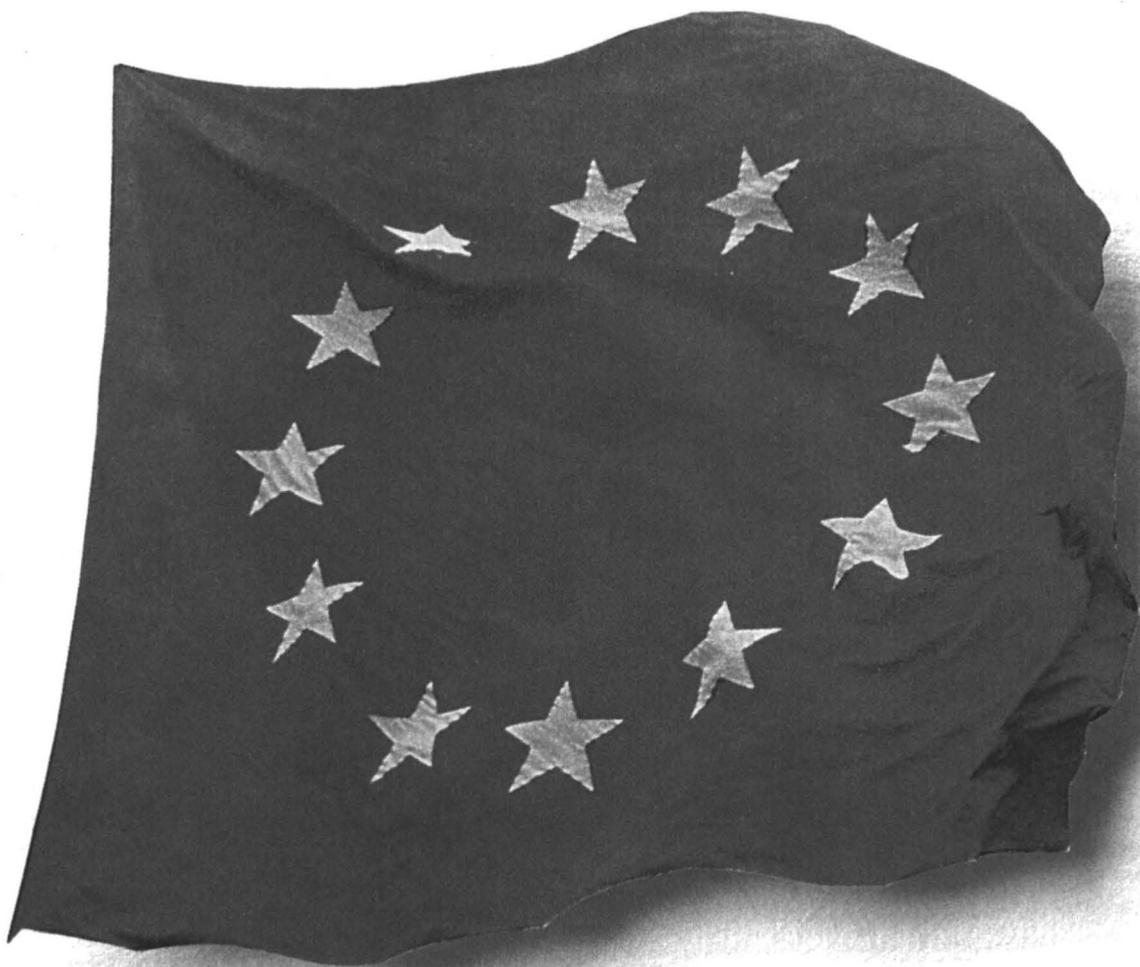


European Commission

Bulletin of the European Union



4 • 1995

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

BFR	= Belgische frank / Franc belge
DKR	= Dansk krone
DM	= Deutsche Mark
DR	= Greek drachma
ESC	= Escudo
FF	= Franc français
FMK	= Suomen markka
HFL	= Nederlandse gulden (Hollandse florijn)
IRL	= Irish pound / punt
LFR	= Franc luxembourgeois
LIT	= Lira italiana
OS	= Österreichische Schilling
PTA	= Peseta
SKR	= Svensk Krona
UKL	= Pound sterling
USD	= United States dollar

Contents

Part One | ACTIVITIES IN APRIL 1995

	News in brief	6
1	Union citizenship	8
2	Human rights	9
3	The Community economic and social area	12
	Implementation of the White Paper on growth, competitiveness and employment	12
	Economic and monetary policy	12
	Internal market	13
	Competition	15
	Industrial policy	28
	Enterprise policy	29
	Research and technology	30
	Education, vocational training and youth	31
	Economic and social cohesion	31
	Trans-European networks	35
	Energy	36
	Transport	37
	The information society, telecommunications	38
	Environment	39
	Agriculture	41
	Fisheries	45
	Employment and social policy	47
	Public health	48
	Consumers	49
	Culture	49
4	Role of the Union in the world	51
	Common foreign and security policy	51
	International organizations and conferences	55
	Common commercial policy	57
	Development policy	60
	Humanitarian aid	61
	European Economic Area (EEA), European Free Trade Association (EFTA)	61
	Central and Eastern Europe, Baltic States	61
	Mediterranean and Middle East	65
	Independent States of the former Soviet Union; Mongolia	68
	Asia	69

	Latin America	70
	ACP Countries, South Africa and OCTs	71
	Diplomatic relations	71
5	Justice and home affairs cooperation	73
6	Financing Community activities	75
	Budgets	75
	Financial operations	82
7	Statistical system	83
8	Community law	85
	Monitoring the application of Community law	85
	Decisions by the Court of Justice and the Court of First Instance	86
9	Institutional affairs	93
10	Community institutions	95
	Parliament	95
	Council	96
	Commission	98
	Community lawcourts	99
	Court of Auditors	99
	European Investment Bank	99
	Economic and Social Committee	101
	Committee of the Regions	101
	European Monetary Institute	102
 Part Two DOCUMENTATION		
1	The ecu	104
2	Additional references in the Official Journal	106
3	Corrigenda	108
4	Index	109

PART ONE

ACTIVITIES IN APRIL 1995

News in brief

The Community economic and social area

Competition

- The Commission adopts a Regulation exempting certain categories of agreements, decisions and concerted practices between liner shipping companies (→ point 1.3.21) and a draft Regulation exempting certain categories of motor vehicle distribution and servicing agreements (→ point 1.3.20).

Enterprise policy

- The Commission adopts a Green Paper on the role of the Union in the field of tourism (→ point 1.3.62).

Economic and social cohesion

- The Commission approves single programming documents for Germany under Objective 5a (→ point 1.3.69).

Transport

- The Commission adopts a recommendation for a Decision on the negotiation of an agreement with the United States in the field of civil aviation (→ point 1.3.92).

Environment

- The Conference on Climate Change is held in Berlin (→ point 1.3.101).
- The Commission adopts a proposal for a Regulation amending the Regulation establishing a financial instrument for the environment (LIFE) (→ point 1.3.98).
- The Commission adopts a proposal for a Regulation on the supervision and control of shipments of waste (→ point 1.3.100).

Agriculture

- The Council adopts a Regulation adjusting the common organization of the markets in sugar (→ point 1.3.107).

Fisheries

- An Agreement is signed between the Community and Canada on fisheries in the context of the NAFO Convention (→ point 1.3.121).

Employment and social policy

- The Commission adopts a communication on a medium-term social action programme (1995-97) (→ point 1.3.126).

Role of the Union in the world*Common foreign and security policy*

- The Council agrees a Decision on joint action on anti-personnel landmines (→ point 1.4.5).

International organizations and conferences

- A quadripartite meeting between the European Union and the Council of Europe is held in Paris (→ point 1.4.21).

Common commercial policy

- The Commission adopts a proposal for a Decision adopting an action programme for Community customs ('Customs 2000') (→ point 1.4.30).

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

- The people of Liechtenstein vote 'yes' in the referendum on their country's participation in the EEA (→ point 1.4.59).

Mediterranean and Middle East

- With a view to Malta's accession to the European Union, the Council adopts conclusions setting out a framework for closer relations between Malta and the Union, along the same lines as for Cyprus (→ point 1.4.72).

Latin America

- The Commission adopts a recommendation for a Decision on the negotiation of an interregional agreement on commercial and economic cooperation between the European Community and Mercosur (→ point 1.4.88).

Financing Community activities*Budgets*

- The Commission approves the preliminary draft budget for 1996 (→ point 1.6.4).

Institutional affairs

- In the context of preparations for the 1996 Intergovernmental Conference, the Council adopts a report on the functioning of the Treaty on European Union (→ point 1.9.1) and the Committee of the Regions adopts an own-initiative opinion on the revision of the Treaty on European Union (→ points 1.9.1 and 1.9.2).
- The Commission adopts a communication on relations with the Committee of the Regions (→ point 1.9.3).

1. Union citizenship

Right to vote and stand in elections

1.1.1. Parliament resolution on Council Directive 94/80/EC laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals.

Reference: Council Directive 94/80/EC: OJ L 368, 31.12.1994; Bull. 12-1994, point 1.1.2

Adopted on 5 April. Parliament accused the Council of preventing it from legitimately exercising the function conferred on it by Article 8b of the EC Treaty by failing to consult it before granting a derogation to Belgium in Article 12(2) of the Directive. Parliament also warned the Member States against any action which, though strictly within the letter of the law, would none the less be tantamount to unjustified discrimination between citizens of the Union.

OJ C 109, 1.5.1995

2. Human rights

European Union countries

1.2.1. Parliament resolution on racism, xenophobia and anti-Semitism.

Adopted on 27 April. Parliament called for the appropriate European Union authorities to ensure that any form of written or other material propagating racial hatred, and persons convicted of engaging in racist propaganda, were covered by restrictions on the free movement of goods and persons permitted on public policy or public security grounds. It urged the Commission to introduce a proposal for an anti-discrimination directive, and to consider how the Community could best tackle racism, xenophobia, anti-Semitism and holocaust-denial at EU level while upholding the principle of subsidiarity. Parliament suggested that, pending clear incorporation of Community competence in this area into the Treaty to emerge from next year's IGC, an interim body was needed to ensure that the Union continued to make progress. It underlined the essential role to be played by the media and called on them to make the public aware of the dangers of racism, xenophobia and intolerance in an objective manner.

OJ C 126, 22.5.1995

1.2.2. Parliament resolution on the expulsion of Vietnamese immigrants from the EU.

Adopted on 6 April. Parliament asserted that neither development cooperation nor financial assistance should be used as commodities to be exchanged for the forced repatriation of people to their country of origin. It deplored the agreement between the German and Vietnamese governments to repatriate some 40 000 Vietnamese immigrants over the next five years, which it said had been concluded in return for DM 100 million in development aid.

OJ C 109, 1.5.1995

Bull. EU 4-1995

Actions outside the European Union

International human rights

1.2.3. Parliament resolution on human rights in the world, 1993-94, and EU human rights policy.

Reference: UN World Human Rights Conference: Bull. 6-1993, point 1.3.79

Adopted on 26 April. Parliament expressed concern at the scale of the challenges confronting the international community: crimes of genocide and ethnic cleansing, unparalleled population movements, aggression against civilian populations caught up in conflicts, the rise of fanaticism and denial of freedom of expression, disregard for minority rights and the growth of exclusion and marginalization. It declared its intention to give particular support to combating anti-Semitism, racism, xenophobia and other forms of intolerance; to equal opportunities and fundamental rights for women; to the rights of the child; to persons belonging to national, ethnic, religious and linguistic minorities; to persons at risk of exclusion or discrimination because of their sexual or social behaviour, physical difference or physical and/or mental disability; to the right not to be tortured; to combating the death penalty; to education, and to the follow-up to the World Human Rights Conference of June 1993. With a view to making a clear link between respect for human rights and the promotion of democracy as a basis for the EU's foreign policy, Parliament supported the policy of asserting the right to participation in the political process and the establishment of representative democracy as fundamental and universal human rights. It also set out proposals to strengthen the human rights and democratization dimension of the EU's external policy with a view to the 1996 Intergovernmental Conference.

OJ C 126, 22.5.1995

Algeria

1.2.4. Parliament resolution on the situation in Algeria.

Reference: Parliament resolution on the situation

in Algeria: OJ C 43, 20.2.1995; Bull. 1/2-1995, point 1.4.90

Adopted on 6 April. Parliament strongly condemned acts of terrorism in Algeria, while also deploring the scale of the armed forces' response on human rights grounds. It saluted the courage of Algerians, particularly women and journalists who risked their lives to combat fundamentalist intolerance and to fight for democracy, equality, fundamental civil rights and freedom of the press. Parliament declared that it was the duty of the Algerian Government to put forward proposals for a dialogue enabling the country's political and social forces to seek a way out of the political deadlock and a situation approaching civil war. It expressed the hope that the dialogue recently initiated between President Liamine Zeroual and several opposition parties would bring about an agreement on holding elections. Parliament also called for the immediate cessation of all military cooperation between EU Member States and Algeria, and urged the governments of the Member States to prohibit the expulsion to Algeria of democrats threatened with death there, to help them during their temporary residence in Europe and ensure that leaders of fundamentalist terrorist movements were not allowed into their countries.

OJ C 109, 1.5.1995

Armenia

1.2.5. Parliament resolution on the human rights situation in Armenia and the banning of the ARF Dashnaksutyun party.

Adopted on 6 April. Parliament called on the ARF Dashnaksutyun party to take the necessary measures to legalize its position and enable the immediate lifting of the six-month suspension order handed down by the Supreme Court on 13 January 1995, with a view to the general election to be held in July. It called on the Armenian authorities to reconsider their ban on certain newspapers and allow all the country's political parties to participate freely in the elections, with due regard for the law of the land.

OJ C 109, 1.5.1995

Cyprus

1.2.6. Parliament resolution on missing persons in Cyprus.

Adopted on 6 April. Noting that, 21 years on, the

fate of 1 619 people who went missing during the tragic events of 1974 was still unknown, Parliament called on the Council and the Commission to follow the example of the US Congress by taking steps to investigate their fate, and to report back as soon as possible.

OJ C 109, 1.5.1995

United States

1.2.7. Parliament resolution on the impending executions in the United States.

Adopted on 6 April. Parliament expressed shock at the number of executions due to take place in the US in the next few weeks, citing cases in Florida, Georgia and Pennsylvania, and called on the governors of the three States to exercise their right of reprieve where applicable. It called on the competent US authorities to impose a moratorium on death sentences as a first step towards the total abolition of the death penalty.

OJ C 109, 1.5.1995

Georgia

1.2.8. Parliament resolution on the trial of 17 people in Georgia — Case 7493810.

Adopted on 6 April. Referring to the judgment on this case at first instance, which led to the 17 defendants receiving sentences ranging from two and a half years' imprisonment to the death penalty (in two cases), on various charges including burglary of a perfume factory and murder, Parliament called on the Georgian Government to ensure that the appeals procedure was properly followed and the rights of the defence — among other human rights — upheld. It called for the death sentences to be commuted.

OJ C 109, 1.5.1995

Iran

1.2.9. Parliament resolution on human rights violations in Iran.

Adopted on 6 April. Parliament strongly condemned the Iranian Government for the continuing massive human rights violations in Iran, including execution without trial, torture, persecution and assassination of opponents of the government abroad, and the repression of

women and ethnic and religious minorities. It called for the release of all political prisoners, guarantees of a fair trial, and a halt to unlawful punishment of exiles, and urged the government to do everything in its power to ensure real freedom of information and the press. Parliament expressed the view that all Member States should make relations with Iran conditional on respect for human rights and the rights of all ethnic and religious minorities, the disbanding of intelligence service special forces deployed against members of the opposition, and a clear condemnation of terrorism and of the fatwa against Salman Rushdie.

OJ C 109, 1.5.1995

Peru and Ecuador

1.2.10. Parliament resolution on human rights violations arising from the conflict between Peru and Ecuador.

Adopted on 6 April. Parliament called on the governments of Peru and Ecuador to comply fully with the terms of the Itamaraty and Montevideo peace declarations. It called on the Commission and the Council to demand that human rights be respected, to investigate complaints by the Peruvian Pro-Human Rights Association and, if need be, to bring pressure to bear by means of diplomatic and (where appropriate) trade measures.

OJ C 109, 1.5.1995

Turkey

1.2.11. Parliament resolution on Turkish intervention in northern Iraq.

Reference: Parliament resolution on the draft agreement on the conclusion of a customs union between the European Union and Turkey: OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.4.87

Adopted on 6 April. Parliament condemned Turkey's military intervention in northern Iraq and the resulting violation of international law and human rights. It also condemned terrorist acts by

the PKK, while warning the Turkish Government of the likely consequences of its policy of repression. Parliament urged Turkey to withdraw its troops from northern Iraq immediately and seek a political solution to the Kurdish question. It called on the European Union and its Member States to assist the UNHCR and argued for Red Cross representatives to be allowed to go to northern Iraq to assist the civilian population. Parliament also called on the Member States not to extradite Kurdish refugees, and to follow the German Government's example by making future military aid conditional upon Turkey's withdrawing its troops. It urged the Council and the Commission to draw up strict rules on the export of weapons.

OJ C 109, 1.5.1995

1.2.12. Financing for projects to promote democracy and human rights (see Table 1).

Table 1 — *Projects to promote democracy and human rights*

<i>(ECU)</i>	
Purpose	Amount
Twenty-one projects to support human rights organizations	1 176 700
Ten projects in support of democratization and human rights in Latin America	2 178 000
Deployment of 20 ICFY observers in Belgrade	691 000
Fifteen projects to support rehabilitation centres for victims of torture and organizations offering practical assistance to victims of human rights abuses	1 078 500

3. The Community economic and social area

Implementation of the White Paper on growth, competitiveness and employment

Competitiveness

1.3.1. Council conclusions on the competitiveness of European industry (→ point 1.3.58).

1.3.2. Committee of the Regions' own-initiative opinion on an industrial competitiveness policy for the European Union (→ point 1.3.59).

Economic growth and the environment

1.3.3. Economic and Social Committee opinion on economic growth and the environment (→ point 1.3.97).

Economic and monetary policy

General

1.3.4. Economic and Social Committee opinion on the Commission communication on economic growth and the environment: implications for economic policy (→ point 1.3.97).

Economic situation

1.3.5. Parliament resolution on the Commission's Annual Economic Report for 1995 and on the Council's report on the implementation of the broad economic policy guidelines.

References:

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

Council recommendation 94/480/EC on the broad guidelines of the economic policies of the Member States and of the Community: OJ L 200, 3.8.1994; Bull. 7/8-1994, points 1.2.2 and 2.2.1

Council recommendations with a view to bringing an end to the situation of an excessive public deficit in Belgium, Denmark, Germany, Greece, Spain, France, Italy, the Netherlands, Portugal and the United Kingdom: Bull. 11-1994, point 1.2.11

1995 Annual Economic Report: COM(94) 615; Bull. 12-1994, point 1.2.6

Economic and Social Committee opinion on the 1995 Annual Economic Report: Bull. 3-1995, point 1.3.8

Adopted by Parliament on 7 April. Parliament recalls the target of generating 15 million new jobs by the year 2000 set out in the White Paper on growth, competitiveness and employment, and recommends that any measures to control budget deficits should have due regard to their impact on employment and be implemented in a socially balanced manner. It asks that the Commission's Annual Report should examine the impact of the black economy on the budgets of Member States. With this in mind, it calls on the Council and the Member States to increase the employment content of growth, in particular by introducing tax reforms.

With the aim of ensuring renewed medium-term growth, Parliament recommends encouraging investment by all available means, balanced by corresponding policies to influence savings and consumption. While accepting the need for real wages not to outstrip gains in productivity, it calls for industrial policy to be oriented towards innovation in new sectors, increased spending on research and development, and improved competitiveness. It insists that the broad guidelines of the economic policies of the Member States and of the Community should make it clear that the necessary reduction in budget def-

icits should be achieved in ways which respect the goals of cohesion, solidarity and a high level of employment enshrined in the Treaty. With this in mind, it endorses the stated policy of the Presidency of the Union to move to Stage III of economic and monetary union at the earliest possible date and, in this respect, calls on the Council, the Commission and the European Monetary Institute to clarify the planned timetable and launch a large-scale campaign to raise public awareness.

OJ C 109, 1.5.1995

Internal market

General

1.3.6. Proposal for a Parliament and Council Decision adopting a Community customs action programme ('Customs 2000') (→ point 1.4.30).

Free movement of goods

Technical aspects

Motor vehicles

1.3.7. Proposal for a 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 from emissions from motor vehicles.

Commission proposal: OJ C 390, 31.12.1994; COM(94) 558; Bull. 12-1994, point 1.2.12

Endorsed by the Economic and Social Committee on 27 April.

The Committee welcomes the proposal but stresses that the new measures for reducing emission values should be implemented rapidly.

1.3.8. Proposal for a Parliament and Council Directive amending Directive 88/77/EEC on the

approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from diesel engines for use in vehicles.

Commission proposal: OJ C 389, 31.12.1994; COM(94) 559; Bull. 12-1994, point 1.2.13

Endorsed by the Economic and Social Committee on 27 April. The Committee welcomes the proposal in principle but takes the view that the Commission should consider ending at an earlier stage the special arrangements for particulate emissions from small diesel engines.

Industrial products

1.3.9. Proposal for a Parliament and Council Directive relating to cableway installations designed to carry passengers.

Commission proposal: OJ C 70, 8.3.1994; COM (93) 646; Bull. 1/2-1994, point 1.2.10

Economic and Social Committee opinion: OJ C 388, 31.12.1994; Bull. 7/8-1994, point 1.2.4

Endorsed by Parliament (first reading) on 6 April, subject to various amendments concerning in particular the environmental and cross-border aspects of such installations and clarification of the scope of the Directive in urban areas.

OJ C 109, 1.5.1995

Medical devices

1.3.10. Proposal for a Parliament and Council Directive on *in vitro* diagnostic medical devices.

References:

Council Directive 90/385/EEC on the approximation of the laws of the Member States relating to active implantable medical devices (OJ L 189, 20.7.1990; Bull. 6-1990, point 1.3.16), as last amended by Directive 93/68/EEC: OJ L 220, 31.8.1993

Council Directive 93/42/EEC concerning medical devices: OJ L 169, 12.7.1993; Bull. 6-1993, point 1.2.12

Adopted by the Commission on 19 April. The objective is to harmonize national laws governing the placing on the market and use of *in vitro* diagnostic medical devices with regard to protection of patients and users. The Directive will complement Directives 90/385/EEC and 93/42/EEC as regards medical devices.

COM(95) 130

Foodstuffs

1.3.11. Proposal for a Parliament and Council Decision on the maintenance of national laws prohibiting the use of certain additives in the production of certain foodstuffs.

Reference: Council Directive 89/107/EEC on the approximation of the laws of the Member States concerning food additives authorized for use in foodstuffs intended for human consumption (OJ L 40, 11.2.1989; Bull. 12-1988, point 2.1.28), as last amended by Directive 94/34/EC: OJ L 237, 10.9.1994; Bull. 6-1994, point 1.2.18

Adopted by the Commission on 19 April. The objective is to authorize Member States to allow derogations from the various additives directives with a view to enabling special production methods to be maintained for foods produced on their territory and regarded as traditional.

