
Anglerfish	V b, <sup>1</sup> VI, XII, XIV	8 600 <sup>2</sup>	8 600
Anglerfish	VII	16 050	16 050
Anglerfish	VIII a, b, d	4 350	4 350
Anglerfish	VIII e	100 <sup>2</sup>	100
Anglerfish	VIII c, IX, X, Copace <sup>1</sup>	13 000 <sup>2</sup>	13 000
Shrimps	French Guiana	4 108	4 000
Northern prawn	III a Skagerrak	12 600	4 636
Norway lobster	III a, III b, c, d <sup>1</sup>	3 500 <sup>2</sup>	3 500
Norway lobster	II a, <sup>1</sup> IV <sup>1</sup>	12 000 <sup>2</sup>	12 000
Norway lobster	V b, <sup>1</sup> VI	12 600 <sup>2</sup>	12 600
Norway lobster	VII	20 000 <sup>2</sup>	20 000
Norway lobster	VIII a, b	6 800 <sup>2</sup>	6 800
Norway lobster	VIII c	1 000 <sup>2</sup>	1 000
Norway lobster	VIII d, e	50 <sup>2</sup>	50
Norway lobster	IX, X, Copace <sup>1</sup>	2 500 <sup>2</sup>	2 500

<sup>1</sup> EC Zone.<sup>2</sup> Precautionary TAC.

**1.2.237.** Proposal for Council Regulation (EC) No 3692/93 allocating, for 1994, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen, in Icelandic and in Swedish waters.

**Reference:** conclusion of the Agreement on the European Economic Area and the related bilateral agricultural and fisheries agreements — point 1.3.7 of this Bulletin

*Adopted by the Commission on 21 December.* Allocates between the Member States, for 1994, the additional fishing quotas obtained in the fishing zones of Norway, Iceland and Sweden as a result of the conclusion of the bilateral fisheries agreements between the Community and Norway, Iceland and Sweden.

COM(93) 690

**1.2.238.** Council Regulation (EC) No 3677/93 fixing, for 1994, certain measures for the conservation and management of fishery

resources, applicable to vessels flying the flag of Portugal in waters falling under the sovereignty or within the jurisdiction of Member States apart from Spain and Portugal; Council Regulation (EC) No 3678/93 fixing, for 1994, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Portugal; Regulation (EC) No 3679/93 fixing, for 1994, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Spain.

**Commission proposal:** COM(93) 616; Bull. EC 11-1993, point 1.2.173.

*Adopted on 20 December.*

OJ L 341, 31.12.1993

**1.2.239.** Council Regulation (EC) No 3681/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana.

**Reference:** Council Regulation (EEC) No 3929/92 laying down, for 1993, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana: OJ L 397, 31.12.1992; Bull. EC 12-1992, point 1.3.271

*Proposal adopted by the Commission on 7 December.*

COM(93) 628

*Adopted by the Council on 20 December.* This Regulation grants shrimp quotas to neighbouring ACP countries for 1994 and snapper and shark fishing licences to Venezuela, in accordance with Regulation (EEC) No 3929/92.

OJ L 341, 31.12.1993

**1.2.240.** Parliament resolution on the use of driftnets.

*Adopted on 17 December.* Parliament called for a total ban on the use of driftnets but with tolerance of the use of such equipment within the 12-mile limit on application from the Member State and under Commission control.

OJ C 20, 24.1.1994

## *External aspects*

### **EFTA countries**

**1.2.241.** Bilateral agreements in the form of an exchange of letters between the Community and Iceland, Sweden, Finland and Norway respectively on fisheries (→ point 1.3.7).

### **Canada**

**1.2.242.** Fisheries agreement between the Community and Canada.

**Recommendation for a Decision:** Bull. EC 12-1992, point 1.3.266

**Negotiating directives:** Bull. EC 12-1992, point 1.3.266

**Initialed:** Bull. EC 12-1992, point 1.3.266

**Commission proposal on conclusion:** OJ C 167, 18.6.1993; COM(93) 214; Bull. EC 5-1993, point 1.2.135

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.175

*Regulation (EC) No 3675/93 on the conclusion of the Agreement adopted on 20 December.* The key aspects of the Agreement are the opening-up of Canadian ports to Community vessels; the Community fleet's access to surplus fish in Canadian waters; Community fishermen's participation in commercial arrangements with Canadian shipowners; improvement of surveillance and control in the NAFO area; provisions to limit fishing by vessels of States that are not contracting parties to the NAFO Convention and measures concerning the conservation, optimum use and rational management of stocks in the NAFO regulatory area in Canadian waters, in particular cod in the NAFO area 2J+3KL. It does not affect the Community's positions in the context of the Conference on straddling stocks and the FAO Conference on fishing on the high seas.

OJ L 340, 31.12.1993

### **Estonia**

**1.2.243.** Council Regulation (EC) No 3685/93 allocating, for 1994, catch quotas between Member States for vessels fishing in Estonian waters; Council Regulation (EC) No 3684/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Estonia.

**Commission proposal:** COM(93) 611; Bull. EC 11-1993, point 1.2.178

*Adopted on 20 December.*

OJ L 341, 31.12.1993

### **Greenland**

**1.2.244.** Council Regulation (EC) No 3693/93 allocating, for 1994, catch quotas in Greenland waters.

**Commission proposal:** COM(93) 624; Bull. EC 11-1993, point 1.2.179

*Adopted on 21 December.*

OJ L 341, 31.12.1993

### Faroe Islands

1.2.245. Council Regulation (EC) No 3695/93 allocating, for 1994, certain catch quotas between the Member States for vessels fishing in Faroese waters; Council Regulation (EC) No 3694/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands.

**Commission proposal:** COM(93) 583; Bull. EC 11-1993, point 1.2.180

*Adopted on 21 December.*

OJ L 341, 31.12.1993

### Guinea-Bissau

1.2.246. Draft protocol establishing for the period 16 June 1993 to 15 June 1995 the fishing rights and financial compensation provided for in the Agreement between the Community and the Government of the Republic of Guinea-Bissau

**Commission proposal on conclusion:** OJ C 198, 22.7.1993; COM(93) 292; Bull. EC 7/8-1993, point 1.2.183

*Endorsed by Parliament on 17 December.*

OJ C 20, 24.1.1994

### Latvia

1.2.247. Regulation (EC) No 3687/93 allocating, for 1994, catch quotas between Member States for vessels fishing in Latvian waters; Regulation (EC) No 3686/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Latvia.

**Commission proposal:** COM(93) 612; Bull. EC 11-1993, point 1.2.181

*Adopted on 20 December.*

OJ L 341, 31.12.1993

### Lithuania

1.2.248. Council Regulation (EC) No 3689/93 allocating, for 1994, catch quotas between

Member States for vessels fishing in Lithuanian waters; Regulation (EC) No 3688/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Lithuania.

**Commission proposal:** COM(93) 621; Bull. EC 11-1993, point 1.2.182

*Adopted on 20 December.*

OJ L 341, 31.12.1993

### North-West Atlantic Fisheries Organization (NAFO)

1.2.249. Council Regulation (EC) No 3680/93 laying down certain conservation and management measures for fishery resources in the Regulatory Area as defined in the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries (for 1994).

*Proposal adopted by the Commission on 3 December.*

COM(93) 467

*Adopted on 20 December.* Lays down limits on catches for the Community fishing fleet in 1994 (see Table 11), technical conservation measures and measures facilitating and reinforcing control and inspection of fishing activities in the NAFO regulatory area. It also fully implements the NAFO recommendations for 1994 concerning fishing for cod, Atlantic redfish, American plaice, yellowtail flounder, witch flounder, capelin and squid.

OJ L 341, 31.12.1993

Table 11 — *Total Community catches in the NAFO regulatory area (1994)*

Species	Zone	Total (tonnes)
Cod	NAFO 2 J + 3 K, L	0
Cod	NAFO 3 M	2 213
Cod	NAFO 3 N, O	5 485
Redfish	NAFO 3 M	4 030
Redfish	NAFO 3 L, N	476
American plaice	NAFO 3 M	175
Capelin	NAFO 3 N, O	0
Squid	NAFO subzones 3 + 4	token entry



## Norway

1.2.250. Council Regulation (EC) No 3692/93 allocating, for 1994, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen; Council Regulation (EC) No 3691/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway.

*Proposal adopted by the Commission on 17 December.*

COM(93) 709

*Adopted on 21 December.* Allocates between the Member States the quotas available in 1994 to Community vessels fishing in the Norwegian zone and authorizes Norwegian vessels, from 1 January 1994, to fish in Community waters on the basis of quotas allocated to them for 1994.

OJ L 341, 31.12.1993

## Sweden

1.2.251. Council Regulation (EC) No 3683/93 allocating, for 1994, catch quotas between Member States for vessels fishing in Swedish waters; Council Regulation (EC) No 3682/93 laying down for 1994 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden.

**Commission proposal:** COM(93) 584; Bull. EC 11-1993, point 1.2.185

*Adopted on 20 December.*

OJ L 341, 31.12.1993

## Market organization

1.2.252. Proposal for a Council Regulation establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location.

Bull. EC 12-1993

*Adopted by the Commission on 3 December.* Would compensate for the additional costs incurred in the processing of tuna in the Azores and Madeira, the production and freezing of tuna and the freezing and processing of sardines in the Canary Islands and the production and marketing of prawn in the French department of Guiana as a result of the remoteness of these regions.

OJ C 4, 6.1.1994 and COM(93) 630

## State aid

### *Decision to terminate proceedings*

## Italy

1.2.253. Commission decision on the aid granted under a regional law on developing and enhancing the value of fishing activities.

### **References:**

Initiation of proceedings: Bull. EC 9-1990, point 1.2.178

Commission Decision 91/203/EEC on the establishment of a Community support framework for Community structural assistance on the improvement of the conditions under which fishery products are processed and marketed in Italy: OJ L 99, 19.4.1991

*Adopted on 8 December.* The Commission noted that the measure in question was in accordance with the guidelines of the Community support framework for Italy for the period 1991 to 1993 and that the proposed aids were compatible with the common market.

## A people's Europe

### **European citizenship**

#### *Right to vote*

1.2.254. Council Directive 93/109/EC laying down detailed arrangements for the exercise of

the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals.

**Draft Commission proposal:** COM(93) 291; Bull. EC 6-1993, point 1.2.223

**Council agreement on the draft proposal:** Bull. EC 10-1993, point 1.2.166

**Commission proposal:** OJ C 325, 2.12.1993; COM(93) 534; Bull. EC 10-1993, point 1.2.166

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.2.190

*Adopted on 6 December.* This Directive lays down detailed arrangements for the exercise of the right to vote and stand in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals, in accordance with Article 8b(2) of the EC Treaty.

It does not set out to harmonize the national legislation currently in force but to apply the principle of equality and non-discrimination between citizens of the Union by ensuring that citizens who are not nationals of the Member State in which they reside are free to decide where to vote or stand for election on the basis of the same electoral laws and administrative arrangements as apply to nationals. It is also designed to prevent people from voting twice or standing as a candidate in more than one Member State by requiring them to make a formal declaration (the declarant being liable to sanctions if the declaration is false) and by arranging for the exchange of information between the competent authorities in the different Member States. It provides for the concurrent application of sets of rules disqualifying candidates from standing for election in the home country and country of residence but leaves the Member State of residence free to decide whether or not to take account of a disqualification from voting in the home Member State. With regard to the residence requirement imposed by certain Member States, periods of residence in other Member States (including the home State) are to be counted towards the period required by the Member State where the right to vote is to be exercised. The Directive also makes provision for derogations by a Member State, subject to specific conditions, if the proportion of nationals of

other Community countries of voting age exceeds 20%.

The Directive contains transitional provisions to enable it to be in operation in time for the forthcoming European elections in June 1994.

OJ L 329, 30.12.1993

*1.2.255.* Commission report on citizenship of the Union.

*Adopted on 21 December.* As required by Article 8e of the Treaty the Commission has produced a report on progress made on the various aspects of European citizenship. With the reservation that it is premature to attempt a comprehensive assessment as the Treaty did not enter into force until November, the Commission reports that significant progress has been made, particularly on the right of residence, voting rights in European elections and the Ombudsman.

COM(93) 702

## Public health

### Cancer

*1.2.256.* Council resolution on future guidelines for the 'Europe against cancer' programme following its evaluation for the period 1987-92.

#### References:

Council Decision 90/238/EEC on the 1990-94 'Europe against cancer' action plan: OJ L 137, 30.5.1990; Bull. EC 5-1990, point 1.2.235

Commission report on the evaluation of the effectiveness of Community action undertaken in the context of the 'Europe against cancer' programme (1987-92): COM(93) 93; Bull. EC 3-1993, point 1.2.151

Resolution of the Council and the Ministers for Health, meeting within the Council, on future action in the field of public health: OJ C 174, 25.6.1993; Bull. EC 5-1993, point 1.2.145

*Adopted on 13 December.* The Council recognized the importance of the 'Europe against cancer' programme and called on the Commission to present a new action plan taking into account its most recent resolution on

future action on public health and the following guidelines:

- ☐ more information on health matters and better health education to encourage people to adopt healthy lifestyles;
- ☐ the development and implementation of effective screening procedures;
- ☐ continuing Community action in the areas of research, epidemiological studies, healthcare and training;
- ☐ support for a comprehensive approach aimed at strengthening measures to promote healthy lifestyles, using the legal instruments adopted by the Council;
- ☐ strengthening the role of Community action as a catalyst for action by the Member States.

The Council stressed the importance of assessing the programme and proposed that this be done on an ongoing basis, but particularly when the annual report on execution is produced.

OJ C 15, 18.1.1994

## AIDS

**1.2.257.** Council resolution concerning the extension to the end of 1994 of the 1991-93 plan of action in the framework of the 'Europe against AIDS' programme.

### References:

Decision 91/317/EEC of the Council and the Ministers for Health of the Member States meeting within the Council adopting a plan of action in the framework of the 1991 to 1993 'Europe against AIDS' programme: OJ L 175, 4.7.1991; Bull. EC 6-1991, point 1.2.215

Commission proposal concerning the extension to the end of 1994 of the 1991-93 plan of action: COM(93) 453; point 1.2.258 of this Bulletin

*Adopted on 13 December.* Pending adoption of the Decision extending the 'Europe against AIDS' programme, the Council asked the Commission to continue the 1991-93 plan of action in 1994, with due regard for the following guidelines: more Community support for the activities carried out by the Member States under the programme and, in particular, better

coordination of research, more open decision-making procedures and increased ongoing assessment of the programme to evaluate effectiveness.

OJ C 15, 18.1.1994

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

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

*Endorsed by Parliament (first reading) on 17 December.*

OJ C 20, 24.1.1994

## Blood and blood products

**1.2.259.** Council conclusions on self-sufficiency in blood in the European Community.

### References:

Council Directive 89/381/EEC extending the scope of Directives 65/65/EEC and 75/319/EEC on proprietary medicinal products and laying down special provisions for medicinal products derived from human blood or human plasma: OJ L 181, 28.6.1989; Bull. EC 6-1989, point 2.1.23

Commission communication on blood self-sufficiency in the European Community: COM(93) 198; Bull. EC 5-1993, point 1.2.148

Parliament resolution on self-sufficiency in and safety of blood and its derivatives in the European Community: OJ C 268, 4.10.1993; Bull. EC 9-1993, point 1.2.142

*Adopted on 13 December.* The Council welcomed the recommendations made in the Commission communication and reaffirmed the need for Member States and the Community to achieve self-sufficiency in blood and its derivatives, in particular through cooperation between the Member States in accordance with the principle of voluntary, unpaid blood donations. It also stressed the importance of providing Community support for measures in the Member States and of promoting the quality and safety of blood collection.

OJ C 15, 18.1.1994

## Communicable diseases

**1.2.260.** Council conclusions on the setting-up of an epidemiological network in the European Community

**Reference:** Resolution of the Council and the Ministers for Health meeting within the Council on the monitoring and surveillance of communicable diseases: OJ C 326, 11.12.1992; Bull. EC 11-1992, point 1.3.237

*Adopted on 13 December.*

'The Council:

□ agrees that it is necessary for the Community as a whole to acquire a better knowledge of pathologies on the basis of their causes and their epidemiological context;

□ considers that a network should be developed at Community level the main purpose of which would be to collect and coordinate information from monitoring networks in the Member States;

□ emphasizes that the smooth running of such a network requires that theoretical training in epidemiology and practical preparation in epidemiology in the field be developed for the teams participating in the network;

□ requests the Commission, in its proposals relating to the framework of action in the field of public health, to devote special attention to setting up an epidemiological network in the Community and to examine for that purpose, with the experts appointed in conjunction with the Member States and on the basis of a prior inventory of current proceedings and mechanisms existing at Community level and that of Member States, the feasibility of such a network, taking account of the provisions contained in these conclusions and ensuring the comparability and compatibility of data.'

OJ C 15, 18.1.1994

## Drugs

**1.2.261.** Council statement on Drug Prevention Week.

### References:

Declaration by the Council and the Ministers of Health meeting within the Council on European Drug Prevention Week: OJ C 148, 12.6.1992; Bull. EC 5-1992, point 1.1.195

European Drug Prevention Week: Bull. EC 11-1992, point 1.3.241

*Adopted on 13 December.* The Council asked the Commission and the Member States to organize a second European Drug Prevention Week targeting young people in particular.

OJ C 15, 18.1.1994

## Solidarity

### Measures to help older people

**1.2.262.** European Year of Older People and Solidarity between Generations.

**Reference:** Council Decision on the organization of the European Year of the Elderly and of Solidarity between Generations: OJ L 245, 26.8.1992; Bull. EC 6-1992, point 1.3.107

**Launching of the Year:** Bull. EC 1/2-1993, point 1.2.209

*Declaration of principles adopted by the Council and Ministers for Social Affairs, meeting within the Council, on 6 December.* The declaration sets guidelines for future policy on older people with particular reference to level of income, standard of living, housing and mobility, provision of care and services, employment of older people and preparation for retirement, and participation of older people in society.

OJ C 343, 21.12.1993

*Closing ceremony held in Brussels on 7 and 8 December.* The conference organized to mark the end of the European Year of Older People and Solidarity between Generations took stock of the action undertaken in the course of the Year.

### Measures to help disaster victims

**1.2.263.** Commission decisions to grant emergency aid to storm victims living in Belgium and neighbouring areas.

*Adopted on 24 December.* The Commission decided to grant ECU 500 000 in aid to help flood victims in Belgium and neighbouring areas of Germany, France, the Netherlands and Luxembourg.

## Human rights

**1.2.264.** Parliament resolution on racism and xenophobia.

**Reference:** Parliament resolution on the resurgence of racism and xenophobia in Europe and the danger of right-wing extremist violence: OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.139

*Adopted on 2 December.* Reiterating its condemnation of all forms of racism and xenophobia, Parliament called for a four-year action programme including practical measures to combat these problems, a directive strengthening the Member States' existing legal instruments in this field, European awareness-raising campaigns, particularly in schools and the media, and a new Eurobarometer survey on racism and xenophobia. Parliament called on the Commission to step up its action in this area and, in particular, to support campaigns to make young people aware of racism. It also urged the Member States to take preventive action by implementing specific legislation and emphasized that incitement to racism must be treated as a real offence. Finally, Parliament stressed the urgent need for a conference to be organized on the matter and for 1995 to be declared European Year of Harmony among People.

OJ C 342, 20.12.1993

**1.2.265.** Parliament resolution on providing legal protection against interference in people's private lives.

**Reference:** Amended proposal for a Council Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data: OJ C 311, 27.11.1992; COM(92) 422; Bull. EC 10-1992, point 1.3.177

*Adopted on 17 December.* Parliament stressed the importance of Community legislation on data processing for the protection of the right to privacy. It affirmed that certain categories of personal data relating to the very essence of the individual, such as religious beliefs, should, subject to limited exceptions, be excluded from data processing.

OJ C 20, 24.1.1994

**1.2.266.** Parliament resolution on pornography.

*Adopted on 17 December.* Parliament called on the Member States to adopt legislation and regulations on pornography which are consonant with respect for human rights and to sign the existing international conventions on the subject. It recommended that the Community accede to the European Convention for the Protection of Human Rights and Fundamental Freedoms in order to strengthen Community competence in this area and called for action at the Community's external borders to prevent the importation of pornographic material and for a ban on advertising promoting sex tourism, of which the principle victims are children. It stressed the need for the harmonization of European legislation on the matter within the context of the single market and called for a directive or framework programme protecting the victims of pornography. Finally, Parliament called on the Commission to devote resources and attention to the prevention of child pornography, to promote pilot projects in the area of prevention and counselling for the victims and perpetrators of sexual violence, to press for implementation of the UN Charter of Children's Rights and to draw up a European charter.

OJ C 20, 24.1.1994

**1.2.267.** Parliament resolution on freedom of expression, freedom of the press and freedom of information.

*Adopted on 15 December.* Parliament reaffirmed its view that freedom of expression is an inalienable constitutional right and that, in cases of invasion of privacy, slander or libel, the victim is entitled to have truth and honour restored by legal means. It recognized freedom of the press and the right to information as clear manifestations of the freedom of expression and reaffirmed that the right of journalists to protect the confidentiality of their sources must be safeguarded. Parliament called on the Member States and the Commission to draw up regulations allowing journalists broad access to information from both national and Community administrations and stressed the need to strengthen pluralism of information in the Member States. Lastly, it

called on journalists to safeguard professional ethics.

OJ C 20, 24.1.1994

## Audiovisual media, information, communication and culture

### Audiovisual policy and production

#### *Technological aspects*

1.2.268. Council conclusions on digital television broadcasting.

#### **References:**

Proposal for a Directive of Parliament and the Council on the use of standards for the transmission of television signals: OJ C 341, 18.12.1993; COM(93) 556; Bull. EC 11-1993, point 1.2.200

Commission communication incorporating a draft Council resolution on a framework for a Community policy on digital video broadcasting: COM(93) 557; Bull. EC 11-1993, point 1.2.201

*Adopted on 7 December.* The Council welcomed the presentation by the Commission of a communication on digital video broadcasting and the proposal for a Directive on the use of standards for the transmission of television signals. It stressed that common standards are an essential basis for the orderly market-led development of digital video broadcasting and called on the Commission to press on with its work programme.

### Public awareness

#### *Opinion poll*

1.2.269. Eurobarometer No 40.

**Reference:** Previous Eurobarometer: Bull. EC 5-1993, point 1.2.151

*Findings published by the Commission on 7 December.* Eurobarometer No 40, conducted in October/November, reveals a slight erosion of support for the Community: 57% of interviewees felt their country's membership of the Community was 'a good thing' (60% in the previous Eurobarometer) and 40% said they would be very sorry if the Community were scrapped (42% in the previous Eurobarometer). However, this overall trend conceals contrasting situations in the different Member States: the rise in the percentage of Greeks who would be very sorry if the Community were scrapped (12% since the previous Eurobarometer) is one of the highest ever recorded.

The poll also confirms that fear of unemployment is widespread among the citizens of the European Union: 77% of interviewees considered that the employment situation had worsened in 1993 and 52% thought it would deteriorate even further in 1994. But this fear does not really affect the majority support for monetary union: 51% (down 1% since the previous Eurobarometer) were in favour of a single currency by 1999 (although the majority of Germans, British and Danes were against it) and 64% supported the creation of a European central bank. However, support for political union was much greater: 69% (up 3%) were in favour of a common foreign policy and 77% in favour of a common defence policy. Seventy-one per cent were also in favour of Union citizens having the right to vote in the European elections in the country in which they reside.

(Available from the European Commission, Directorate-General for Audiovisual Media, Information, Communication and Culture, 200 rue de la Loi, B-1049 Brussels.)

# 3. The role of the Community in the world

## Enlargement

*1.3.1.* The European Council adopted the Union's position on the applicant countries' place in the institutions and called on the Council to determine the threshold for a qualified majority of votes within the Council in the context of finalizing the enlargement negotiations (→ point I.15).

## EFTA countries

*1.3.2.* Ministerial conferences on the accession of Austria, Finland, Norway and Sweden to the European Union.

**Previous meetings:** Bull. EC 11-1993, point 1.3.1

*Meetings held in Brussels on 21 December.* The meetings, chaired by Mr Willy Claes, Belgian Foreign Minister and President of the Council, were attended by Mr Van den Broek, Austria's Foreign Minister Mr Alois Mock, Finland's Foreign Minister Mr Heikki Haavisto, Finland's Foreign Trade Minister Mr Pertti Salolainen, the Swedish Minister for European Affairs and External Trade Mr Ulf Dinkelspiel, and Norway's Minister for Shipping and Trade Mr Bjørn Tore Godal (→ points 1.3.3 to 1.3.6).

Considerable progress was made on the chapters covered by the Treaty on European Union and on standards and the internal market. Negotiations on the common foreign and security policy and on justice and home affairs were concluded for each of the four applicant countries. Discussions on 'other provisions of the Union Treaty' were also finalized for Austria, Sweden and Finland. In a small number of sectors where there were still sticking points on environmental standards, health and safety it was agreed that there would be four-year transitional periods. During that time the *acquis* would be reviewed. This represents con-

siderable progress in the negotiations on free movement of goods. Agreement was also reached on the question of the free-trade treaties between Finland, Norway and Sweden and the Baltic States.

## Austria

*1.3.3.* Ministerial conference on the accession of Austria to the European Union.

*Fifth meeting in Brussels on 21 December.* Negotiations were concluded on the environment, bringing the number of chapters completed to 13 out of 29. Maximum limits for veterinary health product residues in foodstuffs of animal origin were agreed. Deputies agreed on a three-year transitional period for phasing out the tobacco monopoly in Austria.

## Finland

*1.3.4.* Ministerial conference on the accession of Finland to the European Union.

*Fifth meeting in Brussels on 21 December.* Agreement was reached on the sulphur content of a number of liquid fuels, marking the completion of discussions on the environment. Agreement was also reached at deputy level on financial services. This concludes negotiations on the free movement of services, the right of establishment and statistics. Negotiations on 15 chapters have now been rounded off.

## Sweden

*1.3.5.* Ministerial conference on the accession of Sweden to the European Union.

*Fifth meeting in Brussels on 21 December.* Agreements were reached on the alcohol monopoly, on Directive 90/531/EEC on public contracts and on the rules governing imports of textiles, thus concluding the negotiations on

competition and external relations. Agreement was also reached on standards for motor vehicles and on snuff ('snus'). Eighteen chapters have now been completed.

## Norway

**1.3.6.** Ministerial conference on the accession of Norway to the European Union.

*Fifth meeting in Brussels on 21 December.* Agreement was reached on dangerous waste and polychlorobiphenyl and polychloroterphenyl, and on snuff. Negotiations have been now concluded in 11 areas.

# European Free Trade Association

## Relations with EFTA

### European Economic Area

**1.3.7.** Agreement establishing the European Economic Area (EEA) and related bilateral agriculture and fisheries agreements.

**Signing of the Agreement:** Bull. EC 5-1992, point 1.2.1

**Assent of Parliament:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.4.1

**Council conclusions on the EEA and the consequences of the 'no' vote in the Swiss referendum of 6 December:** Bull. EC 12-1992, point 1.4.3

**Commission recommendation and Council Decision authorizing the Commission to negotiate an additional protocol to the Agreement on the EEA:** Bull. EC 1/2-1993, point 1.3.3

**Initialling of the protocol:** Bull. EC 1/2-1993, point 1.3.3

**Proposal for a Council Decision on the conclusion of the Agreement establishing the EEA as adjusted by the adjustment protocol:** COM(93) 98; Bull. EC 3-1993, point 1.3.2

**Decision on signing the adjustment protocol:** Bull. EC 3-1993, point. 1.3.2

**Signing of the adjustment protocol:** Bull. EC 3-1993, point 1.3.2

**Assent given by Parliament to the conclusion of the Agreement on the EEA as adjusted by the protocol:** OJ C 194, 19.7.1993; Bull. EC 6-1993, point 1.3.8

*Decisions on the conclusion of the Agreements adopted by the Council on 13 December.* These Decisions allow the Agreement on the European Economic Area to come into force on 1 January 1994.

OJ L 346, 31.12.1993; OJ L 1, 3.1.1994

## Switzerland

**1.3.8.** Recommendation for a Council Decision on the opening of negotiations between the European Community and the Swiss Confederation on the free movement of persons (→ point 1.2.32).

## Bilateral relations

### Austria

**1.3.9.** Visit made by Mr van den Broek on 17 December.

**Reference:** Ministerial conference on Austria's accession to the European Union: point 1.3.2 of this Bulletin

Mr van den Broek visited Vienna accompanied by Mr Willy Claes, Belgian Deputy Prime Minister, Foreign Minister and President of the Council, and saw Mr Franz Vranitzky, Chancellor, Mr Alois Mock, Minister for Foreign Affairs and Mrs Brigitte Ederer, State Secretary for European Affairs. The discussions focused on the negotiations for Austria's accession to the European Union and also on matters relating to the environment and the common foreign and security policy. The situation in former Yugoslavia was also raised.



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

## Central Europe

### *Assistance for Central Europe*

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

*1.3.10.* Commission Decision approving the PHARE democracy programme for Central and Eastern Europe.

*Adopted by the Commission on 6 December.* The programme has been allocated ECU 10 million for 1993 and will seek to promote democracy, human rights and the rule of law in Central and Eastern Europe, chiefly by backing the activities and efforts of non-governmental bodies. It will be open to all PHARE recipients.

*1.3.11.* Commission financing decisions approving PHARE projects.

*Adopted by the Commission on 7 December.* A total of ECU 224.2 million was approved for 18 projects: 10 for Poland, two for Hungary, four for Bulgaria, one for the Czech Republic and one for Slovakia.

*1.3.12.* Commission Decision approving an emergency rehabilitation programme for Albania.

*Adopted by the Commission on 20 December.* The Commission approved an ECU 10 million programme of assistance to tackle Albania's serious economic and social situation. It has four components: rehabilitation of schools, a financial contribution to a housing scheme for former political prisoners and their families, an extra financial contribution to the non-

governmental organizations fund and rehabilitation of prisons.

### *Bilateral relations*

#### **Baltic States**

*1.3.13.* Drafts of new trade agreements with 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. EC 12-1992, point 1.4.9

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

*Recommendation for a Council Decision on the opening of negotiations adopted by the Commission on 1 December.* In line with the conclusions of the Copenhagen European Council, the Commission recommended that it be authorized by the Council to negotiate with Estonia, Latvia and Lithuania preferential agreements aimed at establishing free-trade arrangements and replacing the present agreements. The new agreements will take account of the features specific to the Baltic States. They will be valid indefinitely, will cover trade and trade-related matters and be founded on adherence to the principles of democracy, human rights and the market economy. Against the background of the negotiations for the accession of the applicant Nordic countries to the European Union, they will also ensure that the existing free-trade agreements between those countries and the Baltic States are compatible with the Community *acquis*.

*1.3.14.* Mr Olgerts Pavlovskis, Latvian Minister for External Trade and EC Affairs, visited the Commission on 7 December.

Mr Pavlovskis saw Mr Van den Broek for talks which covered Latvia's economic situation and the forthcoming negotiations for a free-trade agreement with the European Union (→ point 1.3.13). Also discussed were bilateral relations between Latvia and the Russian Federation.

## Bulgaria and Romania

### References:

Interim Agreement on trade and trade-related matters between the EEC and ECSC and Romania: OJ L 81, 2.4.1993; Bull. EC 3-1993, point 1.3.10

Draft Europe (Association) Agreements between the European Communities and their Member States and Bulgaria and Romania respectively: Bull. EC 10-1993, points 1.3.12 and 1.3.16

Interim Agreement on trade and trade-related matters between the EEC and ECSC and Bulgaria: point 1.3.15 of this Bulletin

**1.3.15.** Interim Agreement on trade and trade-related matters between the EEC and ECSC and Bulgaria.

**Initialling of the Agreement:** Bull. EC 12-1992, point 1.4.12

**Proposal for a Council Decision and draft Commission Decision on the conclusion of the Agreement:** COM(93) 46; Bull. EC 1/2-1993, point 1.3.8

**Council Decision on the signing of the Agreement and Agreement signed:** Bull. EC 3-1993, point 1.3.9

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.3.9

**ECSC Consultative Committee opinion:** Bull. EC 4-1993, point 1.3.9

*Agreed by the Council on 6 December.*

*Decision 93/690/EC on the conclusion of the Agreement on behalf of the European Community adopted by the Council on 10 December.*

OJ L 323, 23.12.1993

*Assent No 20/94 given by the Council pursuant to Article 95 of the Treaty establishing the European Coal and Steel Community on 10 December.*

OJ C 35, 3.2.1994

*Decision 93/691/ECSC on the conclusion of the Agreement on behalf of the European Coal and Steel Community adopted by the Commission on 10 December.*

OJ L 323, 23.12.1993

**1.3.16.** Agreement in the form of an exchange of letters between the European Community and Bulgaria concerning the entry into force of the Interim Agreement.

*Negotiating directives adopted by the Council on 10 December.*

*Decision on the signature and conclusion of the Agreement in the form of an exchange of letters adopted by the Council on 20 December, in order to amend Articles 51 and 52 of the Interim Agreement to allow it to enter into force on 31 December 1993.*

**1.3.17.** Council Regulations (EC) No 3641/93 and (EC) No 3642/93 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the EC and ECSC and Bulgaria and Romania respectively.

**Commission proposals:** COM(93) 179; Bull. EC 5-1993, points 1.3.11 and 1.3.14

*Adopted by the Council on 20 December. The Regulations lay down the procedures for applying various provisions of the Agreements which deal with agricultural products.*

OJ L 333, 31.12.1993

**1.3.18.** Additional Protocols to the Interim Agreements on trade and trade-related matters between the EEC and ECSC and Bulgaria and Romania respectively and to the Europe Agreements between the European Communities and their Member States and Bulgaria and Romania respectively.

**Reference:** Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point 1.26

**Proposals for Council Decisions on the conclusion of the Additional Protocols with Bulgaria and Romania on behalf of the EC:** COM(93) 321; Bull. EC 7/8-1993, point 1.3.10

**Draft Commission Decisions on the conclusion of the Additional Protocols with Bulgaria and Romania on behalf of the ECSC:** COM(93) 321; Bull. EC 7/8-1993, point 1.3.10

*Decisions 94/48/EC and 94/49/EC on the conclusion on behalf of the EC of the Additional Protocols adopted by the Council on 20 December.*

OJ L 25, 29.1.1994

*Decisions 94/54/ECSC and 94/55/ECSC on the conclusion on behalf of the ECSC of the Additional Protocols adopted by the Commission on 20 December.*

OJ L 25, 29.1.1994

*Additional Protocols signed in Brussels on 21 December.* The Additional Protocols implement the new trade concessions decided on at the Copenhagen European Council.

**1.3.19.** Mr Teodor Viorel Melescanu, Romania's Foreign Minister, visited the Commission on 3 December.

**References:**

Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point 1.26

Council Decision 93/728/CFSP concerning joint action on the inaugural conference on the stability pact: point 1.4.9 of this Bulletin

In his discussions with Mr Van den Broek, Mr Melescanu welcomed the advent of new structured relations between the institutions of the European Union and the six Central European countries with Association Agreements, and particularly the establishment of a multilateral framework for political dialogue. He also expressed the view that the idea of a partnership for peace would be useful to Romania as a prelude to membership of NATO and the WEU, and said that the initiative for a stability pact for Europe had already helped to stabilize Central Europe by encouraging dialogue between the countries of the region.

**Visegrad countries (Poland, Hungary, Czech Republic and Slovakia)**

**References:**

Interim Agreements on trade and trade-related matters between the EEC and ECSC and Poland, the Czech and Slovak Federal Republic and Hungary respectively: OJ L 114, 115 and 116, 30.4.1992; Bull. EC 1/2-1992, point 1.4.9

Europe (Association) Agreements between the European Communities and their Member States and Hungary and Poland respectively: point 1.3.20 of this Bulletin

**1.3.20.** Europe (Association) Agreements between the European Communities and their Member States and Hungary and Poland respectively.

**References:**

Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point 1.26

Commission communication to the Council on the follow-up to the European Council in Copenhagen: market-access measures to help the Central and East European countries: COM(93) 321; Bull. EC 7/8-1993, point 1.3.10  
**Commission recommendation:** Bull. EC 11-1990, point 1.4.1

**Negotiating directives:** Bull. EC 12-1990, point 1.4.6

**Council conclusions on the Community position in the negotiations:** Bull. EC 4-1991, point 1.3.4

**Commission communication on the resumption of the negotiations:** Bull. EC 9-1991, point 1.3.16

**Council agreement regarding amendments to the negotiating directives:** Bull. EC 9-1991, point 1.3.16

**Initialling:** Bull. EC 11-1991, point 1.3.9

**Proposals for Commission Decisions concerning the conclusion of the Agreements:** Bull. EC 12-1991, point 1.3.2

**Council agreement:** Bull. EC 12-1991, point 1.3.2

**Signing of Agreements:** Bull. EC 12-1991, point 1.3.2

**Parliament assent:** OJ C 284, 2.11.1992; Bull. EC 9-1992, point 1.3.11

*Agreed by the Council on 6 December.*

*Decisions on the conclusion of Europe Agreements with Hungary and Poland adopted by the Council on 13 December.* The aim of these Agreements is to establish the closest of political and economic links between the Community and Hungary and Poland. They cover not only political dialogue, but also many aspects of cooperation in trade, economic matters, finance and culture and movements of capital, the right of establishment, movement of workers and approximation of legislation. The aim of the trade provisions, brought into force on 1 March 1992 by the Interim Agreements, is to establish free trade according to an asymmetric timetable (that is, biased in favour of Poland and Hungary) over a maximum period of 10 years. The Copenhagen European Council speeded up implementation of the trade concessions in order to encourage the associated countries of Central Europe to export to the Community. The Agreements will enter into force on 1 February 1994.

**1.3.21.** Council Regulations (EC) No 3491/93 and (EC) No 3492/93 on certain procedures for applying the Europe Agreements estab-

lishing an association between the European Communities and their Member States and Hungary and Poland respectively.

**Commission proposals:** COM(93) 554; Bull. EC 11-1993, point 1.3.6

*Adopted by the Council on 13 December.* The Regulations establish rules for the implementation of those parts of the Europe Agreements which relate to various safeguard and trade-protection measures in order to enable them to enter into force on 1 February 1994.

OJ L 319, 21.12.1993

1.3.22. Mr Andrzej Olechowski, Poland's Foreign Minister, visited the Commission on 2 December.

Mr Olechowski saw Mr Van den Broek for talks which covered general policy matters, focusing on stability and security in Europe, the role of the European Union's common foreign and security policy (CFSP) and the association agreement between Poland and the Community.

1.3.23. Additional Protocols between the EEC and ECSC and the Czech Republic and between the EEC and ECSC and the Slovakia to the Interim Agreement on trade and trade-related matters between the EEC and ECSC and the former Czech and Slovak Federal Republic.

**Proposals for Council Decisions on the conclusion of the Additional Protocols on behalf of the EC:** Bull. EC 9-1993, point 1.3.11

**Draft Commission Decisions on the conclusion of the Additional Protocols on behalf of the ECSC:** Bull. EC 9-1993, point 1.3.11

**ECSC Consultative Committee opinion:** Bull. EC 10-1993, point 1.3.15

*Decisions on the conclusion of the Additional Protocols on behalf of the EC adopted by the Council on 20 December.*

*Additional Protocols signed in Brussels on 21 December.* The Additional Protocols are intended to allow the Czech Republic and Slovakia to take over implementation of the Interim Agreement from the former Czech and Slovak Federal Republic.

1.3.24. Proposal for a Council Decision allowing for separate liability of the Czech Republic and the Slovakia with regard to the loan facility granted to the Czech and Slovak Federal Republic pursuant to Council Decision 91/106/EEC.

**Reference:** Council Decision 91/106/EEC providing medium-term financial assistance for the Czech and Slovak Federal Republic: OJ L 56, 2.3.1991; Bull. EC 1/2-1991, point 1.3.21

**Commission proposal:** OJ C 257, 22.9.1993; COM(93) 399; Bull. EC 9-1993, point 1.3.12

*Endorsed by Parliament on 16 December.*

OJ C 20, 24.1.1994

1.3.25. Additional Protocols to the Interim Agreements on trade and trade-related matters between the EEC and ECSC, of the one part, and Hungary, Poland and the Czech and Slovak Federal Republic, of the other part, and to the Europe Agreements between the European Communities and their Member States, of the one part, and Hungary and Poland, of the other part.

**Reference:** Council Decision 93/421/EEC on the provisional application of the Additional Protocols with the Visegrad countries: OJ L 195, 4.8.1993; Bull. EC 7/8-1993, point 1.3.10

**Proposals for Council Decisions on the conclusion by the EC of the Additional Protocols with the Visegrad countries:** COM(93) 404; Bull. EC 7/8-1993, point 1.3.11

**Draft Commission Decisions on the conclusion of the Additional Protocols with the Visegrad countries on behalf of the ECSC:** COM(93) 404; Bull. EC 7/8-1993, point 1.3.11

**ECSC Consultative Committee opinion on the Additional Protocols with the Visegrad countries:** Bull. EC 9-1993, point 1.3.9

*Decisions 94/44/EC to 94/47/EC on the conclusion of the Additional Protocols on behalf of the EC adopted by the Council on 20 December.*

OJ L 25, 29.1.1994

*Decisions 94/50/ECSC to 94/53/ECSC on the conclusion of the Additional Protocols on behalf of the ECSC adopted by the Commission on 20 December.*

OJ L 25, 29.1.1994

*Additional Protocols signed in Brussels on 21 and 22 December.* The Protocols, which have

been provisionally applied since 1 July 1993, implement the new trade concessions decided on by the Copenhagen European Council.

OJ L 25, 29.1.1994

## Independent States of the former Soviet Union

### *Assistance for the independent States of the former Soviet Union*

**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. EC 7/8-1993, point 1.3.15

1.3.26. Commission Decision approving the 1993 technical assistance programme for nuclear safety.

**Reference:** Commission Decision on indicative programmes for 1993 to 1995 for technical assistance to the new independent States of the former Soviet Union (TACIS): Bull. EC 10-1993, point 1.3.17

**Previous programme:** Bull. EC 12-1992, point 1.4.16

*Adopted by the Commission on 16 December.* The nuclear safety programme, which has been allocated ECU 88 million from the 1993 budget, is a continuation of the programmes implemented in 1991 and 1992. It is targeted at Russia, Ukraine and other independent States of the former Soviet Union. Its aim is to improve the safety of civilian nuclear installations by reducing the risks associated with keeping them in operation, giving the bodies responsible for standards and safety a higher profile, increasing regional cooperation and improving the coordination of programmes in order to make the best possible use of resources. Particular emphasis is placed on on-site assistance coupled with design-safety studies.

1.3.27. Commission Decision approving special aid for the supply of fuel oil for Georgia.

*Adopted by the Commission on 15 December.* Georgia will be provided with ECU 6 million of aid in the form of fuel oil for power stations generating electricity and for domestic heating.

## *Bilateral relations*

### **Russian Federation**

**Reference:** Draft partnership and cooperation agreement between the European Community and the Russian Federation: Bull. EC 11-1993, point 1.3.16

1.3.28. Mr Boris Yeltsin, President of the Russian Federation, visited the Commission on 9 December.

Mr Yeltsin was accompanied by Mr Andrei Kozyrev, Russia's Foreign Minister, and Mr Vitaly Churkin, the Deputy Foreign Minister. Talks took place with Mr Delors, Mr Van den Broek and Sir Leon Brittan, and covered the negotiation of the partnership and cooperation agreement (an area in which progress was made) and various bilateral political issues. A joint political declaration was also signed (→ point 1.3.29).

1.3.29. Joint EC/Russian Federation Declaration.

*Agreed by the Council on 6 December.*

*Declaration signed in Brussels on 9 December.* The declaration was signed by Mr Yeltsin, Mr Delors and Mr Jean-Luc Dehaene, Prime Minister of Belgium and President of the European Council. It summarizes the backing given to democracy and economic reform in the Russian Federation and emphasizes the new bilateral relations which will be brought into being by the signing in the near future of the partnership and cooperation agreement. The declaration also sets out the principles of the new political dialogue between the European Union and the Russian Federation: twice-yearly meetings between the President of the Russian Federation and the Presidents of the Commission and European Council, greater bilateral contact between Members of Parliament and closer official links through regular meetings between summits.

# Mediterranean and Middle East

## Mediterranean countries

### *Bilateral relations*

#### **Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia**

**1.3.30.** Council Regulation (EC) No 3698/93 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia; Decision 93/732/ECSC of the representatives of the Governments of the Member States meeting within the Council concerning the arrangements applicable to imports into the Community of products covered by the ECSC Treaty originating in the Republics of Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia.

**Reference:** draft textile agreement between the Community and Slovenia: Bull. EC 7/8-1993, point 1.3.103

**Regulation and Decision extended:** Council Regulation (EEC) No 3953/92 concerning the arrangements applicable to imports into the Community of products originating in the Republics of Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia; Decision 92/607/ECSC of the representatives of the Governments of the Member States meeting within the Council concerning the arrangements applicable to imports into the Community of products covered by the ECSC Treaty originating in the Republics of Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia: OJ L 406, 31.12.1992; COM(92) 500; Bull. EC 12-1992, point 1.4.25

*Proposal adopted by the Commission on 1 December.*

COM(93) 625

*Adopted by the Council on 22 December. The aim of the proposal is to maintain in 1994 the*

provisions of Regulation (EEC) No 3953/92 and of Decision 92/607/ECSC which lay down the import arrangements for Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia. The only amendments required concern either the drafting or adaptation of the tariff ceilings to take account of the introduction of specific ceilings for Slovenia in the textiles sector.

OJ L 344, 31.12.1993

#### **Israel**

**1.3.31.** Draft Association Agreement with Israel.

##### **References:**

Agreement between the European Economic Community and the State of Israel: OJ L 136, 28.5.1975

Support for the Middle East peace process: Bull. 9-1993, points 1.3.17 to 1.3.24

**Recommendation for a Council decision:** Bull. EC 9-1993, point 1.3.24

**Agreed by the Council:** Bull 10-1993, point 1.3.27

*Negotiating directives adopted by the Council on 20 December.* The Agreement will have a broader scope than the 1975 Agreement. It is being negotiated against the backdrop of the Middle East peace process as the Commission hopes in this way to help strengthen the region's political stability and economic development. The Agreement, which will contain a clause on respect for democratic principles and human rights, will govern economic and trade relations between the two sides (extension of free trade in services and liberalization of public procurement), it will provide for cooperation in scientific, technical, social, audiovisual, cultural and regional matters and will include institutional provisions for the establishment of a political dialogue.

**1.3.32.** Mr Yitzhak Rabin, Prime Minister, visited the Commission on 1 December.

**Draft Association Agreement with Israel:** point 1.3.31 of this Bulletin

Mr Rabin saw Mr Delors, to whom he again expressed the wish that negotiations on the Association Agreement between the Community and Israel should start as soon as poss-

ible. He also visited Parliament (→ point 1.7.8).

## Morocco

### 1.3.33. New draft Agreement with Morocco.

**Reference:** EEC-Morocco Cooperation Agreement: OJ L 264, 27.9.1978

**Recommendation for a Commission decision:** Bull. EC 12-1992, point 1.4.20

**Recommendation for a decision on additional directives adopted by the Commission:** Bull. 6-1993, point 1.3.25

*Negotiating directives adopted by the Council on 6 December.* The Agreement will allow the Community and Morocco to establish a new economic and political partnership. Besides a regular political dialogue, it will provide for close cooperation in trade matters (possibility of establishing a free trade area for industrial products and progressive liberalization for agricultural products and services) and in the financial, economic, industrial, agricultural, scientific, social and cultural fields. The Agreement will also include an explicit reference to democratic principles and human rights.

### 1.3.34. Visit by Mr Marín on 16 and 17 December.

**Reference:** new draft Agreement with Morocco: point 1.3.33 of this Bulletin

Mr Marín saw Mr Abdellatif Filali, Foreign Minister. They discussed the negotiation of the new Agreement between the Community and Morocco. Mr Marín pointed to the similarity between the structure of the new Agreement and that of the Europe Agreements.

### 1.3.35. Council conclusions on combating drugs and developing the northern provinces of Morocco.

#### References:

Commission communication on combating drugs and developing the northern provinces of Morocco: Bull. EC 9-1993, point 1.3.27

New draft Agreement with Morocco: point 1.3.33 of this Bulletin

*Adopted by the Council on 20 December.* The Council endorsed the Commission's analysis and noted that the entry into force of the

Treaty on European Union provided the foundations for greater cooperation with certain drug producer or transit countries and that the new Agreement with Morocco would provide for increased cooperation in this field. It considered that a phased pilot programme should be undertaken together with Morocco, with a view to a multiannual action programme for the elimination of cannabis cultivation and traffic and the development of the northern provinces, focusing on projects to promote employment.

The Council underlined the importance of operations carried out by the Member States and also drew attention to the need for close coordination and exchange of information with the Moroccan authorities, the international bodies concerned and the Member States. There should be a rapid exchange of information with all the parties involved via the Member States' representatives and the Commission Delegation in Morocco. It highlighted the Commission's role with regard to coordination.

## Syria

### 1.3.36. Draft fourth financial Protocol.

**Protocol initialled:** Bull. EC 5-1991, point 1.3.39

**Council decision on the signing of the Agreement:** Bull. EC 6-1991, point 1.3.33

**Protocol signed:** Bull. EC 7/8-1991, point 1.3.29

**Refusal of assent by Parliament:** OJ C 39, 17.2.1992; Bull. EC 1/2-1992, point 1.4.32; OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.4.31; OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.3.26

*Assent given by Parliament on 15 December.*

OJ C 20, 24.1.1994

## Occupied Territories

1.3.37. Mr Yassir Arafat, President of the Executive Committee of the Palestine Liberation Organization (PLO), visited Parliament on 12 December (→ point 1.7.9).

## Tunisia

### 1.3.38. New draft Agreement with Tunisia.

#### References:

Cooperation Agreement between the European Economic Community and the Republic of Tunisia: OJ L 265, 27.9.1978

New draft Agreement with Morocco: point 1.3.33 of this Bulletin

**Recommendation for a decision:** Bull. EC 11-1993, point 1.3.26

*Negotiating directives adopted by the Council on 20 December.* The broad outlines of this Agreement will be similar to those proposed for the new agreement with Morocco, with account being taken of the specific features of the Tunisian economy and particularly the importance of the olive oil sector.

## Turkey

### 1.3.39. Economic and Social Committee own-initiative opinion on relations between the European Union and Turkey.

#### References:

EEC-Turkey Association Agreement: OJ L 217, 29.12.1964

Additional Protocol: OJ L 293, 29.12.1972

Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point 1.12

Economic and Social Committee information report on relations between the Community and Turkey: Bull. EC 6-1993, point 1.3.30

Thirty-fourth meeting of the Association Council: Bull. EC 11-1993, point 1.3.27

*Adopted by the Economic and Social Committee on 22 December.* The Economic and Social Committee suggested measures to ensure fulfilment of the obligations arising from the Association Agreement. It called for the institutionalization of the socio-professional dialogue, which required the setting-up of a Joint Consultative Committee. It also pointed to the need to establish, within the deadlines set by the Agreement, a customs union between the Community and Turkey, with all the necessary back-up measures, to strengthen cooperation in the area of trans-European infrastructure projects, research and development and structural policies, to focus attention on

implementing freedom of movement for workers and to intensify the political dialogue with Turkey. In this connection it welcomed the conclusions of the Copenhagen European Council on stepping up cooperation with Turkey.

## Former Yugoslavia

### 1.3.40. Proposal for a Council Regulation prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by the United Nations Security Council resolution 757 (1992) and related resolutions.

**Commission proposal:** OJ C 187, 9.7.1993; COM(93) 283; Bull. EC 6-1993, point 1.3.31

*Endorsed by Parliament on 16 December* subject to amendments of a technical nature.

OJ C 20, 24.1.1994

## Financial and technical cooperation

## Cyprus

### 1.3.41. Financing.

**Reference:** Protocol on financial and technical cooperation between the European Economic Community and the Republic of Cyprus: OJ L 82, 29.3.1990; Bull. EC 1/2-1990, point 1.2.35

*Approved by the Commission on 6 December.* A grant of ECU 265 000 was awarded under the Mediterranean financial Protocols in support of applied agricultural research into plant propagation material in the Republic of Cyprus.

## Jordan

### 1.3.42. Financing.

**Reference:** Council Decision 92/208/EEC on the conclusion of the fourth financial Protocol with Jordan: OJ L 94, 8.4.1992; Bull. EC 3-1992, point 1.3.20

*Approved by the Commission on 8 December.* A grant of ECU 1 165 000 was awarded under the Mediterranean financial Protocols in the



form of interest-rate subsidies to support initiatives in industry and tourism.

#### 1.3.43. Financing.

*Commission Decision adopted on 10 December.* A grant of ECU 1.1 million was awarded from budget funds to strengthen family planning services.

### Lebanon

#### 1.3.44. Financing.

*Commission Decision adopted on 6 December.* A grant of ECU 987 500 was provided from budget funds for a reconstruction project.

### Morocco

#### 1.3.45. Financing.

*Commission Decision adopted on 10 December.* Grants totalling ECU 37.5 million were awarded from budget funds for an irrigation project and a water supply and sanitation project for small rural centres.

### Occupied Territories

#### 1.3.46. Financing.

*Commission Decision adopted on 10 December.* A grant of ECU 15 million was awarded from budget funds for sanitation for camps in the town of Rafah.

### Tunisia

#### 1.3.47. Financing.

*Commission Decision adopted on 10 December.* A grant of ECU 8 million was awarded from budget funds to set up two vocational training centres.

## United States, Japan and other industrialized countries

### United States

**Reference:** Final act of the Uruguay Round multilateral trade negotiations: point 1.3.99 of this Bulletin

1.3.48. Mr Warren Christopher, US Secretary of State, visited the Commission on 1 December.

Mr Christopher saw Mr Delors, Sir Leon Brittan and Mr van den Broek from the Commission, and also Mr Claes, Belgian Deputy Prime Minister and Minister for Foreign Affairs, representing the Council presidency. Their talks focused on the Uruguay Round trade negotiations, with Mr Christopher stressing the importance of reaching an overall agreement by 15 December. Mr Delors welcomed the conclusion of the North American Free Trade Agreement (NAFTA). The parties also discussed foreign policy issues, including the situation in the Middle East, the Russian Federation and Iran.

1.3.49. Mr Mickey Kantor, US Trade Representative, and Mr Mike Espy, Agriculture Secretary, visited the Commission on 1 and 6 December.

**Previous meeting:** Bull. EC 11-1993, point 1.3.33

Mr Kantor met Sir Leon Brittan. He was accompanied by Mr Espy, who also saw Mr Steichen. Their talks focused on the finalization of the Uruguay Round trade negotiations.

### Other industrialized countries

#### South Africa

1.3.50. Parliament resolution on development prospects in South Africa and Southern Africa.

### References:

Special programme of assistance to the victims of apartheid in South Africa: Bull. EC 9-1985, point 2.5.1

Commission communication to the Council entitled 'South Africa and the European Community: guidelines for a policy to support the transition to democracy': Bull. EC 9-1993, point 1.3.35

Conclusions of the Brussels European Council on South Africa: Bull. EC 10-1993, point I.4

Parliament resolution on South Africa: OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.3.33

*Adopted by Parliament on 19 December.* Parliament called on the Commission to enter into discussions with the Transitional Executive Council on the relationship to be established between South Africa and the European Union. It supported South Africa's request to join the World Bank and the IMF, and called for the continuation of the Special Programme for South Africa. Parliament also stressed the importance of securing the active involvement of local communities in the design and implementation of projects and programmes financed by external aid, which should give priority to human resource development, housing, health, water and sanitation projects, electrification and rural development. Parliament urged South Africa to consolidate its commercial and monetary relations with the countries of the Southern African Development Community (SADC), with which the European Community might conclude a Framework Agreement pending more closely structured relations. It also called for the creation of joint ventures, particularly in the field of transport and communications.