OJ C 134, 1.6.1995; COM(95) 126

Animal and plant health

Animal health

1.3.12. Proposal for a Council Directive amending Directive 64/433/EEC on health conditions for the production and marketing of fresh meat.

Commission proposal: OJ C 224, 12.8.1994; COM(94) 315; Bull. 7/8-1994, point 1.2.9

Economic and Social Committee opinion: OJ C 397, 31.12.1994; Bull. 11-1994, point 1.2.17

Endorsed by Parliament on 7 April, subject to amendments concerning, among other things, derogations for small slaughterhouses.

OJ C 109, 1.5.1995

1.3.13. Proposal for a Council Directive introducing minimum Community measures necessary for the control of diseases affecting bivalve molluscs.

Commission proposal: OJ C 285, 13.10.1994; COM(94) 401; Bull. 9-1994, point 1.2.24

Endorsed by Parliament on 7 April, subject to technical amendments.

OJ C 109, 1.5.1995

Animal feed

1.3.14. Proposal for a Council Directive amending Directive 70/524/EEC concerning additives in feedingstuffs.

Directive to be amended: Council Directive 70/524/EEC (OJ L 270, 14.12.1970), as last amended by Directive 93/55/EEC: OJ L 206, 18.8.1993

Adopted by the Commission on 26 April. The objective is to authorize the use of avoparcin to stimulate milk production. This proposal is presented to the Council in the absence of an opinion from the Standing Committee for Feedingstuffs. The Scientific Committee for Animal Nutrition gave a favourable opinion.

COM(95) 132

1.3.15. Proposal for a Council Regulation amending Annex IV to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin.

Regulation to be amended: Council Regulation (EEC) No 2377/90 (OJ L 224, 18.8.1990), as last amended by Regulation (EC) No 955/94: OJ L 108, 29.4.1994

Adopted by the Commission on 11 April. The objective is to include dimitridazole in Annex IV to Council Regulation (EEC) No 2377/90 in order to prevent it from being administered to any animals used to produce foodstuffs. As the Committee for the adaptation to technical progress of the directives on the removal of technical barriers to trade in the veterinary medical product sector delivered an unfavourable opinion, the proposal is being submitted to the Council.

COM(95) 133

Plant health

1.3.16. Proposal for a Parliament and Council Regulation concerning the creation of a supplementary protection certificate for plant protection products.

Commission proposal: OJ C 390, 31.12.1994; COM(94) 579; Bull. 12-1994, point 1.2.28

Endorsed by the Economic and Social Committee on 27 April. The Committee largely welcomes the proposal's objective but draws attention to the interests of generics manufacturers, which are not adequately covered by the proposal.

Taxation

Indirect taxation

1.3.17. Council Directive 95/7/EC amending Directive 77/388/EEC and introducing new simplification measures with regard to value-added tax — scope of certain exemptions and practical arrangements for implementing them.

Directive amended: Sixth Council Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment (OJ L 145, 13.6.1977), as last amended by Directive 94/5/EC: OJ L 60, 3.3.1994; Bull. 1/2-1994, point 1.2.31

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

Economic and Social Committee opinion: OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.41

Parliament opinion: OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.19

Council agreement: Bull. 3-1995, point 1.3.15

Formally adopted by the Council on 10 April.

OJ L 102, 5.5.1995

Competition

Annual report on competition policy

1.3.18. *XXIVth Report on Competition Policy — 1994.*

Previous report: COM(94) 161; Bull. 5-1994, point 1.2.21

Adopted on 28 April. In this report, the Commission provides a detailed account of its activities in all the areas covered by the European Union's competition policy.

It begins by describing the main developments in 1994, placing them in the context of the political objectives pursued by the Commission. In particular, the report examines the importance of competition policy to the establishment of a genuine internal market and to the recovery of the European economy and, more generally, as an

instrument in the context of the globalization of world trade. The two other challenges facing the Commission in implementing its competition policy are improving its efficiency and increasing transparency.

The Commission then goes on to review the developments in each of the areas covered by competition policy, 1994 having been marked by a significant stepping-up of activities. Its activities relating to the detection and combating of cartels have assumed a special importance, with three cases having given rise to decisions to prohibit cartels and impose heavy fines. However, the Commission has also taken account of the need to assist the restructuring of Community industry with a view to increasing its competitiveness and has, to that end, adopted a much more favourable approach to firms which have strengthened their cooperation through the granting of licences to use technology, the creation of joint ventures, 'strategic' alliances or mergers.

Mergers have been strictly monitored to prevent them from jeopardizing the development of effective competition on markets as frontiers have opened.

The Commission has also stepped up its monitoring of State aid to ensure that competition remains undistorted and to strengthen convergence between Member States' economies, while at the same time taking account of the situation of the enterprises concerned, their workers and the region affected. It has also striven to reduce the aid granted in the central regions of the Union, which are in a more favourable situation economically.

The year 1994 also saw a renewed, major effort to liberalize sectors in which competition is restricted (telecommunications, energy, postal services) which has sought to respect the principle of public service and take account of the specific characteristics of the sectors concerned.

On an international level, the Commission's competition policy took account in 1994 of the phenomenon of globalization. The Commission continued its efforts to develop a genuine body of common competition rules at international level and to establish effective machinery to ensure that they are applied.

COM(95) 142

Rules applying to businesses

General rules

Motor vehicles

References:

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

Preliminary draft Commission Regulation: OJ C 379, 31.12.1994; Bull. 10-1994, point 1.2.20

1.3.19. Parliament resolution on Commission Regulation (EEC) No 123/85 of 12 December 1984 on the application of Article 85(3) of the EC Treaty to certain categories of motor vehicle distribution and servicing agreements.

Adopted on 7 April. After stressing the importance to the European economy of the manufacture and distribution of motor vehicles, Parliament expressed the view that the current distribution system does not guarantee competition in car retailing, encourages the cross-subsidization by certain national markets of others where car prices are held artificially low and is unfair to consumers, who subsidize, by paying a higher price, large 'fleet' buyers who negotiate special deals directly with the manufacturer. Parliament endorsed the Commission's proposed changes to the block exemption Regulation, subject to the inclusion of a provision to the effect that the Commission will conduct a review after the first five years of the Regulation's operation.

OJ C 109, 1.5.1995

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

References:

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

Parliament resolution on Commission Regulation (EEC) No 123/85 of 12 December 1984 on the application of Article 85(3) of the EC Treaty to certain categories of motor vehicle distribution and servicing agreements: OJ C 109, 1.5.1995; point 1.3.19 of this Bulletin

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

Commission preliminary draft: Bull. 10-1994, point 1.2.20

Economic and Social Committee opinion: OJ C 148, 30.5.1994; Bull. 3-1994, point 1.3.21

Adopted on 26 April. This draft Regulation, intended to replace Regulation (EEC) No 123/85, which expires on 30 June 1995, follows an exchange of views with the Member States and the adoption of positions by Parliament and other parties on the preliminary draft adopted by the Commission last October. It seeks to balance the interests of manufacturers, dealers and consumers and is based on the Commission's conviction that the conclusion of exclusive dealership agreements is beneficial because they encourage confidence between the various players on the market for such a specific product as motor vehicles. The intention is that manufacturers should be able to ensure that the vehicle is properly looked after, that dealers should be able to maintain a close link with producers and that consumers should have access to dealers with the necessary know-how and skills and should be able to invoke their manufacturer's guarantee throughout its dealership network. The proposed exemption increases the freedom of the European consumer in that it allows him to enjoy the advantages of the single market by being able to purchase the vehicle of his choice wherever he sees fit, and guarantees him proper information since dealers are authorized to advertise outside the territory covered by their dealership. The question of the period of application (7 or 10 years) of the future Regulation remains open, and a final decision will be taken by the Commission after it has consulted the Member States.

The main changes compared with the previous Regulation are intended to achieve a number of specific objectives, such as improving the functioning of the internal market, ensuring a balance between the interests of the parties concerned, encouraging relations based on partnership, and ensuring the proper management of the arrangement between the Community and Japan. The key features of the draft are as follows:

- it allows dealers to distribute more than one make, subject to clearly defined conditions (in particular separate premises and management) and to obtain, from independent suppliers, spare parts other than those of the manufacturer if they are of equivalent quality;
- it provides for sales targets to be set by mutual agreement between manufacturers and

dealers on the basis of previous and forecast sales;

- it grants independent garage-owners access to the technical knowledge required for repairing vehicles;
- it defines more precisely the types of clause and restrictive behaviour that result in forfeiture of the exemption;
- it prohibits differentiated remuneration of dealers according to the destination of the vehicle;
- it authorizes dealers to advertise outside their own territory.

Liner shipping companies

1.3.21. Commission Regulation (EC) No 870/95 on the application of Article 85(3) of the EC Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia) pursuant to Council Regulation (EEC) No 479/92.

References:

Council Regulation (EEC) No 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport: OJ L 378, 31.12.1986

Council Regulation (EEC) No 479/92 on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia): OJ L 55, 29.2.1992; Bull. 1/2-1992, point 1.3.60

Commission draft: OJ C 63, 1.3.1994; Bull. 11-1993, point 1.2.44

Adopted on 20 April. This Regulation, which, coming after the Regulation on liner conferences, is the second block exemption Regulation in the liner shipping sector, grants a block exemption to liner shipping consortia set up with a view to establishing varying degrees of cooperation for the running of a joint liner shipping service. The Regulation sets out to balance the respective interests of shipowners and users. On the basis of the agreements covered by the exemption, shipowners may jointly organize services, thus providing users with a better-quality service, while at the same time rationalizing their activities as maritime carriers and obtaining economies of scale and cost reductions.

The block exemption, valid initially for five years, covers consortia operating both within

and outside a liner conference which provide international liner shipping services from or to one or more Community ports. The exemption covers only those consortia which provide such services exclusively for the carriage of cargo and therefore does not apply to agreements on the carriage of passengers. It applies solely to consortia's shipping transport activities and prohibits price fixing.

The exemption relates to the following activities: the coordination and joint fixing of sailing timetables and the determination of ports of call, the exchange, sale or cross-chartering of space or slots on vessels, the pooling of vessels, port installations and operations offices, the provision of containers and other equipment, the use of a computerized data-exchange system, temporary capacity adjustments, the joint use of port terminals, the joint exercise of voting rights within conferences, a joint marketing structure, and any other activity necessary for carrying out the exempted activities.

OJ L 89, 21.4.1995

Telecommunications

1.3.22. Communication by the Commission to Parliament and the Council on the status and implementation of Directive 90/388/EEC on competition in the markets for telecommunications services (→ point 1.3.94).

Mergers

Commission decisions under the Merger Control Regulation

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

Behringwerke/Armour Pharma

1.3.23. *Adopted on 3 April.* The Commission here authorizes the creation of a joint venture between the pharmaceutical companies Behringwerke AG (Behring) and Armour Pharmaceutical Co. (Armour) in the blood-products sector.

Behring is a subsidiary of the Hoechst group while Armour indirectly belongs to the Rhône-

Poulenc group. Both parties will transfer their respective worldwide plasma-derivatives businesses to the joint venture.

The four markets affected are: human albumin, intravenous immunoglobulin, factor VIII and factor IX. Differences in national systems for granting authorization to market pharmaceutical products and in national safety standards and social security reimbursement arrangements mean that the reference markets for the products covered by the agreement remain national.

In most EEA countries, the two companies' combined market share is modest. Nevertheless, it exceeds 40% in Germany and is significantly larger in Austria.

Behring's share of the German factor VIII market has declined in recent years because the technology it uses has been superseded by more advanced products, in particular a recombinant product containing fewer elements of human blood, which is therefore considered safer than traditional products. Armour has access to only limited quantities of the recombinant factor VIII product and has to compete with companies which entered the German market much earlier. Other serious competitors are also expected to enter this market in the course of the next few years. Finally, demand for factor VIII is highly concentrated, the main customers being a small number of university clinics specializing in the treatment of haemophiliacs.

The same considerations apply to the Austrian market, of which Behring's share, although large, has declined appreciably. Considerable fluctuations in market positions have occurred in recent years. The introduction of recombinant products in Austria is imminent, and the joint venture will have to compete with suppliers which are already present on the market.

The Commission has accordingly concluded that the proposed transaction neither creates nor strengthens a dominant position and does not give rise to any serious doubts as to its compatibility with the common market.

Allianz/Elvia/Lloyd Adriatico

1.3.24. Adopted on 3 April. The Commission here authorizes the acquisition of the insurance companies Elvia (Switzerland) and Lloyd Adriatico (Italy) by Allianz (Germany).

The original agreement between the seller, Schweizer Rückversicherungsgesellschaft, and Allianz also provided that Allianz would acquire Schweizer Rück's majority stake in the German insurance group Vereinte. However, because of potential competition problems on the German insurance market, Allianz and Schweizer Rück agreed that the latter should initially retain control of Vereinte, and a merchant bank was entrusted with seeking a buyer capable of providing the necessary guarantees. Nevertheless, Allianz would not at any time be allowed to exercise a determining influence over Vereinte.

Elvia is active mainly on the Swiss market, while Lloyd's operations are essentially concentrated on the Italian market. The acquisition thus affects primarily the Italian insurance market, of which Allianz's overall share after the takeover will be 14%, which is close in size to that of the market leader, the Generali group. Allianz's market share will be 11% in the life-assurance sector and 16% in the non-life sector. It will be up against such powerful competitors as the Generali and the Fondiaria groups. The Commission has accordingly concluded that the transaction will not result in the creation of a dominant position and that it is compatible with the common market.

Gehe/AAH

1.3.25. Adopted on 3 April. The Commission here approves the takeover bid launched by Gehe AG against AAH plc.

Gehe is active in the wholesale distribution of pharmaceutical products and the production of generic drugs. It is controlled by Haniel & Cie, a large German conglomerate with a turnover of more than ECU 8 billion principally active in Germany, France, Belgium, Luxembourg, Portugal, Spain and Italy.

AAH is an independent UK listed company whose main activity is the wholesale distribution of pharmaceutical products. It also provides services linked to distribution and environmental protection, and has a turnover of some ECU 2 billion.

The takeover transaction has had to be examined in the light of the provisions of the Merger Control Regulation, primarily as regards the wholesale distribution of pharmaceutical products. De-

spite growing integration of these markets at European level, they still have a national dimension owing to regulations specific to each Member State concerning the sale and distribution of medicinal products. If the takeover bid is successful, the transaction will not involve any overlapping of national market shares. This is because AAH is active solely in the United Kingdom and Ireland as far as the wholesale distribution of pharmaceutical products is concerned, and Gehe is active solely outside those two countries. Moreover, other distributors with substantial market shares are present on the United Kingdom and Irish markets. Finally, the transaction has no significant impact on upstream or downstream markets or on competition as regards services linked to distribution and environmental protection.

The Commission has accordingly decided not to oppose the transaction and to declare it compatible with the common market.

Alfred C. Töpfer/Champagne céréales

1.3.26. Adopted on 6 April. The Commission here authorizes the creation between the German enterprise Alfred C. Töpfer and the French cooperative Champagne céréales of a joint venture which will operate in international trading in barley for malting.

Alfred C. Töpfer is active in international trading in cereals and oleaginous products while Champagne céréales acts mainly as first buyer of the agricultural products of its members (more than 11 000 farmers). After the transaction has been carried out, Champagne céréales will withdraw from the market in the joint venture's products.

In view of the low concentration of the relevant market in the Community, the transaction does not give rise to any serious doubts as to its compatibility with the common market.

Havas Voyage/American Express

1.3.27. Adopted on 6 April. The Commission here authorizes the merger of the activities of Havas and American Express on the French business travel market.

Now the main player on the French business travel market following this transaction, Havas

Voyage/American Express will still have to contend with a number of major competitors, such as Wagons Lits-Carlson, Selectour, Manor/Protravel and Via, on an expanding market.

The Commission has also been attentive to the synergies which might exist between the business travel activities of Havas and the activities of American Express in the financial services sector. However, the joint venture's competitors are also affiliated to various payment card systems. The exploitation of possible synergies between the joint venture and the 'corporate' payment card system of American Express is therefore not likely to create or strengthen a dominant position.

ING/Barings

1.3.28. Adopted on 11 April. This decision authorizes the acquisition of Baring's assets by the Dutch bank ING.

The Commission has authorized this transaction, the purpose of which is to merge the two financial institutions' activities in various geographic and product markets, and it will therefore not lead to any additional market shares.

Volvo/VME

1.3.29. Adopted on 11 April. This decision enables Volvo AB to acquire control of VME Group NV in its entirety through a share purchasing operation.

Prior to the transaction, VME was jointly controlled by Volvo and Clark Equipment. Volvo is a Swedish company active in the motor vehicle, engine-building and aeronautical industries. VME is a Swedish company active in the manufacture and sale of construction and public works equipment.

In view of VME's position on the relevant market, and given that the transaction transforms joint control into control by a single company, the Commission has decided not to oppose it.

Solvay/Wienerberger

1.3.30. Adopted on 24 April. The Commission here authorizes the acquisition by a joint venture between Solvay and Wienerberger of subsidi-

aries belonging to Solvay in the plastic pipes and joints sector.

The Commission has authorized the acquisition by Wienerberger of 50% of the capital of four subsidiaries wholly owned by Solvay and, at the same time, the transfer of those subsidiaries to an existing economic entity made up of seven joint ventures controlled by Solvay (a Belgian group) and Wienerberger (an Austrian enterprise) on the basis of an agreement signed in 1989.

This economic entity operates in the sector of plastic pipes and joints intended primarily for the transport and distribution of water and gas, drainage, electrical insulation and irrigation.

As regards pipes, the Commission has concluded, given the high cost of transport and the existence of different national standards, that the geographic reference market is national, if not local. By contrast, it considers the geographic reference market for plastic joints to be of a Community dimension given the low cost of transport and the product's standard characteristics.

The Commission has noted that there is no overlap at local or national level between the plastic pipe activities of Solvay's four subsidiaries and those of the economic entity. Moreover, at Community level, the market share of the future entity in the plastic joints sector will remain small.

For these reasons, the Commission has decided to authorize the merger, believing that it will not create or strengthen a dominant position.

Telenordic/BT/TeleDanmark/TeleNor

1.3.31. Adopted on 24 April. By this decision, the Commission has authorized the formation by the United Kingdom enterprise British Telecom (BT), the Danish enterprise TeleDanmark and the Norwegian enterprise TeleNor of a joint venture for the purposes of penetrating the Swedish telecommunications market.

Each of the parent companies is a telecommunications operator in its respective country of origin. BT, in association with MCI, is also active at international level in the area of high-value-added services to multinational companies

(‘concert’ services). The joint venture will establish and manage a telecommunications network in Sweden. It will conclude the necessary agreements with other telecommunications operators in Sweden and elsewhere so as to be able to offer local, long-distance or international services to enterprises and consumers for both voice and data.

Although the parent companies will remain active on their respective national markets for the same product as that offered by the joint venture, and although the latter will be the only supplier of ‘concert’ services in Sweden, the transaction has not been considered likely to give rise to a coordination of their competitive behaviour. The Commission also considers that the fact that the parties concerned jointly undertake to create an operator on the Swedish market rules out the possibility that they will themselves return to the market. Moreover, the Commission feels that the theoretical possibility for the telecommunications operators to reroute their traffic to a given country via another country (and hence via another operator) makes it unlikely that they will be able to coordinate their competitive behaviour outside Sweden given the embryonic nature of the market and the size and objectives of the joint venture. Finally, the fact that the joint venture will distribute ‘concert’ services in Sweden on the basis of an exclusive distribution contract and that TeleNor and TeleDanmark are potentially the sole distributors of those products in their own territories does not make it likely, in the Commission's view, that the parent companies will coordinate their competitive behaviour to a greater extent than is normal within an exclusive distribution network.

Moreover, since the transaction allows an additional player to enter the Swedish telecommunications market, it will have a beneficial effect on competition in Sweden.

Blockbuster/Burda

1.3.32. Adopted on 27 April. The Commission here authorizes the creation of a joint venture in the video-film retailing and rental sector.

The joint venture, Blockbuster Video Deutschland GmbH, is to be set up between the United States enterprise Blockbuster Video International Co. and the German enterprise Burda. Burda is acquiring 49% of the capital of

Blockbuster Video Deutschland GmbH, which was originally under the sole control of Blockbuster Video International Co.

The future entity will be active in the retailing and renting of video films in Germany, and more precisely in Berlin and Munich. Blockbuster Video International Co. subsequently intends to create a franchise network covering all of Germany in the same sector, which will benefit from the experience acquired by Blockbuster Video Deutschland GmbH.

Since neither Blockbuster Video International Co. nor Burda is active in this sector in Germany, the transaction brings two new players onto the market. It does not lead to the creation of a dominant position. The Commission has therefore decided to authorize it.

State aid

General rules

1.3.33. Commission decisions and other measures in respect of State aid in agriculture, energy and transport are dealt with under the relevant subject headings (→ points 1.3.87, 1.3.88, 1.3.93 and 1.3.114 to 1.3.116).

1.3.34. Commission decision extending the period of validity of the code on aid to the synthetic fibres industry.

Previous decision: Bull. 7/8-1994, point 1.2.43

Adopted on 12 April. The Commission has decided to extend the period of validity of the code on aid to the synthetic fibres industry for a further nine months until 31 March 1996 pending the outcome of studies concerning the code's operation. Aid for synthetic fibres production has been subject to strict control since 1977 because of overcapacity in the industry, the low rate of capacity utilization, and the danger that State aid might adversely affect trade between Member States to an extent contrary to the common interest. Under the code, all cases of aid to synthetic fibre manufacturers have to be notified in accordance with Article 93(3) of the EC Treaty.

Decisions to raise no objection

Shipbuilding

Reference: Seventh Council Directive 90/684/EEC on aid to shipbuilding (OJ L 380, 31.12.1990; Bull. 12-1990, point 1.3.64), as last

amended by Council Directive 93/115/EC: OJ L 326, 28.12.1993; Bull. 12-1993, point 1.2.71

Spain

1.3.35. Commission decision on shipbuilding development aid to Cameroon.

Adopted on 4 April. The aid is to be granted in relation to the purchase by a fishermen's association in Cameroon of 50 fishing vessels from a Spanish association of shipyards in Galicia with a view to renewing its members' fishing fleet.

It will take the form of a credit facility covering 80% of the contract value of USD 100 million (USD 2 million per vessel) and will be granted over 15 years without any period of grace at an annual rate of 3.05%. The OECD grant equivalent is 33.04%.

In reaching its favourable decision, the Commission took into account the fact that all the conditions it had laid down were fulfilled, including those relating to the recipient country, the OECD subsidy level and the country of registration. What is more, the purchase of the fishing vessels will contribute to attainment of the development objective referred to in the seventh Directive.

Netherlands

1.3.36. Commission decision on the renewal of the Dutch shipbuilding aid scheme (Subsidie-regeling Zeescheepsnieuwbouw) for 1995.

Previous decision: Bull. 5-1994, point 1.2.31

Adopted on 4 April. Under the scheme, Dutch shipyards may receive aid worth between 4.5 and 8.5% of the contract value before aid, depending on the size of the contract.

The Commission has authorized the scheme's renewal until the end of the year as it respects the maximum ceilings laid down by the seventh Directive and the aid ceiling for 1995 of 9% (4.5% in the case of vessels costing less than ECU 10 million).