OJ C 20, 24.1.1994

## Canada

1.3.51. Mr Roy MacLaren, Minister for International Trade, visited the Commission on 3 December.

**Reference:** Final act of the Uruguay Round multilateral trade negotiations: point 1.3.99 of this Bulletin

Mr MacLaren met Sir Leon Brittan and Mr Steichen. With a view to the conclusion of the

Uruguay Round talks, they discussed trade questions, particularly in the fields of agriculture and industry.

## Asia and Latin America

### Asia

#### *Bilateral relations*

#### India

1.3.52. Proposal for a Cooperation Agreement between the European Community and the Republic of India.

**Reference:** Statement by the European Union on India on 20 December: point 1.4.14 of this Bulletin

**Commission recommendation:** Bull. EC 9-1992, point 1.3.33

**Negotiating directives:** Bull. EC 10-1992, point 1.4.34

**Initialling of the Agreement:** Bull. EC 12-1992, point 1.4.37

**Proposal for a Council Decision on its conclusion:** OJ C 103, 14.4.1993; COM(93) 82; Bull. EC 3-1993, point 1.3.35

**Council Decision on its signing:** Bull. EC 6-1993, point 1.3.39

*Signing of the Agreement in Brussels on 20 December.* The Agreement was signed for India by Mr Prenab Mukherjee, the Minister for Commerce, and for the European Community by Mr Willy Claes, Belgium's Deputy Prime Minister and Foreign Minister, as the President of the Council, and Mr Manuel Marin. The new Agreement's main objective is to improve and develop economic cooperation and it is based on respect for human rights and democratic principles, which are fundamental to it. It focuses on developing and diversifying trade and investment, promoting industrial competitiveness and improving market access, developing India's economy through technical and financial assistance with a view to improv-

ing conditions for the poorest sectors of the population, developing a range of forms of economic cooperation so as to promote and facilitate information exchange between businesses and protecting the environment and managing natural resources. The section on development cooperation is primarily concerned with the campaign against poverty in rural areas, mainly through aid for primary education and health services, irrigation systems and water supply, job creation and environmental protection.

### Sri Lanka

**1.3.53. Proposed Cooperation Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka.**

**Negotiating directives:** Bull. EC 1/2-1993, point 1.3.37

*Agreement initialled in Brussels on 8 December.* The agreement is similar to that signed with India (see point 1.3.52).

## Cooperation with Asia and Latin America

### 1.3.54. Project financing.

**Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. EC 1/2-1992, point 1.4.40

*Commission financing decisions* to provide assistance to the following projects (see Table 12).

Table 12 — *Cooperation with Asia and Latin America*

Country	Purpose	(million ECU) Amount (grant)
Bolivia	Promotion of and assistance for small-scale private enterprise in and around the cities	8.795
Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama)	Development assistance of the indigenous peoples of Central America	7.500
Chile	Integrated development programme for southern Chile	5.500
China	Project to develop livestock farming in Qinghai	3.200
Colombia	Redirection of urban growth in Tumaco	7.830
El Salvador	Support for agrarian reform in Usulután (phase II)	10.000
India	Management of natural resources in Gujarat	14.000
Laos	Project to develop the Luang Namtha region	8.000
Mercosur (Southern Cone Common Market) (Argentina, Brazil, Paraguay and Uruguay)	EC-Mercosur cooperation and technical assistance programme in the field of agriculture	11.200
Nicaragua	<ul style="list-style-type: none"> <li>Expanding small-scale rural production in the tropical dry zone</li> <li>Upholding the rule of law and promoting economic development in rural areas</li> </ul>	7.000  18.000

(million ECU)		
Country	Purpose	Amount (grant)
Pakistan	Rural social development programme	25.000
Peru	Export promotion assistance	3.774
Philippines	Protection of tropical forests on Palawan	17.000
Venezuela	Pilot agricultural development project in the State of Cojedes	5.275
Viet Nam	Programme of technical assistance for the transition to a market economy	16.000
Yemen	Barquqa irrigation system (Tihama V)	7.300

### Aid for refugees and displaced persons

1.3.55. Commission Decisions. See Table 13.

Table 13 — *Action in support of refugees and displaced persons*

(million ECU)		
Country	Number of programmes	Total amount
Guatemala	2	1.50
Mexico	2	0.97

### ACP countries and OCTs

### Financial and technical cooperation

1.3.56. Financing of projects.

Commission Decision allocating a total of ECU 271 995 000 from the sixth and seventh EDFs to finance projects and programmes managed by the Commission (see Table 14).

Table 14 — *Financing of operations under the sixth and seventh EDFs*

(million ECU)			
Country	Project	Amount	
		Grant	Special loan
	<i>Economic infrastructure</i>		
Cameroon/Central African Republic	Road rehabilitation	1.580	—
Guyana	Rehabilitation of bridges	8.000	—
	Rehabilitation of sea defences	12.000	—
Trinidad and Tobago	Road rehabilitation	10.000	6.000
New Caledonia	Road	3.950	—
Mozambique	Road rehabilitation	30.000	—
Central African States	Transport and communications	5.500	—
Indian Ocean	Transport and communications	3.300	—

(million ECU)			
Country	Project	Amount	
		Grant	Special loan
	<i>Development of production</i>		
Sierra Leone	Rehabilitation of electricity network	12.500	—
Guinea	Integrated, mostly agricultural projects	15.000	—
Central African Republic	Integrated, mostly agricultural projects	14.600	—
Côte d'Ivoire	Bouaké wholesale market	12.000	—
Cameroon	Integrated, mostly agricultural projects	9.000	—
Pacific ACP States	Fisheries	4.650	—
All ACP States	1994 budget of the TCA	9.840	—
Pacific ACP States	Fisheries	5.000	—
West African States	Agricultural research	2.800	—
Central Africa/ Cameroon	Agriculture	2.000	—
Mauritius	Hydro-agricultural improvements	7.000	—
	<i>Industrialization</i>		
SADC <sup>1</sup>	Development of the mining sector	1.500	—
Dominican Republic	Mining and quarrying	23.000	—
All ACP States	1994 budget of the CDI	13.700	—
	<i>Social development</i>		
Jamaica	Urban sanitation	15.000	25.000
Mali	Development of secondary towns	5.000	—
	Solar pump programme	2.900	—
PALOP countries <sup>2</sup>	Education infrastructure	4.300	—
	<i>Other</i>		
Botswana	General technical cooperation	6.400	—
	<i>Thematic operations</i>		
Chad	Campaign to eradicate cattle plague	0.475	—
Total		240.995	31.000

<sup>1</sup> SADC = Southern African Development Community.<sup>2</sup> PALOP = Cape Verde, Guinea-Bissau, Angola, Mozambique, São Tomé and Príncipe.

# General development cooperation

## General

**Reference:** Declaration of the Council and representatives of the governments of the Member States meeting within the Council on aspects of development cooperation policy in the run-up to 2000: Bull. EC 11-1992, point 1.4.47

## Poverty

### 1.3.57. Council resolution on poverty.

#### References:

Commission communication to Parliament and the Council on the policy of the Community and its Member States on the campaign against poverty in developing countries: COM(93) 518; Bull. EC 11-1993, point 1.3.46

Council resolution on procedures for coordination between the Community and the Member States: point 1.3.59 of this Bulletin

*Adopted on 2 December.* The Council approved the Commission communication on the campaign against poverty in developing countries. It noted that poverty had persisted, and even increased over the last 10 years, especially in sub-Saharan Africa, and that the objective of alleviating poverty in the developing countries could not be achieved without improving the international environment and reducing the constraints arising from their foreign debt and fluctuations in commodity prices. It emphasized the importance of a clear and lasting political commitment in those countries to reducing the uneven distribution of the benefits of growth and the unequal access to productive resources, and of the development of the democratization process, the rule of law and proper public administration.

It recommended basing policies to alleviate poverty on an integrated, long-term approach, taking account of the political as well as the economic causes of poverty, the importance of dialogue between the authorities of donor countries and recipient countries on the framing and implementation of development pro-

grammes, participation of the population, especially women, in devising, implementing and evaluating development programmes and projects, the priority to be given to the least advanced countries and the most deprived sections of the population in the developing countries and the need to vary approaches from country to country and within countries. The Council also stressed the importance of coordination between the Community and the Member States on policies for combating poverty.

## Rehabilitation aid for developing countries

### 1.3.58. Council conclusions on rehabilitation aid.

#### References:

Commission communication: 'Special rehabilitation support programme in developing countries': COM(93) 204; Bull. EC 5-1993, point 1.3.36

Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point 1.29

*Adopted by the Council on 2 December.* The Council reiterated the importance of rehabilitation aid, which is a transitional stage between humanitarian aid and long-term development aid. It considered that the drawing-up and implementation of such programmes should be closely coordinated between the Commission and the Member States in collaboration with the United Nations and other donors concerned. The Council approved the eligibility criteria recommended by the Commission: request from the country concerned; serious disaster situation that prevented essential needs being met; minimum level of security; actual commencement of a transition process in which democratic values and fundamental freedoms were being observed; ability of the authorities or other partners involved to implement rehabilitation measures. It noted that such measures were exceptional and required simplified, faster decision-making procedures on the part of the Community. It welcomed the fact that the ECU 100 million target set by the Copenhagen European Council for financing new operations in Africa had quickly been reached.

## *Coordination of development cooperation procedures*

**1.3.59.** Council resolution on procedures for coordination between the Community and the Member States.

### **References:**

Commission communication identifying priority areas for coordination of development cooperation policies: COM(93) 123; Bull. EC 3-1993, point 1.3.47

Commission communication on procedures for coordination between the Community and the Member States at policy and operational levels in development matters: COM(93) 195; Bull. EC 5-1993, point 1.3.38

Council conclusions on the coordination of development policies: Bull. EC 5-1993, point 1.3.39

*Adopted by the Council on 2 December.* The Council laid down the main objectives of the coordination of development cooperation procedures: to make the operations of the Community and its Member States, and all fund donors, more effective; promote consistency and convergence of development efforts; reduce the administrative burden on recipient countries; and maximize the influence of the Community and its Member States on development. It noted that coordination was needed at three levels, namely policy coordination, operational coordination and coordination in international forums. Suggestions included better use of existing mechanisms; assessment of the coordination experiment in a small number of developing countries where the Community had a significant presence; particular attention to the programming of aid and formulation of sectoral strategies; improved coordination between Commission and Member State representatives in recipient countries; joint studies, analyses and evaluation reports; joint operations, especially in areas where it had been decided to take joint action; regular informal meetings between representatives of Member State administrations and the Commission and exchanges of information on planned or current operations and on the results of evaluations in recipient countries, especially those in priority areas; adoption of indicators to help gauge progress towards greater policy coordination.

## *Support for democratization and human rights in developing countries*

**1.3.60.** Commission financing decision.

*Adopted on 9 December.* The Commission granted ECU 2 695 463 for 10 projects to promote and defend human rights and democracy.

## **Generalized preferences**

**Reference:** Council Regulation (EEC) No 3917/92 extending into 1993 the application of Regulations applying to generalized tariff preferences in respect of certain products originating in developing countries, and adding to the list of beneficiaries of such preferences; Decision 92/584/ECSC of the representatives of the ECSC Member States meeting within the Council, extending into 1993 the application of generalized tariff preferences in respect of certain steel products originating in developing countries: OJ L 396, 31.12.1992; Bull. EC 12-1992, point 1.4.44

**1.3.61.** Council Regulation (EC) No 3668/93 amending Regulation (EEC) No 3917/92 on generalized tariff preferences.

**Commission proposal:** OJ C 314, 20.11.1993; COM(93) 511; Bull. EC 10-1993, point 1.3.60

*Endorsed by Parliament on 17 December.*

OJ C 20, 24.1.1994

*Adopted by the Council on 20 December.* The purpose is to extend the 1993 GSP for a transitional period of six months from 1 January 1994 with provision for automatic extension up to the end of the year if the new 10-year arrangements are not adopted by 15 June 1994.

OJ L 338, 31.12.1993

**1.3.62.** Decision 93/727/ECSC of the representatives of the ECSC Member States meeting within the Council amending Decision 92/584/ECSC on the generalized tariff preferences applicable in 1993.

*Commission proposal adopted on 16 December.*  
COM(93) 688

*Adopted by the Council on 20 December.* The Decision extends the GSP for ECSC products along the lines of the arrangements set out in Regulation (EC) No 3668/93 (→ point 1.3.61).

OJ L 338, 31.12.1993

1.3.63. Council Regulation (EC) No 3667/93 supplementing Regulation (EEC) No 3917/92 on generalized tariff preferences.

**Commission proposal:** COM(93) 552; Bull. 11-1993, point 1.3.48

*Adopted by the Council on 20 December.* The Regulation extends generalized preferences for textile products covered by the Multifibre Arrangement from 1993 to Belarus, Ukraine, Moldova, Uzbekistan, the Russian Federation, Tadjikistan, Armenia, Azerbaijan and Turkmenistan. The date on which the preference is accorded depends on the date on which the country concerned initialled the agreement on trade in textiles with the Community.

OJ L 338, 31.12.1993

## Cooperation via non-governmental organizations

1.3.64. Commission financing decision.

*Adopted on 2 December.* ECU 15 000 to the 'European Consultation on Refugees and Exiles' (ECRE), which defends the rights of refugees and applicants for asylum.

## Humanitarian aid

### Emergency aid

1.3.65. Commission decisions: see Table 15.

Table 15 — *Emergency aid*

(million ECU)		
Country	Funds	Amount
<i>Financing: EDF (ACP countries)</i>		
Burundi	Displaced persons	1
Central African Republic	Chadian refugees	0.20
Ethiopia	Refugees and displaced persons	0.35
Kenya	Somali refugees	1
Liberia	Fighting	1
Uganda	Sudanese refugees	1
Rwanda	Burundian refugees	1
Rwanda, Tanzania and Zaire	Burundian refugees	18.30
Sierra Leone	Fighting	0.65
Sudan	Refugees and displaced persons	1
Zaire	Domestic unrest	1
<i>Financing: 1993 budget</i>		
Afghanistan	Fighting	1
	Tadjik refugees	0.35
Algeria	Epidemics	0.30
	Malian and Nigerian refugees	0.20
Albania	Domestic problems	0.46
Armenia	Refugees and displaced persons	3.80
Armenia, Azerbaijan and Georgia	Refugees and displaced persons	0.40
Azerbaijan	Refugees and displaced persons	3
	Displaced persons	0.50
Bolivia	Torrential rain	0.15
Cambodia	Domestic unrest	0.44
Cuba	Medical aid for the population	0.33
Russian Federation	Displaced persons	0.29



(million ECU)		
Country	Funds	Amount
Russian Federation and Ukraine	Refugees and displaced persons	4
Russian Federation, Belarus and Ukraine	Victims of Chernobyl	0.50
Georgia	Refugees and displaced persons	3.80
Honduras	Floods	0.40
India	Earthquake	0.06
Iraq	People of northern Iraq	6.75
Kyrgyzstan	Refugees and displaced persons	3.10
	Displaced persons	0.50
Lebanon	Medical aid	0.80
Mongolia	Problems	0.50
Nicaragua	Hurricane Bret	0.50
Pakistan	Afghan refugees	0.23
Peru	Cholera epidemic	0.18
Romania	Domestic problems	0.35
Sri Lanka	Domestic unrest	0.15
Tadjikistan	Refugees and displaced persons	3.40
Occupied Territories	Domestic unrest	5.70
Viet Nam	Medical aid	0.11
Former Yugoslavia	Fighting	86

## Food aid

### Standard food aid

1.3.66. Commission decision. Grant of food aid worth ECU 53 429 000 (see Table 16).

### Aid for refugees and displaced persons

1.3.67. Convention between the Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning aid to refugees in the countries of the Near East.

**Previous Convention:** OJ L 118, 9.5.1990; Bull. EC 4-1990, point 1.2.42

**Proposal for a Decision on the conclusion of the Convention:** OJ C 298, 4.11.1993; COM(93) 503; Bull. EC 10-1993, point 1.3.67

*Assent given by Parliament on 2 December.* Parliament did however call for the amendment of the legal basis of the proposal.

OJ C 342, 20.12.1993

The Council adopted Decision 94/13/EC of 16 December 1993 on the conclusion of the Convention, which provides for contributions from the Community of ECU 30 million in 1993, ECU 31 million in 1994 and ECU 32 million in 1995 towards the cost of UNRWA education, health and feeding programmes for Palestinian refugees in Lebanon, Syria, Jordan and the Occupied Territories.

OJ L 9, 13.1.1994

The Convention was signed in Brussels on 17 December.

Table 16 — *Food aid*

Country/organization	Cereals (tonnes)	Milk powder (tonnes)	Vegetable oil (tonnes)	Sugar (tonnes)	Other products (million ECU)
Burkina Faso	- 7 000 (cancellation)	—	—	—	1.5
Egypt	110 000	—	8 000	—	1.0
Honduras	—	650	—	—	—
WFP-PRO	15 000	872	1 000	—	—
WFP-RAIN	49 815	1 816	1 426	673	—
FAO	10 890 (seeds)	—	—	—	—

# Commercial policy

## General matters

### *Operation of the customs union*

**1.3.68.** Proposal for a European Parliament and Council Regulation on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters.

**Commission proposal:** OJ C 56, 26.2.1993; COM(92) 544; Bull. EC 12-1992, point 1.3.24

**Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. EC 4-1993, point 1.3.61

**Amended Commission proposal:** OJ C 262, 28.9.1993; COM(93) 350; Bull. EC 9-1993, point 1.3.55

*Parliament opinion (first reading) delivered on 15 December.* Favourable, subject to various amendments which would give the Commission greater powers in the conduct of an enquiry and allow Parliament access to certain data.

OJ C 20, 24.1.1994

**1.3.69.** Council Regulation (EC) No 3448/93 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products.

**Regulation repealed:** Council Regulation (EEC) No 3033/80 determining the trade arrangements applicable to certain goods resulting from the processing of agricultural products (OJ L 323, 11.11.1980), as last amended by Council Regulation (EEC) No 1436/90; OJ L 138, 31.5.1990; Bull. EC 5-1990, point 1.2.170

**Commission proposal:** OJ C 126, 7.5.1993; COM(93) 135; Bull. EC 4-1993, point 1.3.62

**Economic and Social Committee opinion:** OJ C 304, 10.11.1993; Bull. EC 9-1993, point 1.3.57

**Parliament opinion:** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.3.68

**Amended Commission proposal:** COM(93) 573; Bull. EC 11-1993, point 1.3.59

*Adopted by the Council on 6 December.* The Regulation amends the arrangements appli-

cable to imports and exports of goods resulting from the processing of agricultural products but not covered by Annex II to the Treaty.

OJ L 318, 20.12.1993

**1.3.70.** Council Decisions concerning the conclusion of the Customs Conventions on the Temporary Importation of Private Road Vehicles (New York, 1954) and Commercial Road Vehicles (Geneva, 1956).

**Commission proposals:** COM(93) 498; Bull. EC 10-1993, point 1.3.69

*Adopted by the Council on 16 December.*

**1.3.71.** Proposal for a Council Regulation laying down measures to prohibit the release for free circulation, export or transit of counterfeit and pirated goods.

**Commission proposal:** OJ C 238, 2.9.1993; COM(93) 329; Bull. EC 7/8-1993, point 1.3.64

*Endorsed by the Economic and Social Committee on 21 December.* The Committee stressed the degree of injury suffered by the Community as a result of the marketing of counterfeit and pirated goods. It suggested that certain changes be made to the procedure for intervention by the customs authorities at the request of the holder of a right.

**1.3.72.** Council Regulation (EEC) No 3697/93 withdrawing tariff concessions in accordance with Articles 23(2) and 27(3) of the Free Trade Agreement between the Community and Austria.

**Commission proposal:** Bull. EC 9-1993, point 1.3.59

*Adopted by the Council on 20 December.* The Regulation withdraws tariff concessions for gearboxes manufactured by General Motors in Austria, in order to prevent distortion of competition resulting from subsidies granted by Austria to this firm.

OJ L 343, 31.12.1993

## *Commercial policy instruments*

### General

**1.3.73.** Proposal for a Council Regulation on the introduction of time-limits for conducting

investigations in the context of Community trade protection instruments and amending the relevant Council Regulations.

**Commission proposal:** OJ C 328, 4.12.1993; COM(93) 541; Bull. EC 11-1993, point 1.3.60

*Agreed by the Council on 15 December.* The Council agreed to the bulk of the measures proposed by the Commission involving the introduction of mandatory time-limits for carrying out the procedures required to implement commercial policy instruments. The aim is to increase the effectiveness of these procedures, which are currently lengthier in the Community than is the case with its main trading partners. The Council did not agree, however, that industry be allowed to make complaints concerning safeguards direct to the Commission.

### **Council anti-dumping measures**

**1.3.74.** Council Regulation (EC) No 3344/93 extending the provisional anti-dumping duty on imports of ethanolamine originating in the United States of America.

**Commission proposal:** COM(93) 535; Bull. EC 11-1993, point 1.3.61

*Adopted by the Council on 2 December.*

OJ L 299, 4.12.1993

**1.3.75.** Council Regulation (EC) No 3371/93 extending the provisional anti-dumping duty on imports of ferro-silicon originating in South Africa and the People's Republic of China.

**Commission proposal:** COM(93) 569; Bull. EC 11-1993, point 1.3.62

*Adopted by the Council on 6 December.*

OJ L 303, 10.12.1993

**1.3.76.** Council Regulation (EC) No 3529/93 extending the provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China.

**Commission proposal:** COM(93) 585; Bull. EC 11-1993, point 1.3.63

*Adopted by the Council on 20 December.*

OJ L 321, 23.12.1993

**1.3.77.** Proposal for a Council Regulation extending the provisional anti-dumping duties on imports of isobutanol originating in the Russian Federation.

**Reference:** Provisional duty: OJ L 246, 2.10.1993; Bull. EC 9-1993, point 1.3.73

*Adopted by the Commission on 22 December.*

COM(93) 716

**1.3.78.** Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of television camera systems originating in Japan.

**Reference:** Provisional duty: OJ L 271, 30.10.1993; Bull. EC 10-1993, point 1.3.77

*Adopted by the Commission on 22 December.*

COM(93) 717

**1.3.79.** Council Regulation (EC) No 3386/93 imposing a definitive anti-dumping duty on imports of dead-burned (sintered) magnesia originating in the People's Republic of China.

**Commission proposal:** COM(93) 413; Bull. EC 7/8-1993, point 1.3.73

**Amended Commission proposal:** COM(93) 596; Bull. EC 11-1993, point 1.3.64

*Adopted by the Council on 6 December.*

OJ L 306, 11.12.1993

**1.3.80.** Council Regulation (EC) No 3664/93 imposing a definitive anti-dumping duty on imports into the Community of photo albums in bookbound form originating in the People's Republic of China and collecting definitively the provisional anti-dumping duty.

**Reference:** Provisional duty: OJ L 228, 9.9.1993; Bull. EC 9-1993, point 1.3.71

*Proposal adopted by the Commission on 10 December.*

COM(93) 641

*Adopted by the Council on 22 December.*

OJ L 333, 31.12.1993

**1.3.81.** Council Regulation (EC) No 3359/93 amending anti-dumping measures on imports of ferro-silicon originating in Russia, Kazakhstan, Ukraine, Iceland, Norway, Sweden, Venezuela and Brazil.

**Commission proposal:** COM(93) 447; Bull. EC 10-1993, point 1.3.74

*Adopted by the Council on 2 December.*

OJ L 302, 9.12.1993

**1.3.82.** Council Regulation (EC) No 5/94 on the suspension of the anti-dumping measures against EFTA countries.

**References:**

Definitive duty (ferro-silicon originating in Iceland, Norway and Sweden): OJ L 38, 10.2.1990; Bull. EC 1/2-1990, point 1.2.72

Undertaking (silicon carbide originating in Norway): OJ L 287, 10.10.1986; Bull. EC 10-1986, point 2.2.4

Undertaking (urea originating in Austria): OJ L 52, 24.2.1989; Bull. EC 2-1989, point 2.2.3

Undertaking (diesel engines originating in Sweden and Finland): OJ L 76, 22.3.1990

Undertaking (container corner fittings originating in Austria): OJ L 165, 19.6.1992; Bull. EC 6-1992, point 1.4.60

*Proposal adopted by the Commission on 10 December.*

COM(93) 658

*Adopted by the Council on 22 December.* The suspension of measures against EFTA countries is linked with the entry into force, on 1 January 1994, of the Agreement on the European Economic Area (→ point 1.3.7).

OJ L 3, 5.1.1994

**Commission anti-dumping measures**

**1.3.83.** Notice of initiation of an anti-dumping proceeding concerning imports of microwave ovens originating in the People's Republic of China, the Republic of Korea, Thailand and Malaysia.

*Published on 18 December.*

OJ C 341, 18.12.1993

**1.3.84.** Commission Regulation (EC) No 3421/93 amending Regulation (EEC) No 2463/93 imposing a provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China.

**Regulation amended:** Commission Regulation (EEC) No 2463/93: OJ L 226, 7.9.1993; Bull. EC 9-1993, point 1.3.70

*Adopted by the Commission on 13 December.* The amendment clarifies the definition of the product.

OJ L 312, 15.12.1993

**1.3.85.** Notice of intention to carry out a review of anti-dumping measures concerning POY and PTY polyester yarn originating in the Republic of Korea, Taiwan and Turkey.

**Reference:** Definitive duty: OJ L 347, 16.12.1988; Bull. EC 12-1988, point 2.2.6a.

*Published on 17 December.*

OJ C 340, 17.12.1993

**1.3.86.** Notice of initiation of a review of Council Regulation (EEC) No 3433/91 in respect of imports of gas-fuelled, non-refillable pocket flint lighters originating in the People's Republic of China.

**Reference:** Definitive duty: OJ L 326, 28.11.1991; Bull. EC 11-1991, point 1.3.81

*Published on 21 December.*

OJ C 343, 21.12.1993

**1.3.87.** Notice of initiation of a review of the anti-dumping measures applicable to imports of certain types of welded tubes of iron or non-alloy steel originating in Romania, the former Yugoslavia (except Serbia and Montenegro), Turkey and Venezuela.

**References:**

Definitive duty: (Romania and former Yugoslavia): OJ L 91, 6.4.1990; Bull. EC 4-1990, point 1.2.47

Undertaking (Romania and former Yugoslavia): OJ L 91, 6.4.1990; Bull. EC 4-1990, point 1.2.52

Undertaking (Turkey and Venezuela): OJ L 351, 15.12.1990; Bull. EC 12-1990, point 1.4.76

Definitive duty (Turkey and Venezuela): OJ L 91, 12.4.1991; Bull. EC 4-1991, point 1.3.60

*Published on 22 December.*

OJ C 344, 22.12.1993

**1.3.88.** Notice of impending expiry of the anti-dumping measures applicable to imports of video cassettes originating in the Republic of Korea and Hong Kong.

**Reference:** Definitive duty and undertaking: OJ L 174, 22.6.1989; Bull. EC 6-1989, point 2.2.3

*Published on 22 December.*

OJ C 344, 22.12.1993

**1.3.89.** Notice of expiry of an anti-dumping measure applicable to imports of serial-impact fully formed character printers (daisywheel) originating in Japan.

**Reference:** Definitive duty: OJ L 5, 7.1.1989; Bull. EC 1-1989, point 2.2.2

*Published on 22 December.*

OJ C 344, 22.12.1993

**1.3.90.** Commission Decision 93/672/EC terminating an anti-dumping proceeding and giving notice that anti-dumping measures concerning imports into the Community of out-board motors originating in Japan will lapse.