Portugal

1.3.37. Commission decision on the renewal of the Portuguese shipbuilding aid scheme for 1995.

Previous decision: Bull. 11-1994, point 1.2.45

Adopted on 26 April. The scheme, which is a straightforward extension of the measures authorized for 1991-93 and 1994, provides for aid to shipyards consisting of grants of up to 9% of the price of new vessels and 4.5% for conversions and the building of vessels costing less than ECU 10 million.

The aid takes the form of outright grants towards the cost of building or converting vessels and of loss compensation for contracts concluded with both domestic and foreign ship-owners: these two forms of aid combined may not exceed the maximum ceiling. Fishing vessels covered by the programme for the Community fleet are not eligible.

United Kingdom

1.3.38. Commission decision on a proposal to grant investment aid to ship repairer A&P Appledore (Tyne).

Adopted on 4 April. The British Government proposes to grant A&P Appledore UKL 750 000 towards a UKL 4 841 million investment programme which the yard is carrying out between 1995 and 1997 and which involves modernization work aimed at increasing efficiency.

Given that the yard's total capacity should be reduced by about 20% following its restructuring, and that A&P Appledore has closed 16 docks and associated facilities in the past five years, the Commission considered that the proposal was in keeping with Article 6 of the seventh Directive.

Textiles

Belgium

1.3.39. Commission decision on a proposal by the Walloon Region to facilitate the takeover of Euromotte.

Adopted on 12 April. The Walloon Region has put together an aid package worth BFR 175 million to smooth the way for the takeover of Euromotte by EM-Filature. It proposes to grant three forms of assistance:

□ the acquisition of a shareholding in EM-Filature of BFR 30 million;

□ the grant of a loan of BFR 45 million at a rate of 9.4% to provide the new entity with working capital;

□ the provision of two supplementary guarantees covering half the amount of three bank loans of BFR 40, 50 and 58 million granted at a rate of 9.4% and secured by mortgages on the buildings and on the plant and equipment purchased.

The Commission considered that the first two operations were justified, the Walloon Region having acted like a private investor operating under market economy conditions, and that the third was no more than the application of an existing scheme which it had already approved on 9 July 1991. It accordingly decided not to raise any objection to the proposal.

Other sectors

Denmark

1.3.40. Commission decision on a proposal to amend the Danish Electricity Act.

Adopted on 4 April. As it stands, the Danish Electricity Act provides that Danish electricity distribution companies must observe the principle of basing prices on costs and may not include in the price of electricity costs unrelated to generation and supply. The companies cannot therefore earn profits or form capital reserves which can be invested in other commercial activities.

The amendment to the Act is intended to enable Danish companies to earn a reasonable return from the generation and supply of electricity, subject to a ceiling to be laid down, which they may invest in the form of risk capital, in accordance with the principle of an investor operating under market economy conditions, in private limited companies specially set up to carry on new commercial activities connected with the generation and supply of electricity.

The Commission decided that the proposal did not involve any element of State aid within the meaning of Article 92(1).

Italy

1.3.41. Commission decision on the setting-up of a financial services centre in Trieste.

Adopted on 12 April. The scheme involves the setting-up of a financial services and insurance centre and the granting of tax concessions totalling not more than ECU 3.5 billion to firms carrying out lending or investment operations in the countries of Eastern Europe. The aid is to be granted in the form of a reduction in tax on profits earned in the centre.

In view of the great importance to the European Union of the development of a private capital market in the East European countries, the Commission has approved the scheme for a period of five years.

Environment

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

Spain

1.3.42. Commission decision on an aid programme for industry and environmental technology (PITMA II).

References:

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

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

Adopted on 26 April. The programme provides for aid for combating and minimizing pollution and other harmful effects of industrial origin in factories, for environmental R & D projects and for information services, the preparation of studies and the dissemination of knowledge.

The Commission has approved the programme for the period 1995-99, reserving the right to review the authorization in the event of the ECSC Decision on aid to the steel industry being amended, and has informed the Spanish authorities that specific cases of aid to companies in the ECSC sector and cases where the amount of aid exceeds ECU 1 million will have to be notified individually.

Netherlands

1.3.43. Commission decision on environmental management in the Netherlands.

Adopted on 4 April. The Commission here authorizes the award, under the CFC (chlorofluorocarbon) action programme approved in June 1990, of aid in the form of grants totalling ECU 1.55 million. The aid is intended to offset the degree of technical and financial risk assumed by Dutch firms in introducing new technologies and converting their plant so as to produce plastic foams without the use of CFCs.

The Commission's favourable attitude is due to the fact that all the recipients are SMEs and that the aid intensity is in line with Community policy concerning environmental aid.

Regional aid

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

Germany

1.3.44. Commission decision on consolidation funds for Saxony and the eastern part of Berlin.

Reference: Community guidelines on State aid for rescuing and restructuring firms in difficulty: OJ C 368, 23.12.1994; Bull. 7/8-1994, point 1.2.42

Adopted on 12 April. In September 1994, the Federal Government placed funds at the disposal of the new *Länder* totalling DM 500 million for the granting of rescue and restructuring aid to firms privatized by the Treuhandanstalt or its successor organizations. The money made available is administered in a decentralized manner by the *Länder*, each of which has set up one fund.

The Commission has approved the consolidation funds for Saxony and the eastern part of Berlin. The Saxony consolidation fund, which has a budget of DM 160 million, provides for restructuring aid in the form of dormant equity holdings of up to DM 5 million for small and medium-sized commercial and industrial enterprises with their registered office or establishment in Saxony. The Berlin consolidation fund, which has a budget of DM 40 million, is aimed at SMEs in manufacturing industry and supraregional service companies with an establishment in the eastern part of Berlin. As well as rescue aid in the form of redeemable loans on market terms for a maximum of six months, the fund

provides restructuring aid in the form of straightforward loans, equity loans and dormant equity holdings, up to a ceiling of DM 5 million, for a maximum period of five years.

Under both schemes, aid to large enterprises and enterprises in sensitive sectors are to be notified individually to the Commission. In accordance with the Community guidelines on State aid for rescuing and restructuring firms in difficulty, both schemes also require, in each instance of aid, that a viable restructuring/rescue package be submitted and carried out, from which it is clear that the firms' competitiveness will be restored within a reasonable period. Similarly, in the case of large enterprises and SMEs in a position to influence the market and operating in a sector where there is excess capacity, the recipient firm must make an appropriate contribution in the form of a definitive capacity reduction or closure.

Netherlands

1.3.45. Commission decision on the investment grant scheme (Investeringspremieregeling — IPR).

Adopted on 12 April. By this decision, the Commission approved the IPR scheme with a total budget of ECU 48 million a year, divided equally between the 'centralized' and the 'decentralized' IPR. The scheme seeks to promote the regional development of the north of the country, the NUTS 3 region of Twente and part of the NUTS 3 region of southern Limburg. It is limited in time, to five years in the north and to two years in Twente and southern Limburg.

In the country's northern provinces, aid is granted in the form of investment grants of 20% gross (15% net) to firms setting up for the first time in the region, and for the expansion of firms established there for less than five years, and 15% gross (11% net) for other expansions. The central IPR is funded directly by central government, and assists investments exceeding HFL 10 million. The decentralized scheme is managed and financed by the provinces, and assists investments below that threshold.

In the Twente and southern Limburg NUTS 3 regions, the grant ceiling is 15% gross (11% net), and grants are available only for firms set-

ting up for the first time and for the expansion of firms established for less than five years. Only the centralized scheme applies there, and it is available only for investments of more than HFL 30 million.

Research and development

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

Germany

1.3.46. Commission decision on an aid scheme — 'Produktion 2000' — intended to promote the transfer of know-how to SMEs.

Adopted on 4 April. The German Government proposes to set up a scheme to stimulate research and development with a view to improving the production processes of SMEs. The scheme will have a budget of DM 450 million for the period 1995-99.

Support will be provided for basic industrial research projects in certain fields. The aid intensity will be 50%, with additional bonuses of 10% for SMEs and 10% for the new *Länder* (with a combined bonus of 15% maximum).

The Commission authorized the scheme after finding that its various components were in keeping with the framework for aid for research and development.

Italy

1.3.47. Commission decision on the granting of aid to Ansaldo GIE in support of a research and development programme.

Adopted on 26 April. The Italian Government proposes to grant aid to Ansaldo GIE Srl to support the firm's programme of technological innovation in the field of power generation equipment production. The aid will take the form of a soft loan, the amount of which will not exceed 35% of the eligible cost under national law, i.e. LIT 21 420 million.

The Commission has authorized the aid on the ground that it is being granted under Law No 46 of 17 February 1982 setting up the Fund for Applied Research, in particular Articles 14 to 19

thereof instituting the Fund for Technological Innovation. Both Law 46/82 (as a general aid scheme) and Articles 14 to 19 (instituting a special aid scheme) have been approved by the Commission.

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

Germany

1.3.48. Commission decision on the Saarland credit-guarantee scheme.

References:

Community guidelines on State aid for rescuing and restructuring firms in difficulty: OJ C 368, 23.12.1994; Bull. 7/8-1994, point 1.2.42

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

Adopted on 12 April. The Saarland credit-guarantee scheme, which is not limited in time, allows *Land* guarantees totalling DM 400 million a year to be granted to industrial and commercial enterprises. There is no ceiling on the size of individual guarantees and the lending institution itself must bear a risk of at least 20%.

The Commission has found that guarantees granted to firms in difficulty and guarantees for start-up investment projects granted to SMEs or, until 1996, to large enterprises, are compatible with the common market.

On the other hand, it has come to the conclusion that the granting of guarantees for start-up investment projects to large enterprises in those parts of the Saarland which might, from 1997, no longer form part of the assisted areas and of guarantees for the raising of working capital (unless directly linked to a start-up investment project) is incompatible with the common market. It has accordingly initiated Article 93(2) proceedings in order to give the German Government and the other parties concerned the opportunity to submit their comments.

France

1.3.49. Commission decision on a proposal to award aid to the Beaulieu group.

References:

Code on aid to the synthetic fibres industry: OJ C 346, 30.12.1992; OJ C 224, 12.8.1994; Bull. 12-1992, points 1.3.73 and 1.3.74

Commission Decision 84/58/EEC: OJ L 283, 27.10.1984

Adopted on 26 April. The French Government proposes to grant aid to the Beaulieu group in support of the company's planned investments totalling approximately FF 368 million. The investments in question involve the installation of new capacity for the production of polypropylene-bulked continuous filament (PP-BCF) yarn.

The Commission had decided to initiate Article 93(2) proceedings in respect of the proposal for a number of reasons:

- the French authorities have stated that they would respond favourably to an application for aid under the regional planning grant scheme; however, the Commission Decision of October 1984 declaring that scheme compatible with the common market is without prejudice to compliance with present or future special rules on aid to particular industries;
- it needs to be ascertained whether the proposed aid comes within the scope of the code on aid to synthetic fibre producers;
- the proposed aid constitutes indirect support for the production of PP-BCF yarn since it supports activities downstream of such production; it should have been notified to the Commission by virtue of the Member States' obligation under the code to notify all proposals to award aid to synthetic fibre producers if the fibres are to be supplied from newly installed or recently modernized production facilities, irrespective of whether the aid is being granted under a scheme already approved by the Commission;
- the proposed aid is not in keeping with the code, which requires that indirect support for the installation of new production capacity should lead to a simultaneous, significant reduction in capacity; what is more, it might come within the scope of the Community framework for aid to the textile industry.

The Commission would point out, moreover, that, even if it were to conclude that the aid is compatible with the common market, it might suspend payment thereof up to the amount of the aid already granted by the Belgian authorities to the Beaulieu group in 1983, which it found to be incompatible with the common market and of which it ordered the repayment.

1.3.50. Commission decision on aid to Crédit lyonnais.

Adopted on 12 April. In 1994, the French Government provided a capital injection for Crédit lyonnais which included a State aid element of some FF 4.9 billion. It now proposes to assume some FF 50 billion of risks under the restructuring plan presented in 1995. The plan, which is to be spread over 20 years, provides for the sale of all the bank's industrial assets (50% within three years and 80% within five years), the sale to third parties or the takeover by Crédit lyonnais of the healthy operations of its banking subsidiaries, and concentration on core business, i.e. banking proper.

Following a complaint by the Banque nationale de Paris and Société générale concerning the distortion of competition which the aid might bring about, the Commission has decided to initiate Article 93(2) proceedings so as to give the French authorities an opportunity to make known their views.

Italy

1.3.51. Commission decision on social aid in the footwear sector in Italy.

Adopted on 4 April. The Italian Government has approved a scheme of 'extraordinary intervention' to support production and employment in the footwear sector. The scheme is part of a plan for shifting to taxation all or part of the burden of employers' social security contributions for any newly recruited workers. Up to 5 000 workers may be taken on under these conditions, half on contracts of indefinite duration. This budgetization plan is to run for a period of five years and will be on a reducing scale for workers employed on contracts of indefinite duration.

The Commission has decided to initiate Article 93(2) proceedings on the grounds that the measures in question constitute sectoral aid, the benefit of which is reserved for sectors experiencing an employment crisis, and that the Italian authorities have failed to demonstrate the need to grant preferential treatment to the buoyant footwear sector compared with other sectors in difficulty.

Decisions to initiate proceedings under Article 6(4) of the Steel Aid Code

Reference: Commission Decision No 3855/91/ECSC of 27 November 1991 establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-1991, point 1.2.26

Ireland

1.3.52. Commission decision on aid for Irish Steel and on the viability of its restructuring plan.

Adopted on 4 April. The Irish Government intends to seek an industrial partner for Irish Steel, of which it is currently the sole shareholder, and to put together for its benefit an aid package worth IRL 50 million comprising a capital injection of IRL 40 million and guaranteed loans totalling IRL 10 million. The company has reportedly already drawn on the latter facility to the tune of IRL 2 million, and this comes on top of an earlier support operation involving IRL 10 million in guaranteed loans.

The Commission has decided to open an investigation as a prerequisite to any approval of the above aid measures under Article 95 of the ECSC Treaty.

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

Positive final decisions

Belgium

1.3.53. Commission decision on a proposal to grant aid to DS Profil bvba (DSP).

Reference: Code on aid to the synthetic fibre industry: OJ C 346, 30.12.1992; OJ C 224, 12.8.1994

Initiation of proceedings: OJ C 201, 23.7.1994; Bull. 5-1994, point 1.2.39

Adopted on 26 April. The proposed aid was intended to finance investment of ECU 2 786 434 in a new facility for the production, texturization, surface treatment and further processing of polyester staple fibre.

It was to have been granted in three forms: an interest subsidy equal to 15% of the total cost of that part of the investment which was related to certain specific activities; exemption from property tax equal to 1% of the total cost of that part of the investment which was related to those same activities; and authorization to apply accelerated depreciation over three consecutive fiscal years starting from that in which the

investment took place on the cost of the land and buildings and that part of the infrastructure costs which was allocated to the above activities.

In view of the fact that the aid did not constitute indirect support for the production of synthetic fibres and hence did not come within the scope of the code, given that the fibres could be supplied only from the new production facilities belonging to the aid recipient, the Commission found that the intensity of the aid and the forms in which it was granted were compatible with the common market pursuant to Article 92(3)(c) of the EC Treaty and Article 61(3)(c) of the EEA Agreement and accordingly decided to terminate the proceedings.

France

1.3.54. Commission decision on aid granted to the printing works Avenir graphique.

Reference: Community guidelines on State aid for rescuing and restructuring firms in difficulty: OJ C 368, 23.12.1994; Bull. 7/8-1994, point 1.2.42

Initiation of proceedings: OJ C 85, 22.3.1994

Adopted on 4 April. In 1991 and 1992, Avenir graphique received aid in the form of loans totalling FF 150 million from three State-owned banks, namely Crédit lyonnais, Banque Hervet and Banque nationale de Paris, which subsequently decided not to recover their debts.

The Commission formed the view in the course of the proceedings that this amounted to the award of State aid because, given the firm's financial position, no private bank would have extended it any credit. However, in view of the fact that the banks' decision had made possible a takeover by the Lopès group, the Commission considered that the aid was compatible with the common market in the light of the guidelines on State aid for rescuing and restructuring firms in difficulty and accordingly decided to terminate the proceedings.

Decisions to terminate proceedings initiated under Article 6(4) of the Steel Aid Code

Negative final decisions

Germany

1.3.55. Commission decision on aid to Neue Maxhütte.

Reference: Commission Decision No 3855/91/ECSC of 27 November 1991 establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-1991, point 1.2.26

Initiation of proceedings: OJ C 377, 31.12.1994

Adopted on 4 April. The government of the Land of Bavaria proposed to transfer, for a nominal sum, its shareholdings in Neue Maxhütte (45%) and Lech-Stahlwerke (approximately 20%) to cover 80% of Neue Maxhütte's losses of DM 56 million and all of Lech-Stahlwerke's losses of DM 20 million.

Contrary to the arguments put forward by the German Government, the Commission considered that no private investor would have covered the losses because the operation would have been of no benefit to him. What is more, the firms' private partners had not intervened and it had not been confirmed that the aid was intended to improve environmental protection. The Commission therefore decided that the operations constituted State aid contrary to the ECSC Treaty and the Steel Aid Code and prohibited the Bavarian authorities from making the proposed payments.

International cooperation

United States

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

References:

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

Judgment of the Court of Justice in Case C-327/91 *France v Commission*: Bull. 10-1994, point 1.7.21

Proposal for a Council Decision concluding the Agreement: COM(94) 430; Bull. 10-1994, point 1.2.47

Parliament opinion: OJ C 43, 20.2.1995; Bull. 1/2-1995, point 1.3.58

New Parliament opinion: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.58

Decision 95/145/EC, ECSC concerning the conclusion of the Agreement adopted by the Council and the Commission on 10 April. By a judgment of 9 August 1994, the Court of Justice, finding

that the Agreement concluded by the Commission in 1991 was within the field of competence of the Council and not of the Commission, annulled the instrument by which the Commission had purported to conclude the Agreement. However, in accordance with the Vienna Convention on the Law of Treaties, the Agreement remained valid in international law and the Community was still bound by it. Consequently, it was for the Council either to terminate the Agreement in accordance with the procedure laid down by the Agreement itself or to regularize the legal situation within the European Union by approving the Agreement on behalf of the European Community. The latter option was chosen.

The Agreement is intended to promote cooperation and coordination between the competition authorities in the United States and the European Union in order to reduce the risk of laws being applied differently. It provides among other things for:

- the exchange of information on general aspects of the application of competition rules and on cases dealt with by the competition authorities of one party where those cases involve important interests of the other party;
- cooperation and coordination of measures taken by the competition authorities of the two parties;
- the 'traditional comity' procedure, whereby each party undertakes to take into account major interests of the other party when it adopts measures implementing its competition rules;
- the 'positive comity' procedure, whereby each party may invite the other to take, on the basis of the latter's law, appropriate measures against anti-competitive behaviour in its territory affecting major interests of the requesting party.

None of these provisions may be interpreted in a way which conflicts with the law in force in the Union and the United States; in particular, the competition authorities remain bound by the internal rules on safeguarding the confidentiality of the information they receive in the course of their respective enquiries.

OJ L 95, 27.4.1995

OECD

1.3.57. Parliament resolution on prospects for the future development of the shipbuilding industry.

Reference: Agreement respecting normal competitive conditions in the commercial shipbuilding and repair industry: Bull. 12-1994, point 1.2.82

Adopted on 7 April. Parliament asks that the agreement on shipbuilding concluded within the OECD be submitted to it for assent pursuant to Article 228(3) of the EC Treaty. It calls on the Commission to ensure respect for international competition in the sector and to draw up an industrial cooperation strategy aimed at strengthening competitiveness.

OJ C 109, 1.5.1995

Industrial policy

Competitiveness

1.3.58. Council conclusions on the competitiveness of European industry.

References:

Commission report on the implementation of the Council's resolutions and conclusions on industrial policy: Bull. 3-1995, point 1.3.60

Group of independent experts on simplification of legislation and administration: Bull. 9-1994, point 1.7.2

Council resolution on the strengthening of the competitiveness of Community industry: OJ C 343, 6.12.1994; Bull. 11-1994, point 1.2.58

Commission communication to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions on an action programme and timetable for implementation of the action announced in the communication on an industrial competitiveness policy for the European Union: COM(95) 87; Bull. 3-1995, point 1.3.59

Adopted on 7 April. In the context of its resolution of November 1994, the Council noted with interest the report and action programme presented by the Commission with regard to industrial competitiveness and underlined the main aspects of the programme, namely:

- promotion of intangible investment, in particular by the stepping-up of research and the creation of a legal environment conducive to it;
- industrial cooperation, by holding round-table discussions and giving support to industrial

cooperation projects of interest to the Community;

□ fair competition both on external markets and within the single market, in particular by creating a database on the obstacles to smooth operation of external markets and by scrutinizing the State aid control mechanism;

□ modernization of the industrial role of the public authorities by streamlining procedures and making them more transparent, following the examination of the effect of the Community and national rules on competitiveness and employment by the group of independent experts on simplification of legislation and administration.

1.3.59. Committee of the Regions' own-initiative opinion on an industrial competitiveness policy for the European Union.

Adopted on 21 April. The Committee welcomed the Commission's proposals and emphasized, in particular, that it was important to ensure that aid monitoring did not hinder investment or treat SMEs less favourably than large companies.

Individual industries

High-tech industries

1.3.60. Council conclusions on high-tech industries and businesses.

References:

Parliament and Council Decision No 1110/94/EC concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994-98): OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

Council Decision 94/268/Euratom concerning a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98): OJ L 115, 6.5.1994; Bull. 4-1994, point 1.2.70

Adopted on 7 April. After noting that high-tech industries presented special characteristics, the Council underlined the need to adopt certain measures to improve their competitiveness. Thus, in the light of the importance of risk capital for financing high-tech businesses, the Council advocated the development of a Europe-wide securities market adapted to them.

Moreover, consideration could be given to widening the possibilities afforded by the European Investment Fund for this type of financing. The Council underlined, with regard to the European technology policy, the need to take market requirements into account while respecting the generic and precompetitive nature of the technologies to be developed; in this connection, it advocated consulting, as a matter of general practice, the firms concerned and the users of those technologies and searching for synergies between the R & D framework programme and Eureka. With regard to competition, it was advisable, in particular, to implement an active policy which would give European high-tech businesses access to third-country markets. It also expressed the view that cooperation between businesses should be promoted in order to assist the diffusion of high-tech products.

International aspects

1.3.61. Council conclusions on industrial cooperation with the countries of Central and Eastern Europe (→ point 1.4.62).

Enterprise policy

Tourism

1.3.62. Green Paper on the role of the European Union in the field of tourism.

References:

Council Decision 92/421/EEC on a Community action plan to assist tourism: OJ L 231, 13.8.1992; Bull. 7/8-1992, point 1.3.81

Parliament resolution on tourism in the approach to the year 2000: OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.78

Economic and Social Committee opinion on tourism: OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.75

Parliament resolution on the Commission report on Community measures affecting tourism: OJ C 18, 23.1.1995; Bull. 12-1994, point 1.2.89

Adopted by the Commission on 4 April. This Green Paper, which follows on from the dis-

cussions at the informal meeting of tourism ministers in Athens on 15 April 1994 and debates in Parliament, the Economic and Social Committee and the Committee of the Regions, aims to facilitate and stimulate thought on the measures to be taken by the European Union in the field of tourism.