**References:**

Definitive duty: OJ L 124, 13.5.1987; Bull. EC 5-1987, point 2.2.4

Initiation of review: OJ C 204, 12.8.1992; Bull. EC 7/8-1992, point 1.4.79

*Adopted by the Commission on 9 December.*

OJ L 310, 14.12.1993

## *Treaties and trade agreements*

**1.3.91.** Council Decision 93/679/EC authorizing the automatic renewal or maintenance in force of certain trade agreements concluded between Member States and third countries.

**Commission proposal:** COM(93) 326; Bull. EC 7/8-1993, point 1.3.97

*Adopted by the Council on 6 December.*

OJ L 317, 18.12.1993

## **Individual sectors**

### *Steel*

**1.3.92.** Draft Decision of the representatives of the governments of the Member States, meeting within the Council, extending Decision 92/585/ECSC on certain measures applicable

to certain steel products covered by the ECSC Treaty and originating in the Republics of the former Soviet Union.

**Decision to be extended:** Decision 92/585/ECSC of the representatives of the governments of the Member States, meeting within the Council: OJ L 396, 31.12.1992

*Adopted by the Commission on 10 December.* The Decision extends for 1994 the import arrangements set out in Decision 92/585/ECSC for certain steel products originating in the independent States of the former Soviet Union. The measures will, if necessary, be reviewed if specific arrangements are concluded with some of these States.

**1.3.93.** Draft bilateral arrangements between the Community and Russia, Ukraine and Kazakhstan concerning imports of certain steel products covered by the ECSC Treaty during the period 1994-95.

*The Commission adopted a recommendation for a Decision on 10 December.*

### *Textiles*

**1.3.94.** Draft Protocol maintaining in force the Arrangement regarding international trade in textiles (MFA).

**Reference:** Decision 93/97/EEC on the extension of the MFA: OJ L 38, 16.2.1993; Bull. EC 1/2-1993, point 1.3.73

*Acting on a recommendation from the Commission, the Council adopted negotiating directives on 2 December.* The Protocol extends the Multifibre Arrangement until 31 December 1994.

**1.3.95.** Bilateral agreements between the Community and Hong Kong, Singapore, Macao, Indonesia, the Philippines, Colombia, Peru, China, Argentina, Bangladesh, Brazil, Korea, Guatemala, India, Malaysia, Mexico, Pakistan, Sri Lanka, Thailand and Uruguay on trade in textile products.

**Recommendation for a Decision:** Bull. EC 7/8-1992, point 1.4.95

**Negotiating directives:** Bull. EC 10-1992, point 1.4.56

*Acting on a proposal from the Commission, the Council adopted the Decision on the conclusion of the agreements on 2 December. The agreements are concluded under the Multifibre Arrangement (→ point 1.3.94).*

**1.3.96.** Council Decision on the provisional application of the agreements between the Community and certain other countries on international trade in textiles.

*Proposal adopted by the Commission on 8 December.*

*Adopted by the Council on 21 December. The Decision provides for the provisional application of the agreements on trade in textiles negotiated with certain countries, pending their formal conclusion and subject to reciprocal provisional application by the countries concerned.*

**1.3.97.** Draft textile agreements between the Community and Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan and Turkmenistan.

**Recommendation for a Decision:** Bull. EC 1/2-1993, point 1.3.75

**Negotiating directives:** Bull. EC 3-1993, point 1.3.68

*The Commission adopted proposals for Decisions on the conclusion of the agreements on 10 December.*

**1.3.98.** Proposal for a Council Regulation amending Regulation (EEC) No 3951/92 on the import arrangements for certain textile products originating in Taiwan.

**Regulation to be amended:** Council Regulation (EEC) No 3951/92: OJ L 405, 31.12.1992; Bull. EC 12-1992, point 1.4.68

*Adopted by the Commission on 9 December. The Regulation provides for the presentation of a certificate for the export from Taiwan to the Community of products woven on handlooms, sewn by hand or made by the cottage industry.*

## International organizations and conferences

### General Agreement on Tariffs and Trade (GATT)

**1.3.99.** Final Act of the Uruguay Round multilateral trade negotiations.

#### References:

EEC/United States meeting at ministerial level in Washington (Blair House): Bull. EC 11-1992, point 1.4.83; Bull. EC 10-1993, point 1.3.86

Council conclusions: Bull. EC 9-1993, point 1.3.79

*Adopted by the Trade Negotiations Committee in Geneva on 15 December. The Trade Negotiations Committee formally closed the lengthy negotiations of the Uruguay Round and adopted a Final Act incorporating all the agreements reached by the 117 participating countries on the subjects covered.*

Unprecedented in its scope, the outcome of the Uruguay Round means above all an appreciable opening-up of markets: the Community has reduced its customs duties by an average of about 37%, while the main developing countries have significantly reduced duties and bound tariffs to a very high degree.

Though more modest, owing to the United States' restrictive stance on financial services and shipping, the initial commitments to free trade in services are still significant overall and certainly consistent with the movement towards gradual liberalization, which remains the chief objective of the new General Agreement on Trade in Services (GATS).

Very substantial results were achieved in the field of rules and disciplines. Reform of the provisions on safeguards, subsidies, anti-dumping measures, the balance of payments, the standards and public procurement codes and dispute settlement improved the rules and disciplines, reinforcing trade defence measures, levelling somewhat the terms of international competition and appreciably increasing the legal security of operators. The multilateral

trading system, including the principle of liberalization (the most-favoured-nation clause), was extended in a binding manner (i.e. by being made subject to dispute settlement and GATT trade sanctions) to cover intellectual property and services. The GATT system was also significantly reinforced by the establishment of a World Trade Organization, the members of which will have to bring their trade legislation into line with multilateral rules.

Viable interim arrangements were adopted for agriculture and textiles, issues which were particularly sensitive for the Community. Over a 10-year period and in conditions of competition improved by the strengthening of rules and disciplines, the Community will gradually dismantle the restrictions imposed under the Multifibre Arrangement on textile and clothing imports from developing countries, which will in turn open up their markets. With regard to agriculture, Sir Leon Brittan and Mr Steichen, their hand strengthened by the Council's Directives of 20 September, obtained improvements to the provisions of the Blair House agreement. The internationally agreed disciplines were rendered more compatible with the adjustments resulting from the reform of the common agricultural policy adopted in May 1992.

## Conference on Security and Cooperation in Europe (CSCE)

### 1.3.100. Council of Foreign Ministers.

**Previous meeting:** Bull. EC 12-1992, point 1.4.74

*Fourth meeting, held in Rome on 30 November and 1 December.* Mr van den Broek attended this meeting, at which the ministers adopted a policy statement entitled 'CSCE and the new Europe — Our security is indivisible' and adopted a series of decisions concerning security, preventive diplomacy, peacekeeping, the human dimension and relations between the CSCE and other international organizations. The Committee of Senior Officials was asked to study the issue of an impartial military presence in hot spots. The ministers welcomed the action plan on former Yugoslavia submitted by the Union at the Geneva conference of 29

November. In his speech, Mr van den Broek drew attention to the various measures taken by the Council and the Commission in support of the CSCE's principles and objectives.

## Council of Europe

### 1.3.101. Parliament resolution on relations between the Union and the Council of Europe.

*Adopted by Parliament on 15 December.* Since the Member States of the Union had long been involved in the Council of Europe's activities in the three areas now covered by the Treaty on European Union, Parliament thought it time to establish a new basis for relations between the European Union and the Council of Europe, of which it reaffirmed the importance in protecting human rights, promoting a European cultural identity and developing democracy, especially in Central and Eastern Europe. It therefore suggested that the Member States further coordinate their activities in the Council of Europe, expressed its conviction of the desirability of forging closer ties with the Parliamentary Assembly of the Council of Europe and called on the Commission to put forward proposals for the Community's accession to the Statute of the Council of Europe.

OJ C 20, 24.1.1994

## European Bank for Reconstruction and Development (EBRD)

### Financing

### Former Yugoslav Republic of Macedonia (FYROM)

#### Electricity

1.3.102. The Bank granted FYROM's national electricity company a sovereign loan of DM 46.5 million for the construction of a new high-voltage line from the Bitola power station to Skopje, along with a programme of loans aimed at energy-saving measures. The

new power line will go some way to relieving the current energy shortage in Skopje.

## **Belarus**

### *Minsk wholesale market*

*1.3.103.* The Bank loaned Belarus USD 6.5 million to install equipment and storage facilities at Minsk's wholesale fruit and vegetable market. The project is backed up by technical assistance, for which financing is planned under the Community's TACIS programme.

### *Power station*

*1.3.104.* The Bank loaned the equivalent of ECU 40.2 million to Belarus for the construction of a combined-cycle thermal power station. Part of the funding will go on constructing power lines and project management services. The project is in line with TACIS-financed studies on the energy sector in Belarus.

## **Bulgaria**

### *Bulgarian Investment Bank*

*1.3.105.* The Bank took a stake equivalent to ECU 3 million in the BIB, a new Bulgarian bank, together with an identical stake in an investment fund associated with that bank. The foundation of the institution was assisted by PHARE technical assistance amounting to almost ECU 1 million.

## **Russian Federation**

### *International Moscow Bank*

*1.3.106.* A credit line totalling USD 15 million was set up with International Moscow Bank (IMB), a consortium bank with a number of major Western banks among its shareholders, such as Bayerische Vereinsbank, Crédit lyonnais, Creditanstalt and BCI. It handles a great part of Russia's trade with the rest of the world. The line of credit (half from

the EBRD and half from the IMB) will help finance joint ventures with Western partners and SMEs.

### *Framlington Investment Fund*

*1.3.107.* The Bank took a USD 16.6 million stake in an investment fund set up by a branch of the Crédit commercial de France, the aim of which is to invest risk capital in Russia's private sector. This is a joint investment with the International Finance Corporation.

## **Hungary**

### *EGIS*

*1.3.108.* The Bank took a stake equivalent to ECU 35 million in the capital of the State-owned pharmaceutical firm EGIS, prior to its privatization. It was agreed that the Bank would return its shareholding to AVRT, the holding company handling State property, if the privatization did not take place within a year. The operation was designed as part of the Bank's efforts to promote privatization.

### *M1-M15 motorway*

*1.3.109.* A total of ECU 129 million was granted for a motorway concession in Hungary. An international consortium including Transroute international, the Caisse des dépôts et consignations and BNP tendered successfully for this concession. It will be Central and Eastern Europe's first BOT (build-operate-transfer) project. The Bank's financial package comprises a 10% stake, loans and guarantees.

## **Kazakhstan**

### *Kazakh national bank*

*1.3.110.* The Bank granted Kazakhstan's national bank a line of credit of USD 100 million, with the State's sovereign guarantee. This will be used by the national bank to meet the foreign-currency needs of local SMEs. Machinery has been set up for the distribution



of this loan by local banks, with back-up from a technical assistance programme.

## Poland

### *Huta Szkla Jaroslaw*

**1.3.111.** The Bank granted a loan of USD 43 million to Huta Jaroslaw, Poland's largest producer of glass hollow-ware. The loan should enable the firm to modernize its production plant and install systems to reduce environmental pollution.

## Romania

### *Virolite polymers*

**1.3.112.** This is a mixed operation consisting of USD 15 million in the form of a loan and the purchase of shares for USD 3.5 million. The recipient is Virolite, a joint venture between the Romanian chemical firm Viromet and the US firm Purolite, which specializes in the manufacture of ionized resins. The financing will be used to construct a new plant for the manufacture of ionized resins, which are used mainly in waste-water treatment.

## EMCOM

**1.3.113.** The Bank granted a loan of DM 12 million to EMCOM, a joint venture between Siemens (49%), Electromagnetica, a local manufacturer of telephone equipment (43.5%), and Romanian Telecom (7.5%). The funding should permit the setting-up of a local plant to manufacture digital telephone equipment.

## Ukraine

### *Kiev airport*

**1.3.114.** The Bank granted Kiev airport a loan of USD 5 million to provide new facilities in the passenger terminal and to finance consultancy services for its privatization and commercial development.

# Human rights in the world

## Anniversary of the Universal Declaration of Human Rights

**1.3.115.** Declaration of the European Union on the 45th anniversary of the Universal Declaration of Human Rights (→ point 1.4.12).

## Algeria

**1.3.116.** Parliament resolution on the situation in Algeria and the killing of foreigners there.

*Adopted by Parliament on 16 December.* Parliament condemned the barbaric acts plunging Algerian society into backwardness and poverty. It called on the Member States not to allow refugee fundamentalist leaders to provide a support base for terrorism and on the Council to coordinate action by the Member States in liaison with the Algerian Government.

OJ C 20, 24.1.1994

## Hong Kong

**1.3.117.** Parliament resolution on Hong Kong.

*Adopted by Parliament on 16 December.* Parliament regretted the fact that the Chinese Government had declared an end to negotiations on the arrangements for elections in Hong Kong. It called on the British Government to continue doing its utmost to obtain serious guarantees from the Chinese on the respect and preservation of fundamental rights in Hong Kong after 1997.

OJ C 20, 24.1.1994

## Iraq

**1.3.118.** Parliament resolution on the continued attacks on the Marsh Arabs of Iraq.

**Reference:** Parliament resolution on the human rights situation in Iraq: OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.3.79

*Adopted by Parliament on 16 December.* Parliament insisted that it was imperative that Saddam Hussein's murderous campaign against the Marsh Arabs be stopped and that human rights be fully respected in Iraq. It saw the ending of all action against the Marsh Arabs as a precondition for the lifting of the international embargo on Iraq. It urged the Commission to provide emergency aid to Iraqi refugees in Iran and to use all possible means to send food and medical supplies to the Marsh Arabs.

OJ C 20, 24.1.1994

## Iran

*1.3.119.* Parliament resolution on human rights abuses in Iran.

*Adopted by Parliament on 16 December.* Parliament condemned State-sponsored terrorism and denounced the expulsion or extradition of Iranian refugees or asylum-seekers. It called on the governments of Europe and other countries to take the decisions necessary to stop refugees being treated in this way. It called on the UN Security Council to review immediately the Iranian authorities' flagrant violations of human rights and terrorist attacks on foreign nationals both inside and outside Iran and called for the UN rapporteur on Iran and human rights organizations to be given free access to the country to study objectively

the human rights' situation there.

OJ C 20, 24.1.1994

*1.3.120.* Parliament resolution on the death sentence on Salman Rushdie.

*Adopted by Parliament on 16 December.* Parliament reiterated its condemnation of the Iranian Government's death sentence on Salman Rushdie and called on the Council Presidency to raise the matter again with the Iranian authorities and to open a dialogue with them on the subject. It condemned the attitude of those airlines which refuse to allow Mr Rushdie to board their aircraft, so depriving a European citizen of the fundamental right to travel unhindered within the Union.

OJ C 20, 24.1.1994

## Death penalty

*1.3.121.* Parliament resolution on the death penalty in Egypt and Algeria.

*Adopted by Parliament on 16 December.* Parliament called on the Algerian and Egyptian Governments to end capital punishment, which is inhuman, degrading and ineffective and leads only to further acts of vengeance and murder. It called on all political groups in the two countries to come to the negotiating table to consolidate or restore democracy in those countries and to renounce the death penalty and torture.

OJ C 20, 24.1.1994

## 4. Common foreign and security policy

**1.4.1.** The European Council decided to initiate the diplomatic process for the conclusion of a stability pact in Europe, confirmed its intention to support the Middle East peace process, notably by means of joint action, and adopted a declaration on the former Yugoslavia in which it pointed out in particular that only real territorial concessions by the Serbs in Bosnia-Herzegovina would induce the European Union to work for the progressive and conditional suspension of sanctions, as and when any concessions made were implemented (→ points I.9, I.11, I.16 and I.17).

### Joint action by the European Union

#### General

**1.4.2.** Parliament resolution on the European Council and questions relating to the common foreign and security policy.

**Reference:** Conclusions of the Brussels (II) European Council: points I.9 to I.12 of this Bulletin

*Adopted by Parliament on 15 December.* Noting the declaration by the European Council on the former Yugoslavia, Parliament urged the Council and the Member States to guarantee the distribution of humanitarian supplies and to protect the safe areas by sending additional troops. Welcoming the European Council's decision to initiate the process for conclusion of a stability pact in Europe, Parliament drew attention to the limitations of the plan in its current form and insisted that it should be consulted appropriately. With regard to the Middle East peace process, Parliament called on the Council to step up its contribution to the peace process and to encourage dialogue

and cooperation between forces in Israeli and Palestinian civil society.

OJ C 20, 24.1.1994

### South Africa

#### References:

Conclusions of the Brussels (I) European Council: Bull. EC 10-1993, point I.4

Statement by the European Union: point 1.4.11 of this Bulletin

**1.4.3.** Council Decision 93/678/CFSP on a joint action concerning support for the transition towards a democratic and multiracial South Africa.

*Adopted by the Council on 6 December.* On the basis of the general guidelines issued by the European Council meeting in Brussels in October and pursuant to Article J.3 of the Treaty on European Union, the Council approved the implementation of a coordinated programme of assistance for preparing and monitoring the elections to be held in South Africa in April 1994. The programme would comprise the provision of advisory services, technical assistance and training, and also the provision of a number of European observers forming a 'European electoral unit' acting in the framework of an overall international effort coordinated by the United Nations.

OJ L 316, 17.12.1993

**1.4.4.** Recommendation by Parliament on the joint action with regard to support for the transition to non-racial democracy in South Africa.

*Adopted by Parliament on 17 December.* Under the second paragraph of Article J.7 of the Treaty on European Union, Parliament considered that it should be given the task of monitoring the conduct of elections in non-Community countries and delivering an opinion on their democratic legitimacy. It therefore

recommended that the Council involve Parliament fully in the European electoral unit which it had been decided to set up.

OJ C 20, 24.1.1994

### *Bosnia-Herzegovina*

**Reference:** Council Decision 93/603/CFSP concerning joint action on the conveying of humanitarian aid in Bosnia-Herzegovina: OJ L 286, 20.11.1993; Bull. EC 11-1993, point 1.4.1

**1.4.5.** Council Decision 93/729/CFSP supplementing the joint action on support for the conveying of humanitarian aid in Bosnia-Herzegovina.

*Adopted by the Council on 20 December.* The Council set a budget of ECU 48.30 million to finance the conveying of humanitarian aid provided for by Decision 93/603/CFSP, and decided that half of the amount would be borne by the Community budget.

OJ L 339, 31.12.1993

**1.4.6.** Recommendation by Parliament on the conveying of humanitarian aid in Bosnia-Herzegovina.

*Adopted by Parliament on 17 December.* Deeply concerned at the continued blocking of humanitarian aid convoys in Bosnia-Herzegovina, Parliament called on the Member States of the European Union to provide the necessary financial, human and military resources to allow the conveying of the aid. It recommended that the Council keep Parliament informed of the implementation of the joint action and notify it of the arrangements for the financing of the action.

OJ C 20, 24.1.1994

### *Russian Federation*

#### **References:**

Conclusions of the Brussels (I) European Council: Bull. EC 10-1993, point I.4

Council Decision 93/604/CFSP concerning joint action on the dispatch of a team of observers for the parliamentary elections in the Russian Federation: OJ L 286, 20.11.1993; Bull. EC 11-1993, point 1.4.2

Statement by the European Union on the Russian elections: point 1.4.13 of this Bulletin

**1.4.7.** Recommendation by Parliament on joint action concerning the dispatch of a team of observers for the parliamentary elections to be held in the Russian Federation.

*Adopted by Parliament on 2 December.* Parliament recalled its constant commitment to the consolidation of democracy in the world and deplored the fact that the Council Decision adopting the joint action had been taken without reference to Parliament. It recommended that the Council seek agreement with Parliament and the Commission as to terms and procedures for future missions to monitor elections in non-Community countries, and also to consult Parliament in future in accordance with Article J.7 of the Treaty on European Union, before adopting decisions concerning the CFSP.

OJ C 342, 20.12.1993

**1.4.8.** Parliament resolution on the European Council: elections in the Russian Federation.

*Adopted by Parliament on 16 December.* Parliament noted that according to the reports available, notably the report by its own delegation of observers, the elections in Russia had been conducted freely and fairly. Noting the adoption of the draft constitution, it pointed out that certain improvements should be made, in close cooperation between the newly elected parliamentary bodies and President Yeltsin.

Warning of the danger that the advance of extreme nationalist and xenophobic forces represented, not only for democracy in Russia but also for international stability, Parliament stressed the urgency of reform and called once again on the European Union and its Member States to develop policies of trade and technical assistance that would help ensure the success of the transitional process.

OJ C 20, 24.1.1994

### *Stability pact in Europe*

**1.4.9.** Council Decision 93/728/CFSP concerning the joint action on the inaugural conference on the stability pact.

**References:**

Conclusions of the Brussels (I) European Council: Bull. EC 10-1993, point I.4

Conclusions of the Brussels (II) European Council: points I.9 and I.16 of this Bulletin

*Adopted by the Council on 20 December.* On the basis of the general guidelines established by the meetings of the European Council in Brussels in October and December, and pursuant to Article J.3 of the Treaty on European Union, the Council decided to convene a conference on a pact on stability in Europe. The conference will put into effect preventive diplomacy aimed at fostering good neighbourly relations and encouraging countries, in particular through the conclusion of appropriate agreements, to consolidate their borders and to resolve the problems of national minorities which arise.

OJ L 339, 31.12.1993

## European Union statements

*1.4.10.* The statements adopted and published in December are reproduced below in chronological order.

### South Africa

*1.4.11.* The following statement was published in Brussels on 10 December:

'The Council discussed South Africa at its meeting on 8 and 9 December. It decided that, immediately the Transitional Executive Council (TEC) was established, the sanctions prohibiting all new forms of cooperation in the nuclear sector and halting exports of sensitive equipment intended for the police and armed forces would be lifted.

The European Union welcomes the holding of the TEC's inaugural meeting on 7 December and notes that the sanctions in question have been lifted with effect from that date.' (Unofficial translation.)

### Human rights

*1.4.12.* The following statement was published in Brussels on 11 December:

'On the 45th anniversary of the Universal Declaration of Human Rights, the European Union solemnly reaffirms its attachment to observance of those rights. That Declaration reflects the common view held by peoples throughout the world of the inalienable inherent rights of mankind. It thus forms the basis for the legitimate, ongoing action undertaken by the international community for the protection and promotion of all such rights, observance of which also helps to establish conditions conducive to peace, security and lasting development.

The European Union is playing a full part in such action. It recalls the European Council declaration on human rights of 29 June 1991 and the Development Council Resolutions of 28 November 1991 and 18 November 1992. The observance and promotion of human rights and fundamental freedoms, together with the development and strengthening of democracy and the rule of law, form an integral part of its common foreign and security policy.

The European Union played an active part in the World Conference on Human Rights held in Vienna this year, which set out in a final document the principles and guidelines for the action which the international community in its entirety intends to engage in over the years ahead in the human rights field.

In accordance with that final document, the European Union affirms that human rights are universal, indivisible, interdependent and closely interrelated. Observance of human rights constitutes a legitimate concern of the international community and it is the duty of States, regardless of their political, economic and cultural systems, to protect and promote them.

The Vienna final document highlights the interdependence between democracy, development and observance of human rights and fundamental freedoms. Every human being must be able to be the central subject and beneficiary of the right to development. While development facilitates the enjoyment of all human rights, the lack of development may not, however, be invoked to justify the abridgment of internationally recognized human rights. The European Union is resolved to make the link between human rights, democracy and development a keynote of its common policy on cooperation with non-member States.

The European Union welcomes the fact that the Vienna World Conference attached crucial importance to bolstering observance of women's rights and took extensive account of the need to step up protection for and integration of vulnerable or underprivileged groups.

The European Union is committed to playing an active role in the implementation of all the recommendations included in the final document of the World Conference on Human Rights. The European Union attaches particular importance to the comprehensive reinforcement of United Nations programmes and protection and monitoring facilities in this field and to the creation of a post of High Commissioner for Human Rights.

It takes the view that, 45 years on from the proclamation of the Universal Declaration of Human Rights, the international community must set itself the goal of putting an end to the numerous human rights violations committed in the world and bringing about conditions in which everyone everywhere can benefit from the protection and enjoyment of those rights.'

## Russia

1.4.13. The following statement on the elections in Russia was published in Brussels on 16 December:

'The European Union welcomes the adoption by the Russian electorate of the draft constitution submitted to it on 12 December, which now offers Russia the legal framework essential for the pursuit of political and economic reforms.

The European Union is also pleased that preliminary reports by its observers confirm that the voting procedures in the first Russian general elections held on the basis of a multiparty system and universal suffrage took place by and large in accordance with democratic principles.

The joint action on observing the Russian elections decided on by the special European Council meeting on 29 October demonstrated the extent of the importance which the European Union attaches to the progress of democracy and the rule of law in Russia.

The European Union will continue its efforts to contribute to the success of these reforms in Russia, not only in the context of the future Partnership and Cooperation Agreement between the Union and Russia but also through the technical assistance programmes (TACIS) and assistance for the new democratic Russian institutions.'

## India

1.4.14. The following statement was published in Brussels on 20 December:

'Following the signature of the Cooperation Agreement between the European Community and the Republic of India on partnership and development and keeping in view the steadily improving relations between the European Union and India and the improvement of these relations in range and content, the European Union and India (hereinafter referred to as "the parties") express their resolution to reinforce and intensify their mutual relations in the political, economic, technological and cultural fields.

Accordingly, the parties reaffirm their commitment to a political dialogue contributing to the establishment of lasting links of solidarity and new forms of cooperation.

The political dialogue, based on shared values and aspirations, will aim to:

- ☐ underline the parties' common attachment to democracy and respect for human rights, and their common commitment to safeguarding peace and establishing a just and stable international order in accordance with the UN Charter;

- ☐ reinforce the parties' common interest in closer cooperation to promote prosperity, the commitment to economic reforms and liberalization of the economy, free trade and the enhancement of economic stability, social progress and the development of cultural ties;

- ☐ enable each party to consider the position and interests of the other party in their respective decision-making processes;

- ☐ bring about mutual understanding, increase cooperation and work towards defining areas of agreement on international issues, particularly those of concern like non-proliferation and disarmament, combating terrorism, drug trafficking and money laundering, and other matters relating to peace and international stability.

The political dialogue between the parties will take place through contacts, exchanges and consultations, particularly in the following forms:

- ☐ meetings at ministerial level between India on the one hand and the EU troika on the other, with the purpose of promoting the relationship;

- ☐ providing mutual information on foreign policy decisions, taking full advantage of diplomatic channels, including contacts in the bilateral as well as the multilateral field, such as the UN and elsewhere;

- ☐ development of contacts at parliamentary levels;

☐ any other means which would contribute to consolidating and developing the political dialogue between the parties.

If and when appropriate, the parties agree to review the proposed arrangements laid out in this joint statement.'

## Kazakhstan

1.4.15. The following statement was published in Brussels on 22 December:

'The European Union welcomes the decision by the Parliament of Kazakhstan to fulfil the commitments undertaken by that country under the Lisbon Protocol, in particular regarding accession to the NPT as a non-nuclear-weapons State.

The European Union wishes to stress the importance of this decision and urges the other countries which have subscribed to the Lisbon Protocol to also fulfil all the commitments contained therein.

The European Union hopes that Kazakhstan will quickly deposit its instrument of accession to the

NPT and start as soon as possible negotiations with the IAEA on a full-scope safeguards agreement.'

## Other activities

1.4.16. Parliament resolution on the NATO summit to be held on 10 and 11 January.

*Adopted by Parliament on 16 December.* In view of the provisions of the Treaty on European Union concerning the common foreign and security policy, Parliament stressed the need for the Member States of the European Union which were also members of the Atlantic Alliance to speak with one voice at the forthcoming summit. It also called for full public discussion of any new objectives deemed desirable or necessary for NATO. Lastly, it expressed the view that accession to membership of NATO by the countries of Central Europe would be a factor for security in Europe as a whole.