After setting out the action it is currently taking in this field and the instruments available to it, the Commission looks at the added value of Community measures to assist tourism, reviewing the main underlying reasons for Community action and highlighting the fundamental objectives on which it is based. These include contributing to reinforcing economic and social cohesion, contributing to the management of structural and technological change and the development of SMEs in the tourist industry, implementing sustainable development, promoting the European identity and creating added value by a coherent approach to policies and instruments. In this context, the Commission identifies three poles around which the interests of tourism revolve: the tourist industry, the satisfaction and protection of tourists and awareness of our cultural and natural heritage.

The Commission then sets out four options for possible developments in the role of the Union as regards tourism:

- firstly, for tourism to benefit from measures implemented in other fields of Community action, without being targeted by any special programme of action;
- secondly, retaining the current framework and level of intervention based on the Community action plan to assist tourism for the period 1993-95, which represents an experimental platform for comparing ideas and experience, building common projects and developing common strategies;
- thirdly, strengthening Community action via the existing Treaty, particularly by strengthening existing measures and increasing the funding allocated to them while bearing in mind the distinct implementation procedures for each of these instruments;
- fourthly, increased Community intervention to assist tourism by designing a Community tourism policy to complement the Member States' policies.

COM(95) 97

Research and technology

Framework programme 1994-98

1.3.63. Proposal for a European Parliament and Council Decision adapting Decision No 1110/94/EC concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994-98) and proposal for a Council Decision adapting Decision 94/268/Euratom concerning a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98) following the accession to the European Union of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden.

Reference: Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994; Bull. 6-1994, point 1.3.15; OJ L 1, 1.1.1995

Decisions to be amended:

European Parliament and Council Decision No 1110/94/EC concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994-98); OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

Council Decision 94/268/Euratom concerning a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98); OJ L 115, 6.5.1994; Bull. 4-1994, point 1.2.70

Adopted by the Commission on 12 April. As a result of the accession of the new Member States, the Commission is proposing that the overall budget for the research framework programme should be increased by 7% from ECU 12.3 billion to ECU 13.161 billion for the period 1994-98.

The new breakdown of funding for the fourth European Community framework programme is therefore as follows:

- first activity (research, technological development and demonstration programmes): ECU 11 434 million;
- second activity (international cooperation): ECU 578 million;
- third activity (dissemination and optimization of results): ECU 353 million;

□ fourth activity (stimulation of the training and mobility of researchers): ECU 796 million.

COM(95) 145

Education, vocational training and youth

General

1.3.64. Economic and Social Committee opinion on the Commission communication on recognition of qualifications for academic and professional purposes.

Reference: Commission communication on recognition of qualifications for academic and professional purposes: COM(94) 596; Bull. 12-1994, point 1.2.224

Adopted by the Economic and Social Committee on 27 April. The Committee welcomed the action outlined by the Commission with a view to increasing the scope for freedom of movement among students and holders of professional qualifications within the European Union. Endorsing the various approaches to enhancing the recognition of qualifications set out in the communication, the Committee drew attention to the importance of the principle of equal opportunities in this context, stressing also the need to ensure that no-one is excluded from the measures. Noting that the communication constitutes a first step in the field of higher education only, the Committee called on the Commission to undertake a wider evaluation of people's needs in terms of mobility and mutual recognition, with the emphasis on skilled and specialist workers. It also suggested that more resources should be allocated to information campaigns about the proposed measures.

1.3.65. Proposal for a Parliament and Council Decision establishing 1996 as the European Year of Lifelong Learning.

Commission proposal: OJ C 287, 15.10.1994; COM(94) 264; Bull. 9-1994, point 1.2.186

Committee of the Regions opinion: Bull. 11-1994, point 1.2.202

Economic and Social Committee opinion: OJ C 397, 31.12.1994; Bull. 11-1994, point 1.2.202

Parliament opinion (first reading): OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.68

Amended Commission proposal: COM(95) 124; Bull. 3-1995, point 1.3.68

Council agreement on a common position: Bull. 3-1995, point 1.3.68

Common position (EC) No 4/95 formally adopted by the Council on 20 April.

OJ C 130, 29.5.1995

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

1.3.66. Draft cooperation agreement between the European Community and the United States on training and higher education.

Commission recommendation: Bull. 9-1994, point 1.2.188

Negotiating directives: Bull. 11-1994, point 1.2.211

Proposal for a Decision on the conclusion of an Agreement adopted by the Commission on 12 April. The Commission proposed that the Council conclude the Agreement negotiated with the United States in the interest of encouraging interaction between higher education establishments, training bodies and undertakings situated in the European Union and the United States, thereby facilitating exchanges of experience and personnel so as to enhance the transatlantic dialogue.

COM(95) 120

Economic and social cohesion

Structural action, regional policies

Planning and orientation

General

1.3.67. Own-initiative opinion of the Committee of the Regions on the Council of Europe's European Charter on Mountain Areas.

Adopted on 21 April. In view in particular of the specific features of mountain regions and the need for a European policy on such regions, the Committee of the Regions recommended that the European Union should accede to the Council of Europe's Charter on mountain areas as soon as it had been definitively adopted. The Committee also asked the Commission to consider how the guidelines set out in the Charter could be transposed into Community law.

Structural action under Objective 5a (Adjustment of agricultural structures)

Legislative aspects

1.3.68. Proposal for a Council Directive concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Austria).

Commission proposal: COM(95) 58; Bull. 3-1995, point 1.3.79

Endorsed by Parliament on 27 April.

OJ C 126, 22.5.1995

Single programming documents

1.3.69. Draft Commission decisions approving single programming documents for Community structural funding to improve processing and marketing conditions for agricultural products in Germany (Bremen, Saarland, Schleswig-Holstein), under Objective 5a for the period 1994-99.

Approved on 4 and 26 April. The single programming documents select the following measures for a joint measure under Objective 5a:

- Bremen: meat (aid amounting to ECU 0.67 million);
- Saarland: meat (aid amounting to ECU 3.139 million);
- Schleswig-Holstein: fruit and vegetables and flowers and plants (aid amounting to ECU 3.058 million).

Structural action under Objective 5b (development and structural adjustment of rural areas)

General

1.3.70. Commission Decision 95/143/CE establishing, for the period 1995 to 1999 in Swe-

den, the list of rural areas under Objective 5b as defined by Council Regulation (EEC) No 2052/88.

Reference: Regulation (EEC) No 2052/88 on the tasks of the Structural Funds and their effectiveness and the coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments (OJ L 185, 15.7.1988; Bull. 6-1988, point 2.1.159), as last amended by Regulation (EC) No 3193/94: OJ L 337, 24.12.1994; Bull. 12-1994, point 1.2.130

Adopted on 18 April. Defines the list of Objective 5b areas in Sweden for the period 1995-99.
OJ L 92, 25.4.1995

Single programming documents

1.3.71. Draft Commission decisions amending decisions approving single programming documents for Community structural measures in France (Franche-Comté, Provence-Alpes-Côte d'Azur) under Objective 5b.

Reference: Commission decisions approving single programming documents for Community structural measures in France: Bull. 12-1994, point 1.2.141

Approved on 12 and 26 April. The decisions introduce two priorities with a view to strengthening interregional cooperation in the Jura and the Alps. Community aid will now amount to ECU 78.113 million for Franche-Comté and ECU 95.005 million for Provence Alpes-Côte d'Azur.

1.3.72. Commission decisions approving single programming documents for Community structural measures in Italy (Liguria, Marche, Piedmont) under Objective 5b.

Commission approval: Bull. 1/2-1995, point 1.3.74

Formally adopted on 3 April.

1.3.73. Commission decisions approving single programming documents for Community structural funding in the United Kingdom (North and West Grampian, Rural Stirling and Upland Tayside) under Objective 5b.

Commission approval: Bull. 3-1995, point 1.3.83

Formally adopted on 21 April.

Community initiatives

General

1.3.74. Commission communication on the allocation of funds and the implementation of Community initiatives in Austria, Finland and Sweden.

Reference: Commission notices to the Member States setting guidelines for the operational programmes and global grant applications they are invited to present under the Community initiatives Konver, SMEs, Rechar II, RETEX, Res-

ider II, Interreg II, Leader II, PESCA, ADAPT, Employment and Development of Human Resources, and URBAN: OJ C 180, 1.7.1994; Bull. 6-1994, point 1.2.133

Adopted on 4 April. Proposes financial allocations for each initiative in each of the new Member States. Funds are allocated to reflect the specific characteristics of the new Member States, all three of which have exceptionally long borders with third countries. The proposed allocation is shown in Table 2.

COM(95) 123

Table 2 — *Proposed allocation of financing for Community initiatives between the new Member States*

Country	(million ECU)										
	Interreg	Leader II	Employment	ADAPT	Rechar II	Resider II	Konver	RETEX	SMEs	URBAN	PESCA
Austria	42.68	23.27	23.01	11.57	1.80	5.14	0	2.57	8.74	9.77	0
Finland	43.73	24.70	29.15	19.70	0	0	0	0	10.80	3.89	3.00
Sweden	39.47	14.17	20.69	11.25	0	0	3.26	0	16.76	3.37	3.49

Special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland

References:

Conclusions of the Essen European Council: Bull. 12-1994, point I.10

Commission communication: COM(94) 607; Bull. 12-1994, point 1.2.150

Draft notice from the Commission: Bull. 1/2-1995, point 1.3.75

1.3.75. Parliament resolution on the communication from the Commission on a special support programme for peace and reconciliation in Northern Ireland and on the draft notice to the Member States laying down guidelines for an initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland.

Adopted on 6 April. Parliament welcomed the Commission's rapid response to the cessation of violence in Northern Ireland and the decision of

the Essen European Council to support a special Community initiative to facilitate the establishment of lasting peace. It underlined the need for coordination between this proposal and other structural measures in receipt of Community financing in the area. Parliament called on the Commission to provide technical assistance for communities and organizations in preparing projects to be considered within the framework of the initiative.

OJ C 109, 1.5.1995

1.3.76. Opinion of the Economic and Social Committee on the draft notice to Member States laying down guidelines for an initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland.

Adopted on 27 April. The Committee welcomed the Community initiative, but stressed the need to support measures aimed at longer-term structural improvement. In particular, it recommended encouraging productive investment in order to generate employment, and measures enabling the long-term unemployed to readjust to

work. The Committee was also in favour of involving economic and social interest groups.

1.3.77. Opinion of the Committee of the Regions on the draft notice to Member States laying down guidelines for an initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland.

Adopted on 21 April. The Committee warmly welcomed this initiative, stressing the positive role it could play in regenerating deprived areas and in reconciling communities. The Committee also recommended that the initiative should be coordinated with existing aid mechanisms.

Specific programme for the modernization of the Portuguese textile and clothing industry

1.3.78. Council Regulation (EC) No 852/95 on the grant of financial assistance to Portugal for a specific programme for the modernization of the Portuguese textile and clothing industry.

Commission proposal: OJ C 373, 29.12.1994; COM(94) 562; Bull. 11-1994, point 1.2.130

Economic and Social Committee opinion: OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.77

Parliament opinion: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.85

Adopted on 10 April. Establishes a specific programme for the period 1995-99 for the modernization of the Portuguese textile and clothing industry, in order to facilitate its adaptation to developments in international competition. The Community contribution amounts to ECU 400 million.

OJ L 86, 20.4.1995

Financing

Community initiatives

1.3.79. Commission decisions. Purpose: see Table 3.

Table 3 — *Financing Community initiatives*

<i>(million ECU)</i>			
Initiative	Country/region	Fund	Total assistance
Leader	<i>France</i>		
	Auvergne	EAGGF-ERDF-ESF	12.78
	Burgundy	EAGGF-ERDF-ESF	8.53
	Corsica	EAGGF-ERDF-ESF	3.05
	Languedoc-Roussillon	EAGGF-ERDF-ESF	14.40
	Limousin	EAGGF-ERDF-ESF	15.04
	<i>Italy</i>		
	Abruzzi	EAGGF-ERDF-ESF	15.97
	Basilicata	EAGGF-ERDF-ESF	19.55
	Campania	EAGGF-ERDF-ESF	25.82

Less-developed regions

1.3.80. Commission decisions. Purpose: see Table 4.

Table 4 — *Financing under Objective 1*

<i>(million ECU)</i>		
Country/region or purpose	Fund	Total assistance
<i>Spain</i>		
Andalusia	EAGGF	342.03
Agriculture and rural development	EAGGF	13.80
<i>Italy</i>		
Abruzzi	EAGGF	83.90

Other financing

1.3.81. Commission decisions. Purpose: see Table 5.

Table 5 — *Other financing*

<i>(million ECU)</i>			
Type	Purpose	Fund	Total assistance
Pilot project	'Villages d'Europe' European city cooperation system (ECOS)	ERDF	0.412
		ERDF	2.500
Conference	'Sustainable tourism develop- ment' Lanzarote	ERDF	0.128

Cohesion Fund

Financing

1.3.82. Commission decisions. Purpose: see Table 6.

Table 6 — *Financing under
the Cohesion Fund*

<i>(million ECU)</i>	
Country/purpose	Total assistance
<i>Ireland</i>	
Environment	9.747

Trans-European networks

Transport

1.3.83. Committee of the Regions' own-initiative opinion on the report on the guidelines for the trans-European airport network.

Adopted on 21 April. The Committee supported the guidelines set out in a Commission staff paper on the guidelines for the trans-European airport network, and stressed the importance of using regional airports' spare capacities and interconnecting the air transport and road and rail transport networks. It also suggested that

greater account should be taken of the opinions of users and shippers in the context of airport policy.

Energy

Community energy strategy

Promotion of energy efficiency

1.3.84. Parliament resolution on the Thermie II programme.

References:

European Parliament and Council Decision No 1110/94/EC concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994-98): OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

Proposal for a Council Regulation concerning a Community programme providing financial support for the promotion of European energy technology (1995-98) (Thermie II): COM(94) 654; Bull. 1/2-1995, point 1.3.87

Adopted by Parliament on 7 April. Parliament suggested that a direct link should be established between the fourth research framework programme and Thermie II in order to promote market penetration of new technologies in the field of energy saving, renewable energy sources and clean combustion. It also called for Thermie II to contribute to the development of energy partnership between the European Union and the Central and East European countries, and with China, Latin America, the Mediterranean countries and other developing countries.

OJ C 109, 1.5.1995

1.3.85. Proposal for a European Parliament and Council Directive on energy efficiency requirements for household electric refrigerators, freezers and their combinations.

Commission proposal: OJ C 390, 31.12.1994; COM(94) 521; Bull. 12-1994, point 1.2.108

Endorsed by the Economic and Social Committee on 27 April. The Committee made various comments concerning greater industry and consumer involvement, and the harmful effects for small and medium-sized enterprises of more stringent standards.

Individual sectors

Solid fuels

1.3.86. Draft Commission report on the market

for solid fuels in the Community in 1994 and the outlook for 1995.

Previous report: Bull. 12-1993, point 1.2.123; Bull. 3-1994, point 1.2.82

Adopted (first reading) on 5 April. In this report the Commission studies the trends in prices and demand in the various market sectors and analyses the main data concerning Community coal production, imports, deliveries and stock variations for solid fuels. It notes that overall demand for hard coal in the Community could reach 260 million tonnes in 1995, which represents a drop of 14 million tonnes compared with 1994. The Commission also notes that the forecasts suggest that there will be a slight increase in hard coal deliveries in 1995, interrupting the strong decline in deliveries observed in recent years.

State aid

Decision to authorize aid

Germany

1.3.87. Commission decision on aid to the coal industry in Germany.

References:

Commission Decision No 3632/93/ECSC establishing Community rules for State aid to the coal industry: OJ L 329, 30.12.1993; Bull. 12-1993, point 1.2.125

Commission decision on aid to the coal industry in Germany: Bull. 12-1994, point 1.2.113

Adopted by the Commission on 4 April. Purpose: to authorize aid to the coal industry in Germany for 1995 totalling DM 6.3 million under Decision No 3632/93/ECSC. The Commission took the view that the aid in question, which was part of a restructuring plan which it had already endorsed on 13 December 1994, was degressive and would help to reduce production costs. In assessing the aid, the Commission also took account of the urgent need to offset the social and regional impact of restructuring.

Decision to close the file

Denmark

1.3.88. Commission decision concerning a draft amendment to the Danish Electricity Act.

Adopted on 4 April. The purpose of the Danish

draft is to enable electricity distribution undertakings to build up a capital reserve through rationalization measures and invest this capital in commercial activities. The Commission came to the conclusion that the draft did not involve any State aid and that, accordingly, Article 92(1) of the EC Treaty did not apply.

Transport

Sea transport

1.3.89. Parliament resolution on the crew of the Bulgarian ship *Rotalia*.

Adopted on 6 April. Parliament deplored the violations of the rights of the members of the crew of the Bulgarian ship *Rotaria* in the dispute between them and their employers. It called upon the Commission to establish whether the conduct of the ship operators is compatible with International Labour Organization conventions concerning the safety of seafarers, and to take steps to resolve the situation.

OJ C 109, 1.5.1995

1.3.90. Parliament resolution on the attack on an Italian fishing vessel by the Croatian coastguard.

Adopted on 6 April. Referring to the attack on the Italian fishing vessel *Marinella I* by a cutter of the Croatian coastguard, Parliament called upon the Commission, in conjunction with the professional bodies concerned, to tackle the problems of the safety of maritime activities in the Adriatic.

OJ C 109, 1.5.1995

International cooperation

United States

1.3.91. Parliament resolution on the bilateral 'open skies' agreements concluded by the United States with several Member States.

Adopted on 7 April. Regretting that the European Union does not have a common policy concerning external agreements on civil aviation, Parliament called upon the Commission and the Council to take steps to ensure that the bilateral agreements do not have adverse effects on safety, social and environmental problems. It recommended that negotiating directives should be drawn up with a view to the conclusion of agreements between the European Union and the United States, the Central and East European countries and Switzerland.

OJ C 109, 1.5.1995

1.3.92. Draft Agreement between the European Union and the United States in the field of civil aviation.

Reference: Regulations (EEC) No 2407/92, (EEC) No 2408/92 and (EEC) No 2409/92 on the licences of air carriers, access for Community air carriers, and fares and rates for air services — OJ L 240, 24.8.1992; Bull. 7/8-1992, point 1.3.98

Recommendation for a Decision adopted by the Commission on 26 April. The Commission proposes that the Council should mandate it to open negotiations with the United States aimed at correcting the imbalance in civil aviation between the European Union and the United States. It stresses the need to avoid the conclusion of bilateral 'model agreements' between the United States and certain Member States (Austria, Belgium, Denmark, Finland, Luxembourg and Sweden), which would distort the process of deregulation set in motion by the third package of liberalization measures (the three regulations adopted in 1992). The Commission therefore suggests that a reciprocal framework should be established for the following areas:

- market access: the aim being to obtain full market access for Community air carriers for traffic in the United States and the European Union;
- fair competition: the aim being to establish mutually agreed criteria to avoid market disruption, including such issues as economic fitness, leasing conditions, computer reservation systems, slot allocation, State aid and US anti-trust law;
- ownership and control: the aim being to ensure reciprocal rights with regard to stakes in US and European companies;
- dispute settlement: the aim being to agree an effective mechanism for resolving disputes and

establish a framework of safeguard measures in specific cases.

State aid

Decision to raise no objections

Portugal

1.3.93. Commission decision approving the second instalment of aid to TAP.

Reference: Commission Decision 94/698/EC concerning increase in capital, credit guarantees and tax exemptions, in favour of TAP: OJ L 279, 28.10.1994; Bull. 7/8-1994, point 1.2.96

Adopted on 4 April. This Decision follows on from the Commission's Decision in July 1994 authorizing a capital increase of ECS 180 billion in four instalments between 1994 and 1997 subject to compliance with a restructuring plan designed to return the company to economic health. In the light of progress with the restructuring plan, the Commission authorized the payment of the second instalment of aid.

The information society, telecommunications

Telecommunications

1.3.94. Communication by the Commission to the European Parliament and the Council on the status and implementation of Directive 90/388/EEC on competition in the markets for telecommunications services.

Reference: Council Directive 90/388/EEC on the establishment of the internal market for telecommunications services through the implementation of open network provision (ONP): OJ L 192, 24.7.1990; Bull. 6-1990, point 1.3.96

Adopted by the Commission on 4 April. The Commission assesses the progress made in implementing the Directive in the Member

States, sets forth the fundamental issues of application and interpretation raised by the Directive and discusses the part it has to play in the full liberalization of services and infrastructure in the context of the timetable for implementing this reform.

COM(95) 113

1.3.95. Parliament Resolution on the communication from the Commission 'Green Paper on the liberalization of telecommunications infrastructure and cable television networks' (Part One — Principle and timetable).

Reference: Commission Green Paper on the liberalization of telecommunications infrastructure and cable television networks: COM(94) 440; Bull. 10-1994, point 1.2.71

Adopted by Parliament on 7 April. Parliament approved the options embodied in the Green Paper, particularly as regards the principle of, and the timetable for, the liberalization of telecommunications infrastructures. It supported the view, however, that full liberalization of infrastructure and services made it necessary, in advance of any liberalization, to define the public service duties of all operators and to create a regulatory model that guaranteed equal and non-discriminatory access for service providers and gave priority for network connections to public institutions. Parliament called for the creation of a European Telecommunications Authority responsible for enforcing the regulations. It also called on the Commission to consider the social and cultural aspects of liberalization, and particularly the effects on employment.

OJ C 109, 1.5.1995

Information technologies

1.3.96. Council Recommendation 95/144/EC to the Member States on common information technology security evaluation criteria.

Commission proposal: COM(92) 298; Bull. 9-1992, point 1.2.150

Economic and Social Committee opinion: OJ C 73, 15.3.1993; Bull. 1/2-1993, point 1.2.206

Parliament opinion: OJ C 176, 28.6.1993; Bull. 5-1993, point 1.2.144

Amended Commission proposal: COM(94) 37; Bull. 1/2-1994, point 1.1.5

Adopted by the Council on 7 April. The Council recommended the adoption of common criteria

for security evaluation in information technology and their application in evaluation and certification schemes for an initial period of two years. It particularly recommended that, during this initial period, the Member States negotiate bilateral European or international mutual recognition of security evaluation certificates.

OJ L 93, 26.4.1995

Environment

Taking the environment into account in other policies

1.3.97. Economic and Social Committee opinion on the Commission communication on economic growth and the environment: some implications for economic policy making.

Reference: Commission communication: COM (94) 465; Bull. 11-1994, point 1.2.180

Adopted on 27 April. While welcoming the Commission communication, the Committee considered that its approach was too broad and abstract and that greater emphasis should be placed on the operational aspects with regard to the preparation of specific measures and recommendations so as not to delay the adoption of appropriate economic and fiscal instruments. It also recommended that the environmental implications of non-industrial activities (transport, agriculture, drinking water, waste and sewage) should not be underestimated. It also stressed the need in certain cases for economic and fiscal instruments to be supplemented by regulatory measures.