OJ C 20, 24.1.1994

## 5. Justice and home affairs cooperation

*1.5.1.* The European Council agreed an action plan for the immediate start-up of the Europol Drugs Unit and completion of the Convention on Europol before October 1994, the application of a comprehensive anti-drugs strategy, the establishment of a common list of non-member countries whose nationals require visas, the stepping-up of judicial cooperation, and the exploitation of the possibilities offered by better coordination between policies in the field of justice and home affairs and the common foreign and security policy (→ point I.8).

### Asylum and immigration

*1.5.2.* Parliament resolution on the decision by the Belgian General Commissioner for Refugees and Stateless Persons to process the request for asylum from two suspected members of the ETA terrorist group.

*Adopted on 16 December.* Parliament held that in no circumstances may a Member State of the Union grant the status of political refugee to a citizen of another Member State and stressed the need to harmonize extradition laws as part of European judicial cooperation.

OJ C 20, 24.1.1994

*1.5.3.* Proposal for a Council Decision establishing the Convention on controls on persons crossing the Community's external frontiers.

**Commission approval:** Bull. EC 11-1993, point 1.5.4

*Adopted by the Commission on 10 December.*

OJ C 11, 15.1.1994

### International fraud

*1.5.4.* Parliament resolution on combating international fraud.

*Adopted on 16 December.* Faced with the increase in the scale of international fraud and financial crime in general and the growing interconnection between the two and organized Mafia-type crime, Parliament expressed reservations concerning the manner in which the matter is dealt with in Title VI of the Union Treaty and, in particular, in Article K.1. It accordingly made a number of suggestions designed primarily to achieve better integration of administrative assistance and judicial cooperation procedures. Since it is convinced that Articles 100a and 209a provide an appropriate legal basis for the development of specific action to combat fraud against the Community budget, Parliament pressed for the necessary initiatives to be taken to improve knowledge of the various forms of international financial crime and the methods used by criminal organizations, and to seek effective ways of combating them.

OJ C 20, 24.1.1994

### Police cooperation

*1.5.5.* Council recommendations concerning the establishment of the Europol Drugs Unit (EDU) and the Project Team.

**Reference:** Council agreement: Bull. EC 11-1993, point 1.5.1

*Adopted on 22 December.*

*1.5.6.* Parliament resolution on police cooperation.

#### References:

Parliament resolution on the setting-up of Europol: OJ C 42, 15.2.1993; Bull. EC 1/2-1993, point 1.4.18

Signing of the ministerial agreement establishing the Europol Drugs Unit (EDU): Bull. EC 6-1993, point 1.4.19

Parliament resolution on cooperation in the fields of justice and home affairs under the Treaty on European Union (Title VI and other



provisions): OJ C 255, 20.9.1993; Bull. EC 7/8-1993, point 1.4.20

*Adopted on 16 December.* Parliament recalled its wish to be effectively involved in the drawing-up and implementation of the instruments adopted under Title VI of the Union Treaty and, in particular, those relating to Europol and its Drugs Unit. It expressed the hope that Article K.6 would be fully applied and that an interinstitutional agreement would be concluded on the matter. Parliament also formulated a number of principles which it would like taken into account by the Member States when they come to organize police cooperation.

OJ C 20, 24.1.1994

*1.5.7. Parliament resolution on small-scale crime in urban areas and its links with organized crime.*

*Adopted on 16 December.* Parliament stressed that, although crime prevention and the fight against crime must take place mainly at local, regional and national level in accordance with the principle of subsidiarity, they could benefit from increased cooperation at European level. Consequently, it made a number of proposals, calling in particular for an adequately funded support programme for local crime-fighting strategies to be set up at Community level.

OJ C 20, 24.1.1994

## 6. Financing Community activities

### Budgets

#### General budget

##### *Budgetary procedures*

##### 1994 financial year

###### 1.6.1. 1994 budget.

**Reference:** Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure: Bull. EC 10-1993, point 1.5.1

**Approval of preliminary draft by the Commission:** Bull. EC 4-1993, point 1.5.1

**Commission proposal:** COM(93) 400; Bull. EC 6-1993, point 1.5.3

**Council first reading:** Bull. EC 7/8-1993, point 1.5.1

**Letter of amendment No 1:** Bull. EC 10-1993, point 1.5.4

**Parliament first reading:** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.5.4

**Council second reading:** Bull. EC 11-1993, point 1.6.4

*Given its second reading by Parliament on 16 December.* Parliament adopted the general budget for 1994 at second reading (see Table 17). This budget, which complies with the ceilings of the revised financial perspective in October's Interinstitutional Agreement, totals ECU 73 444 million in commitment appropriations and ECU 70 013 million in payment appropriations (4.3 and 4.7% higher than in 1993) and leaves an overall margin of ECU 41.7 million in commitment appropriations: ECU 10 million in heading 3, ECU 15 million in heading 4 and ECU 16 million in heading 5. On the whole, Parliament stood by the guidelines it had laid down at first reading, although it yielded on the question of the entry of the TACIS programme appropriations in the reserve and the financing of the new agencies

(following the recent decision on their location).

As regards heading 1 (Common agricultural policy), Parliament recalled its position on classification and restored its previous amendments relating to expenditure which it regards as non-compulsory and insisted that there should be tougher measures to combat fraud, including the introduction of fines and the collection of interest on late payment to be entered in the statement of revenue in the budget. The amendments adopted at first reading in respect of the breakdown of appropriations under heading 2 (Structural operations) were also confirmed. Parliament welcomed the outcome of the Council's second reading as regards the appropriations covered by heading 3 (Internal policies) for employment and growth in Europe, vocational training measures, particularly on behalf of women, research policy, which, with ECU 2 755 million, accounts for over 63% of internal policy appropriations, and the entry in the budget of appropriations to finance the various agencies for which a legal basis exists. However Parliament pointed out in this connection that greater budgetary consistency should be achieved for all these agencies. Finally, under heading 4 (External action), Parliament went back on the amendment it had adopted at first reading and decided to limit the proportion of TACIS programme appropriations held in reserve to 50% of the total (ECU 255 million in commitment appropriations and ECU 120 million in payment appropriations) and laid down a number of binding conditions for the use of the remaining appropriations. It also approved the creation of a specific budget heading for human rights.

More generally, Parliament welcomed some of the innovations of the 1994 budget: the establishment of a margin which could be taken up by a supplementary and amending budget, the reduction in the number of 'minor' budget headings and the care taken to ensure that the remarks facilitate execution.

*Signed by the President of Parliament on 16 December.*

## ECSC operating budget

### 1994 financial year

**1.6.2.** Commission Decision 3616/93/ECSC fixing the rate of the levies for the 1994 financial year and amending Decision 3-52 on the amount and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty.

**Amended Decision:** Decision No 3-52 of the High Authority: OJ L 30.12.1952

**Draft budget for 1994:** COM(93) 506; Bull. EC 10-1993, point 1.5.9

*Parliament opinion delivered on 15 December.* Parliament insisted that the phasing-out of ECSC activities should be balanced by the incorporation of these activities in the general budget. It was therefore concerned that the start of this phasing-out (reflected in the 30% drop in the total volume of the budget, particularly as regards aid to research) had not been matched by specific proposals for phasing activities into the general budget. At the same time it proposed that the allocation for social measures in the coal industry be raised by ECU 50 million and increased the allocation for aid to research to ECU 78 million.

OJ C 20, 24.1.1994

*ECSC Consultative Committee opinion delivered on 17 December (→ point 1.6.6).*

*Adopted on 21 December.* The Commission fixed the rate of the levies on output from 1 January 1994 at 0.23% of the figures used for the levy base and approved the ECSC operating budget for 1994 (totalling ECU 393 million) on that basis. The Commission made few changes to its initial proposal: the appropriations for aid to research were increased from ECU 10 million to ECU 17 million, and a further ECU 5 million was switched from interest subsidies to social measures in the coal industry. This Decision should provide cover for the requirements, which break down as follows (ECU million):

- ☐ administrative expenditure: 5
- ☐ redeployment aid: 157
- ☐ aid for research: 57
- ☐ interest subsidies: 53
- ☐ social measures (steel): 86
- ☐ social measures (coal): 35

## Financial Regulations

**1.6.3.** Council Regulation (Euratom, EC) No 3464/93 amending Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources.

**Commission proposal:** OJ C 199, 23.7.1993; COM(93) 213; Bull. EC 5-1993, point 1.5.1

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.6.11

*Adopted on 10 December.* This new Regulation allows the Commission to ask the Member States for early payment of one twelfth or a fraction of one twelfth of VAT- and GNP-based resources in certain circumstances.

OJ L 317, 18.12.1993

**1.6.4.** 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 and amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

**Reference:** Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure: OJ C 331, 7.12.1993; Bull. EC 10-1993, point 1.5.1

### Regulations to be amended:

Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources: OJ L 155, 7.6.1989; Bull. EC 5-1989, point 2.5.1

Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities (OJ L 356, 31.12.1977), as last amended by Regulation (Euratom, ECSC, EEC) No 610/90: OJ L 70, 16.3.1990; Bull. EC 3-1990, point 1.4.6

**Proposal withdrawn:** Proposal for a Council Regulation amending Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources: COM(93) 437; Bull. EC 9-1993, point 1.5.4

*Adopted by the Commission on 21 December.* The proposal adopted by the Commission on 14 September provided for neutralization of the negative balances arising from revenue shortfalls. However, given the importance attached to this question during the negotiations on the Interinstitutional Agreement, the Commission decided to favour a new approach aiming at the symmetrical and conditional elimination of the balances. The new text, which replaces the previous proposal, provides for the correction of the payments made by Member States on the basis of the budget estimates when implementation of the budget is completed and the VAT and GNP bases are established. In the specific case of expenditure actually exceeding the revised own resources ceiling, the refinancing of the budget would be calculated within the limit of the ceiling. The amount in excess of the ceiling would be refunded to the Member States in line with the current rules.

COM(93) 683

**1.6.5.** Proposal for a Council Decision replacing Council Decision 88/376/EEC, Euratom on the system of own resources.

**Commission proposal:** OJ C 300, 6.11.1993; COM(93) 438; Bull. EC 9-1993, point 1.5.3

*Endorsed by the Economic and Social Committee on 21 December*, subject to a number of technical amendments.

## Financial operations

### ECSC

#### *General*

**1.6.6.** ECSC Consultative Committee resolution on certain aspects of the financial activities of the ECSC Treaty.

#### **References:**

Commission communication on the future of the ECSC Treaty: borrowing/lending activity: COM(93) 512; Bull. EC 10-1993, point 1.5.10

Commission Decision 3616/93/ECSC fixing the rate of the levies for the 1994 financial year: point 1.6.2 of this Bulletin

*Adopted on 17 December.* Given the difficulties in the European steel industry and the implications which this crisis has for the coal industry, the ECSC Consultative Committee pointed to the importance it attached to implementation of budgetary proposals to release a sufficiently high level of resources for social measures in the coal and steel sectors, and to prompt definition of social measures for the coal industry comparable to those for the steel industry. Although it was aware of the seriousness of the budgetary situation of the ECSC in 1994, it could not accept that the financing of social measures linked to restructuring should lead to a reduction in research aid. It repeated, in this respect, that it had already come out in favour of the transfer of conversion loans with interest-rate subsidies to the EIB.

OJ C 8, 12.1.1994

#### *Loans raised*

**1.6.7.** In December the Commission contracted on behalf of the ECSC:

□ a number of private placements in sterling, for the equivalent of ECU 35.0 million;

□ a YEN 11 000 million seven-year public issue at Libor 6M + 0.80% with an issue price of 108.06%; the proceeds were used for a currency and floating interest-rate swap operation.

#### *Loans granted*

**1.6.8.** Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 22.1 million.

#### **Industrial loans**

**1.6.9.** Industrial loans (Article 54) totalling ECU 10.8 million were made to Italy.

(thousand ECU)

Difference	1994 budget	Percentage difference	Difference	Difference	Difference
(1) = (9) - (3)	(12)	(13) = (12)/(1)	(14) = (12) - (3)	(15) = (12) - (5)	(16) = (12) - (7)
	35 862 000.000 603 000.000	2.18 137.40			398 000.000 - 398 000.000
	36 465 000.000 0.000	3.15			
	3 343 000.000 419 000.000 9 030 000.000 6 457 000.000 1 706 000.000 368 000.000 1 853 000.000	10.35 17.90 13.19 11.98 - 8.82 - 77.38 18.40			
	21 323 000.000 1 853 000.000 23 176 000.000 0.000	3.37 18.40 4.43			
- 4 700.000 - 3 000.000 - 9 700.000 - 3 000.000 - 6 000.000 - 2 800.000 - 7 000.000 - 35 480.000 - 1 000.000 - 1 000.000 - 1 150.000 23 936 000 - 4 200.000 0.000 30 000.000 - 13 200.000	2 767 423.000 205 825.000 31 000.000 16 000.000 25 640.000 287 500.000 69 600.000 47 500.000 156 030.000 33 000.000 19 480.000 133 450.000 16 000.000 9 250.000 184 050.000 38 450.000 0.000 30 000.000 289 800.000 0.000	1.19 0.99 3.33 25.29 2.56 6.65 9.48 40.82 38.08 16.64 69.39 32.48 0.00 - 28.29 69.92 2.95 3.45 30.84	30 227.000   3 000.000  6 500.000 4 300.000 7 500.000 13 030.000 3 750.000  22 000.000 1 000.000 28 786.000 - 650.000  - 20 200.000	34 927.000 3 000.000 9 700.000 6 000.000  12 500.000 7 100.000 14 500.000 48 510.000 4 750.000  23 000.000 2 150.000 4 850.000 3 550.000  - 7 000.000	- 10 000.000            6 300.000      - 10 000.000 - 7 000.000 5 300.000 - 4 700.000
- 4 700.000 - 13 200.000 - 50 394.000 - 68 294 000	2 767 423.000 289 800.000 1 302 775.000 4 359 998.000 10 002.000	1.19 30.84 13.16 6.15	30 227.000 - 20 200.000 89 216.000 99 243.000	34 927.000 - 7 000.000 139 610.000 167 537.000	- 10 000.000  5 300.000 - 4 700.000

Financial perspective	Budget heading	1993 budget (1)	Financial perspective for 1994 <sup>1</sup> (2)	
4.	<i>External action</i>			
	EDF (B7-1)	0.000		
	Food aid (B7-2)	574 000.000		
	Cooperation — Latin American countries and Asia (B7-3)	634 000.000		
	Cooperation — Mediterranean countries (B7-4)	406 700.000		
	Other cooperation measures (B7-5)	632 700.000		
	Cooperation — Central and Eastern Europe and independent States of former USSR (B7-6)	1 574 000.000		
	Cooperation — Other third countries (B7-7)	0.000		
	External aspects of certain Community policies (B7-8 and B7-0)	293 700.000		
	Total 4 Margin	4 115 100.000	4 311	
5.	<i>Administrative expenditure of institutions</i>			
	Commission (Part A not including pensions)	1 995 340.688		
	Pensions	296 669.000		
	Commission — Total	2 292 009.688		
	Other institutions — Total	1 124 949.364		
	Total 5 Margin	3 416 959.052	3 634	
6.	<i>Reserves</i>			
	Monetary reserve (B1-6)	1 000 000.000		
	Guarantee (B0-23)	15 200.000		
	Humanitarian reserve (B7-9)	209 000.000		
	Total 6 Margin	1 224 200.000	1 530	
	Grand total — Appropriations for commitments	comp. 37 437 332.000		
		non-comp. 32 970 452.052		
	Total compulsory + non-compulsory	70 407 784.052	73 486	
	Margin			
	Grand total — Appropriations for payments	comp. 37 441 632.000		
		non-comp. 29 416 307.052		
	Total compulsory + non-compulsory	66 857 939.052	70 352	
	Margin			

NB: Column 1: 1993 budget, including supplementary and amending budget No 1/93.

The amount recorded is from the statement of estimates which exceeds the amount entered by the Commission in its preliminary draft by ECU 1 Columns 3 and 5: including letter of amendment 1/94.

<sup>1</sup> The figures relating to the financial perspective are based on the Edinburgh European Council decision as amended in the new Interinstitutional Agreement.

<sup>2</sup> The change between 1993 and 1994 does not take account of a specific measure for customs agents in 1993.

Preliminary draft budget for 1994 (3)	Percentage difference (4) = (3)/(1)	Council first reading (5)	Percentage difference (6) = (5)/(1)	Parliament first reading (7)	Percentage difference (8) = (7)/(1)	Council second reading (9)	Percentage difference (10) = (9)/(1)
0.000		0.000		0.000		0.000	
582 600.000	1.50	582 600.000	1.50	589 100.000	2.63	582 600.000	1.50
643 700.000	1.53	635 700.000	0.27	648 700.000	2.32	643 700.000	1.53
455 500.000	12.00	398 000.000	- 2.14	449 850.000	10.61	447 500.000	10.03
648 875.000	2.56	540 725.000	- 14.54	850 050.000	34.35	637 725.000	0.75
1 593 000.000	1.21	1 573 000.000	- 0.06	1 463 000.000	- 7.05	1 573 000.000	- 0.06
0.000		0.000		0.000		0.000	
307 915.000	4.84	292 915.000	- 0.27	295 415.000	0.58	292 915.000	- 0.27
4 231 590.000	2.83	4 022 940.000	- 2.24	4 296 115.000	4.40	4 177 440.000	1.51
79 410.000		288 060.000		14 885.000		133 560.000	
2 078 105.000	4.15	2 056 428.000	3.06	2 093 262.000	4.91	2 086 431.000	4.57
334 761.000	12.84	334 761.000	12.84	334 761.000	12.84	334 761.000	12.84
2 412 866.000	5.27	2 391 189.000	4.33	2 428 023.000	5.93	2 421 192.000	5.64
1 303 814.895	15.90	1 183 728.532	5.23	1 189 900.763	5.77	1 185 319.632	5.37
3 716 680.895	8.77	3 574 917.532	4.62	3 617 923.763	5.88	3 606 511.632	5.55
- 82 680.895		59 082.468		16 076.237		27 488.368	
1 000 000.000	0.00	1 000 000.000	0.00	1 000 000.000	0.00	1 000 000.000	0.00
318 000.000	2 092.11	318 000.000	2 092.11	318 000.000	2 092.11	318 000.000	2 092.11
212 000.000	1.44	212 000.000	1.44	212 000.000	1.44	212 000.000	1.44
1 530 000.000	24.98	1 530 000.000	24.98	1 530 000.000	24.98	1 530 000.000	24.98
0.000		0.000		0.000		0.000	
38 925 094.000	3.97	38 910 094.000	3.93	38 910 094.000	3.93	38 910 094.000	3.93
34 454 931.895	4.50	33 496 827.532	1.60	34 539 642.763	4.76	34 237 318.632	3.84
73 380 025.895	4.22	72 406 921.532	2.84	73 449 736.763	4.32	73 147 412.632	3.89
105 974.105		1 079 078.468		36 263.237		338 587.368	
38 918 069.567	3.94	38 891 484.567	3.87	38 901 684.567	3.90	38 891 484.567	3.87
31 368 000.328	6.63	30 119 995.408	2.39	31 117 290.639	5.78	30 854 045.508	4.89
70 286 069.895	5.13	69 011 479.975	3.22	70 018 975.206	4.73	69 745 530.075	4.32
65 930.105		1 340 520.025		333 024.794		606 469.925	

10 655 895.

reement.

Percentage difference (4) = (3)/(1)	Council first reading (5)	Percentage difference (6) = (5)/(1)	Parliament first reading (7)	Percentage difference (8) = (7)/(1)	Council second reading (9)	Percentage difference (10) = (9)/(1)
2.18	35 864 000.000	2.18	35 464 000.000	1.04	35 862 000.000	2.18
137.40	601 000.000	136.61	1 001 000.000	294.09	603 000.000	137.40
3.15	36 465 000.000 0.000	3.15	36 465 000.000 0.000	3.15	36 465 000.000 0.000	3.15
10.35	3 397 000.000	12.13	3 343 000.000	10.35	3 343 000.000	10.35
17.90	365 000.000	2.70	419 000.000	17.90	419 000.000	17.90
13.19	9 030 000.000	13.19	9 030 000.000	13.19	9 030 000.000	13.19
11.98	6 457 000.000	11.98	6 457 000.000	11.98	6 457 000.000	11.98
- 8.82	1 706 000.000	- 8.82	1 706 000.000	- 8.82	1 706 000.000	- 8.82
- 77.38	368 000.000	- 77.38	368 000.000	- 77.38	368 000.000	- 77.38
18.40	1 853 000.000	18.40	1 853 000.000	18.40	1 853 000.000	18.40
3.37	21 323 000.000	3.37	21 323 000.000	3.37	21 323 000.000	3.37
18.40	1 853 000.000	18.40	1 853 000.000	18.40	1 853 000.000	18.40
4.43	23 176 000.000 0.000	4.43	23 176 000.000 0.000	4.43	23 176 000.000 0.000	4.43
0.09	2 465 914.000	- 9.83	2 777 423.000	1.56	2 732 496.000	- 0.09
0.99	196 000.000	- 3.83	205 825.000	0.99	202 825.000	- 0.48
3.33	21 300.000	- 29.00	31 000.000	3.33	21 300.000	- 29.00
1.80	10 000.000	- 21.69	16 000.000	25.29	10 000.000	- 21.69
2.56	25 100.000	0.40	25 640.000	2.56	25 640.000	2.56
4.24	243 500.000	- 9.67	288 500.000	7.02	275 000.000	2.01
2.71	49 300.000	- 22.45	69 600.000	9.48	62 500.000	- 1.69
18.59	23 000.000	- 31.81	47 500.000	40.82	33 000.000	- 2.17
3.10	71 300.000	- 48.59	156 030.000	12.50	107 520.000	- 4.85
3.39	12 900.000	- 54.40	33 000.000	16.64	28 250.000	- 0.15
69.39	12 500.000	8.70	19 480.000	69.39	19 480.000	69.39
10.64	93 450.000	- 7.23	133 450.000	32.48	110 450.000	9.65
- 6.25	7 500.000	- 53.13	16 000.000	0.00	13 850.000	- 13.44
- 28.29	9 250.000	- 28.29	9 250.000	- 28.29	9 250.000	- 28.29
43.34	114 700.000	5.89	177 750.000	64.10	179 200.000	65.44
4.69	31 550.000	- 15.53	38 450.000	2.95	34 900.000	- 6.56
	0.000		0.000		0.000	
3.45	27 900.000	- 3.79	30 000.000	3.45	30 000.000	3.45
39.95	222 900.000	0.63	289 800.000	30.84	296 800.000	34.00
	0.000		0.000		0.000	
0.09	2 465 914.000	- 9.83	2 777 423.000	1.56	2 732 496.000	- 0.09
39.95	222 900.000	0.63	289 800.000	30.84	296 800.000	34.00
5.41	949 250.000	- 17.55	1 297 475.000	12.70	1 163 165.000	1.04
3.73	3 638 064.000	- 11.43	4 364 698.000	6.26	4 192 461.000	2.07
	731 936.000		5 302.000		177 539.000	



Table 17 (continued)

(thousand ECU)

Difference (11) = (9) - (3)	1994 budget (12)	Percentage difference (13) = (12)/(11)	Difference (14) = (12) - (3)	Difference (15) = (12) - (5)	Difference (16) = (12) - (7)
	0.000				
	589 100.000	2.63	6 500.000	6 500.000	
	648 700.000	2.32	5 000.000	5 000.000	
- 8 000.000	449 850.000	10.61	- 5 650.000	2 350.000	
- 11 150.000	849 850.000	34.32	200 975.000	212 125.000	- 200.000
- 20 000.000	1 463 000.000	- 7.05	- 130 000.000	- 110 000.000	
	0.000				
- 15 000.000	295 190.000	0.51	- 12 725.000	2 275.000	- 225.000
- 54 150.000	4 295 690.000	4.39	64 100.000	118 250.000	- 425.000
15 310.000					
8 326.000	2 093 262.000	4.91	15 157.000	6 831.000	
	334 761.000	12.84			
8 326.000	2 428 023.000	5.93	15 157.000	6 831.000	
- 118 495.263	1 189 600.263	5.75	- 114 214.632	4 280.631	- 300.500
- 110 169.263	3 617 623.263	5.87	- 99 057.632	11 111.631	- 300.500
	16 376.737				
	1 000 000.000	0.00			
	318 000.000	2 092.11			
	212 000.000	1.44			
	1 530 000.000	24.98			
	0.000				
- 15 000.000	38 910 094.000	3.93	- 15 000.000		
- 217 613.263	34 534 217.263	4.74	79 285.368	296 898.631	- 5 425.500
- 232 613.263	73 444 311.263	4.31	64 285.368	296 898.631	- 5 425.500
	41 688.737				
- 26 585.000	38 891 484.567	3.87	- 26 585.000		- 10 200.000
- 513 954.820	31 122 040.139	5.80	- 245 960.189	267 994.631	4 749.500
- 540 539.820	70 013 524.706	4.72	- 272 545.189	267 994.631	- 5 450.500
338 475.294					

Table 17 — 1994 budget (provisional figures) (appropriations for commitments — Parliament nomenclature)

Financial perspective	Budget heading	1993 budget (1)	Financial perspective for 1994 <sup>1</sup> (2)	Preliminary draft budget for 1994 (3)
1.	<i>Common agricultural policy</i>			
	Markets (B1-1 to B1-3)	35 098 000.000		35 862 000.
	Accompanying measures (B1-4 and B1-5)	254 000.000		603 000.
	Total 1 Margin	35 352 000.000	36 465	36 465 000.0
2.	<i>Structural operations</i>			
	EAGGF Guidance (B2-10)	3 029 500.000		3 343 000.
	FIFG (B2-11)	355 400.000		419 000.
	ERDF (B2-12)	7 978 000.000		9 030 000.
	ESF (B2-13)	5 766 000.000		6 457 000.
	Community initiatives (B2-14)	1 871 000.000		1 706 000.
	Other Structural Fund operations (B2-18 to B2-22)	1 627 063.000		368 000.
	Cohesion Fund (B2-3)	1 565 000.000		1 853 000.
	Structural Funds — Subtotal	20 626 963.000	21 323	21 323 000.
	Cohesion Fund — Subtotal	1 565 000.000	1 853	1 853 000.
	Total 2	22 191 963.000	23 176	23 176 000.0
	Total margin			
3.	<i>Internal policies</i>			
	Research (B6)	2 734 822.000		2 737 196.
	Other agricultural operations (B2-5)	203 800.000		205 825.
	Other regional operations (B2-6)	30 000.000		31 000.
	Transport (B2-7)	12 770.000		13 000.
	Fisheries and the sea (B2-9)	25 000.000		25 640.
	Education, vocational training, youth (B3-1)	269 579.000		281 000.
	Culture and audiovisual sector (B3-2)	63 575.000		65 300.
	Information and communications (B3-3)	33 731.000		40 000.
	Other social operations (B3-4) <sup>2</sup>	168 695.000		143 000.
	Energy (B4-1)	28 292.000		29 250.
	Euratom nuclear safeguards (B4-2)	11 500.000		19 480.
	Environment (B4-3)	100 733.000		111 450.
	Consumer protection (B5-1)	16 000.000		15 000.
	Aid for reconstruction (B5-2)	12 900.000		9 250.
	Internal market (B5-3)	108 315.000		155 264.
	Industry (B5-4)	37 350.000		39 100.
	Information market (B5-5)	0.000		0.
	Statistical information (B5-6)	29 000.000		30 000.
	Trans-European networks (B5-7)	221 500.000		310 000.
	Cooperation in the field of justice (B5-8)	0.000		0.
	Research — Subtotal	2 734 822.000		2 737 196.
	Networks — Subtotal	221 500.000		310 000.
	Other policies — Subtotal	1 151 240.000		1 213 559.
	Total 3 Margin	4 107 562.000	4 370	4 260 755.109 245.