Financial instruments

1.3.98. Proposal for a Council Regulation amending Council Regulation (EEC) No 1973/92 establishing a financial instrument for the environment (LIFE), and progress report on implementation of the LIFE Regulation and evaluation of the action by the Community relat-

ing to the environment — ACE, Medspa, Norspa and ACNAT.

References:

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

Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora: OJ L 206, 22.7.1992; Bull. 5-1992, point 1.1.132

Draft Additional Protocols to the Europe Agreements to open up Community programmes to associated Central and East European countries: point 1.4.68 of this Bulletin.

Regulation to be amended: Council Regulation (EEC) No 1973/92: OJ L 206, 22.7.1992; Bull. 5-1992, point 1.1.123

Adopted by the Commission on 12 April. The purpose of this proposal is to implement the second phase (1996-99) of the financial instrument for the environment (LIFE), the first phase of which comes to an end on 31 December 1995. On the basis of the experience gained, the aim is to support the approaches of the fifth Community environment programme (promoting sustainable development, multisectoral approach, taking the environment into account in other policies) and improve the effectiveness of this financial instrument, particularly in terms of subsidiarity, visibility of priorities, transparency of procedures, simplification of implementation, and analysis of results. The Commission plans to focus the LIFE programme on the following areas:

- nature protection, aimed in particular at implementing the Natura 2000 European network provided for by the Directive on the conservation of natural habitats;
- preparatory and support measures in relation to structural aid for the environment;
- demonstration, promotion and technical assistance projects for local authorities with a view to incorporating environmental factors into regional planning and development;
- promotion of sustainable development in industrial activities (clean technologies, environmental audits, eco-labels, training);
- technical assistance for Mediterranean and Baltic third countries other than the associated Central and East European countries.

The LIFE instrument will also be open to the associated Central and East European countries in

accordance with the Additional Protocols to the Association Agreements in the process of being concluded to open up Community programmes to those countries. Funding for this will be provided from an *ad hoc* budget heading with resources from the PHARE programme.

Together with the proposal, the Commission submitted a report on the implementation of the first phase of the LIFE programme and an assessment of the action by the Community relating to the environment replaced by LIFE.

COM(95) 135

Industry and environment

Waste management

References:

Council Decision 93/98/EEC on the conclusion, on behalf of the Community of the Convention on the Control of Transboundary Movements of Hazardous wastes and their Disposal (Basle Convention): OJ L 39, 16.2.1993; Bull. 1/2-1993, point 1.2.151

Council Decision on the negotiating directives concerning an amendment to the Basle Convention: Bull. 3-1994, point 1.2.150

1.3.99. Parliament resolution on the shipment of hazardous waste for recycling purposes to non-OECD countries.

Adopted on 5 April. Parliament called for the export of hazardous waste to non-OECD countries for recycling to be prohibited as soon as possible. It also called upon those Member States which have signed the Basle Convention but not yet ratified it to do so without delay.

OJ C 109, 1.5.1995

1.3.100. Proposal for a Regulation amending Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community.

Regulation to be amended: Council Regulation (EEC) No 259/93: OJ L 30, 6.2.1993; Bull. 1/2-1993, point 1.2.150

Adopted by the Commission on 26 April. This proposal is designed to implement the decisions taken in March 1994 by the second Conference of the Parties to the Basle Convention: immedi-

ate prohibition of exports of hazardous wastes to non-OECD countries for disposal; prohibition by 1 January 1998 at the latest of exports of hazardous wastes to those countries for recycling or recovery. As exports of hazardous wastes for disposal are already prohibited by Regulation (EEC) No 259/93, in accordance with the above decisions and the positions adopted by the European Parliament (*→ point 1.3.99*) and by the Council on this subject, the proposal provides for the total prohibition from 1 January 1998 of exports of hazardous wastes from the Community to non-OECD countries for recycling and recovery.

COM(95) 143

Environmental quality and natural resources

Global environment, climate change, geosphere and biosphere

1.3.101. First Conference of the Parties to the UN Convention on Climate Change.

References:

UN Framework Convention on Climate Change: Bull. 6-1992, point 1.3.128

Commission working paper on EU climate change strategy: Bull. 3-1995, point 1.3.110

Meeting held in Berlin from 28 March to 7 April. This Conference brought together representatives of 120 countries which are parties to the UN Framework Convention on Climate Change. Commissioner Bjerregaard represented the Commission. The discussions focused on the prospects of limiting greenhouse gas emissions. In her address, Mrs Bjerregaard stressed the Union's desire to meet the target of stabilizing emissions at their 1990 levels by the year 2000 and to push for the adoption of new targets beyond the year 2000. At the end of the Conference, the participants agreed to launch a new series of negotiations with a view to the adoption at the Third Conference of the Parties scheduled for 1997 of a Protocol to the Framework Convention setting out policies and measures for limiting greenhouse gas emissions beyond the year 2000.

Nuclear safety

1.3.102. Visit by Commissioner Van den Broek to Ukraine, 13 April.

Reference: 20th Western Economic Summit: Bull. 7/8-1994, points 1.3.52 and 2.3.1

Mr Van den Broek, who was accompanied by Mr Barnier, the French Environment Minister and President-in-Office of the Council, and by a representative of the Canadian Presidency of the Group of the seven most industrialized countries (G7), saw Mr Koutchma, the President of Ukraine. Their talks concerned nuclear safety in Ukraine, and in particular the prospects of closing the Chernobyl power station in the context of the G7 action plan decided upon in July 1994. The main outcome of the meeting was the formal announcement by Mr Koutchma of the complete closure of the power station before the year 2000. Questions concerning the construction of a new sarcophagus, compensation for the loss of energy production resulting from the closure of Chernobyl, and the funding of the closure and more generally financial aid for Ukraine from the European Union and G7 were also raised.

Agriculture

General

1.3.103. Commission Report on the Agricultural Situation in the European Union in 1994.

Previous report: Bull. 5-1994, point 1.2.99

Reference: Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994, Bull. 6-1994, point 1.3.15; OJ L 1, 1.1.1995

Adopted on 20 April. In the 20th annual report, the Commission looks at the situation and trend in agriculture in the European Union in 1994, outlining the main decisions taken, the trends in the main markets and in agricultural income and also focuses on aspects relating to rural development, the financing of the CAP and trade relations with other countries, in particular the outcome as far as agriculture is concerned of the negotiations with the acceding Member States (Austria, Finland and Sweden). The tables in the statistical annex update the figures given in previous reports.

COM(95) 59

Orientation of CAP

1.3.104. Proposal for a Council Regulation amending Council Regulation (EC) No 2100/94 on Community plant variety rights.

Reference: Council Regulation (EC) No 40/94 on the Community trade mark: OJ L 11, 14.1.1994; Bull. 12-1993, point 1.2.38

Regulation to be amended: Council Regulation (EC) No 2100/94: OJ L 227, 1.9.1994; Bull. 7/8-1994, point 1.2.132

Adopted by the Commission on 19 April. Would align the provisions on appeals against decisions of the Community Plant Variety Office on those already adopted in comparable areas, and in particular by Council Regulation (EC) No 40/94 as regards the Office for Harmonization in the Internal Market (trade marks and designs).

OJ C 117, 12.5.1995; COM(95) 144

Prices and related measures

1.3.105. Proposals for Council Regulations on the prices for agricultural products and on related measures (1995/96).

Commission proposals: OJ C 99, 21.4.1995; COM(95) 34; Bull. 1/2-1995, point 1.3.120

Economic and Social Committee opinion delivered on 27 April. The Committee welcomed the modest scope of the 1995/96 price package and stressed that it was essential for European farmers to adjust to the CAP reform. It was somewhat critical of some of the proposals for particular products, particularly those concerning the monthly increments for cereals and rice and the price of butter.

Market organization

Arable crops

1.3.106. Commission report to the Council and Parliament on the purpose and the methods of application of extraordinary set-aside.

Reference: Council Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops (OJ L 81, 1.7.1992; Bull. 6-1992, point 1.3.141), as last amended by Regulation (EC) No 3116/94: OJ L 330, 21.12.1994; Bull. 12-1994, point 1.2.154

Adopted by the Commission on 4 April. In this report, which the Council requested in December 1994, the Commission takes the view that

the application of the system of extraordinary set-aside, i.e. set-aside without compensation where the base area under cereals, oilseeds and protein crops has been exceeded, designed to curb cereal production, could be counter-productive in future, producing shifts from one product to another, thereby disrupting the cereals market and perhaps other markets.

Although it thinks that this system should be maintained to avoid any increase in the area cultivated, the Commission looks at two options for overcoming the difficulties linked with its application: firstly, not taking a certain proportion of land covered by voluntary set-aside into account when calculating the overrun and, secondly, introducing a ceiling for extraordinary set-aside

COM(95) 122

Sugar

1.3.107. Council Regulation (EC) No 1101/95 amending Regulation (EEC) No 1785/81 on the common organization of the market in the sugar sector and Regulation (EEC) No 1010/86 laying down general rules for the production refund on certain sugar products used in the chemical industry.

References:

Act of Accession of Spain and Portugal: OJ L 302, 15.11.1985; Bull. 1-1986, point 1.1.1

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

Council Decision 94/800/EC concerning the conclusion of the agreements reached in the Uruguay Round multilateral trade negotiations: OJ L 336, 23.12.1994; Bull. 12-1994, point 1.3.98

Regulations amended:

Council Regulation (EEC) No 1785/81(OJ L 177, 1.7.1981), as last amended by the Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994; Bull. 6-1994, point 1.3.15

Council Regulation (EEC) No 1010/86 (OJ L 94, 9.4.1986), as last amended by Regulation (EEC) No 464/91: OJ L 54, 28.2.1991

Commission proposal: OJ C 377, 31.12.1994; COM(94) 439; Bull. 11-1994, point 1.2.138

Economic and Social Committee opinion: OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.123

Endorsed by Parliament on 6 April subject to various amendments concerning in particular transfers of quotas between sugar, isoglucose and syrup production, the fixing of a quota for inulin syrup and national aids for storage.

OJ C 109, 1.5.1995

Agreed by the Council on 10 April.

Formally adopted on 24 April. The Regulation keeps the system of quotas at the current levels for six marketing years, until 2000/01, and the principle of the sector being self-financing. The main provisions are the following:

□ in order to comply with the commitments that emerged from the Uruguay Round multilateral trade negotiations, a system of adjusting guarantees under quotas is established, together with a special mechanism for refined sugar; the storage premium for C sugar and for reclassified sugar is also maintained;

□ the possibility of granting aid for refining raw beet sugar will also continue to apply;

□ the 1994/95 marketing year will be adopted as the reference year for calculating the amount of sugar intended for refining that goes for direct consumption;

□ the presumed maximum needs for the refining industry are fixed, per marketing year, as follows:

— Finland: 60 000 tonnes;

— metropolitan France: 297 000 tonnes;

— continental Portugal: 292 000 tonnes;

— the United Kingdom: 1 130 000 tonnes;

□ the EAGGF will continue to cover the first 60 000 tonnes of sugar traditionally intended for the chemical industry and the neutral margin for the calculation of production refunds may be reduced to ECU 2/100 kg;

□ Italian aids:

— for the northern region, aid will be scaled down over five years instead of three (75%, 50%, 35%, 20%, 10%);

— creation of a central region comprising Tuscany, Umbria, Lazio and Marche, with aid scaled down over five years (75%, 50%, 40%, 30%, 20%);

— for the southern region, comprising Abruzzi, Molise, Apulia, Sardinia, Campania, Basilicata, Calabria and Sicily, aids will be scaled down over six years (75%, 70%, 65%, 60%, 55%, 50%);

□ Spanish aids:

— one-year extension for the adjustment aid for sugar-producing undertakings;

— introduction of a new provision authorizing Spain to grant a national adjustment aid for

beet producers comparable to the national aid for the central region of Italy (amounts identical to those for the central region of Italy, in ECU/100, except for the first year, 1995/96);

- national aids of up to ECU 6/100 kg of white sugar may be paid to the cane sugar sector;
- aid for refining in the United Kingdom: continuation of the option for the United Kingdom of paying national aid to refineries, but without Community co-financing.

OJ L 110, 17.5.1995

Oils and fats

1.3.108. Proposal for a Council Regulation amending Regulation (EEC) No 1332/92 introducing specific measures for table olives.

Commission proposal: OJ C 82, 4.4.1995; COM (95) 66; Bull. 3-1995, point 1.3.117

Endorsed by Parliament on 27 April.

OJ C 126, 22.5.1995

Bananas

Reference: Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994, Bull. 6-1994, point 1.3.15; OJ L 1, 1.1.1995

Regulations to be amended:

Regulation (EEC) No 404/93 on the common organization of the market in bananas (OJ L 47, 25.2.1993; Bull. 1/2-1993, point 1.2.174), as last amended by Regulation (EEC) No 3290/94: OJ L 349, 31.12.1994

Regulation (EEC) No 1035/72 on the common organization of the market in fresh fruit and vegetables (OJ L 118, 20.5.1972), as last amended by Regulation (EC) No 3669/93: OJ L 338, 31.12.1993; Bull. 12-1993, point 1.2.149

Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987; Bull. 7/8-1987, point 2.1.80), as last amended by Regulation (EC) No 882/94: OJ L 103, 22.4.1994

1.3.109. Proposal for a Council Regulation amending Regulations (EEC) Nos 404/93 and 1035/72 on bananas and fruit and vegetables respectively, and 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

Adopted by the Commission on 4 April. The purpose of the proposal is to simplify the import

arrangements for bananas in the light of experience gained. The main provisions are as follows:

- simplification of the system of allocating rights to importers. The present system of allocating import opportunities on the basis of the average quantities marketed during a three-year reference period is replaced by a system based on the volume of bananas imported or, in the case of Community production, marketed, during a two-year reference period;
- possibility of a temporary transfer of quantities between ACP States in the same geographical zone;
- possibility for the ACP States to obtain supplies from elsewhere if, under exceptional circumstances, they are unable to export some or all of the traditional and non-traditional quantities of bananas;
- exclusion of fig bananas from the arrangements applicable to bananas and inclusion along with other tropical fruits in the system for fruit and vegetables.

OJ C 136, 3.6.1995; COM(94) 114

1.3.110. Proposal for a Council Regulation adapting Regulation (EEC) No 404/93 as regards the volume of the annual tariff quota for the import of bananas into the Community following the accession of Austria, Finland and Sweden.

Adopted by the Commission on 4 April. Would increase the tariff quota to take account of the consumption requirements of the new Member States. This adjustment is based on the average net imports for the period 1991-93 and represents an increase of 353 000 tonnes in the tariff quota which will thus total 2 553 000 tonnes for the whole of the Union in 1995.

OJ C 136, 3.6.1995; COM(95) 115

Wine

1.3.111. Proposal for a Council Regulation on reform of the common organization of the market in wine.

Commission proposal: OJ C 194, 16.7.1994; COM(94) 117; Bull. 5-1994, point 1.2.103

Own-initiative opinion of the Committee of the Regions: Bull. 11-1994, point 1.2.143

Economic and Social Committee opinion: OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.129

Endorsed by Parliament on 6 April subject to numerous amendments. Parliament asked in par-

particular that the Community and national reference quantities be set by a special Council regulation and take account of all the market indicators. It also wished to see instruments developed for restoring market balance that could be put in place by the regions under regional programmes for the adjustment of wine-growing and called for an increase in the number of intervention measures on distillation and storage, the maintenance of the aid for concentrated musts, an increase in the amount of premiums, the budget for promotion measures and the Community contribution. It also wished a maximum yield to be set for quality wines produced in specified regions.

OJ C 109, 1.5.1995

Milk and milk products

1.3.112. Proposal for a Council Regulation extending to the periods 1991/92 and 1992/93 the increase decided for the periods 1993/94 and 1994/95 of the global quantities fixed for Greece, Spain and Italy within the framework of the additional levy system in the milk and milk products sector.

Commission proposal: OJ C 46, 23.2.1995; COM(95) 19; Bull. 1/2-1995, point 1.3.133

Amended proposal adopted by the Commission on 20 April. Would create a legal basis enabling programmes for repurchasing milk quotas implemented by Italy and Greece in 1993/94 to be financed.

COM(95) 146

1.3.113. Commission report to the Council and Parliament on the application of the milk quota scheme in Italy and Greece; proposal for a Council Regulation amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector.

Reference: Council Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector (OJ L 405, 31.12.1992; Bull. 12-1992, point 1.3.232), as last amended by Regulation (EC) No 1884/94: OJ L 197, 30.7.1994; Bull. 7/8-1994, point 1.2.137

Adopted by the Commission on 19 April. In this report, presented in accordance with Council Regulation (EEC) No 1884/94, the Commission expresses the view that the progress made by Italy and Greece on applying the legislation on

milk quotas meets the conditions outlined by the Council and specified in more detail by the Commission for the increases allowed by the said Regulation to be reaffirmed for the period 1993/94. It consequently presented a proposal for a Regulation confirming, for 1995/96 and following marketing years, the increase of 100 000 tonnes for Greece and 900 000 tonnes for Italy, including the reserve of 347 701 tonnes intended to cover the reference quantities to be allocated to producers who have won appeals against decisions of the national authorities.

On the other hand, the Commission took the view in its report that Greece's request for an additional increase in its milk quota of 125 000 tonnes could not be accepted for economic and political reasons.

COM(95) 147

State aid

Decisions to initiate proceedings

Italy

1.3.114. Commission decision on aid for the national association of sugar-beet growers (ANB) in Emilia-Romagna and Lombardy.

Adopted on 12 April. The Commission took the view that this aid, which the Italian Government planned to grant to the ANB under an inter-trade agreement to promote the use of kenaf for the production of cellulose constituted a breach of Community legislation on set-aside and on the relevant market organizations.

1.3.115. Commission decision on the draft regional law of Abruzzi for the development of agriculture for the period 1995 to 1997.

Adopted on 4 April. The Commission felt that it was not in a position, on the basis of the information available to it, to check whether the regional measures for the financing of national Law No 185/92 complied with the Community criteria for the grant of aid following natural disasters.

The Commission also asked the Italian Government to notify it under Article 93(3) of the EC Treaty of all provisions for the application of the regional law in question.

1.3.116. Commission decision on aids for the purchase of reference quantities (milk quotas) in the region of Friuli/Venezia Giulia.

Adopted on 4 April. The Commission considered that the regional aid in the form of reduced-rate loans for the purchase of reference quantities was liable to damage the additional levy system, which was one of the key elements of the common organization of the market in milk and milk products.

Fisheries

Resources

Internal aspects

1.3.117. Parliament resolution on the conservation of fishery resources in the Mediterranean.

Reference: Regulation (EC) No 1626/94 laying down certain technical measures for the conservation of fishery resources in the Mediterranean: OJ L 171, 6.7.1994; Bull. 6-1994, point 1.2.157

Adopted on 5 April. Parliament requested that the provisions of Regulation (EC) No 1626/94 on minimum fish and net mesh sizes, application of which was posing serious problems for Italian fishermen, be revised in a way that would not harm the conservation of fishery resources in the Mediterranean.

OJ C 109, 1.5.1995

External aspects

Côte d'Ivoire

1.3.118. Draft protocol establishing the fishing rights and financial compensation provided for in the Agreement between the Community and Côte d'Ivoire on fishing off Côte d'Ivoire for the period 1 July 1994 to 30 June 1997.

Proposal for a Regulation on conclusion: COM (94) 385; Bull. 9-1994, point 1.2.157

Endorsed by Parliament on 7 April subject to amendments concerning notification of the bud-

get authority of implementation of the protocol and the procedure for its renewal.

OJ C 109, 1.5.1995

Morocco

1.3.119. Visit by Mrs E. Bonino, member of the Commission, 23 to 25 April.

References:

EEC-Morocco Fisheries Agreement: OJ L 407, 31.12.1992; Bull. 12-1992, point 1.3.267

Draft new EC-Morocco Fisheries Agreement: Bull. 11-1994, point 1.2.171

Mrs Bonino saw Mr A. Filali, the Prime Minister, and Mr M. Sahel, the Fisheries Minister. Talks covered the progress in the negotiation of a new fisheries agreement between the Community and Morocco to replace the current one, which expired on 30 April. The two parties agreed on a number of principles which should govern the new agreement and in particular the need, in their mutual interest, to conserve marine resources.

North-West Atlantic Fisheries Organization (NAFO)

References:

Council Decision objecting to the allocation of the 1995 TAC for Greenland halibut established by the NAFO Fisheries Commission for its Regulatory Area: Bull. 1/2-1995, point 1.3.151

Council statement on fishing in the NAFO Regulatory Area: Bull. 3-1995, point 1.3.138

Parliament resolution on the illegal arrest of the Spanish vessel *Estai*: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.139

1.3.120. Council Regulation (EC) No 850/95 amending Council Regulation (EC) No 3366/94 laying down for 1995 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.

Regulation amended: Council Regulation (EC) No 3366/94: OJ L 363, 31.12.1994; Bull. 12-1994, point 1.2.190

Proposal adopted by the Commission on 5 April.
COM(95) 116

Adopted by the Council on 6 April. Fixes an autonomous quota for the Community fleet of

18 630 tonnes of Greenland halibut in NAFO Subareas 2 and 3. The Regulation, which is a precautionary measure, is intended to provide a legal guarantee for the Community fleet in view of the procedure initiated by the Council in February objecting to the allocation of the total allowable catch of 27 000 tonnes for Greenland halibut fixed by NAFO in the abovementioned areas.

OJ L 86, 20.4.1995

1.3.121. Draft Agreement between the Community and Canada on fisheries in the context of the NAFO Convention.

Agreement initialled on 16 April.

Proposal for a Council decision on the signature and provisional application of the Agreement adopted by the Commission on 16 April.

COM(95) 400

Decision on the signature and provisional application of the Agreement adopted by the Council on 17 April.

Agreement signed in Brussels on 20 April. This Agreement, which follows the dispute over jurisdiction in international waters, the freedom to fish on the high seas and fishing for Greenland halibut in the NAFO Regulatory Area, lays the basis for a joint proposal by the Community and Canada to NAFO. It provides for new controls on fishing activities in the abovementioned area and allocates the total allowable catches for Greenland halibut in the area in question from 16 April 1995. The Community and Canada also undertook to propose to NAFO a division of TACs for Greenland halibut into two management areas (north and south). For 1996 onwards they also undertook to share their allocations in this area on the basis of a ratio of 10:3 in favour of the Community. The Community takes the view that on the basis of this allocation the quota for Greenland halibut to be allocated to it will amount to 55.35% of the total allowable catches in the southern management area. For 1995, Canada is giving the Community a substantial part of its quota for Greenland halibut (about 40%) as adopted by NAFO at the meeting of its Fisheries Commission in February 1995.

The Agreement also lays down that Canada is to return the fine and the value of the confiscated cargo to the *Estai*, which was arrested on 9 March, drop all legal proceedings against the

master and his crew and repeal its rules on the monitoring of the activities of Spanish and Portuguese vessels beyond the 200-mile zone, which had been adopted in contravention of international maritime law.

United Nations Conference on straddling stocks and highly migratory species

1.3.122. Fifth meeting.

Reference: United Nations Convention on the Law of the Sea: Bull. 11-1994, point 1.3.75

Meeting held in New York, 27 March to 12 April. The meeting, attended by Mrs E. Bonino, member of the Commission, dealt in particular with the adjustment of certain provisions of the Convention on the Law of the Sea, particularly as regards the conditions for fishing on the high seas. The dispute between the Community and Canada over fishing in the NAFO Regulatory Area was mentioned in this context (→ point 1.3.121).