## Conversion loans

*1.6.10.* Conversion loans (Article 56) totalling ECU 9.4 million were made to France and Italy.

## Workers' housing

*1.6.11.* Loans totalling ECU 1.9 million were granted for steelworkers and mineworkers in Germany and Italy.

## Euratom

### General

*1.6.12.* Proposal for a Council Decision amending Decision 77/270/Euratom, to authorize the Commission to contract Euratom borrowings in order to contribute to the financing required for improving the degree of efficiency and safety of nuclear power stations in certain non-member countries.

**Commission proposal:** OJ C 22, 26.1.1993; COM(92) 467; Bull. EC 12-1992, point 1.6.7

**Council agreement:** Bull. EC 6-1993, point 1.5.6

*Endorsed by Parliament on 15 December*, subject to certain amendments aimed principally at underlining the importance of increased cooperation between international organizations operating in this sector and the need to take account of local and regional differences. Parliament also insisted that special attention should be paid to compliance with the main international safeguards agreements by the countries concerned.

OJ C 20, 24.1.1994

## Loans raised

*1.6.13.* In December the Commission contracted, on behalf of Euratom, a private placing in Belgian francs for the equivalent of ECU 76.5 million. The proceeds are to be used for early repayment of a loan.

## Measures to combat fraud

*1.6.14.* Parliament resolution on the conclusions of the mission of inquiry of the Committee on Budgetary Control into the management and monitoring of the Structural Funds in Italy.

*Adopted on 16 December.* Parliament called on the Commission to provide the structural programme planning instruments (CSF and operational programmes) with a structure making it possible to concentrate on a limited number of strategic targets and to quantify objectives in order to enable genuine assessments to be made of the socio-economic and environmental impact of the Funds. It also urged the Commission to ensure that greater technical assistance was provided for the implementation of the programme planning instruments with a view to supplying the national authorities with the know-how needed to meet the priorities and comply with Community rules and to take the measures needed to strengthen the operation of the monitoring committees. Criticizing the inadequate control of actual expenditure and of its legitimacy, Parliament called on the Commission to make structural policy one of the priorities in its efforts to combat fraud and to draw up a programme of work for missions of inquiry in all Member States receiving aid from the Structural Funds.

OJ C 342, 20.12.1993

# 7. Community institutions

## Institutional affairs

### Implementation of the Treaty

*1.7.1.* Parliament resolutions on the proposals pending before the Council in the areas of economic and monetary affairs and industrial policy, social affairs, employment and the working environment, the environment, public health and consumer protection, energy, research and technology, legal affairs and citizens' rights, budgetary control, and transport and tourism for which entry into force of the Treaty on European Union will require a change in the legal base and/or a change in procedure.

**Reference:** Commission communication listing the proposals pending before the Council on 31 October 1993 for which entry into force of the Treaty on European Union will require a change in the legal base and/or a change in procedure: COM(93) 570; Bull. EC 11-1993, point 1.7.5

*Adopted on 2 December and 15 December.* Parliament confirmed, as first readings under the co-decision procedure, the votes cast on the majority of the proposals on the Commission list and the amendments not incorporated by the Commission in its amended proposals. In a limited number of cases, the House asked the Commission to table new legislative proposals.

OJ C 20, 24.1.1994

*1.7.2.* Parliament resolution on questions of comitology relating to the entry into force of the Treaty on European Union.

**References:**

Council Decision 87/373/EEC laying down the procedures for the exercise of implementing powers conferred on the Commission: OJ L 197, 18.7.1987

Interinstitutional Agreement on budgetary discipline and improvement of the budgetary

procedure: OJ C 331, 7.12.1993; Bull. EC 10-1993, point 1.5.1

*Adopted on 16 December.* On the grounds that Decision 87/373/EEC does not apply to acts adopted under the co-decision procedure, Parliament asked for discussions to be initiated immediately in order to establish a line of conduct for the drawing-up of implementing legislation in areas governed by the provisions of Article 189b of the EC Treaty, for adoption under the co-decision procedure on a proposal from the Commission. With regard to acts other than those adopted under the co-decision procedure, it called on the Commission to present a proposal for the revision of Decision 87/373/EEC taking account of the provisions of the statement on committee procedures annexed to the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure.

OJ C 20, 24.1.1994

*1.7.3.* Parliament resolution on the diminution of the Community's powers in the fields of commercial policy and development cooperation policy.

*Adopted on 16 December.* Referring to the fact that some of the joint actions decided by the Council under the common foreign and security policy relate to the financing of certain activities for the administration of which the Commission alone is responsible, Parliament warned against the danger of re-nationalization implicit in this practice. It called for the European Union's development cooperation policy to be strengthened and its consistency and efficiency improved through increased cooperation between the Community and the Member States as a matter of urgency, asking the Commission to apply the provisions of the Treaty strictly so that the necessary consistency of commercial policy, development policy and the common foreign and security policy does not lead to a diminution of the Community's powers.

Reminding the Council that joint actions under the common foreign and security policy cannot be financed out of budgetary resources allocated for Community policies without its prior consent, Parliament called for the adoption of procedures guaranteeing its involvement in the formulation of the common foreign and security policy and for the signing of a new interinstitutional agreement to this effect.

OJ C 20, 24.1.1994

**1.7.4.** Parliament resolution on the role of national experts and the Commission's right of initiative.

*Adopted on 16 December.* Given the new legislative procedures provided for by the Treaty on European Union, Parliament recalled that the Union's institutional system relies on the Commission's independence *vis-à-vis* the Member States, particularly as regards its power of initiative, and urged the Member States to refrain from any action which could jeopardize this independence. It called on the Commission to collaborate more closely with parliamentary committees prior to the submission of new legislative proposals, to brief Parliament on its consultations with national administrations and lobbyists and to limit the use of national experts on secondment to cases where these experts can enhance the Commission's knowledge of sectoral and national spheres.

OJ C 20, 24.1.1994

**1.7.5.** Parliament decision amending Rules 159 and 160 of its Rules of Procedure in line with its resolution of 17 November 1993 on the interinstitutional agreements concerning *inter alia* the co-decision procedure and the regulations relating to the ombudsman (→ point 1.7.7).

## Democracy, transparency and subsidiarity

**1.7.6.** Code of conduct concerning public access to Council and Commission documents (93/730/EC) and Council Decision 93/731/EC on public access to Council documents.

Bull. EC 12-1993

## References:

Conclusions of the Birmingham European Council: Bull. EC 10-1992, point I.8

Conclusions of the Edinburgh European Council: Bull. EC 12-1992, point I.5

Commission communication on public access to the institutions' documents: OJ C 156, 8.6.1993; COM(93) 191; Bull. EC 5-1993, point 1.1.1

*Agreed by the Council (general affairs) on 6 December.*

*Adopted by the Council (general affairs) on 20 December.* With this code of conduct, the Council and the Commission agree the principles to govern access to their documents. These principles will be implemented by means of specific regulations.

As part of the increased effort to bring European integration closer to the citizen, the Council and the Commission have agreed to grant the greatest possible access to documents held by the institutions, but will make the necessary exceptions to protect the interests of the public, individuals, and industry and commerce.

OJ L 340, 31.12.1993

# Parliament

## Rules of Procedure

**1.7.7.** Parliament decision amending Rules 159 and 160 of its Rules of Procedure in line with its resolution of 17 November on the interinstitutional agreements concerning *inter alia* the co-decision procedure and the regulations relating to the Ombudsman.

**Reference:** Parliament resolution: OJ C 329, 6.12.1993; Bull. EC 11-1993, point 1.7.4

*Adopted on 15 December.*

OJ C 20, 24.1.1994

## Brussels, 1 and 2 December

1.7.8. The main features of this additional part-session were the speech by Mr Yitzhak Rabin, the Prime Minister of Israel, and two important debates, one in anticipation of the Brussels European Council on 10 and 11 December and the other concerning the White Paper on growth, competitiveness and employment.

Addressing a special sitting of the House, Mr Rabin recalled the significant historical events which had rendered possible the Washington Agreement. Despite the criticism encountered by the Agreement in Israel, Mr Rabin affirmed the Israeli Government's determination to continue to strive for peaceful coexistence, which was the prerequisite for peace and security in Israel. He stressed the heavy financial consequences of this policy and, whilst expressing appreciation for the financial assistance which the Community was providing to the Palestinians, he pointed out that Israel's own trade balance was in deficit. In this context he called for renegotiation of the 1975 Agreement with the Community to provide concrete evidence of its willingness to give peace a chance in the Middle East.

In the course of the debate on the Brussels European Council, on which Parliament did not adopt a resolution, Mr Claes, Belgian Minister for Foreign Affairs and President of the Council, stressed the need to maintain the balance between subsidiarity and solidarity, to make the necessary efforts to achieve overall agreement on GATT, to create a favourable environment for the institutional debate and to give thought to the question of labour costs, which were still a key factor in any policy aimed at a lasting economic recovery.

Mr Delors, President of the Commission, explained the ideas underlying the White Paper on growth, competitiveness and employment. Noting that the globalization of the world economy presented Europe with new challenges which it had to meet urgently if it were not to lose touch with social realities, he declared his support for an economy where wealth was shared according to needs rather than one where poverty was spread evenly. He

then explained the three main aims of the White Paper: a healthy economy, increased competitiveness and fuller employment. In the ensuing debate members were on the whole in favour of the Commission's approach, but some expressed regret that economic austerity appeared to be given priority over social welfare. In reply, President Delors stressed that the White Paper offered neither certainties nor miracle cures but provided a lucid and imaginative framework for a strong Europe as envisaged by the founding fathers.

During the debate on racism and xenophobia, Mr Flynn, speaking for the Commission, reminded the House that the Community's powers in this area were limited. He provided details of the initiatives already taken by the Commission and those which it intended to take, involving in particular promoting awareness and comparing existing codes of conduct within the Community. Following the debate, Parliament adopted a resolution calling for a four-year action programme and the adoption of a Directive providing for stronger measures to combat discrimination (→ point 1.2.264).

A resolution was adopted on the broad guidelines of the economic policies of the Member States and of the Community (→ point 1.2.46), representing a compromise between two approaches: on the one hand, stimulating consumer demand, boosting public and private investment and improving the flexibility of the labour market and, on the other hand, safeguarding workers' rights, providing incentives and consulting with the social partners.

Turning to the common foreign and security policy Parliament, acting under Article J.7 of the Treaty on European Union, adopted a recommendation to the Council on joint action concerning the dispatch of a team of observers for the parliamentary elections to be held in the Russian Federation (→ point 1.4.7). Acting under the second subparagraph of Article 228(3) of the EC Treaty Parliament approved the proposal for a Decision on the conclusion of an EC-UNRWA Convention concerning aid to refugees in the countries of the Near East under the consultation procedure, having regard to its important budgetary implications (→ point 1.3.67).

On the institutional front, with only a few exceptions, Parliament confirmed, as first readings under the co-decision procedure, the votes taken on the proposals pending before the Council for which entry into force of the Treaty on European Union required a change in the legal base and/or a change in procedure (→ point 1.7.1).

Under the cooperation procedure Parliament voted at second reading on the joint positions relating to convergence criteria and market discipline (→ points 1.2.50 and 1.2.51) and, under the consultation procedure, on the proposal for a Regulation on the privileges and immunities of staff at the European Monetary Institute (→ point 1.2.52), thus completing the opinions delivered in November concerning the secondary legislation necessary to implement Stage II of economic and monetary union.

Report of proceedings:  
OJ Annex 3-438

Full text of opinions and resolutions:  
OJ C 342, 20.12.1993

## Strasbourg, 13 to 17 December

1.7.9. The principal events of the main December part-session were the address by Mr Yasser Arafat, the Chairman of the PLO, the debate on the outcome of the Brussels European Council of 10 and 11 December, the debate on the GATT agreement, and the awarding of the Sakharov Prize to the Sarajevo newspaper *Oslobodjane*.

Addressing a special sitting of the House, Mr Arafat called for full and rapid implementation of the peace agreement. Stressing the important role which Europe had to play in this context and thanking Parliament for the support it had given to the peace process, Mr Arafat drew attention to the need for substantial reconstruction and the measures taken to encourage private investment.

Mr Dehaene, Belgian Prime Minister and President of the European Council, presented the conclusions of the Brussels European Council of 10 and 11 December, drawing attention to the positive outcome of the discussions on the White Paper on growth, competitiveness

and employment and the institutional aspects of enlargement. He also took stock of the Belgian Presidency, ending with an appeal for close cooperation between the three institutions. Vice-President Christophersen, speaking on behalf of the Commission, congratulated the Belgian Presidency on its achievements, particularly in the economic sphere and in the fight against unemployment. Reminding the House that the White Paper had been drawn up by the Commission on the basis of contributions from the Member States, the EFTA countries, Parliament, the Economic and Social Committee and the social partners, he stressed the need to create a favourable environment for small businesses and to help establish trans-European networks and develop human resources. In the course of the debate Parliament expressed its overall satisfaction at the outcome of the European Council and the Belgian Presidency, despite some reservations as regards the employment situation and certain aspects of the financing of economic recovery. It then adopted three resolutions on the European Council, one of a general nature (→ point 1.1.1) and the other two relating more particularly to the common foreign and security policy (→ point 1.4.2) and the Russian elections (→ point 1.4.8). Mr Christophersen then presented the Commission's legislative programme for 1994, which centres round five main priorities: growth, competitiveness and employment; the effective operation of the European Union; the enlargement negotiations; the development of cooperation with Central and Eastern Europe and partnership with Russia; and the achievement of a more stable world economic order. Replying to certain members on the question of subsidiarity, Mr Christophersen made it clear that Parliament's rights would be respected whenever proposals were consolidated, amended or withdrawn.

Turning to external relations Mr Van Miert, speaking on behalf of the Commission, made a statement on the conclusion of the GATT negotiations. Emphasizing its importance for economic recovery within the Union, he reviewed the various aspects of the agreement, with particular reference to the aeronautics and audiovisual industries. He highlighted the importance of setting up a World Trade Organ-

ization to provide a stable framework for resolving differences and, after stressing the effectiveness of the Union's joint action and the Commission's role as a negotiator, he outlined the new challenges which the Union would have to overcome before world trade could be fully regulated, notably the problems posed by private business practices, environmental standards and social dumping. In the course of the ensuing debate, Parliament welcomed the agreement and reiterated its wish to be fully involved in the ratification process. In reply to various speakers, Mr Van Miert defended the specificity clause for the audiovisual sector, stressed the importance of opening up world markets to the developing countries and stated that the institutions would have to give thought to how Parliament could be involved in ratification. Mr Klepsch, President of Parliament, expressed overall satisfaction with the outcome of the GATT negotiations but reserved the right to review the specific aspects of the agreement at a later date and insisted that Parliament should be involved in the ratification process, as provided by the Treaty on European Union.

Still in the field of external relations, Parliament, acting under Article J.7 of the Union Treaty, adopted two recommendations, one on the conveying of humanitarian aid in Bosnia-Herzegovina (→ point 1.4.6) and the other on support for the transition to democracy in South Africa (→ point 1.4.4). The House also approved the protocol on financial and technical cooperation with the Syrian Arab Republic (→ point 1.3.36). Lastly, under the consultation procedure it approved a proposal for a Regulation concerning the embargo against former Yugoslavia (→ point 1.3.40) and a proposal for a decision allowing for separate liability of the Czech Republic and Slovakia with regard to a loan facility (→ point 1.3.24). Resolutions were adopted on development prospects in South Africa and Southern Africa (→ point 1.3.50) and on the NATO summit in January (→ point 1.4.16).

In the field of human rights, Parliament adopted resolutions on the situation in Algeria, Iran and Hong Kong, the death penalty in Egypt and Algeria, the death sentence on Sal-

man Rushdie and the attacks on the Marsh Arabs of Iraq (→ points 1.3.116 to 1.3.121).

On the budgetary front, no problems were encountered with the second reading of the draft budget for 1994, which complies with the ceilings of the revised financial perspective defined by the Interinstitutional Agreement on budgetary discipline concluded in October. Parliament adopted some amendments, most of which were restatements of those which it had proposed at first reading or which had been rejected or modified by the Council, making only slight adjustments in certain areas including the financing of TACIS, the European School, and Community initiatives (→ point 1.6.1). The House also approved the ECSC operating budget for 1994 (→ point 1.6.2), proposing that the allocation for research be increased by ECU 48 million. The President of Parliament then signed the budget.

Turning to institutional matters, Parliament confirmed, as first readings under the co-decision procedure, the votes taken on most of the proposals pending before the Council for which entry into force of the Treaty on European Union required a change in the legal base and/or a change in procedure (→ point 1.7.1). Under the consultation procedure it gave its opinion on the appointment of six members of the Court of Auditors, postponing its decision on one of them. It also adopted resolutions on the role of national experts and the Commission's right of initiative (→ point 1.7.4) and on questions of comitology relating to the entry into force of the Treaty on European Union (→ point 1.7.2). Lastly, it decided to amend its Rules of Procedure (→ point 1.7.5).

On the legislative front, under the consultation procedure Parliament delivered opinions on several proposals in the fisheries sector, namely for Regulations on the conclusion of a protocol with the Republic of Guinea-Bissau (→ point 1.2.246) and on adjustments to the fisheries arrangements provided for in the Act of Accession of Spain and Portugal (→ point 1.2.234), for Regulations establishing a Community system of fishing licences (→ point 1.2.233) and laying down detailed implementing rules for Community structural assistance in the fisheries sector (→ point



1.2.148) and for a Decision on the restructuring of the sector (→ point 1.2.232). Turning to agricultural and veterinary matters, Parliament delivered opinions on proposals for Regulations on the common organization of the markets in milk (→ point 1.2.204), in sugar (→ point 1.2.195), in beef and veal (→ point 1.2.206) and in sheepmeat and goatmeat (→ point 1.2.208), on premiums and guarantee thresholds for tobacco (→ point 1.2.202), on the adjustment of production, processing and marketing structures as part of the reform of the common agricultural policy (→ point 1.2.149) and on the part-financing by the Community of remote sensing checks (→ point 1.2.213). It also gave its opinion on a proposal for a decision on bovine somatotrophin (→ point 1.2.22) and on two proposals for Directives, one on the zootechnical and genealogical conditions applicable to the importation of animals from third countries (→ point 1.2.21) and the other on the protection of animals during transport (→ point 1.2.20). Opinions were also given on a proposal for a Decision authorizing the Commission to contract Euratom borrowings to help improve the safety of nuclear power stations in certain non-member countries (→ point 1.6.12) and on a proposal for a Regulation on the system of generalized preferences (→ point 1.3.61).

Under the co-decision procedure the House voted at first reading on proposals for Directives on summer-time arrangements (→ point 1.2.128), on the marketing and use of certain dangerous substances (→ point 1.2.7) and on the particulars to be published for the admission of securities to official stock exchange listing (→ point 1.2.35), on a proposal for a Regulation on mutual assistance between administrative authorities in customs and agricultural matters (→ point 1.3.68) and on a proposal for a decision extending the 'Europe against AIDS' programme (→ point 1.2.258).

Resolutions were adopted on the applications from suspected members of ETA for asylum in Belgium (→ point 1.5.2), the diminution of the Community's powers in the field of commercial policy and development policy (→ point 1.7.3), the conclusions of the mission of inquiry into the management of the Structural Funds in Italy (→ point 1.6.14), the Com-

mission's report on the activities of its inspectors in the wine sector (→ point 1.2.200), the legal basis of the proposal for a database on road accidents (→ point 1.2.136), relations between the Union and the Council of Europe (→ point 1.3.101), the problems of conurbations (→ point 1.2.162), the fifth progress report on the IMPs (→ point 1.2.161), the 'Social Affairs' Council (→ point 1.2.165), international monetary cooperation (→ point 1.2.55), the independence of central banks (→ point 1.2.54), police cooperation (→ point 1.5.6), the prevention of international fraud (→ point 1.5.4), small-scale crime (→ point 1.5.7), health education and environmental education (→ points 1.2.112 and 1.2.111), seat belts in coaches (→ point 1.2.135), the use of drift nets (→ point 1.2.240), legal protection against interference in people's private lives (→ point 1.2.265), pornography (→ point 1.2.266), freedom of the press and freedom of expression (→ point 1.2.267), emergency aid for the homeless (→ point 1.2.172), plant health products (→ point 1.2.27), the transposal of the Directive on fresh meat (→ point 1.2.24), the situation on the market for pigmeat (→ point 1.2.212), the protection of animals (→ point 1.2.18), the steel industry and the aircraft industry (→ points 1.2.100 and 1.2.102) and two different aspects of nuclear safety (→ point 1.2.187).

Report of proceedings:

OJ Annex 3-438

Full text of opinions and resolutions:

OJ C 20, 24.1.1994

## Council

1.7.10. Amendments to the enacting terms for making Council voting and voting explanations public.

### References:

Amendments to the Council's Rules of Procedure: Bull. EC 10-1993, point 1.6.8

Interinstitutional declaration on democracy, transparency and subsidiarity: Bull. EC 10-1993, point 1.6.2

*Adopted by the Council on 6 December.* In view of the difficulties encountered in the practical implementation of its decision of 4 October on making voting records public and in order to comply with the commitments made to Parliament in the joint statement on subsidiarity, democracy and transparency the Council has amended the enacting terms to incorporate the following:

- ☐ making records of votes public systematically — unless the Council decides otherwise by a simple majority — whenever the Council is acting as legislator;
- ☐ in other cases, making records of votes public at the request of a Member State, where the Council decides by a simple majority except:
- where the Council is acting under Titles V and VI of the Treaty on European Union, when a unanimous decision is required;
- ☐ finally, making voting explanations public automatically where the voting records are made public, with due regard for the Rules of Procedure, legal certainty and the interests of the Council.

**1.7.11.** Revision of the Council's Rules of Procedure.

**Reference:** Conclusions of the Edinburgh European Council: Bull. EC 12-1992, points 1.24 to 1.26

**Previous amendment:** Bull. EC 10-1993, point 1.6.8

*New Rules of Procedure adopted by the Council on 6 December*, containing amendments which take account of the entry into force of the Treaty on European Union, and in particular Titles V and VI thereof, and a number of amendments resulting from the conclusions of the Edinburgh European Council regarding transparency (public meetings, making voting records public).

OJ L 304, 10.12.1993

## 1712th meeting

**1.7.12.** General affairs (Brussels, 2 December).

**Previous meeting:** Bull. EC 11-1993, point 1.7.21

**President:** Mr Claes, Belgian Minister for Foreign Affairs.

**Commission:** Mr Delors, Sir Leon Brittan and Mr Steichen.

## Sole item

- ☐ Uruguay Round: conclusions of the Presidency.

## 1713th meeting

**1.7.13.** Environment (Brussels, 2 and 3 December).

**Previous meeting:** Bull. EC 10-1993, point 1.6.10

**President:** Mrs De Galan, Belgian Minister for the Environment.

**Commission:** Mr Paleokrassas.

## Main items

- ☐ Protection of the ozone layer: Decision adopted unanimously (→ point 1.2.181).
- ☐ Measures to be taken against air pollution by emissions from motor vehicles: common position on a proposal for a Directive agreed (→ point 1.2.180).
- ☐ Hazardous waste: common position on a proposal for a Decision agreed (→ point 1.2.177).
- ☐ Implementation and application of Community environmental legislation: conclusions adopted (→ point 1.2.173).
- ☐ Packaging and packaging waste: common position on a proposal for a Directive agreed by qualified majority (→ point 1.2.178).
- ☐ Community strategy on climate change: conclusions adopted (→ point 1.2.184).
- ☐ Convention on Climate Change: decision adopted; United Kingdom delegation abstained (→ point 1.2.183).

*Other business*

- ☐ Landfill of waste: state of play.
- ☐ Disposal of PCBs/PCTs: examined.
- ☐ Green Paper on civil liability: discussed.
- ☐ Follow-up to UNCED: state of play.

**1714th meeting**

*1.7.14. Development (Brussels, 2 December).*

**Previous meeting:** Bull. EC 5-1993, point 1.6.7

*President:* Mr Derycke, Belgian State Secretary for Cooperation and Development.

*Commission:* Mr Marín.

*Main items*

- ☐ Fight against poverty: resolution adopted (→ point 1.3.57).
- ☐ Procedures for coordination between the Community and its Member States: resolution adopted (→ point 1.3.59).
- ☐ Rehabilitation aid: conclusions adopted (→ point 1.3.58).

*Other business*

- ☐ Health — AIDS: progress report.
- ☐ Food security: progress report.
- ☐ Education and training: progress report.
- ☐ Demography and family planning: progress report.
- ☐ Women and development: progress report.
- ☐ Complementarity between Community development policy and development policies of the Member States: exchange of views.
- ☐ Migration and debt problems: preparations.
- ☐ Mid-term review of Lomé IV: discussed.
- ☐ Relations with Eritrea: discussed.
- ☐ Human rights: general discussion.
- ☐ Follow-up to UNCED — financial aspects: examined.

☐ Relations with South Africa: exchange of views.

☐ Measures to protect tropical forests: guidelines arrived at.

**1715th meeting**

*1.7.15. General affairs (Brussels, 6 and 7 December).*

**Previous meeting:** point 1.7.12 of this Bulletin

*President:* Mr Claes, Belgian Minister for Foreign Affairs.

*Commission:* Mr Delors, Sir Leon Brittan, Mr Steichen and Mr Vanni d'Archirafi.

*Main items*

- ☐ Public access to Council and Commission documents: code of conduct agreed (→ point 1.7.6).
- ☐ Making Council voting records and explanations public: enacting terms amended (→ point 1.7.10).
- ☐ Revision of the Council's Rules of Procedure: new Rules adopted by simple majority; Danish, Greek and Netherlands delegations voted against (→ point 1.7.11).
- ☐ South Africa: decision adopted (→ point 1.4.3).
- ☐ Relations with Russia: draft joint statement agreed (→ point 1.3.29).
- ☐ Europe Agreements with Poland and Hungary: agreed (→ point 1.3.20).
- ☐ Interim Agreement with Bulgaria: agreed (→ point 1.3.15).
- ☐ Right to vote and stand for election in European elections: Directive adopted (→ point 1.2.254).
- ☐ Relations with Morocco: Directives adopted (→ point 1.3.33).
- ☐ Office for Harmonization in the Internal Market: proposal for a Regulation agreed (→ point 1.2.38).

### *Other business*

- ☐ European Council meeting on 10 and 11 December: ground prepared.
- ☐ Former Yugoslavia: situation examined.
- ☐ Controls on exports of dual-use goods and technologies: item deferred.
- ☐ Uruguay Round: discussed in detail.
- ☐ Relations with Tunisia: examined.
- ☐ Middle East — joint action: state of play.
- ☐ Agreement with Israel: examined.

### **1716th meeting**

*1.7.16. Research (Brussels, 6 and 22 December).*

**Previous meeting:** Bull. EC 10-1993, point 1.6.11

*President:* Mr Dehousse, Belgian Minister for Science Policy and Scientific and Cultural Institutions.

*Commission:* Mr Bangemann and Mr Ruberti.

### *Items discussed*

- ☐ Fourth framework programme of Community activities in the field of research, technological development and demonstration (1994-98): common position agreed (→ point 1.2.103).
- ☐ Framework programme of Community activities in the field of research and training for Euratom (1994-98): proposal for a Decision agreed (→ point 1.2.104).

### **1717th meeting**

*1.7.17. Telecommunications (Brussels, 7 December).*

**Previous meeting:** Bull. EC 6-1993, point 1.6.10

*President:* Mr Coëme, Belgian Deputy Prime Minister and Minister for Transport, Public Undertakings and Public Buildings.

*Commission:* Mr Bangemann and Mr Van Miert.

### *Main items*

- ☐ Development of Community postal services: resolution agreed (→ point 1.2.140).
- ☐ Development of universal service in the telecommunications sector: resolution agreed (→ point 1.2.141).
- ☐ Measures concerning radio frequencies: conclusions adopted (→ point 1.2.142).
- ☐ Advanced television services in Europe: conclusions adopted (→ point 1.2.268).
- ☐ Satellite personal communication service: resolution adopted (→ point 1.2.143).

### *Other business*

- ☐ Trans-European telecommunications networks: general discussion.
- ☐ Trans-European data-communications networks between administrations: discussed.
- ☐ Inter-administration telematic networks for statistics relating to the trading of goods between Member States (Comedi): discussed.

### **1718th meeting**

*1.7.18. Economic and financial affairs (Brussels, 5 December).*

**Previous meeting:** Bull. EC 11-1993, point 1.7.16

*President:* Mr Maystadt, Belgian Minister for Finance.

*Commission:* Mr Christophersen.

### *Sole item*

- ☐ European Council: ground prepared.

### **1719th meeting**

*1.7.19. Energy (Brussels, 10 December).*

**Previous meeting:** Bull. EC 6-1993, point 1.6.12

*President:* Mr Wathélet, Belgian Deputy Prime Minister and Minister for Economic Affairs.

*Commission:* Mr Matutes.

*Main items*

- ☐ Grant and use of authorizations for the prospection, exploration and production of hydrocarbons: common position on a proposal for a Directive agreed (→ point 1.2.122).
- ☐ Aid code for the coal industry: assent on a decision agreed (→ point 1.2.125).

*Other business*

- ☐ Internal market in electricity and natural gas: exchange of views.
- ☐ Nuclear safety in the countries of Central and Eastern Europe and the former Soviet Union: discussed.
- ☐ Energy policy between now and 2005: state of play.
- ☐ Trans-European energy networks and economic and social cohesion: exchange of views.
- ☐ European Energy Charter: state of play.
- ☐ Thermie programme: reviewed.

**1720th meeting**

*1.7.20. Agriculture (Brussels, 14, 15, 16 and 17 December).*

**Previous meeting:** Bull. EC 11-1993, point 1.7.13

**President:** Mr Bourgeois, Belgian Minister for Agriculture.

**Commission:** Mr Steichen.

*Main items*

- ☐ Overall compromise covering:
  - arable crops: proposal for a Regulation agreed (→ point 1.2.188);
  - agrimonetary matters: proposal for a Regulation agreed (→ point 1.2.189);
  - common organization of the markets in sugar: proposal for a Regulation agreed (→ point 1.2.195);
  - tobacco: proposal for a Regulation agreed (→ point 1.2.202);

- common organization of the market in beef and veal: proposal for a Regulation agreed (→ point 1.2.206);
- common organization of the market in sheepmeat and goatmeat: proposal for a Regulation agreed (→ point 1.2.208);
- imports of New Zealand butter: proposal for a Regulation agreed (→ point 1.2.205);
- voluntary restraint agreements — sheepmeat: proposal for a Regulation and proposals for decisions agreed (→ points 1.2.209 and 1.2.210);
- imports of maize into Portugal: proposal for a Regulation agreed (→ point 1.2.193);
- integrated system — remote sensing: proposal for a Regulation agreed (→ point 1.2.213);
- drought in Portugal: conclusions adopted.
- ☐ Oilseeds: proposal for a Regulation agreed (→ point 1.2.196).
- ☐ Adjustment of agricultural subsidies: proposal for a Regulation agreed (→ point 1.2.149).
- ☐ Imports of maize and sorghum into Spain: Regulation adopted unanimously (→ point 1.2.194).
- ☐ Bovine somatotrophin (BST): proposal for a decision agreed unanimously (→ point 1.2.22).
- ☐ Protection of animals at the time of slaughter: proposal for a Directive agreed (→ point 1.2.19).
- ☐ Financing of veterinary inspections and controls of animal products: proposal for a Directive agreed (→ point 1.2.25).

*Other business*

- ☐ Conclusion of the GATT negotiations: statement adopted.
- ☐ Cotton: statement adopted.
- ☐ Community plant variety rights: examined.
- ☐ Transport of animals: examined.

**1721th meeting**

*1.7.21. Health (Brussels, 13 December).*

**Previous meeting:** Bull. EC 5-1993, point 1.6.8

*President:* Mrs De Galan, Belgian Minister for Public Health.

*Commission:* Mr Flynn.

#### *Main items*

- ☐ Futures guidelines for the 'Europe against cancer' programme: resolution adopted (→ point 1.2.256).
- ☐ 'Europe against AIDS': resolution adopted (→ point 1.2.257).
- ☐ Self-sufficiency in blood in the European Community: conclusions adopted (→ point 1.2.259).
- ☐ Setting-up of an epidemiological network in the Community: conclusions adopted (→ point 1.2.260).
- ☐ European Drug Prevention Week: statement adopted (→ point 1.2.261).

#### *Other business*

- ☐ Tobacco advertising: exchange of views.
- ☐ Framework for action in the field of public health: discussed.

#### **1722nd meeting**

1.7.22. Economic and financial affairs (Brussels, 13 December).

**Previous meeting:** Bull. EC 11-1993, point 1.7.17

*President:* Mr Maystadt, Belgian Minister for Finance.

*Commission:* Mr Christophersen and Mrs Scrivener.

#### *Main items*

- ☐ Taxation of savings: conclusions adopted (→ point 1.2.37).
- ☐ Broad guidelines of the economic policies of the Member States and the Community: draft recommendation agreed (→ point 1.2.45).

#### *Other business*

- ☐ CO<sub>2</sub>/energy tax: examined.
- ☐ Excise duties on mineral oils — exemptions for certain Member States: decision adopted.
- ☐ Common fiscal arrangements for interest and royalty payments between parent companies and subsidiaries in the various Member States: examined.
- ☐ Listing particulars for the admission of securities to stock exchange listing: state of play.
- ☐ Interest subsidies on EIB loans for SMEs: examined.
- ☐ Progress on economic and monetary convergence: evaluated.

#### **1723rd meeting**

1.7.23. Internal market (Brussels, 16 December).

**Previous meeting:** Bull. EC 11-1993, point 1.7.11

*President:* Mr Urbain, Belgian Minister for Foreign Trade and European Affairs.

*Commission:* Mr Bangemann, Mr Vanni d'Archirafi and Mrs Scrivener.

#### *Main items*

- ☐ Strategic programme on the internal market: conclusions adopted (→ point 1.2.2).
- ☐ Food additives: common position on a proposal for a Directive agreed (→ point 1.2.13).
- ☐ Dangerous substances: common position on a proposal for a Directive agreed (→ point 1.2.6).
- ☐ Telematic networks — Comedi: proposal for a Decision agreed (→ point 1.2.117).
- ☐ Recreational craft: common position on a proposal for a Directive adopted by qualified majority; French delegation voted against and United Kingdom delegation abstained (→ point 1.2.9).
- ☐ Biotechnological inventions: common position on a proposal for a Directive agreed (→ point 1.2.40).

*Other business*

- ☐ Completion of the internal market: progress assessed.
- ☐ Counterfeit and pirated goods: exchange of views.
- ☐ Freedom of management and investment of funds held by institutions for retirement provision: discussed.
- ☐ Compulsory winding-up of direct insurance undertakings: general discussion.
- ☐ Statute for a European company: state of play.
- ☐ Statute for a European cooperative society: state of play.
- ☐ Precious metals: exchange of views.

**1724th meeting**

*1.7.24. Industry (Brussels, 17 December).*

**Previous meeting:** Bull. EC 11-1993, point 1.7.15

**President:** Mr Wathélet, Belgian Deputy Prime Minister and Minister for Economic Affairs.

**Commission:** Mr Bangemann and Mr Van Miert.

*Main items*

- ☐ Restructuring of the European steel industry: assent to six draft decisions agreed (→ points 1.2.92 to 1.2.97).
- ☐ Financing of low-cost housing for persons employed in the ECSC industries: assent given (→ point 1.2.170).

**1725th meeting**

*1.7.25. General affairs (Brussels, 20 December).*

**Previous meeting:** point 1.7.15 of this Bulletin

**President:** Mr Claes, Belgian Minister for Foreign Affairs.

**Commission:** Mr Delors, Mr Marín, Sir Leon Brittan, Mr Schmidhuber, Mr van den Broek and Mr Van Miert.

*Main items*

- ☐ Tunisia: negotiating directives adopted (→ point 1.3.38).
- ☐ Israel: negotiating directives adopted (→ point 1.3.31).
- ☐ Humanitarian aid in Bosnia-Herzegovina: priority measures approved (→ point 1.4.5).
- ☐ Stability pact: joint action decision adopted (→ point 1.4.9).
- ☐ Relations with Austria: two decisions adopted by qualified majority; German, Luxembourg and Netherlands delegations voted against; Greek delegation abstained (→ point 1.3.72).
- ☐ Public access to Council documents: decision adopted by qualified majority; Danish and Netherlands delegations voted against (→ point 1.7.6).

*Other business*

- ☐ Follow-up to the European Council: examined.
- ☐ Follow-up to the Council meeting (general affairs) on 15 December — Uruguay Round: state of play.
- ☐ Accession negotiations: ground prepared.
- ☐ Relations with the Baltic countries: examined.
- ☐ Former Yugoslavia: meeting of 22 December prepared.
- ☐ Mid-term review of the fourth ACP-EEC Convention: state of play.
- ☐ Cyprus: dispatch of an EU observer agreed.
- ☐ Export controls on dual-use goods and technologies: state of play.
- ☐ Appointment of members of the Court of Auditors: discussed.
- ☐ Committee of the Regions: discussed.
- ☐ Enforcement of budgetary discipline: exchange of views.
- ☐ Joint Irish-United Kingdom declaration: examined.

## 1726th meeting

1.7.26. General affairs (Brussels, 13 and 15 December).

**Previous meeting:** point 1.7.25 of this Bulletin

**President:** Mr Claes, Belgian Minister for Foreign Affairs.

**Commission:** Mr Delors, Sir Leon Brittan, Mr Pinheiro, Mr Steichen and Mr Millan.

### Main item

☐ Community instruments of commercial defence: proposal for a Regulation agreed (→ point 1.3.73).

### Other business

- ☐ Uruguay Round: progress report on negotiations.
- ☐ Uruguay Round: results examined in detail.

## 1727th meeting

1.7.27. Fisheries (Brussels, 20 and 21 December).

**Previous meeting:** Bull. EC 11-1993, point 1.7.17

**President:** Mr Bourgeois, Belgian Minister for Agriculture.

**Commission:** Mr Paleokrassas.

### Main items

- ☐ Community structural assistance: Regulation adopted by qualified majority; United Kingdom delegation voted against (→ point 1.2.148).
- ☐ Fishing licences: Regulation adopted; Spanish delegation abstained (→ point 1.2.233).
- ☐ Restructuring the fisheries sector: Decision adopted; Greek delegation voted against and Netherlands and United Kingdom delegations abstained (→ point 1.2.232).

☐ EC/Canada fisheries relations: Regulation adopted unanimously (→ point 1.2.242).

☐ TACs and quotas for 1994: Regulation adopted unanimously (→ point 1.2.236).

☐ Annual fisheries arrangements resulting from the Act of Accession of Spain and Portugal: three Regulations adopted unanimously (→ point 1.2.238).

☐ Northwest Atlantic Fisheries Organization (NAFO): Regulation adopted unanimously (→ point 1.2.249).

☐ Guyana: Regulation adopted unanimously (→ point 1.2.239).

☐ Norway: two Regulations adopted unanimously (→ point 1.2.250).

☐ Baltic countries: two Regulations adopted unanimously (→ points 1.2.243, 1.2.247 and 1.2.248).

☐ Sweden: two Regulations adopted unanimously (→ point 1.2.251).

☐ Greenland: Regulation adopted unanimously (→ point 1.2.244).

☐ Faeroe Islands: two Regulations adopted unanimously (→ point 1.2.245).

### Other business

☐ Market situation and conditions for direct landings by third-country vessels: statement adopted.

☐ Accession arrangements for Spain and Portugal: discussed in depth.

## Commission

### Appointment of Vice-Presidents

#### References:

Membership of the new Commission: Bull. EC 12-1992, point 1.7.14

Allocation of portfolios: Bull. EC 1/2-1993, point 1.6.13



Previous appointment of Vice-Presidents:  
Bull. EC 6-1993, point 1.6.15

1.7.28. On 21 December the Commission appointed Mr Manuel Marín first Vice-President and Mr Henning Christophersen second Vice-President pursuant to Article 161 of the EC Treaty.

## Proposals adopted

1.7.29. The Commission adopted a proposal for a decision establishing an action programme for the implementation of a Community vocational training policy (→ point 1.2.113). In the energy sector it adopted amended proposals for Directives concerning common rules for the internal market in electricity and in natural gas (→ point 1.2.121). It also adopted a proposal for a Regulation establishing a Cohesion Fund (→ point 1.2.145). Finally, it adopted a proposal for a Regulation fixing management objectives and strategies for certain fisheries (→ point 1.2.231).

## Communications, White Papers, Green Papers and reports

1.7.30. The Commission adopted three communications, the first setting out a strategic programme for the internal market (→ point 1.2.1), the second on application of the Agreement on Social Policy (→ point 1.2.163) and the third on the new elements of the common fisheries policy (→ point 1.2.231). It also adopted a White Paper on growth, competitiveness and employment (→ point 1.2.44).

## Other decisions

1.7.31. The Commission adopted a recommendation on the taxation of certain income derived by individuals from a Member State other than that of their residence (→ point 1.2.31). In the field of competition it adopted Community guidelines on State aid

for environmental protection (→ point 1.2.73). It also adopted new Community rules for State aid to the coal industry (→ point 1.2.125). Finally, it adopted a recommendation for a decision authorizing it to negotiate trade agreements with Estonia, Latvia and Lithuania (→ point 1.3.13).

## Community lawcourts

### Court of Justice

1.7.32. 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.

### Other decisions

#### Agriculture

##### *Article 173 of the EC Treaty*

□ 10.11.1993: Case C-48/91 *Netherlands v Commission*

OJ C 332, 8.12.1993

#### Free movement of workers and social policy

##### *Article 177 of the EC Treaty*

□ 18.10.1993: Case C-251/92 *Papadopoulos v Staatssecretaris van Justitie*

OJ C 338, 15.12.1993

□ 27.10.1993: Case C-127/92 *Enderby v Frenchay Health Authority and Secretary of State for Health*

OJ C 332, 8.12.1993

- 9.11.1993: Case C-132/92 *Birds Eye Walls v Roberts*

OJ C 332, 8.12.1993

## Transport

### *Article 177 of the EC Treaty*

- 16.11.1993: Joined Cases C-20/93 *Deutscher Kraftverkehr Ernst Grimmke v Générale de Banque* and C-21/93 *Deutscher Kraftverkehr Ernst Grimmke and Mobil Oil v AG de 1824 and Générale de Banque*

OJ C 338, 15.12.1993

## Competition

### *Article 177 of the EC Treaty*

- 27.10.1993: Case C-69/91 *Gillon, née Decoster*

OJ C 332, 8.12.1993

- 27.10.1993: Case C-92/91 *Neny, née Tailandier*

OJ C 338, 15.12.1993

- 10.11.1993: Case C-39/92 *Petróleos de Portugal v Correia, Simões and Others*

OJ C 338, 15.12.1993

- 10.11.1993: Case C-60/92 *Otto v Postbank*

OJ C 332, 8.12.1993

## External relations

### *Article 173 of the EC Treaty*

- 6.10.1993: Case C-265/93 *Netherlands v Commission*

OJ C 338, 15.12.1993

## Consumer protection

### *Article 177 of the EC Treaty*

- 17.11.1993: Case C-285/92 *Coöperatieve Zuivelindustrie 'Twee Provinciën'*

OJ C 338, 15.12.1993

## Infringements

### *Article 169 of the EC Treaty*

- 17.11.1993: Case C-73/92 *Commission v Spain*

OJ C 338, 15.12.1993

- 17.11.1993: Case C-71/92 *Commission v Spain*

OJ C 338, 15.12.1993

## Court of First Instance

### *Other decisions*

## Free movement of goods

### *Article 173 of the EC Treaty*

- 29.10.1993: Case T-463/93 *Guna v Council*

OJ C 328, 4.12.1993

## Agriculture

### *Article 173 of the EC Treaty*

- 21.10.1993: Joined Cases T-492/93 and T-492/93R *Nutral v Commission*

OJ C 324, 1.12.1993

- 28.10.1993: Case T-476/93 *FRSEA and FNSEA v Council*

OJ C 324, 1.12.1993

## Competition

### *Article 173 of the EC Treaty*

□ 28.10.1993: Case T-83/92 *Zunis Holding and Others v Commission*

OJ C 328, 4.12.1993

## State aids

### *Article 173 of the EC Treaty*

□ 29.10.1993: Case T-431/93 *Wieschemann v Commission*

OJ C 334, 9.12.1993

## Analysis of judgments delivered between 1 October and 31 December 1993

### *General principles of Community law*

1.7.33. Judgment of 20 October, Joined Cases C-92 *Collins v Imtrat* and C-326/92 *Patricia v EMI Electrola* — Equal treatment — Copyright and related rights.

The Court, ruling on a matter of principle relating to intellectual property, held that copyright, like other industrial and commercial property rights, necessarily falls within the scope of the Treaty and that, consequently, any discrimination on grounds of nationality in the national laws governing the extent or exercise of such rights is prohibited under Article 7 of the EEC Treaty (now Article 6 of the EC Treaty).

### *Free movement of goods and customs union*

1.7.34. Judgment of 13 October, Case C-93/92 *CMC Motorradcenter v Baskicogullari* — Article 30 — Measure having equivalent effect to a quantitative restriction.

The Court, ruling on a question of principle, found that the obligation on an importer to

provide information (in this case, to inform the purchaser of a Yamaha motorcycle that Yamaha dealers in Germany frequently refuse to carry out repairs under guarantee if the motorcycle is a parallel import) was not incompatible with Article 30 of the EC Treaty since the restrictive effects that such an obligation might have on the free movement of goods were too uncertain and too indirect for it to be regarded as likely to obstruct trade between Member States.

1.7.35. Judgment of 27 October, Joined Cases C-46/90 and C-93/91 *Lagauche and Others* — National approval of radio-communications equipment — Authorization for the use of such equipment — Articles 30 to 37 and 86 of the EC Treaty — Directive 88/301/EEC.

The Court held that Article 37 of the Treaty did not preclude national legislation making it an offence to possess certain radio-communications equipment without ministerial approval (applications being processed in this instance by the Belgian RTT) since the exercise of the powers conferred on the RTT, namely the regulation of public radio frequencies, was in the nature of a 'royal prerogative' and did not constitute provision of services. In the opinion of the Court, such regulation was necessary for the proper operation of radio-communications by public services or private businesses and was essential to preventing any distortion of competition in this area. Article 90(1) could not be relied upon to contest the powers of authorization which a minister exercised in the normal course of his duties, and the processing of applications by the RTT was merely accessory to the exercise of ministerial powers.

1.7.36. Judgment of 24 November, Joined Cases C-267 and C-268/91 *Keck and Mithouard* — Free movement of goods — Prohibition on resale at a loss; Judgment of 15 December, Case C-292/92 *Hünermund and Others* — Free movement of goods — Parapharmaceutical products — Prohibition on advertising outside pharmacies.

In Joined Cases C-267 and C-268/91 the Court handed down an important judgment on the compatibility with Article 30 of French legis-

lation prohibiting the resale of goods at a loss. It found that the purpose of the legislation was not to regulate trade between Member States and that, although it was likely to restrict the volume of sales from other Member States by depriving traders of a method of sales promotion, it could not be described as a measure having equivalent effect to a quantitative restriction on imports. Despite the view taken hitherto, the application to products from other Member States of national provisions limiting or prohibiting certain sales methods was unlikely to present any direct or indirect barrier, real or potential, to intra-Community trade within the meaning of the *Dassonville* judgment. But if legislation of this kind was to escape the reach of Article 30, it must not discriminate between the traders to which it applied or have the effect of discriminating, either *de jure* or *de facto*, between the marketing of national products and that of products from other Member States.

In Case C-292/92 the Court again held that restrictions on certain sales methods (such as the prohibition of advertising for parapharmaceutical products outside pharmacies) were unlikely to impede trade between Member States, provided that they applied to all the traders concerned carrying out their activities in the national territory and provided that they affected in the same way the marketing of both domestic products and those from other Member States.

1.7.37. Judgments of 17 November: Case C-2/91 *Meng* — Competition — Government legislation; Case C-185/91 *Reiff* — Road transport — Government legislation; Case C-245/91 *Ohra* — Competition — Government legislation.

In these judgments the Court laid down important guidelines for the assessment of the compatibility of State aid with the rules on competition. It held that government legislation could not be regarded as contrary *per se* to the competition rules laid down in the EC Treaty (Article 85 in conjunction with Articles 3(f) and 5) even where it placed restrictions on competition. Government measures could be regarded as incompatible with the Community rules only if they directly affected

past or future transactions between trading parties (contrary to Article 85). As the Court had consistently held, this would be the case if a Member State were to impose or encourage the conclusion of agreements contrary to Article 85, to heighten the effects of an agreement (e.g. by guaranteeing provisions of an existing agreement in a given market) or to delegate to private operators the power to take concerted decisions on economic action. In such cases the legislation in question would render ineffective the competition rules applicable to undertakings. On the other hand, legislation could not be regarded as contrary to the Community rules merely because it had restrictive effects on competition similar to those resulting from measures prohibited by Article 85.

### *Dumping*

1.7.38. Judgment of 7 December, Case C-216/91 *Rima Electrometalurgia v Council* — Dumping — Review — Undertaking expressly excluded from the application of the anti-dumping duty previously imposed — Conditions of review — Sufficient evidence.

This case was concerned with the conditions for initiating a review of anti-dumping measures.

In 1987 anti-dumping duties were imposed on imports of ferro-silicon originating in Brazil. However, Rima was exempted following an investigation which showed that it had not been engaged in dumping. In 1990 certain Brazilian exporters subject to the duty requested a review, claiming that in 1989 their goods had not been exported at dumping prices. The review then initiated was not limited to the exporters who had requested it but was extended to all Brazilian exporters, including Rima. The outcome was that the Council, acting on a proposal from the Commission, increased the anti-dumping duties and imposed a 12% duty on imports from Rima.

The Court held that the Council and the Commission were justified in investigating all exports from Brazil since anti-dumping proceedings must in principle cover all imports of a certain category of products from the country

concerned and not simply the products imported from particular undertakings.

However, it added that the Commission must have sufficient evidence of dumping and the injury resulting from it if exporters are not to be subjected to anti-dumping investigations which have no objective justification. In the Court's opinion such evidence was lacking in the case of Rima. The provisions of the anti-dumping Regulation relating to the applicant were therefore annulled.

### *Equal treatment for men and women*

**1.7.39.** Judgment of 6 October, Case C-109/91 *Ten Oever* — Equal pay for men and women — Survivor's pension — Limitation of the effects in time of the *Barber* judgment.

In its judgment of 17 May 1990 in *Barber* the Court had held that a retirement pension paid under a private scheme wholly financed by the employer and partially replacing the State scheme fell within the scope of Article 119 of the Treaty since such a pension constituted 'consideration paid by the employer to the worker in respect of his employment' (Case C-262/88 [1990] ECR I-1889). Consequently, any sex discrimination in the granting or calculation of an occupational pension is prohibited by Article 119. For reasons of legal certainty, however, the Court placed a time-limit on claims arising from the *Barber* ruling, since they 'might upset retroactively the financial balance of many contracted-out pension schemes' (paragraph 44). On 6 October the Court reaffirmed that equality of treatment in the matter of occupational pensions could be claimed only in the case of benefits payable for periods of employment subsequent to 17 May 1990 (the date of the *Barber* judgment), except where workers had initiated legal proceedings or raised an equivalent claim before that date.

**1.7.40.** Judgment of 22 December, Case C-152/91 *Neath v Hugh Steeper* — Equal pay for men and women — Occupational pensions — Use of actuarial factors differing according to sex.

The *Barber* judgment was also reflected in this important ruling on the funding of occupational pension schemes in the Member States.

The Court held that the contributions made by employers to ensure the adequacy of the funds to cover the cost of the pension commitment did not form part of their employees' pay and consequently did not fall within the scope of Article 119 of the EC Treaty.

That Article could not therefore be used to challenge variations in employers' contributions resulting from the use of actuarial factors differing according to sex, for the purposes of funding the scheme, which affect the amount received by workers opting for a lump-sum payment.

## Court of Auditors

**1.7.41.** At its 461st meeting on 9 December the Court decided to change its name to 'European Court of Auditors' following the entry into force of the Treaty on European Union.

**1.7.42.** Special report No 7/93 on the monitoring of irregularities and fraud in the area of agriculture.

### References:

Council Regulation (EEC) No 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the EAGGF and repealing Directive 77/435/EEC: OJ L 388, 30.12.1989; Bull. EC 12-1989, point 2.1.209

Council Regulation (EEC) No 595/91 amending Regulation (EEC) No 283/72 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.2.140

*Adopted on 9 December at the Court's 461st meeting. The report will be published in the Official Journal.*

1.7.43. Special report No 8/93 on the common organization of the market in raw tobacco.

**Reference:** Council Regulation (EEC) No 2075/92 on the common organization of the market in raw tobacco: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.142

*Adopted on 21 December* at the Court's 463rd meeting. The report will be published in the Official Journal.

1.7.44. Opinion No 11/93 on the proposal for a Council Regulation (EEC, Euratom) implementing Decision No 88/376/EEC, Euratom on the system of the Communities' own resources.

**Reference:** Proposal for a Council Regulation implementing Decision No 88/376/EEC, Euratom: OJ C 35, 9.2.1992; COM(92) 580; Bull. EC 11-1993, point 1.6.13

*Adopted on 2 December* at the Court's 460th meeting. Opinion No 11/93 will be published in the Official Journal.

1.7.45. Opinion No 12/93 on the implementation of the EC Investment Partners financial instrument.

**Reference:** Council Regulation (EEC) No 319/92 on the implementation for a trial period of the EC Investment Partners financial instrument for countries of Latin America, Asia and the Mediterranean region: OJ L 35, 12.2.1992; Bull. EC 1/2-1992, point 1.4.41

*Adopted on 9 December* at the Court's 461st meeting. Opinion No 12/93 will not be published in the Official Journal.

## European Investment Bank

### General

1.7.46. Council Decision 93/696/EC granting a Community guarantee to the European Investment Bank against losses under loans for

projects in Central and East European countries (Poland, Hungary, the Czech Republic, Slovakia, Romania, Bulgaria, Latvia, Estonia, Lithuania and Albania).

**Commission proposal:** OJ C 160, 12.6.1993; COM(93) 212; Bull. EC 5-1993, point 1.6.13

**Parliament opinion:** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.6.23

*Adopted on 13 December.*

OJ L 321, 23.12.1993

### Financing

1.7.47. In December the European Investment Bank, the European Community's financial institution, granted loans totalling ECU 3 317.3 million, of which ECU 558.5 million went outside the Community.

### Community

#### Links with Community policies

1.7.48. In the period in question loans were made for the following measures:

- ☐ ECU 1 571.3 million for the economic development of disadvantaged regions;
- ☐ ECU 548.8 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ☐ ECU 1 033.3 million for the protection of the environment and the improvement of the quality of life;
- ☐ ECU 745 million for the pursuit of Community objectives in the field of energy;
- ☐ ECU 253.8 million for the enhancement of the international competitiveness of industry and its integration within the Community.

The Bank also continued its operations to support small businesses: since the beginning of the year around ECU 1.5 billion has been granted in global loans.

In many cases, individual loans come under several Community policies; some are therefore counted more than once in the above amounts.

## Geographical distribution

### *Belgium*

1.7.49. ECU 13.9 million was granted under the Edinburgh facility for the construction of a nuclear waste processing plant in the province of Antwerp and ECU 17 million for a gas terminal in Zeebrugge and a gas pipeline between Zeebrugge and the French border.