Indian Ocean Tuna Commission

1.3.123. Proposal for a Council Decision on the accession of the Community to the Agreement creating the Indian Ocean Tuna Commission.

Commission proposal: COM(94) 386; Bull. 9-1994, point 1.2.162

Endorsed by Parliament on 7 April subject to an amendment concerning notification of Parliament of the implementation of the Agreement.

OJ C 109, 1.5.1995

Market organization

Reference: Council Regulation (EC) No 3759/92 on the common organization of the market in fishery and aquaculture products (OJ L 388, 31.12.1992; Bull. 12-1992, point 1.3.284), as last amended by Regulation (EC) No 3318/94: OJ L 350, 31.12.1994; Bull. 12-1994, point 1.2.194

1.3.124. Council Regulation amending Regulation (EC) No 3136/94 fixing the guide prices for the fishery products listed in Annex 1(A), (D) and (E) to Regulation (EEC) No 3759/92 for the 1995 fishing year.

Regulation amended: Council Regulation (EC) No 3136/94: OJ L 332, 22.12.1994; Bull. 12-1994, point 1.2.193
Commission proposal: COM(95) 81; Bull. 3-1995, point 1.3.141

Adopted on 6 April. Fixes, for the 1995 fishing year, the guide prices for deep-water prawns (*Pandalus borealis*), differentiating between deep-water prawns boiled in water and fresh or chilled ones and replaces the two-tier guide price for herring by a single price.

1.3.125. 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 and the French department of Guiana as a result of their very remote location.

Commission proposal: OJ C 343, 6.12.1994; COM(94) 473; Bull. 11-1994, point 1.2.178

Endorsed by Parliament on 7 April subject to amendments concerning, in particular, the inclusion of some species which are the subject of small-scale or inshore fishing in the Azores in the scope of the Regulation and improving notification of Parliament of the implementation of the Regulation.

OJ C 109, 1.5.1995

Employment and social policy

Implementation of the White Paper on European social policy

1.3.126. Commission communication on a medium-term social action programme (1995-97).

References:

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

Commission Green Paper on European social policy: options for the Union: COM(93) 551; Bull. 11-1993, point 1.2.119

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

Commission White Paper on European social policy: a way forward for the Union: COM(94) 333; Bull. 7/8-1994, point 1.2.163

Conclusions of the Essen European Council: Bull. 12-1994, point I.3

Commission communication on the follow-up to the Essen European Council on employment: COM(95) 74; Bull. 3-1995, point 1.3.144

Adopted by the Commission on 12 April. In its communication, the Commission sets out its detailed work programme in the social field for the period from 1995 to 1997. The programme, which follows on from the Green and White Papers on European social policy, takes account of the consultations and debate engendered by those documents and by the White Paper on growth, competitiveness and employment. It seeks to build on and take forward the achievements of the previous action programme (implementing the Community Charter of the Fundamental Social Rights of Workers), in keeping with the strategy drawn up by the Commission in the White Paper on European social policy, in order to meet the new needs and challenges.

In the main, the Commission is to:

- present a number of new legislative proposals, having regard to the principles of subsidiarity and proportionality;
- launch studies and debate on specific subjects, with a view to drawing up proposals where appropriate;
- give fresh impetus to proposals currently before the Council, with a view to ensuring their rapid adoption, and withdraw proposals which have been superseded;
- continue its efforts to ensure the effective transposal and implementation of adopted legislation.

This flexible programme will be updated annually by the Commission in the light of the changing situation. Focusing on five major issues (employment, consolidation and development of legislation, equal opportunities for women and men, an active society for all and medium-term analysis and research), it features 11 key areas of activity:

- jobs, the top priority: action in this field revolves around the implementation of the conclusions of the Essen European Council;

- education and training;
- building a European labour market;
- promotion of higher labour standards, with the emphasis on health and safety, information and consultation of workers and organization of working time;
- equal opportunities for women and men;
- social protection;
- public health;
- the international dimension of social policy;
- the social dialogue;
- social policy analysis and research;
- more effective application of Community law.

COM(95) 134

1.3.127. Proposal for a Directive on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses.

Directive to be repealed: Council Directive 77/187/EEC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses: OJ L 61, 5.3.1977

Commission proposal: OJ C 274, 1.10.1994; COM(94) 300; Bull. 9-1994, point 1.2.182

Economic and Social Committee opinion: Bull. 3-1995, point 1.3.145

Endorsed by the Committee of the Regions on 21 April. The Committee stressed the need for the provisions to be made as clear as possible and for the ambiguities found in Directive 77/187/EEC to be done away with. It also called for steps to be taken to ensure that employees' rights were adequately protected without imposing additional burdens on local and regional authorities.

Public health

General

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

1.3.128. Proposal for a Parliament and Council decision adopting a programme of Community action on health promotion, information, education and training within the framework for action in the field of public health.

Commission proposal: OJ C 252, 9.9.1994; COM(94) 202; Bull. 6-1994, point 1.2.201

Committee of the Regions opinion: Bull. 11-1994, point 1.2.212

Economic and Social Committee opinion: OJ C 102, 24.4.1995; Bull. 1/2-1995, point 1.3.165

Parliament opinion (first reading): OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.152

Amended proposal adopted by the Commission on 18 April incorporating some of Parliament's amendments designed primarily to clarify the initial proposal and give more weight to some of its provisions, notably those relating to health promotion.

OJ C 135, 2.6.1995; COM(95) 138

Cancer

1.3.129. Proposal for a Parliament and Council decision adopting an action plan 1995-99 to combat cancer within the framework for action in the field of public health.

Commission proposal: OJ C 139, 21.5.1994; COM(94) 83; Bull. 3-1994, point 1.2.171

Economic and Social Committee opinion: OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.189

Committee of the Regions opinion: Bull. 9-1994, point 1.2.189

Parliament opinion (first reading): OJ C 68, 20.3.1995; Bull. 3-1995, point 1.3.153

Amended proposal adopted by the Commission on 21 April incorporating some of Parliament's amendments designed to clarify and give more weight to the initial proposal, with particular reference to the areas of prevention which Parliament feels should have priority.

COM(95) 131

AIDS

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

Commission approval: Bull. 10-1994, point 1.2.117

Commission adoption: OJ C 333, 29.11.1994; COM(94) 413; Bull. 11-1994, point 1.2.213

Economic and Social Committee opinion: Bull. 3-1995, point 1.3.154

Endorsed by the Committee of the Regions on 21 April. But the Committee stressed the need for a comprehensive programme coordinating the various specific programmes and ensuring greater consistency. It would also like the proposed advisory committee to be replaced by a management committee including representatives of regional and local authorities.

Endorsed by Parliament (first reading) on 27 April, subject to a number of amendments designed to clarify and give more weight to the provisions relating to prevention, to increase the simplicity and transparency of Community support procedures and to intensify the development of cooperation with the competent authorities in the Member States and with international and non-governmental organizations. Parliament is of the opinion that priority must be given to campaigns to increase public awareness of the risks of transmission, and in particular to measures to increase the use of condoms, to the distribution of single-use sterile syringes and to the development of substitution treatment programmes. It is against the idea of systematic screening and all forms of discrimination against those affected by the virus and would like to see closer coordination between the different systems of epidemiological surveillance.

OJ C 126, 22.5.1995

Consumers

Consumer information and education

1.3.131. Proposal for a Parliament and Council Directive amending Council Directive 79/581/EEC on consumer protection in the indication of the prices of foodstuffs as amended by Directive 88/315/EEC and Council Directive 88/314/EEC on consumer protection in the indication of the prices of non-food products.

Bull. EU 4-1995

Commission proposal: OJ C 377, 31.12.1994; COM(94) 431; Bull. 11-1994, point 1.2.222; Bull. 12-1994, point 1.2.239

Endorsed by the Economic and Social Committee on 27 April. The Committee insisted that there should be no further postponement of the Directives' provisions beyond 6 June 1999 and called on the Commission in the meantime to put forward proposals for simplifying the arrangements.

Culture

Culture and multimedia

1.3.132. Council resolution on culture and multimedia.

Adopted on 3 April. The Council welcomed the measures currently being implemented at Community level to develop the information market, especially in the field of research. It recognized the importance of the role which the Member States and the Community have to play in developing the creation, production and distribution of high-quality cultural multimedia works, and expressed its resolve to encourage networking in order to facilitate the exchange of information between cultural institutions on the basis of common cultural and scientific interests. It emphasized the need for high-quality training courses to enable the creation of works suited to the whole range of uses and users, and proposed that thought be given to the drafting of good practice guides and model contracts for use by cultural institutions wishing to maximize the potential of their collections. Finally, it called for the establishment of appropriate international standards on the basis of the work already initiated by the International Standards Organization.

Kaleidoscope 2000 programme

1.3.133. Proposal for a Parliament and Council Decision establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope 2000).

Commission proposal: OJ C 324, 22.11.1994; COM(94) 356; Bull. 7/8-1994, point 1.2.178

Endorsed by Parliament on 7 April, subject to a number of amendments relating mainly to the promotion of intercultural dialogue, inclusion in the programme of highly skilled craftsmen, access to culture for disadvantaged groups and complementarity with the cultural programmes of other organizations.

OJ C 109, 1.5.1995

Endorsed by the Committee of the Regions on 21 April, but with the qualification that account should be taken of the key role played by regions and towns with respect to support for cultural and artistic diversity and that local and regional projects should also be eligible for support from the programme.

Ariane programme

1.3.134. Proposal for a Parliament and Council decision establishing a support programme in the field of books and reading (Ariane).

Commission proposal: OJ C 324, 22.11.1994; COM(94) 356; Bull. 7/8-1994, point 1.2.178

Endorsed by Parliament on 7 April, subject to a number of amendments specifying in particular the criteria for eligibility for support for literary works.

OJ C 109, 1.5.1995

Endorsed by the Committee of the Regions on 21 April, but with the qualification that regional institutions must have a role in implementing, monitoring and assessing the programme.

Audiovisual festivals

1.3.135. Support for audiovisual festivals and for projects to mark the centenary of the cinema.

Reference: Call for proposals for 1995: OJ C 258, 15.9.1994

Previous decision: Bull. 3-1994, point 1.2.176

Projects selected by the Commission as part of its programme to support audiovisual festivals and to mark the centenary of the cinema. In supporting audiovisual festivals, the Commission seeks to promote European works and to encourage their circulation in the Member States: 75 events have been selected to receive a total of ECU 770 000 in funding; overall, they are expected to attract a total of around 1 800 000 spectators, who will be given the chance to view some 9 000 works. The special programme to mark the centenary of the cinema is designed to enhance public awareness of the European film heritage and the challenges facing the European cinema: 18 events have been selected to receive a total of ECU 925 000 in funding.

International aspects

1.3.136. Council resolution on cooperation with the associated countries of Central and Eastern Europe in the cultural domain (→ point 1.4.61).

4. Role of the Union in the world

Common foreign and security policy

Common foreign policy

1.4.1. Common position 95/150/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union and concerning the extension of the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro) (→ point 1.4.77).

Common security policy

Dual-use goods

1.4.2. Council Decision 95/127/CFSP amending Decision 94/942/CFSP on the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union concerning the control of exports of dual-use goods.

Decision amended: Council Decision 94/942/CFSP on the joint action adopted on the basis of Article J.3 of the Treaty on European Union concerning the control of exports of dual-use goods: OJ L 367, 31.12.1994; Bull. 12-1994, point 1.3.2

Commission proposal: COM(95) 79; Bull. 3-1995, point 1.4.2

Adopted by the Council on 10 April. The purpose of the decision is to postpone the entry into force of Decision 94/942/CFSP until 1 July 1995.

OJ L 90, 21.4.1995

1.4.3. Council Decision 95/128/CFSP amending Decision 94/942/CFSP on the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union concerning the control of exports of dual-use goods.

Reference: Acts of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994; OJ L 1, 1.1.1995; Bull. 6-1994, point 1.3.15

Decision amended: Council Decision 94/942/CFSP on the joint action adopted on the basis of Article J.3 of the Treaty on European Union concerning the control of exports of dual-use goods: OJ L 367, 31.12.1994; Bull. 12-1994, point 1.3.2

Adopted by the Council on 10 April. The purpose of the decision is to take account of the accession of Austria, Finland and Sweden to the European Union and also of New Zealand's accession to the nuclear suppliers' group.

OJ L 90, 21.4.1995

1.4.4. Council Regulation (EC) No 837/95 amending Regulation (EC) No 3381/94 setting up a Community regime for the control of exports of dual-use goods (→ point 1.4.31).

Anti-personnel land mines

1.4.5. Draft Council decision on joint action on anti-personnel land mines.

Council agreement on the draft decision reached on 10 April. This joint initiative will comprise three components: a moratorium on the export of anti-personnel land mines, aimed at affirming the Union's commitment externally; preparation for the Review Conference to be held next autumn on the 1980 Convention on the prohibition and limitation of the use of certain conventional weapons (of which Protocol 2 covers mines); and a major Union contribution to international mine clearance. This will consist of participation in the financing of the International Conference on Mine Clearance, a voluntary contribution to the United Nations mine clearance fund, mine clearance and research activities and specific Union action in the field of mine clearance.

Preparation for the New York conference on the Non-Proliferation Treaty (NPT)

Reference: Council Decision 94/509/CFSP concerning the joint action adopted by the Council on the basis of Article J.3 of the Treaty on Euro-

pean Union regarding preparation for the 1995 Conference of the States party to the Treaty on the Non-Proliferation of Nuclear Weapons: OJ L 205, 8.8.1994; Bull. 7/8-1994, point 1.3.4

1.4.6. Parliament resolution on the Conference on the extension of the Non-Proliferation Treaty (NPT) in New York (17 April to 12 May 1995).

Adopted by Parliament on 5 April. With the Non-Proliferation Treaty, which entered into force in 1970, due for indefinite or periodic renewal, Parliament expressed support for the option of indefinite and unconditional extension. It called upon the Member States of the European Union to put every effort into bringing about the conclusion of a comprehensive test ban treaty, to take joint action to this end and, in the meantime, to refrain from any nuclear testing. It called for a ban on the production of fissile material usable for military purposes, supported the call for an international agency to monitor plutonium and highly enriched uranium and asked the Council to take joint action to this end. It also endorsed the draft resolution submitted by Russia to the UN Security Council on behalf of the five major nuclear powers, under the terms of which those powers undertook to offer guarantees to the non-nuclear states which had signed the NPT in the event of aggression against them, and called on the nuclear powers, in the context of the provisions of the NPT, to undertake to refrain from using nuclear weapons against non-nuclear states. It called on the participants at the Conference to provide for sanctions against failure to comply with the provisions of the Treaty and also against illicit traffic in radioactive substances and nuclear materials. It also wished to strengthen and rationalize international safeguards and called upon the nuclear powers to open their own nuclear facilities to inspection by the International Atomic Energy Agency. Parliament also supported the establishment of a nuclear weapons register at the UN and called on all states which had not already done so to accede to the NPT.

OJ C 109, 1.5.1995

1.4.7. Council conclusions on nuclear non-proliferation and preparation for the Conference on the NPT.

Adopted by the Council on 10 April. The Council reiterated the importance attached by the Union to securing an indefinite and unconditional extension of the NPT and appealed to all

the States party to the Treaty to adopt a similar stance.

1.4.8. Communication from the Commission to the Council and the European Parliament on a Memorandum on the activities of the European Atomic Energy Community relevant to the objectives of Articles III and IV of the NPT drafted for the 1995 Review and Extension Conference.

Adopted by the Commission on 12 April. This communication contained a memorandum on the activities of the European Atomic Energy Community, drafted for the NPT Review and Extension Conference to be held in New York from 17 April to 12 May. It was drawn up in response to a request from the Council in the framework of the joint action adopted in July 1994 and describes Euratom's experience in the area of the peaceful use of nuclear energy. The Commission also endorsed the objective of an indefinite and unconditional extension of the NPT and stressed that the experience of Euratom confirmed the need to conduct nuclear activities in stable and transparent conditions and that the permanent nature of the NPT would offer supplementary guarantees to all parties.

COM(95) 127

Presidency statements on behalf of the European Union

Cuba

1.4.9. The following presidency statement on behalf of the European Union was published in Brussels and Paris on 5 April:

'The European Union once again draws the attention of the United States authorities to its serious concern regarding the possible adoption by Congress of the Bill on Liberty and Democratic Solidarity with Cuba (Bill S 381-Helms Bill and HR 927-Burton Bill).

The European Union would point out in this connection that it is opposed to the adoption of any measure having extraterritorial application and in breach of WTO rules. The European Union reaffirms its expectation of democratic reforms in the island.'

United States

1.4.10. The following presidency statement on behalf of the European Union concerning the bomb attack in Oklahoma City was published in Brussels and Paris on 20 April:

'The European Union is profoundly shocked by the particularly vicious bomb attack committed in Oklahoma City yesterday.

It wishes to express to the United States, and especially to the families affected, its solidarity with them at this difficult time.

The European Union vigorously condemns this terrorist act.'

Kazakhstan

1.4.11. The following presidency statement on behalf of the European Union concerning the situation in Kazakhstan was published in Brussels and Paris on 7 April:

References:

Draft partnership and cooperation Agreement between the European Communities and Kazakhstan: point 1.4.81 of this Bulletin

Presidency statement concerning the constitutional situation in Kazakhstan: Bull. 3-1995, point 1.4.9

'As the European Union has already pointed out, Kazakhstan is a member of the OSCE and in this capacity has made precise pledges. Last January it signed a cooperation and partnership Agreement with the European Union containing a clause on respect for human rights.

The European Union is therefore anxious to express its considerable concern at the crisis which is undermining the democratic institutions in Kazakhstan. It is following developments in the situation in Kazakhstan with the utmost attention.

The European Union would like to see a return to normal political life as soon as possible in compliance with the pledges given by Kazakhstan in the context of the OSCE and the partnership with the Union.

The European Union greatly regrets that by presidential decree of 25 March a referendum is being organized on 29 April on the extension of the President's term of office until the year 2000.

The European Union thus calls for the early holding of free, multiparty legislative elections and the organization of the presidential elections scheduled for 1996, in accordance with the Kazakhstan constitution.

The European Union trusts that the relevant international organizations will be invited to take part in the preparation and monitoring of the legislative and presidential elections which it hopes will be held on a free and democratic basis.'

Rwanda

1.4.12. The following presidency statement on behalf of the European Union concerning the events at Kibeho was published in Brussels and Paris on 25 April:

'The European Union utterly condemns the violence which led to several thousand civilian deaths in the Kibeho camp during Rwandan army operations to close down the camp on 22 April. The Union urges the Rwandan authorities to launch an inquiry without delay in order to identify those responsible for the massacre and to take all the necessary sanctions speedily.

Events of this gravity can only make it more difficult for refugees and displaced persons to return, this being an essential prerequisite for national reconciliation and a lasting solution to the Rwandan problem.

The European Union would point out that its development aid for Rwanda is conditional on respect for human rights and progress towards national reconciliation.

It emphasizes that international aid to the local population must be allowed to proceed unhindered. It therefore calls on the Rwandan authorities to make it easier for the international and non-governmental organizations to carry out their task of relieving suffering.'

Sri Lanka

1.4.13. The following presidency statement on behalf of the European Union was published in Brussels and Paris on 21 April:

Reference: Presidency statement: Bull. 3-1995, point 1.4.12

'The European Union condemns the attack carried out at dawn on 19 April against members of the Sri Lankan navy in the port of Trincomalee and deplores the loss of human life caused.

That act constitutes a serious violation of the ceasefire agreement between the Sri Lankan government and the LTTE, which nothing in the conduct of the current peace negotiations between the two sides can justify. It can only set back the hopes for peace of the population groups concerned and hinder the necessary quest for a negotiated solution.

The European Union calls on the LTTE to refrain from initiating an escalation of hostilities and also condemns the bombardments of 20 April. It calls on the LTTE to respond to the Sri Lankan Government's peace initiatives by entering into negotiations with it on the elements of a political solution.

The European Union expresses its sympathy to the Government and to the families of the victims.'

Chechnya

1.4.14. The following presidency statement on behalf of the European Union was published in Brussels and Paris on 1 April:

Reference: European Union statement: Bull. 1/2-1995, point 1.4.22

'The European Union continues to follow developments in Chechnya with concern. It is dismayed to see that there has been a fresh upsurge in the fighting and deplores the loss of human life, the damage to property and the violations of human rights and international humanitarian law which are still occurring, according to the findings of the third OSCE mission, which visited the area affected by the fighting from 20 to 27 March.

The European Union renews the calls it has already made in previous declarations and démarches for the fighting to stop and for negotiations to start on a political solution to the conflict, so that humanitarian aid can be conveyed to the people in need without hindrance.

The European Union considers that more substantial and more rapid progress is still needed.

The European Union calls on the Russian authorities to discharge with all speed the commitments they entered into at the beginning of March, when they agreed in principle that the OSCE should have a permanent presence on the ground and that the organization should play a role in the process of reaching a political settlement.

It welcomes the consensus decision taken by the Permanent Council on 29 March, calling for the OSCE's permanent 'assistance group' to be deployed in mid-April. It wants agreement on the tasks and practical procedures of the group's permanent presence to be reached as soon as possible.

The European Union attaches importance to its relations with Russia, which it intends to develop in a spirit of cooperation and partnership; it is thus concerned at the possible consequences of the Chechen crisis on political relations in Europe. It points out that its relations with Russia must be based on the shared principles of the United Nations and the OSCE, as confirmed in the partnership Agreement.'

1.4.15. The following presidency statement on behalf of the European Union concerning the Samashki incidents was published in Paris on 15 April and in Brussels on 19 April:

'The European Union has received a number of reports according to which flagrant violations of human rights have been committed in Samashki.

The European Union has been greatly disturbed by the events which have taken place in Samashki.

The European Union utterly condemns atrocities committed against civilians in violation of basic human rights.

Once again, it earnestly appeals to the Russian authorities to put an end to violence against the people, to

conclude a cease-fire without delay, to start negotiations to solve the conflict by political, not military means, and to allow humanitarian aid to be sent to the stricken population without hindrance, in keeping with international humanitarian law.

Once again, it urges that the OSCE Assistance Group in Chechnya be set up quickly so that it can help to achieve these objectives.'

Palestinian Territories

1.4.16. The following European Union statement concerning EU support for Palestinian elections was published at the Council meeting in Luxembourg on 10 April:

References:

Peace agreement between Israel and the PLO: Bull. 9-1993, point 1.3.19

Council Decision 94/276/CFSP on a joint action in support of the Middle East peace process: OJ L 119, 7.5.1994; Bull. 4-1994, point 1.3.2

'The European Union condemns the murderous attacks in Gaza and addresses its condolences to the government of Israel and to the families of the victims. The European Union reiterates its support for all those who have chosen the way of peace.

With the adoption of the joint action in support of the Middle East peace process on 19 April 1994, the European Union announced its willingness to help in preparing and observing the Palestinian elections provided for in Article III of the Declaration of Principles of 13 September 1993. It hereby confirms that undertaking. It encourages the continuation of Israeli-Palestinian negotiations on the subject of the elections. The Council is ready to decide on the details of the European Union's contribution as soon as it receives a request on the basis of an Israeli-Palestinian agreement covering all the electoral arrangements. It is having a technical study of the various participation formulas suggested by the parties carried out.'