### *Denmark*

1.7.50. ECU 46.5 million was granted for the laying of a high-voltage electricity cable between Denmark and Norway and ECU 7.8 million for the conversion of a waste incinerator into a combined heat and power station south of Copenhagen.

### *Germany*

1.7.51. ECU 41.9 million was provided under the Edinburgh facility to part-finance the construction of a combined heat and gas-fired power station in Halle, in the east of the country.

### *Greece*

1.7.52. ECU 129 million was granted in the communications sector for the construction of sections of the Athens-Corinth and Athens-Katerini motorway and for the development of a national mobile telephone network. ECU 70.7 million was lent in the energy sector for the installation of electrostatic filters in thermal-power stations in Macedonia, for the extension and improvement of the public electricity distribution network and for the connection of two islands in the Cyclades to the mainland electricity grid. ECU 30.3 million of the total was granted under the Edinburgh facility.

### *Spain*

1.7.53. ECU 130.2 million went towards improvements in the transport sector involving the construction of a new passenger terminal at Palma de Mallorca airport, the extension of

the existing terminals at Barcelona and Malaga airports, the enlargement of the port of Valencia and the construction of a new container terminal, and improvements to the road network in Rioja. ECU 126.4 million was lent for industrial projects involving wing design and construction for the Saab 2000 aeroplane in Andalusia and the installation of combined electricity/steam generating systems in three oil refineries in Tarragona, Cartagena and Puertollano. ECU 90.8 million was provided for the extension and modernization of the national electricity grid. ECU 73 million went towards the distribution, collection and treatment of waste water in the Balearic Islands and Extremadura. Of the total loans to Spain ECU 201 million was granted under the Edinburgh facility.

### *France*

1.7.54. ECU 195.2 million was provided in the form of global loans for small and medium-scale projects. ECU 112.6 million went towards setting up a factory producing single-seater vehicles and light goods vans in Valenciennes (Nord) and ECU 90.1 million towards the Lyons ringroad.

### *Ireland*

1.7.55. ECU 92 million was granted for various projects to improve the road and telecommunications network and ECU 12.3 million for urban renewal in an inner-city district of Dublin.

### *Italy*

1.7.56. Loans of ECU 108.5 million were made for transport and telecommunications improvements involving the modernization and extension of the telecommunications network, the automation of the toll collection system on part of the national motorway network, and the extension and modernization of Turin airport. ECU 196.19 million was granted for industrial projects: a vehicle assembly plant in Melfi, a plastics processing plant in Campania, a pasta factory in the Abruzzi and a

factory producing domestic appliances in Marche. ECU 109.9 million was provided in the form of global loans for small and medium-scale projects. ECU 53.7 million went towards the construction of a gas pipeline between Algeria and Italy and ECU 31.7 million towards the supply, collection and treatment of waste water in Lazio and Tuscany. ECU 154.8 million of all the loans to Italy was granted under the Edinburgh facility.

#### *Netherlands*

1.7.57. ECU 233.2 million was lent under the Edinburgh facility for the extension of a domestic waste treatment plant near Nijmegen.

#### *Portugal*

1.7.58. A loan of ECU 100 million was made for the construction of a car factory near Lisbon and ECU 15.3 million was provided in the form of global loans for small and medium-scale projects.

#### *United Kingdom*

1.7.59. ECU 358.916 million went towards water supply and waste water treatment throughout the country and ECU 64.1 million on transport projects: the construction of a bridge between the Scottish mainland and the Isle of Skye and a bridge across the Severn, and several road improvement schemes in the South East. ECU 64.1 million was provided in the form of global loans for small and medium-scale projects and ECU 38.5 million for electricity distribution in Yorkshire and Humberside. ECU 60.3 million of the total was granted under the Edinburgh facility.

#### *Projects of Community interest*

1.7.60. A loan of ECU 38.5 million was granted for the laying of a high-voltage electricity cable between Denmark and Norway, a project of Community interest located in a non-member country but treated in the same way as a Community loan.

### *Community development cooperation policy*

#### *ACP countries*

##### *Tonga*

1.7.61. ECU 2 million (including ECU 1 million from risk capital) was granted in the form of a global loan to finance small and medium-scale projects.

##### *Solomon Islands*

1.7.62. ECU 2 million was provided in the form of a global loan to finance small and medium-scale projects.

##### *Ghana*

1.7.63. ECU 40 million went towards the construction of a power station to the west of Accra.

##### *Botswana*

1.7.64. A loan of ECU 7.4 million was granted for national water supply projects.

##### *Cape Verde*

1.7.65. ECU 5 million was granted from risk capital for the extension of the port of Mindelo.

##### *Burkina Faso*

1.7.66. ECU 2.2 million was granted from risk capital for the modernization and extension of a plastics processing plant.

##### *Guinea-Bissau*

1.7.67. ECU 4 million was granted from risk capital for telecommunications improvements and the construction of a wood-processing plant.



*Malawi*

1.7.68. ECU 15 million was granted from risk capital for the construction of a dam and electricity-generating installations.

*Kenya*

1.7.69. ECU 3.3 million was provided from risk capital in the form of a global loan to finance small and medium-scale projects.

*Senegal*

1.7.70. ECU 0.6 million was granted from risk capital in the form of a global loan to finance small and medium-scale projects.

*New Caledonia*

1.7.71. ECU 8 million (including 4 million from risk capital) was provided in the form of a global loan to finance small and medium-scale projects.

**Mediterranean countries***Algeria*

1.7.72. ECU 20 million was granted for the construction of a section of the east-west motorway.

**Latin America and Asia***India*

1.7.73. ECU 55 million was provided to develop the electricity sector in the south of the country as part of the move to develop and integrate the energy sector generally.

*Cooperation with Central and Eastern Europe**Poland*

1.7.74. A loan of ECU 200 million was granted for the modernization of the Polish section of the Berlin/Warsaw railway line and a global loan of ECU 50 million was provided to finance small and medium-scale projects.

*Estonia*

1.7.75. ECU 5 million was granted in the form of global loans to finance small and medium-scale projects.

*Slovenia*

1.7.76. ECU 47 million went towards developing the country's main railway line.

*Hungary*

1.7.77. ECU 72 million was granted for improvements to the road network and ECU 20 million for modernization of the electricity grid.

**Economic and Social Committee****311th plenary session**

1.7.78. The Economic and Social Committee held its 311th plenary session on 21 and 22 December, chaired in turn by Mrs Tiemann, Mr Stecher Navarra and Mr Liverani.

1.7.79. The Economic and Social Committee debated and adopted:

☐ opinions on the following proposals, communications and reports on which it had been consulted:

- the development of the Integrated Services Digital Network (ISDN) (→ point 1.2.118),
- counterfeit goods (→ point 1.3.71),
- the adjustment of production structures (→ point 1.2.149),
- Community structural assistance in the fisheries sector (additional opinion) (→ point 1.2.148),
- fishing licences (additional opinion),
- hormones and residues in meat (→ point 1.2.26),
- Community tourism statistics (additional opinion) (→ point 1.2.57);
- ☐ an own-initiative opinion concerning:
- relations between the European Union and Turkey (→ point 1.3.39).

*1.7.80.* The Committee adopted opinions on the following proposals and reports on which it had been consulted, without debate:

- ☐ pressure equipment (→ point 1.2.8);
- ☐ non-life insurance in order to reinforce prudential supervision (→ point 1.2.36);
- ☐ additives in feedingstuffs (→ point 1.2.28);
- ☐ genetic resources in agriculture (→ point 1.2.190);
- ☐ the system of the Communities' own resources (→ point 1.6.5);
- ☐ substances that deplete the ozone layer (→ point 1.2.182);

☐ the social and economic integration of the least privileged groups (→ point 1.2.171).

## ECSC Consultative Committee

### 311th meeting (ordinary)

*1.7.81.* Luxembourg, 16 and 17 December.

*Chairman:* Mr González.

#### *Items discussed (16 December)*

- ☐ Public funds for the restructuring of the ILVA group, Siderurgia Nacional and EKO-Stahl: consultation (→ points 1.2.96, 1.2.97 and 1.2.93).
- ☐ Forward programme for steel for the first half of 1994: consultation (→ point 1.2.98).
- ☐ Progress in restructuring the Community steel industry: examination of a Commission communication.

#### *Items discussed (17 December)*

- ☐ ECSC financial activities: adoption of a resolution (→ point 1.6.6).
- ☐ Application of the Community rules for State aid to the coal industry in 1992: examination of a Commission report.
- ☐ Solid fuel market in 1994: examination of a communication.

# **PART TWO**

## **DOCUMENTATION**

# 1. The ecu

## Values in national currencies of ECU 1

December 1993 <sup>1</sup>		
BFR/ LFR	Belgian franc and Luxembourg franc	40.3146
DKR	Danish krone	7.56812
DM	German mark	1.93091
DR	Greek drachma	276.996
ESC	Portuguese escudo	197.082
FF	French franc	6.60200
HFL	Dutch guilder	2.16293
IRL	Irish pound	0.795770
LIT	Italian lira	1 805.67
PTA	Spanish peseta	158.437
UKL	Pound sterling	0.757207
AUD	Australian dollar	1.67633
CAD	Canadian dollar	1.50364
FMK	Finnish markka	6.49536
ISK	Icelandic króna	81.2104
NKR	Norwegian krone	8.37817
NZD	New Zealand dollar	2.02999
OS	Austrian schilling	13.5780
SFR	Swiss franc	1.65288
SKR	Swedish krona	9.42746
USD	United States dollar	1.12886
YEN	Japanese yen	124.129

<sup>1</sup> Average for the month: OJ C 1, 4.1.1994.

*NB:* Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3 and Bull. EC 9-1989, point 2.1.3.

**Representative rates ('green' rates)***Conversion rates into national currencies for the ecu used in connection with the common agricultural policy*

December 1993					
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	HFL	Dutch guilder — All products	2.65256
DKR	Danish krone — All products	9.34812	IRL	Irish pound — All products	0.976426
DM	German mark — All products	2.35418	LIT	Italian lira — All products	2 222.98 2 264.19 on 30.12.1993
DR	Greek drachma — All products	328.567	PTA	Spanish peseta — All products	190.382
ESC	Portuguese escudo — All products	236.933	UKL	Pound sterling — All products	0.920969
FF	French franc — All products	7.98191			

## 2. Recommendation on the broad guidelines of the economic policies of the Member States and of the Community

2.2.1. On 22 December the Council adopted the following recommendation:

'The Council of the European Union,

Having regard to the Treaty establishing the European Community, and in particular Article 103(2) thereof,

Having regard to the recommendation from the Commission,

Having regard to the conclusions of the European Council of 10 and 11 December 1993,

hereby recommends:

Article 103 of the Treaty on European Union provides the framework for economic policy coordination from the start of Stage II of the process towards economic and monetary union. The economic policy guidelines adopted under that Article will constitute the reference for the conduct of the economic policies in the Community and in the Member States.

### Main objectives

There are signs that the recession is bottoming out in the European Union. Output indicators and business surveys in a number of countries are showing signs of improved confidence and prospects. Long-term interest rates have declined substantially and most European central banks have lowered their leading rates. However, unemployment continues to increase in most Member States. Against this background, the broad guidelines for economic policies in 1994 should aim, as a priority, for the return of a sustainable and non-inflationary economic growth.

The Community should set itself the objective of, in the short term, reversing the trend and then, before the end of the century, significantly reducing the number of unemployed, at present standing at the unacceptable level of 17 million. A decrease in unemployment is imperative to reduce the negative economic and social consequences arising from this

wastage of human resources. Higher employment creation is also necessary to achieve a more active society where all those wishing to join in the production process are given a chance to do so and where the weight of the factors leading to social exclusion is substantially reduced.

This employment objective should be obtained by a non-inflationary, strong and employment-creating growth, lasting over many years and respecting the environment. Higher growth is essential not only in relation to employment creation but also to enable the Community to reap the benefits of the internal market, to improve its economic and social cohesion and to meet its growing commitments in relation to the rest of the world. Since growth cannot be artificially generated, it must be brought about essentially by the effect of market forces and by the dynamism of the internal market, open to the outside world. The conclusion of the GATT negotiations on a global, durable and balanced basis and the Community's openness to new markets has a vital role to play in this respect.

Achieving a higher growth rate also requires a strengthening of economic convergence among Member States. Convergence will set in place the conditions for stronger job-creation and will allow the Community to reap the full benefits of the internal market. It will also make possible a successful transition to EMU.

In this respect the task of economic policy-makers is to allow market forces to display their full potential by:

- ☐ providing a stable and coherent macroeconomic framework;
- ☐ removing the macro- and microeconomic obstacles to growth.

In the present situation the challenge is a dual one. Firstly, to act decisively to improve the conditions for growth consistent with the commitment to the creation of high employment in the medium term. Secondly, to create the economic and social conditions which will permit stronger, sustainable and

more employment-creating growth in the medium to longer term.

The recovery process will require a restoration of confidence through a rebalancing of the current macroeconomic policy mix combined with credible structural measures. The sooner current and expected pay and budgetary trends incorporate the price stability objective, the sooner interest rates can be further reduced substantially on a sound basis. For lower interest rates, achieved on this basis, represent an important element to boost short-term prospects in the Community. Given the severity of the present situation, however, and the size of the budgetary adjustment to be undertaken in many countries, the recovery process may well be modest and hesitant. Therefore, the full realization of the initiatives agreed at the European Council meetings in Edinburgh and Copenhagen is of paramount importance.

In the medium term, policies and behaviour must remain consistent with stability. They must help to overcome rigidities and to put an end to the damaging reduction of national saving inflicted by high budget deficits, thereby strengthening the investment conditions and the growth potential of the Community so that many years of stronger and more employment-creating growth become possible.

### **Economic policy guidelines**

In order to create the conditions to realize the Community's economic objectives, in particular the increase of employment and the reduction in unemployment, the Council adopts the following broad economic policy guidelines:

#### **Price and exchange-rate stability**

The Community will aim to keep a stable macroeconomic framework. A rate of inflation of no more than 2 to 3% should be reached in most Member States by 1996 as a step towards price stability in the Community.

All policies and behaviour should be consistent with this objective. Those Member States who have already reached this level of inflation should ensure that policy measures are consistent with the maintenance of this performance. For the other Member States, determined action is needed to provide the basis for lower short-term and long-term interest rates, for example involving action related to budgetary consolidation, wage evolution and inflationary price developments in the services sector.

If these measures are implemented with sufficient speed, conditions would be established for both nominal and real interest rates to come down as inflation expectations are reduced. The setting-up of the EMI will represent an additional factor of stability and cooperation, given the important role it will play in strengthening arrangements for the coordination of Member States' monetary policies and in monitoring the functioning of the European Monetary System.

The high degree of integration and the reaping of the benefits of the internal market demand that the Community continues to aim for exchange-rate stability built on common efforts to make progress on convergence and to create sound economic fundamentals in all Member States of the Community.

The Community reaffirms its commitment to the EMU process and timetable as agreed in the Treaty on European Union. To this end it will intensify its efforts at achieving economic convergence.

### **Sound public finances**

The restoration of confidence requires that in 1994 Member States prevent any further deterioration in their budgetary situations and carry forward the process of deficit reduction. In those Member States facing more worrying fiscal positions, confidence will benefit from an immediate strong pursuit of the consolidation process. This holds true especially for Member States with very high and rising public debt ratios. The consolidation process should intensify in those Member States with high budget deficits and which are expected to face a relatively favourable economic situation in 1994. In other Member States tight control of budgets will be necessary in 1994 but the emphasis should mainly be on credible medium-term consolidation strategies with measures to be already announced now which will take effect in future years as the recovery strengthens. At the Community level, the limits on EC spending and revenue agreed at the Edinburgh Council must be respected.

In 1995, Member States should continue action to make their public finance positions sustainable again. Under the expected growth path for the years ahead, this means action towards reducing budget deficits to the reference value indicated in the Treaty on European Union (3% of GDP). Most Member States have the potential to reach this goal by 1996, with the others needing more time. This action will contribute to meeting the criterion relating to public debt provided for in the Treaty.

The measures used to stabilize public budgets will give priority to reductions in current expenditure and to improving the efficiency of the tax system, for example, by strengthening action against tax evasion. All Member States need to reorient public expenditure to more productive uses and to increased investment in particular.

In the long term, Member States' budgetary policies will be directed towards contributing to higher national savings and investment. This will entail much lower budget deficits (perhaps close to balance by the year 2000).

### **Creating more employment**

Member States and the Community will take resolute action to improve the functioning of their economies, aiming specifically at improving competitiveness and the Community's capacity to create jobs.

Because of the institutional, legislative and contractual peculiarities of each Member State, the Community's action must focus on defining objectives, while leaving Member States free to choose the means appropriate to their situation within a general framework defined in common. With this in mind, the Council considers that, in order to strengthen the capacity of the European economy to create jobs, Member States should draw on suggestions from the Commission White Paper.

### **Pay, investment and employment**

Member States set themselves the objective of a significant increase in the share of investment in GDP. Meeting this objective is essential in order to increase the Community's potential for sustainable non-inflationary growth of the European economy in the medium and long term. Moreover, the recovery in private investment will, in the short term, help to stimulate demand.

Recovery in investment will be possible if society is prepared today to make the efforts which will bring more prosperity and more jobs tomorrow. That calls, amongst other things, for pay developments consistent with the improvement in the profitability of investment and in the competitiveness of European undertakings on world markets. That process will also contribute to promoting job creation in the immediate term.

In the short term, the need to create new jobs will not permit real pay growth in most countries and may result in real pay reductions in certain sectors

of the economy. However, pay movements should provide for an appropriate differentiation according to the situation in Member States, industrial sectors and firms, as well as vocational qualifications and work experience.

To this end, governments and the social partners will use all instruments which national procedures provide to ensure that pay trends in their countries adapt rapidly to the objective concerning inflation.

Pay moderation in the public sector is also important, on the one hand to take the pressure off public finance and to accelerate promotion of public investment and on the other to set an example for the private sector.

Schemes promoting new forms of labour organization on a sound economic basis may be introduced through negotiation in a decentralized way (at sector or enterprise level).

### **Reducing the indirect cost of labour**

Where appropriate, Member States must intensify their efforts to bring about a significant reduction in the indirect cost of labour. Such reduction would enable a better balance to be achieved between the costs of the various production factors. Failing that, the labour factor, in particular low-skill labour, would suffer excessively.

Action to be undertaken in this field has a twofold objective:

- ☐ it should promote job creation in services responding to new society needs, the development of which is currently discouraged by the high level of the indirect cost of labour;
- ☐ combined with pay moderation, it should also save jobs in the sector exposed to international competition by curbing the replacement of labour by capital and the relocation of activity.

In order to encourage the process in the right direction, Member States are invited to examine to what extent an adaptation of the financing mechanisms of their social protection system, along with saving measures, could further contribute to the promotion of employment. However changes in the systems should not increase Member States' indebtedness. The question will be re-examined at Community level on the basis of reports which Member States are invited to present. Fiscal measures possibly relating, *inter alia*, to the environment could be one of the means of offsetting a drop in social contributions, within a general context of stabilizing all statutory contributions and reducing the tax burden.



### **Active policies towards employment**

Meeting the objective will also depend on adjusting employment policies to the changing economic environment.

Member States are invited:

- ☐ to improve educational and job-training systems so that those who enter the labour market have the possibility of developing professionally and at the same time have skills that are useful to undertakings;
- ☐ to help reintegrate the long-term unemployed in the labour market;
- ☐ to improve the functioning of local placement services;
- ☐ to remove excessive rigidities which prevent the labour market from functioning effectively;
- ☐ to improve labour mobility;
- ☐ to promote liberalization measures aimed at sheltered sectors, including, where appropriate, the services industry.

### **Completing the internal market**

The existence of a large export-oriented internal market is a major asset of the European economy,

and it must be fully exploited. The full incorporation of Community legislation into national law, simplification and reduction of legislation, the creation of a fiscal, administrative and financial environment favourable to small and medium-sized enterprises, the application of the competition rules and the control of State aids are essential elements in the completion of the internal market.

Likewise, the capital market must be made more efficient in order to encourage a flow of savings into productive job-creating investments.

The trans-European networks form also an essential element for the effective operation of the internal market and the reinforcement of economic competitiveness. The Council will make full and rapid use of the new possibilities offered by the Treaty (Article 129b).

The economic policy guidelines laid out above will constitute the reference for all future multilateral surveillance exercises. The implementation of the guidelines will be monitored in accordance with the procedures laid down in the Treaty. The Council will also assess the implementation of those guidelines in their assessment of Member States' convergence programmes.'

### 3. Infringement proceedings

#### Letters of formal notice

##### *Failure to communicate any measures incorporating Directives into national law*

2.3.1. In December the Commission sent letters of formal notice in the following cases:

##### *Industry*

Directive 90/496/EEC (OJ L 276, 6.10.1990)  
Nutrition labelling for foodstuffs  
France, Ireland, United Kingdom

Directive 93/59/EEC (OJ L 186, 28.7.1993)  
Air pollution by emissions from motor vehicles  
Belgium, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

##### *Agriculture*

Directive 93/50/EEC (OJ L 205, 17.8.1993)  
Plants, the producers of which, or the warehouses or dispatching centres for which, must be entered in an official register  
Belgium, Germany, Greece, France, Ireland, Italy, Luxembourg, Netherlands, Portugal

Directive 93/51/EEC (OJ L 205, 17.8.1993)  
Movement of certain plants, plant products or other objects through a protected zone  
Belgium, Denmark, Germany, Greece, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 92/66/EEC (OJ L 260, 5.9.1992)  
Control of Newcastle disease  
Belgium, Germany, Greece, France, Ireland, Italy, United Kingdom

Directive 92/89/EEC (OJ L 344, 26.11.1992)  
Community methods of analysis for the official control of feedingstuffs  
Denmark, Spain, Ireland, Italy, Luxembourg, Portugal

Directive 92/95/EEC (OJ L 327, 13.11.1992)  
Community methods of analysis for the official control of feedingstuffs  
Denmark, Italy, Luxembourg, Portugal

Directive 92/119/EEC (OJ L 62, 15.3.1993)  
Specific measures relating to swine vesicular disease  
Belgium, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

##### *Transport*

Directive 92/6/EEC (OJ L 57, 2.3.1992)  
Speed limitation devices for certain categories of motor vehicles  
France, Italy, Portugal

##### *Environment, nuclear safety and civil protection*

Directive 92/32/EEC (OJ L 154, 5.6.1992)  
Classification, packaging and labelling of dangerous substances  
Belgium, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 92/69/EEC (OJ L 383, 29.12.1992)  
Classification, packaging and labelling of dangerous substances  
Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Netherlands, Portugal, United Kingdom

Directive 93/67/EEC (OJ L 227, 8.9.1993)  
Principles of assessment of risks to man and the environment  
Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

##### *Energy*

Directive 92/42/EEC (OJ L 167, 22.6.1992)  
Efficiency requirements for new hot-water boilers  
Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

## Reasoned opinions

### *Failure to communicate any measures incorporating Directives into national law*

2.3.2. In December the Commission delivered reasoned opinions in the following cases:

#### *Industry*

Directive 89/336/EEC (OJ L 139, 23.5.1989)  
Electromagnetic compatibility  
The Netherlands

Directive 92/31/EEC (OJ L 126, 12.5.1992)  
Electromagnetic compatibility  
The Netherlands

Directive 89/381/EEC (OJ L 181, 28.6.1989)  
Special provisions for medicinal products derived from human blood or human plasma  
Belgium

Directive 91/542/EEC (OJ L 295, 25.10.1991)  
Emissions of gaseous pollutants from diesel engines for use in vehicles  
The Netherlands

#### *Environment, nuclear safety and civil protection*

Directive 89/629/EEC (OJ L 363, 13.12.1989)  
Limitations of noise emissions from aircraft  
Luxembourg

Directive 92/14/EEC (OJ L 76, 23.3.1992)  
Limitation on the operation of aircraft covered by the Convention on International Civil Aviation  
Luxembourg

#### *Internal market and financial services*

Directive 90/531/EEC (OJ L 297, 29.10.1990)  
Public procurement procedures (water, energy, transport and telecommunications sectors)  
Italy

### *Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice*

2.3.3. In December the Commission delivered reasoned opinions in the following cases:

#### *Employment, industrial relations and social affairs*

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)  
Employment conditions for teaching staff  
Italy

#### *Personnel and administration*

Articles 5 and 11 of the EC Treaty  
Transfer of pension rights  
Spain

## Cases referred to the Court of Justice

### *Failure to communicate any measures incorporating Directives into national law*

2.3.4. In December the Commission referred the following case to the Court of Justice:

#### *Employment, industrial relations and social affairs*

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)  
Access to employment: inland transport, research, teaching, post and telecommunications, water, electricity and gas distribution, nurses in public hospitals  
Luxembourg

## 4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments, communications and notices of Community institutions that have appeared in the Official Journal since the latest Bulletin was published but relate to items appearing in earlier issues; the references were not available when this issue of the Bulletin 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. EC 4-1993**

#### *Point 1.6.13*

Special Report No 2/93 on the customs territory of the Community and related trading arrangements accompanied by the replies of the Commission  
OJ C 347, 27.12.1993

#### *Point 1.6.14*

Special Report No 3/93 concerning the implementation of the measures for the restructuring, modernization and adaptation of the capacities of fishing fleets in the Community together with the Commission's replies  
OJ C 2, 4.1.1994

### **Bull. EC 5-1993**

#### *Point 1.6.12*

Special Report No 4/93 on the implementation of the quota system intended to control milk production together with the Commission's reply  
OJ C 12, 15.1.1994

### **Bull. EC 7/8-1993**

#### *Point 1.2.21*

Proposal for a European Parliament and Council Directive on the legal protection of designs  
OJ C 345, 23.12.1993

### **Bull. EC 9-1993**

#### *Point 1.2.135*

Council Regulation (EEC) No 3447/93 of 28 September 1993 on the conclusion of the Agreement between the European Economic Community and the Argentine Republic on relations in the sea fisheries sector  
OJ L 318, 20.12.1993

### **Bull. EC 10-1993**

#### *Point 1.2.3*

Council Directive 93/92/EEC of 29 October 1993 on the installation of lighting and light-signalling devices on two- or three-wheel motor vehicles  
OJ L 311, 14.12.1993

#### *Point 1.2.4*

Council Directive 93/93/EEC of 29 October 1993 on the masses and dimensions of two- or three-wheel motor vehicles

Council Directive 93/94/EEC of 29 October 1993 relating to the space for mounting the rear registration plate of two- or three-wheel motor vehicles  
OJ L 311, 14.12.1993

#### *Point 1.2.22*

Council Directive 93/96/EEC of 29 October 1993 on the right of residence for students  
OJ L 317, 18.12.1993

*Point 1.2.64*

Commission Decision of 21 December 1993 authorizing common financial arrangements in respect of individual programmes involving the closure of production capacity in the Community steel industry for heavy sections, hot-rolled wide coils and strip, and reversing-mill plate

OJ L 6, 8.1.1994

*Point 1.3.49*

Minutes of the Joint Assembly of the Convention concluded between the African, Caribbean and Pacific States and the European Economic Community (ACP-EEC)

OJ C 14, 17.1.1994

*Points 1.6.39 and 1.6.40*

Opinions adopted by the Economic and Social Committee at its 309th session on 20 and 21 October 1993

OJ C 352, 30.12.1993

**Bull. EC 11-1993**

*Point 1.7.29*

Special Report No 5/93 concerning business and innovation centres together with the Commission's reply

OJ C 13, 17.1.1994

*Point 1.7.30*

Opinion No 9/93 of the Court of Auditors of the European Communities on a proposal for a Council Regulation (ECSC, EEC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities

OJ C 348, 28.12.1993

*Point 1.7.31*

Opinion No 10/93 of the Court of Auditors of the European Communities on a proposal for a Council Regulation (EC) amending Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of the officials and other employees of the European Communities to whom the provisions of Articles 12, 13, second paragraph, and 14 of the Protocol on the Privileges and Immunities of the Communities apply

OJ C 6, 8.1.1994

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