Turkey

Reference: Visit to Turkey by the troika: Bull. 3-1995, point 1.4.66

1.4.17. The following European Union statement concerning the Turkish intervention in northern Iraq was published in Brussels and Paris on 5 April:

'During their visit to Ankara on 23 March, the ministerial troika expressed its concern at Turkey's intervention in northern Iraq and the risks incurred by civilians, particularly refugees. It asked for that operation to be brought swiftly to an end. It took note

of the assurances given by the Turkish authorities as to the limited duration of the military intervention in northern Iraq and the protection of the civilian population.

In the light of recent statements and official contacts with certain members of the Turkish government concerning the extension and objectives of the operation, the European Union once more expresses its grave concern, reaffirms the need for strict respect for human rights and international humanitarian law, and calls for the early withdrawal of Turkish troops.

Iceland and Norway, as EFTA Member States, parties to the EEA, associate themselves with this statement.'

1.4.18. The following European Union statement was published at the Council meeting in Luxembourg on 10 April:

'The European Union recalls that in its declaration of 5 April it noted the assurances given by the Turkish authorities on the limited duration of the military intervention in northern Iraq and the safety of the civilian population.

The European Union is aware of the serious nature of the problem of terrorism confronting Turkey. It nevertheless reiterates its concern over the military intervention in northern Iraq.

The European Union takes note of the announcement made by the Turkish authorities on the withdrawal from northern Iraq of a brigade of 3 000 soldiers. Although it views this development as positive, it considers that it does not go far enough, and reaffirms its wish for all Turkish troops in northern Iraq to be withdrawn as soon as possible.'

Structured dialogue with the countries of Central and Eastern Europe

1.4.19. Joint ministerial meeting between the European Union and the associated countries of Central and Eastern Europe (→ point 1.4.60).

International organizations and conferences

United Nations and specialized agencies

United Nations Economic Commission for Europe

1.4.20. Mr Yves Berthelot, Secretary-General of the UN Economic Commission for Europe (ECE) visited the Commission on 24 and 26 April.

At meetings with Mr Van den Broek, Mrs Bjerregaard and Mr Kinnock, Mr Berthelot stressed the need for deeper cooperation between the Commission and the ECE in key sectors (transport, environment, trade, economic studies and statistics) and in measures to support the move to the market economy in Central and Eastern Europe and the new independent States of the former Soviet Union.

Council of Europe

1.4.21. Quadripartite meeting between the European Union and the Council of Europe.

Reference: Agreement in the form of an exchange of letters intended to foster closer cooperation between the European Community and the Council of Europe — Bull. 6-1987, point 2.2.56

Previous meeting: Bull. 11-1991, point 1.3.96

Meeting held in Paris on 7 April. The Community was represented by Mr Alain Lamassoure, France's Minister for European Affairs and President of the Council, and Mr Van den Broek, and the Council of Europe by Mr Alecos Michaelides, Chairman of the Committee of Ministers, and Mr Daniel Tarschys, Secretary-General.

They decided to relaunch relations between the Union and the Council of Europe, and in particular to step up coordination of cooperation with the new democracies of Central and Eastern Europe and the new independent States of the former Soviet Union with a view to speeding up their integration into the Council of Europe. They also stressed the need to revise and update the agreement of June 1987 intended to foster closer cooperation between the European Community and the Council of Europe. They discussed the possibility of allowing the Community institutions to take part — without voting rights — in the work of the Committee of Ministers, and providing a legal framework for cooperation more in tune with current circumstances and practice in such areas of common interest as the audiovisual sector, culture or young people.

Organization for Economic Cooperation and Development

1.4.22. Council conclusions on trade and investment.

Reference: Commission communication on a

level playing-field for direct investment worldwide: COM(95) 42; Bull. 3-1995, point 1.4.13

Adopted by the Council on 10 April. Taking note of the Commission communication, the Council recognized the value to the Community and the Member States of striving actively for the establishment of multilateral rules involving high standards of liberalization and protection for foreign direct investment. The Council hoped that negotiations at the OECD would start forthwith, with the participation of the Community and its Member States, for a multilateral agreement on investment, with which non-member countries would be associated. The Council also proposed that work begin within the WTO for the subsequent establishment of a multilateral framework.

European Bank for Reconstruction and Development

Financing

Croatia

Zagrebacka Banka d.d

1.4.23. The Bank granted a loan equivalent to ECU 30.539 million (DM 56 million) to Zagrebacka Banka d.d., a financial institution based in Croatia. This is the first transaction with Croatia's private sector. The loan will enable the borrower to on-lend DM 50 million to small and medium-sized enterprises and self-employed tradesmen and invest DM 6 million in computer equipment.

Russian Federation

Russia Registry Company

1.4.24. The Bank invested the equivalent of ECU 1.126 million in the equity of the Russia Registry Company, a limited liability company incorporated in the Russian Federation. This stake will enable the company to provide an independent share registration service in the Russian Federation.

Uzbekistan

Zarafshan-Newmont Joint Venture Cost Overrun Facility

1.4.25. The Bank granted a loan equivalent to ECU 22.521 million to Zarafshan-Newmont

Joint Venture, a limited liability company incorporated in Uzbekistan. The loan is in addition to a USD 105 million loan for this project, half of it for the account of the Bank, already approved, signed and fully disbursed by the Bank to the company. The additional loan will enable the company to complete the project, which involves the construction of a heap-leaching facility for the recovery of gold from low-grade ore.

Poland

Polsko-Amerykanski Bank Hipoteczny SA

1.4.26. The Bank provided Polsko-Amerykanski Bank Hipoteczny S.A.(PABH) with a guarantee of ECU 3.753 million (the first of three equal tranches). This Polish bank specializes in mortgage lending and financing the construction of residential buildings. The guarantee will help PABH, a small bank with own resources equivalent to only USD 9.6 million, finance large housing projects in Poland by increasing the maximum lending limit imposed on PABH by the National Bank of Poland and by providing an immediate mechanism for risk syndication.

Warsaw Distribution Park Sp. z o.o.

1.4.27. A loan equivalent to ECU 5.855 million (ECU 3.941 million for the account of the Bank and ECU 1.914 million for that of one or more other participants) was granted to Warsaw Distribution Park Sp. z o.o., a limited liability company incorporated in Poland. The loan will assist the design, development, construction and operation of the first phase of a planned industrial estate near Warsaw.

Romania

Municipal Utilities Development Programme

1.4.28. The Bank granted Romania a loan equivalent to ECU 21.019 million to help finance urgently-needed investment in the rehabilitation of municipal water and sewage services and strengthen the operational and financial performance of water utilities in five Romanian cities. It will improve basic living conditions for a considerable proportion of the

urban population and bring substantial environmental benefits.

Ukraine

Poltava Oil and Gas Projects

1.4.29. The Bank granted a loan equivalent to ECU 6 million to Poltava Petroleum Company, a limited liability company incorporated in Ukraine. The loan will be used to finance the development of the Ignatovskoye oil and gas field south of Poltava in central Ukraine, so increasing the country's output of fossil fuels. The project is the Bank's first operation in the Ukrainian energy sector.

Common commercial policy

General matters

Operation of the customs union

1.4.30. Proposal for a European Parliament and Council Decision adopting an action programme for Community customs ('Customs 2000').

References:

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

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

Adopted by the Commission on 4 April. The objective of the action programme is to reinforce the effectiveness of customs procedures and controls at the external border of the European Union. It follows a pilot project, 'Customs 2000', carried out in 1994 by the Commission in partnership with the Member States, within the framework of a strategic programme to make the most of the internal market.

The Commission proposes that Community measures be focused on the following areas:

- ensuring openness in the implementation of Community law by the customs administrations of the Member States;
- strengthening the common training policy put in place by the Matthaeus programme;
- developing and promoting more widespread use of new working methods (risk analysis, company audits, simplified procedures and computerization);
- deepening the dialogue with customs users, particularly SMEs, in order to promote their access to international trade;
- fostering the growth of an international customs environment conducive to the best possible management of the external border, particularly in the form of study and assistance missions, exchanges of officials, and technical assistance for certain of the Community's trading partners.

The Commission proposes a total financial provision for carrying out this programme, for the period 1 January 1996 to 31 December 2000, of ECU 139.67 million.

COM(95) 119

1.4.31. Council Regulation (EC) No 837/95 amending Regulation (EC) No 3381/94 setting up a Community regime for the control of exports of dual-use goods.

Regulation amended: Council Regulation (EC) No 3381/94: OJ L 367, 31.12.1994; Bull. 12-1994, point 1.3.128

Commission proposal: COM(95) 79; Bull. 3-1995, point 1.4.23

Adopted by the Council on 10 April. The aim is to postpone from 1 March to 1 July the date of application of Regulation (EC) No 3381/94 and to take into account the enlargement of the European Union and the fact that New Zealand has joined the nuclear suppliers group.

OJ L 90, 21.4.1995

1.4.32. Council Decisions 95/127/CFSP and 95/128/CFSP amending Decision 94/942/CFSP on the joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union concerning the control of exports of dual-use goods (→ points 1.4.2 et 1.4.3).

1.4.33. Convention on Customs Treatment of Pool Containers used in International Transport.

Proposal for a Decision on signing the Convention: COM(95)33; Bull. 1/2-1995, point 1.4.40

Decision authorizing the Commission, on behalf of the Community, to sign the Convention, as far as the matters within its exclusive jurisdiction are concerned, adopted by the Council on 7 April.

Convention signed by the Commission in Geneva on 11 April. The purpose of the Convention is to promote efficient use of containers in international transport by facilitating administrative procedures in order, *inter alia*, to reduce transport of empty units.

Commercial policy instruments

Council anti-dumping measures

1.4.34. Council Regulation (EC) No 866/95 extending the provisional anti-dumping duty on imports of ferro-silico-manganese originating in Russia, Ukraine, Brazil and South Africa.

Commission proposal: COM(95) 95; Bull. 3-1995, point 1.4.26

Adopted by the Council on 10 April.

OJ L 89, 21.4.1995

1.4.35. Proposal for a Council Regulation amending Regulation (EC) No 3359/93 imposing amended anti-dumping measures on imports of ferro-silicon originating in Russia, Kazakhstan, Ukraine, Iceland, Norway, Sweden, Venezuela and Brazil.

References:

Definitive duty: OJ L 302, 9.12.1993; Bull. 12-1993, point 1.3.81

Initiation of review: OJ C 165, 17.6.1994; Bull. 6-1994, point 1.3.83

Adopted by the Commission on 5 April. This proposal concerns new Brazilian exporters.

COM(95)128

1.4.36. Proposal for a Council Regulation amending Regulation (EC) No 3433/91 insofar as it imposes a definitive anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in the People's Republic of China.

References:

Definitive duty: OJ L 326, 28.11.1991; Bull. 11-1991, point 1.3.81

Initiation of review: OJ C 343, 21.12.1993; Bull. 12-1993, point 1.3.86

Adopted by the Commission on 6 April.

COM(95) 141

1.4.37. Proposal for a Council Regulation amending Council Regulation (EC) No 2819/94 imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China.

References:

Definitive duty (Regulation (EEC) No 1531/88): OJ L 138, 3.6.1988; Bull. 5-1988, point 2.2.5

Amendment of definitive duty (Regulation (EC) No 2819/94): OJ L 298, 19.11.1994; Bull. 11-1994, point 1.3.93

Adopted by the Commission on 11 April. The aim is to specify explicitly that Regulation (EC) 2819/94 repeals Regulation (EEC) No 1531/88.

COM(95)129

1.4.38. Proposal for a Council Regulation amending Regulation (EEC) No 830/92 imposing a definitive anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Indonesia and a number of other countries.

References:

Definitive duty: OJ L 88, 3.4.1992; Bull. 3-1992, point 1.3.57

Initiation of review: OJ C 74, 12.3.1994; Bull. 3-1994, point 1.3.100

Adopted by the Commission on 12 April.

COM(95) 148

Commission anti-dumping measures

1.4.39. Notice of initiation of anti-dumping proceedings concerning imports of certain magnetic disks (3.5-inch microdisks) originating in Canada, Indonesia, Macao and Thailand.

Published on 6 April.

OJ C 84, 6.4.1995

1.4.40. Notice of initiation of anti-dumping proceedings concerning imports of sacks and bags made of polyethylene or polypropylene originating in India, Indonesia and Thailand.

Published on 13 April.

OJ C 92, 13.4.1995

1.4.41. Notice of initiation of anti-dumping proceedings concerning imports of polyester yarn originating in Malaysia.

Published on 19 April.

OJ C 95, 19.4.1995

1.4.42. Notice of initiation of anti-dumping proceedings concerning imports of furfuryl alcohol originating in the People's Republic of China and in Thailand.

Published on 19 April.

OJ C 95, 19.4.1995

1.4.43. Notice of initiation of anti-dumping proceedings concerning imports of video cassette recorders originating in the Republic of Korea and Singapore and key components thereof originating in the Republic of Korea.

Published on 25 April.

OJ C 104, 25.4.1995

1.4.44. Commission Regulation (EC) No 823/95 imposing a provisional anti-dumping duty on imports of disodium carbonate originating in the United States of America.

Reference: Initiation of proceedings: OJ C 213, 6.8.1993; Bull. 7/8-1993, point 1.3.84

Adopted by the Commission on 10 April.

OJ L 83, 13.4.1995

1.4.45. Notice of initiation of a review of certain anti-dumping measures concerning imports of colour television receivers originating in the Republic of Korea.

References:

Definitive duty (small-screen receivers): OJ L 107, 27.4.1990; Bull. 4-1990, point 1.2.48

Notice of impending expiry (small-screen receivers): OJ C 303, 29.10.1994; Bull. 10-1994, point 1.3.92

Definitive duty (other receivers): OJ L 73, 1.4.1995; Bull. 3-1995, point 1.4.27

Published on 26 April.

OJ C 105, 26.4.1995

1.4.46. Notice of the impending expiry of anti-dumping measures concerning imports of ball bearings with greatest external diameter not exceeding 30 mm originating in Thailand.

Reference: Definitive duty: OJ L 281, 12.10.1990; Bull. 10-1990, point 1.4.43

Published on 6 April.

OJ C 84, 6.4.1995

1.4.47. Notice of the impending expiry of anti-dumping measures concerning imports of woven

polyolefin sacks originating in the People's Republic of China.

Reference: Definitive duty: OJ L 318, 17.11.1990; Bull. 11-1990, point 1.4.50

Published on 19 April.

OJ C 95, 19.4.1995

1.4.48. Notice of the expiry of certain anti-dumping measures concerning imports of methenamine (hexamethylene-tetramine) originating in Bulgaria, former Czechoslovakia, Poland and Romania.

References:

Undertakings: OJ L 104, 24.4.1990; Bull. 4-1990, point 1.2.53

Notice of impending expiry: OJ C 297, 25.10.1994; Bull. 10-1994, point 1.3.91

Published on 22 April.

OJ C 100, 22.4.1995

Anti-subsidy measures

1.4.49. Proposal for a Council Regulation amending Regulation (EC) No 2271/94 imposing a definitive countervailing duty on imports of ball bearings with a greatest external diameter not exceeding 30 mm, originating in Thailand but exported to the Community from another country.

References:

Definitive duty: (OJ L 163, 6.7.1993; Bull. 6-1993, point 1.3.67), as amended by OJ L 247, 22.9.1994; Bull. 9-1994, point 1.3.54

Initiation of review: OJ C 348, 9.12.1994; Bull. 12-1994, point 1.3.141

Adopted by the Commission on 18 April.

COM(95) 140

Import arrangements

1.4.50. Council Regulation (EC) 839/95 amending the list of countries mentioned in Annex I to Regulation (EC) No 519/94.

Regulation amended: Council Regulation (EC) No 519/94 on common rules for imports from certain third countries: OJ L 67, 10.3.1994; Bull. 3-1994, point 1.3.89

Commission proposal: COM(95) 14; Bull. 1/2-1995, point 1.4.45

Adopted by the Council on 10 April. The aim is to remove Estonia, Latvia and Lithuania from

the scope of the Regulation on common rules for imports from State-trading countries.

OJ L 85, 19.4.1995

Treaties and trade agreements

1.4.51. Council Decision 95/133/EC authorizing the automatic renewal or maintenance in force of provisions governing matters covered by the common commercial policy contained in the friendship, trade and navigation treaties and trade agreements concluded between Member States and third countries.

Commission proposal: COM(95) 31; Bull. 1/2-1995, point 1.4.59

Adopted by the Council on 19 April. The Decision authorizes the automatic renewal or maintenance in force until 30 April 1996 of certain trade agreements concluded by the Member States with third countries.

OJ L 89, 21.4.1995

Individual sectors

Textiles

1.4.52. Agreement, applied provisionally, between the European Community and the People's Republic of China on trade in textile products not covered by the existing bilateral Agreement.

Reference: Agreement between the EEC and China on trade in textile products: (OJ L 380, 31.12.1988; Bull. 12-1988, point 2.2.9), as last amended by an Agreement in the form of an exchange of letters: OJ L 410, 31.12.1992

Initialling of the Agreement: Bull. 1/2-1995, point 1.4.60

Decision 95/155/EC on the provisional application of the Agreement adopted by the Council, acting on a proposal from the Commission, on 10 April.

OJ L 104, 6.5.1995

1.4.53. Draft Agreement amending the EC-Viet Nam bilateral Agreement on trade in textile products.

Reference: EC-Viet Nam Agreement on trade in textile products: OJ L 410, 31.12.1992

Negotiating directives adopted by the Council, on a recommendation from the Commission, on 10 April.

1.4.54. Commission Regulation (EC) No 810/95 imposing definitive quantitative limits on imports into the Community of certain textile products (categories 14, 17 and 29) originating in the People's Republic of China.

References:

Provisional limits (categories 14 and 17): OJ L 297, 18.11.1994; Bull. 11-1994, point 1.3.95

Provisional limit (category 29): OJ L 11, 17.1.1995; Bull. 1/2-1995, point 1.4.62

Adopted by the Commission on 11 April.

OJ L 82, 12.4.1995

Development policy

Cooperation via non-governmental organizations

1.4.55. Annual General Assembly of European non-governmental development organizations.

References:

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

Partial mid-term review of the fourth Lomé Convention: Bull. 1/2-1994, point 1.3.80

Previous meeting: Bull. 4-1994, point 1.3.88

Twenty-first meeting held in Brussels from 27 to 29 April. The Commission was represented at the meeting by Mr Pinheiro, who highlighted the importance of cooperation between the Commission and the NGDOs. In 1994, Community financing for a variety of NGDO operations rose to ECU 803 million, 14% up on 1993. It went chiefly on humanitarian aid (ECU 320 million), food aid (ECU 174.5 million) and the cofinancing of small-scale development operations in developing countries (ECU 129.7 million).

Discussion focused on three themes: establishing a new partnership between Europe and Africa, the links between partnership and building up a civil society, and the placing of emergency aid in a perspective of long-term development. Delegates of the 15 countries represented had the job of agreeing on the broad thrust of their programmes for coming years; they decided to improve the coordination of their work with a view to consolidating their political efforts, and to improve the dissemination

of information to raise public awareness of the issues.

Following the meeting, there was a conference on the theme of a new partnership between Europe and Africa, at which participants stressed the need to maintain the partnership created under the Lomé Convention notwithstanding any adjustments to take account of local and regional diversity.

1.4.56. Projects in developing countries.

Commission cofinancing: ECU 11 146 129 for 42 operations.

1.4.57. Campaigns to raise public awareness.

Commission contribution: ECU 625 248 for five operations.

Humanitarian aid

1.4.58. Commission decisions: see Table 7.

Table 7 — *Humanitarian aid*

<i>(million ECU)</i>		
Country	Purpose	Amount
<i>Financing: EDF (ACP countries)</i>		
Kenya	Cholera epidemic	0.082
Niger	Meningitis epidemic	0.25
Sudan	Fighting	0.95
<i>Financing: 1995 ECHO budget</i>		
All countries	ECHO study and assessment programmes	0.17

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

European Economic Area

1.4.59. Outcome of the referendum on the Principality of Liechtenstein's participation in the European Economic Area.

References:

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

Decision of the EEA Council No 1/95 on the entry into force of the Agreement on the European Economic Area for Liechtenstein: OJ L 86, 20.4.1995; Bull. 3-1995, point 1.4.49

On 9 April, the people of the Principality of Liechtenstein approved by a majority of 55.9% the country's participation in the European Economic Area which will come into force on 1 May 1995.

Central and Eastern Europe, Baltic States

Pre-accession strategy

Structured relations

References:

Conclusions of the Essen European Council: Bull. 12-1994, points I.13 and I.39

Europe Agreements establishing an association between the European Communities and their Member States and Hungary and Poland respectively: Bull. 12-1993, point 1.3.20

Europe Agreements establishing an association between the European Communities and their Member States and Bulgaria, Romania, the Czech Republic and the Slovak Republic respectively: Bull. 1/2-1995, points 1.4.73 to 1.4.77

1.4.60. Joint ministerial meeting between the European Union and the associated Central and East European countries.

Meeting held in Luxembourg on 10 April. Within the framework of the structured relations established in order to implement the pre-accession strategy drawn up by the Essen European Council, the Foreign Ministers of the European Union and Mr Hans Van den Broek, representing the Commission, met their counterparts from the six associated countries of Central and Eastern Europe (Bulgaria, the Czech Republic, Hungary, Poland, Romania and the Slovak Republic). The discussions were mainly concerned with the preparation of the White Paper on

adapting the associated countries' legislation to Community legislation in fields connected with the internal market, and with regional and inter-regional cooperation in Central and Eastern Europe. The ministers also discussed current international issues such as the situation in Russia and the former Yugoslavia, the security structure in Eastern Europe, the European Union's relations with the Mediterranean countries, coordination through the United Nations and nuclear non-proliferation.

They also adopted two statements to the press, one concerning the situation in Chechnya and the other the former Yugoslavia.

They called for a ceasefire in Chechnya and the opening of negotiations to find a political solution to the fighting. They also asked that the humanitarian aid be allowed to reach its destination unhindered and that a permanent OSCE mission be established as soon as possible in Chechnya.

Ministers expressed their very great concern at the deterioration of the situation in the former Yugoslavia and called on those involved to extend the ceasefire agreement. They also noted with satisfaction the adoption by the United Nations Security Council of resolutions maintaining the presence of forces in the former Yugoslavia, and expressed support for the negotiating process aimed at the mutual recognition of states and the suspension of sanctions.

1.4.61. Council Resolution on cooperation with the associated countries of Central and Eastern Europe in the cultural domain.

Adopted by the Council on 3 April. This Resolution was adopted in the wake of the joint meeting held the same day between the Ministers of Culture of the European Union and the Ministers of Culture of the associated countries of Central and Eastern Europe. The Council noted that these countries participated in specific Community activities in the cultural sphere and stressed the importance which they attached to initiating cooperation in three particular areas:

- the development of a legal, administrative and management environment conducive to the expansion of cultural and audiovisual activities and exchanges in those countries;
- the establishment of effective distribution channels within culture industries such as publishing, records and film;

- the conservation, restoration and enhancement of the cultural heritage.

The Council invited the Commission to give sufficient prominence to the restructuring of the culture and audiovisual industries and distribution channels in those countries, to prepare the practical measures for participation by those countries in the Community's activities in that field and to instigate, in conjunction with the EBRD and the EIB, a study of the financial arrangements which might be used for funding projects for the culture industry.

1.4.62. Council conclusions on industrial cooperation with the Central and East European countries.

Reference: Commission communication to the Council and Parliament on industrial cooperation with the Central and East European countries: COM(95) 71; Bull. 3-1995, point 1.4.51

Adopted by the Council on 7 April. The Council, welcoming the adoption by the Commission in March of a communication on industrial cooperation with the Central and East European countries, reiterated the importance of dialogue on industrial cooperation with these countries in order to foster their integration into the European economy and to promote the harmonious development of trade. It called upon the Commission to take action on three related fronts:

- to improve the general climate of industrial growth, by supporting the development of an environment and legislative framework which is helpful to businesses and conducive to inter-company agreements in the following priority areas: the improvement of framework conditions for investment; the harmonization of legislation on competition, standards and assessment and conformity evaluation procedures with the rules applicable in the Community; the organization of round tables between industrialists; the stepping-up of scientific and technological cooperation;
- to promote cooperation between industrial operators and support the implementation of projects, through management training initiatives, feasibility and profitability studies of specific projects, in order to speed up the restructuring and modernization of businesses in those countries and facilitate cooperation with European companies;
- to identify and mobilize existing financial mechanisms in order to foster industrial cooperation.

Bilateral relations

Albania

1.4.63. Visit by Mr Van den Broek to Albania on 27 and 28 April.

References:

Commercial and economic cooperation Agreement between the European Economic Community and Albania: Bull. 10-1992, point 1.4.11

Council statement on the release of the second instalment of macro-financial assistance for Albania: point 1.4.69 of this Bulletin

During his visit, Mr Van den Broek met Mr Sali Berisha, President of the Republic, Mr Aleksander Meksi, Prime Minister, and other members of the Albanian Government. They discussed, among other matters, the implementation of the economic and commercial agreement concluded in December 1992 between the European Community and Albania, the prospects for bilateral relations and the progress made by Albania on economic and political reform.

Baltic States

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

References:

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

Agreements on free trade and trade-related matters between the European Communities and Estonia, Latvia and Lithuania: Bull. 12-1994, points 1.3.37, 1.3.40 and 1.3.43

Conclusions of the Essen European Council: Bull. 12-1994, point I.13

Commission recommendations: Bull. 10-1994, point 1.3.22

Negotiating directives: Bull. 11-1994, point 1.3.25

Agreements initialled in Brussels on 12 April. These draft agreements, which are intended to establish a close, long-term association and cover all economic and trade relations, take the place of the trade and economic cooperation Agreements concluded in 1992 and incorporate the free-trade Agreements concluded in December 1994. They also include provisions on finan-

cial and cultural cooperation and provide for a shorter transition period than for the Europe Agreements concluded with the six associated Central and East European countries. They are based on respect for human rights and democracy and provide in particular for the participation of the Baltic States in the structured relations between the European Union and the other associated countries established in order to implement the pre-accession strategy drawn up by the Essen European Council in December 1994.

1.4.65. Proposals for Council Regulations on certain procedures for applying the agreements on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community and the Republic of Estonia, the Republic of Latvia and the Republic of Lithuania.

References:

Agreements on free trade and trade-related matters between the European Communities and Estonia, Latvia and Lithuania: Bull. 12-1994, points 1.3.37, 1.3.40 and 1.3.43

Proposals for Council Regulations on certain procedures for applying the agreements on free trade and trade-related matters between the European Communities and Estonia, Latvia and Lithuania: COM(94) 658; Bull. 12-1994, points 1.3.38, 1.3.41 and 1.3.44

Adopted by the Commission on 10 April. The proposed regulations would provide the legal basis for the Commission to implement the agriculture provisions of the trade liberalization agreements concluded in December 1994. The Commission is proposing that the Council adopt these provisions separately so that they can be implemented quickly.

COM(95) 76

Czech Republic

1.4.66. Meeting of the EU-Czech Republic Association Council.

References:

Conclusions of the Essen European Council: Bull. 12-1994, points I.13 and I.39

Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part: Bull. 1/2-1995, points 1.4.73 and 1.4.77

First meeting held in Luxembourg on 10 April. The meeting was chaired by Mr Alain Juppé,

French Foreign Minister and President of the Council. The Commission was represented by Mr Van den Broek and the Czech Republic was represented by its Foreign Minister, Mr Josef Zieleniec.

The two parties had wide-ranging discussions on the current and future course of relations between them. Two aspects of the pre-accession strategy approved by the Essen European Council in December 1994 were covered in detail:

□ The first of these matters was the Czech Republic's plans for handling integration with the European Union. Having noted the encouraging results of the country's economic and political reforms, the Association Council emphasized the importance of the white paper on the internal market being prepared by the Commission in response to a request made by the Essen European Council and of the assistance which the PHARE programme could provide to back the Czech Republic's own efforts.

□ The second matter was intra-regional cooperation. In that connection, the Association Council stressed that this was an important means of promoting European integration and economic development in the region.

Romania

1.4.67. Meeting of the EU-Romania Association Council.

References:

Conclusions of the Essen European Council: Bull. 12-1994, points I.13 and I.39

Second Additional Protocol to the Europe Agreement between the European Communities and their Member States, of the one part, and Romania, of the other part, and to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and Romania: Bull. 12-1994, point 1.3.29

Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Romania, of the other part: Bull. 1/2-1995, points 1.4.73 and 1.4.75

Draft agreements on adjusting the Europe Agreements and the Interim Agreements between the European Communities and the associated countries as a result of enlargement and the conclusion of the Uruguay Round: Bull. 3-1995, point 1.4.53

First meeting held in Luxembourg on 10 April. The meeting was chaired by Mr Alain Juppé,

French Foreign Minister and President of the Council. The Commission was represented by Mr Van den Broek and Romania was represented by its Foreign Minister, Mr Teodor Melescanu.

The two parties discussed the implementation of the Europe Agreement, and dwelt at some length on Romania's progress towards integration with the European Union as part of the pre-accession strategy. The Association Council noted in that connection that some of the short-term measures decided on by the Essen European Council were already being implemented. These included aligning Romania's timetable for Community trade concessions with that of the other associated countries, extending the diagonal cumulation of origin arrangements for the Visegrad countries (Hungary, Poland and the Czech and Slovak Republics) to Bulgaria and Romania, and altering the provisions of the Europe Agreements which deal with agricultural products to take account of enlargement and the end of the multilateral Uruguay Round negotiations. The Association Council examined the political and economic reforms on which Romania had embarked and stressed that implementing the Europe Agreement and continuing the process of reform constituted the basis of the country's pre-accession strategy.

The two parties also discussed regional cooperation and the steps which had been taken in that direction. The Association Council dwelt particularly on the importance of backing from the European Union for economic development (particularly through the PHARE programme) in fields such as the trans-European networks and energy.

Assistance for Central and Eastern Europe

Opening of Community programmes to the associated countries of Central and Eastern Europe

1.4.68. Draft additional Protocols to the Europe Agreements between the European Community and the European Atomic Energy Community, of the one part, and Bulgaria, Hungary, Poland, the Czech Republic, the Slovak Republic,

lic and Romania, of the other part, concerning the opening of Community programmes to the associated countries of Central and Eastern Europe.

References:

Europe Agreements establishing an association between the European Communities and their Member States, of the one part, and Hungary and Poland, of the other part: Bull. 12-1993, point 1.3.20

Europe Agreements establishing an association between the European Communities and their Member States, of the one part, and Bulgaria, Romania, the Czech Republic and the Slovak Republic, of the other part: Bull. 1/2-1995, points 1.4.73 to 1.4.77

Commission recommendation: Bull. 5-1994, point 1.3.28

Negotiating directives: Bull. 7/8-1994, point 1.3.31

Proposals for Council and Commission Decisions (EC and Euratom) concluding the Additional Protocols: COM(94) 599; Bull. 12-1994, point 1.3.16

Decision on the signing of the Protocols adopted by the Council on 10 April. The purpose of the Protocols is to give the associated countries of Central Europe access to Community programmes in a variety of fields including research and development, information, the environment, education and training, social and health-care policy, consumer protection, small firms, tourism, culture, the audiovisual industry, civil protection, energy, transport and the fight against drugs, in order to ease their integration with the European Union.

Financial assistance

Albania

1.4.69. Council statement on further macro-financial assistance for Albania.

References:

Council Decision 94/773/EC providing further macro-financial assistance for Albania: OJ L 308, 2.12.1994; Bull. 11-1994, point 1.3.24

Presidency statement on behalf of the European Union concerning the release of members of the Omonia movement: Bull. 1/2-1995, point 1.4.5

Commission report on the democratization process, human rights and the situation of minorities in Albania: Bull. 3-1995, point 1.4.56

Adopted by the Council on 10 April. This statement came in the wake of the Council Decision of November 1994 granting Albania a first instalment of ECU 15 million of macro-financial assistance (out of a maximum of ECU 35 million). In the light of the Presidency's February statement on behalf of the Union and of the Commission's report on Albania's progress with human rights, the Council approved further macro-financial assistance to back the country's efforts to keep the process of economic and political reform going.

Mediterranean and Middle East

Northern Mediterranean

Cyprus

1.4.70. Draft fourth financial Protocol between the European Community and Cyprus.

Reference: General framework for the development of relations with Cyprus: Bull. 3-1995, point 1.4.60a

Commission recommendation: Bull. 3-1994, point 1.3.55

Negotiating directives: Bull. 6-1994, point 1.3.38

Proposal for a Council Decision on the conclusion of the Protocol adopted by the Commission on 7 April. The Commission invited the Council to approve the fourth financial Protocol with Cyprus initialled on 21 December in Brussels. The Protocol provided for a total budget of ECU 74 million, ECU 24 million from the Community budget and ECU 50 million in the form of EIB loans. These funds were allocated for the financing of economic and social development projects with a view to Cyprus' accession to the European Union and to promote a settlement of the Cyprus question.

COM(95) 65

Malta

1.4.71. Draft fourth financial Protocol between the European Community and Malta.

Commission recommendation: Bull. 3-1994, point 1.3.56

Negotiating directives: Bull. 6-1994, point 1.3.39

Proposal for a Council Decision on the conclusion of the Protocol adopted by the Commission on 7 April. The Commission invited the Council to approve the fourth financial Protocol with Malta initialled on 21 December in Brussels. The Protocol provided for a total budget of ECU 45 million, ECU 14 million from the Community budget and ECU 30 million in the form of EIB loans. These funds were allocated for the financing of economic and social development projects to facilitate Malta's economic transition with a view to its accession to the European Union.

COM(95) 64

1.4.72. Council conclusions on Malta.

References:

Application for accession from the Republic of Malta: Bull. 7/8-1990, point 1.4.25

Commission opinion on Malta's application for accession: COM(93) 312, Bull. 6-1993, point 1.3.7; Supplement 4/93 — Bull.

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

Conclusions of the Corfu European Council: Bull. 6-1994, point I.11

Conclusions of the Essen European Council: Bull. 12-1994, points I.14 and I.55

Commission report to the Council on the implementation of economic reforms in Malta with a view to reviewing Malta's application for accession to the European Union: Bull. 3-1995, point 1.4.63

Adopted by the Council on 10 April.

'The Council:

□ notes with satisfaction that the programme of priority economic reforms has, in the main, been implemented on schedule and that this represents a major step towards aligning Maltese economic structures on those of the Community;

□ shares the Commission's view that it is important to continue to monitor Malta's implementation of the reforms needed to prepare its economy for accession to the European Union;

□ therefore invites the Commission to keep it regularly informed of the progress made and the impact of the reforms on the Maltese economy;

□ notes that the Commission intends to examine this impact in more depth over the next few months, with a view to submitting specific proposals to the Council for the establishment of a pre-accession strategy which will consolidate the Maltese Government's achievements to date and help it to continue to strive for even greater harmonization of its legislation and practices with the *acquis communautaire*;

□ intends to adopt these proposals in time for the next Association Council meeting with Malta, with the inclusion of a structured dialogue ...;

□ recalls the Maltese Government's undertaking to assume all obligations arising out of the Maastricht Treaty, including those concerning the CFSP, and considers that Malta's situation will need to be clarified as regards the incorporation of all of those obligations into its national law;

□ considers that in matters of justice and home affairs Malta's situation departs from prevailing European Union practice, in particular as regards visa policy and the ratification of the relevant international conventions;

□ stresses in this connection that accession to the European Union implies full acceptance by the acceding State of the actual and potential rights and obligations inherent in the Community system and its institutional framework as obtaining at the time of accession;

□ considers therefore that the exchanges provided for in the context of the structured dialogue with Malta should help to support Malta's efforts to align its positions on those of the European Union as regards the *acquis communautaire*, the CFSP and justice and home affairs;

□ reaffirms the suitability of Malta for accession to the European Union and recalls the European Council's conclusion that the next stage of the Union's enlargement will involve Malta and Cyprus;

□ under these circumstances, and in accordance with its conclusions of 6 March 1995, the Council estimates that accession negotiations with Malta will start, on the basis of Commission proposals, six months after the conclusion of the 1996 Intergovernmental Conference, taking into account the results of the Conference.'

Former Yugoslavia

1.4.73. Council conclusions on former Yugoslavia.

References:

Draft economic and trade cooperation agreement with Croatia, including provisions on ECSC products: point 1.4.75 of this Bulletin

Proposal for a Council Regulation amending Regulation (EEC) No 3906/89 in order to extend economic aid to Croatia: point 1.4.76 of this Bulletin

Adopted by the Council on 10 April.

'The Council:

□ noted with satisfaction the adoption by the Security Council of the Resolution authorizing the maintenance of a United Nations force in Croatia;

□ authorized, in the light of these positive developments, the opening of negotiations for concluding a cooperation agreement with Croatia, on the understanding that the Council reserved the possibility of taking into account at any time, including the moment when the agreement was concluded, Croatia's attitude in implementing United Nations resolutions and the peace process;

□ supported the carrying out in Croatia of projects of common interest which will help bring the Serb and Croat communities closer together;

□ restated its position in favour of extending the PHARE programme to cover Croatia;

□ stressed the importance of securing the renewal of the agreement on ending hostilities and, to this end, giving priority to the promotion of a mutual recognition agreement between former Yugoslavia's successor States;

□ emphasized the need to encourage every possibility for dialogue and recognition between Serbia-Montenegro and Bosnia-Herzegovina in order to prevent the resumption of fighting and facilitate implementation of the peace plan;

□ decided to continue giving its support to the Croat-Muslim Federation by concentrating its efforts particularly on the Administration of the city of Mostar;

□ noted that steps had been taken to make the means available for carrying out the mandate given by the International Conference on Former Yugoslavia with regard to isolating the Pale authorities;

□ decided to continue to make every effort to prevent the situation in Serbia-Montenegro from deteriorating, with particular regard to Kosovo, in connection with which it reaffirmed the aim of having an autonomous regime within the Federation of Serbia-Montenegro.'

1.4.74. Parliament resolution on the ominous developments in Croatia, Bosnia and Kosovo

Reference: Parliament resolution on Croatia: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.4.62

Adopted on 6 April. Parliament welcomed the UN Security Council's decision to renew the mandate of UN troops stationed in the former Yugoslavia and called on EU Member States to demand better Security Council protection for the town of Tuzla, where Muslims, Croats and Serbs had hitherto coexisted peacefully. It felt that the embargo against the Federal Republic of Yugoslavia could be lifted only after the Republic had recognized Croatia, Bosnia-Herzegovina and the Former Yugoslav Republic of Macedonia. It also condemned Serb policies towards the Albanian minority in Kosovo. The Council was urged to do all in its power to help bring an end to renewed fighting in Bosnia-Herzegovina and Parliament also called for EU aid and support to focus primarily on local authorities, groups and initiatives guaranteeing the return of refugees and equal treatment for members of all religious and ethnic groups.

OJ C 109, 1.5.1995

1.4.75. Draft economic and trade cooperation Agreement with Croatia, including provisions on ECSC products.

Commission recommendation: Bull. 1/2-1995, point 1.4.85

Negotiating directives: Bull. 3-1995, point 1.4.61

Decision authorizing the Commission to begin negotiations adopted by the Council on 10 April. Following adoption by the UN Security Council of a resolution allowing a UN force to remain in Croatia, the Council authorized the opening of negotiations on a cooperation agreement with the Republic.

1.4.76. Proposal for a Council Regulation amending Regulation (EEC) No 3906/89 in order to extend economic aid to Croatia.

Commission proposal: OJ C 360, 17.12.1994; COM(94) 526; Bull. 11-1994, point 1.3.41

Endorsed by Parliament on 27 April subject to changes in wording.

OJ C 126, 22.5.1995

1.4.77. Common position 95/150/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union with regard to the extension of the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro).

Reference: Council Decision 94/673/CFSP on the common position defined on the basis of Article J.2 of the Treaty on European Union with regard to the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro): OJ L 266, 15.10.1994; Bull. 10-1994, point 1.3.5 as extended by Council Decision 95/11/CFSP: OJ L 20, 27.1.1995; Bull. 1/2-1995, point 1.4.88

Adopted by the Council on 28 April. In accordance with UN Security Council Resolution 988 (1995), the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia will be extended.

OJ L 99, 29.4.1995

1.4.78. Council Regulation (EC) No 984/95 amending Regulation (EC) No 2472/94, suspending certain elements of the embargo on the Federal Republic of Yugoslavia (Serbia and Montenegro).

Regulation amended: Council Regulation (EC) No 2472/94 suspending certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro): (OJ L 266, 15.10.1994; Bull. 10-1994, point 1.3.36), as last amended by Regulation (EC) No 109/95: OJ L 20, 27.1.1995; Bull. 1/2-1995, point 1.4.89

Proposal adopted by the Commission on 20 April.

Adopted by the Council on 28 April, it extends the application of Regulation (EC) No 2472/94 until 5 July 1995.

OJ L 99, 29.4.1995

1.4.79. Parliament resolution on the international women's action against hunger in Bihač; following the resumption of fighting in Bosnia.

Adopted on 6 April. Parliament roundly condemned the Bosnian Serbs' practice of obstructing humanitarian convoys trying to reach civilians in the Bihač region, which was in breach of the Geneva Convention. It pointed out that humanitarian aid must not be subject to political considerations and called on the international community to ensure compliance with the ceasefire and the safe areas and to counter attacks on civilian targets. It demanded that the supply of aid, particularly for women and children, be guaranteed, called upon the World Health Organization and the UN High Commissioner for Refugees to fulfil their responsibilities and voiced the hope that the International Commit-

tee of the Red Cross would soon be able to send a mission to ascertain the state of health of the people concerned.

OJ C 109, 1.5.1995

Maghreb

Tunisia

1.4.80. New draft agreement with Tunisia.

References:

Cooperation Agreement between the EEC and Tunisia: OJ L 265, 27.9.1978

Commission communication to the Council and Parliament on strengthening the Mediterranean policy of the European Union: proposals for implementing a Euro-Mediterranean partnership: COM(95) 72; Bull. 3-1995, point 1.4.57

Recommendation for a Decision: Bull. 11-1993, point 1.3.26

Negotiating directives: Bull. 12-1993, point 1.3.38

Agreement initialled in Brussels on 12 April. This Euro-Mediterranean agreement, which was negotiated as part of the creation of a Euro-Mediterranean economic area outlined in the Commission communication of March this year on strengthening the EU's Mediterranean policy, is intended to replace the 1976 cooperation Agreement between the EEC and Tunisia. The first in a series of new agreements with the Union's Mediterranean partners, it should open the way for the gradual creation of a free-trade area between Tunisia and the EC and provide a suitable framework for developing cooperation activities which will enable the country to make its industry more modern and competitive.

Independent States of the former Soviet Union; Mongolia

General

1.4.81. Parliament resolution on the draft partnership agreements with the new independent States.

Reference:

Draft Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Russia, of the other part: Bull. 3-1995, point 1.4.74

Adopted on 7 April. Parliament favoured stronger relations between the European Union and the new independent States in the interests of promoting political and economic reform. It called on the Council and the Commission to set in motion the ratification of the agreements between the European Union and the various new independent States except in the case of those with Russia and Kazakhstan. It dwelt on the need to ensure that the provisions regarding adherence to democratic principles, human rights and the rights of minorities were applied in full.

OJ C 109, 1.5.1995

Bilateral relations*Azerbaijan*

1.4.82. Mr Haidar Aliyev, President of Azerbaijan, visited the Commission on 18 April.

During his visit, Mr Aliyev saw Mr Santer and Mr Van den Broek for talks which dealt with the European Union's assistance to the country and with the prospects for closer relations between the two parties.

Ukraine

1.4.83. Mr Van den Broek visited Ukraine on 13 April (→ point 1.3.102).

Assistance for the independent States of the former Soviet Union*Financial assistance***Belarus**

1.4.84. Council Decision 95/132/EC providing macro-financial assistance for Belarus.

Commission proposal: OJ C 82, 4.4.1995; COM (95) 36; Bull. 1/2-1995, point 1.4.101

Parliament opinion: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.4.76

Council agreement: Bull. 3-1995, point 1.4.76

Decision formally adopted by the Council on 10 April.

OJ L 89, 21.4.1995

Asia**Bilateral relations***China*

1.4.85. Visit by Sir Leon Brittan from 18 to 23 April.

Sir Leon met Mr Zhu Rongji, Chinese Vice-Premier, and representatives of the National People's Congress for discussions on political relations, human rights and economic and trade cooperation between the European Union and China. Their talks covered market access for goods and services, trade and investment mechanisms, the principle of equal treatment and extending the provisions of the agreement with the United States on intellectual property to the EU. They also discussed the question of China's membership of the World Trade Organization.

Hong Kong

1.4.86. Mrs Anson Chan, Hong Kong's Chief Secretary, visited the Commission on 24 April. Mrs Anson Chan met Mr Santer and Sir Leon Brittan for talks on future EU-Hong Kong relations, various topics of relevance to the Far East and a number of proposals for cooperation between the two parties on trade, education and culture.

India

1.4.87. The Community troika met Mr Pranab Mukherjee, Indian Foreign Minister, in Paris on 6 April.

Reference: Cooperation Agreement between the European Community and the Republic of India on Partnership and Development: OJ L 223, 27.8.1994; Bull. 7/8-1994, point 1.3.56

Mr Mukherjee held talks with the troika, consisting of French Foreign Minister Mr Alain Juppé, President of the Council, Mr Peter Hartmann, German State Secretary for Foreign Affairs, and Mr Carlos Westendorp, Spain's State Secretary for European Affairs. Mr Marín was also present. Both sides welcomed the start of institutionalized political dialogue in the framework of the joint declaration that entered into force in 1994 and the significant achievements of economic cooperation since the entry into force of the cooperation agreement, like-

wise concluded in 1994. They also discussed the regional situation in Asia and progress with European integration.

Latin America

Relations with regional bodies

Mercosur

1.4.88. Draft interregional agreement on commercial and economic cooperation between the European Community and Mercosur.

References:

Conclusions of the Corfu European Council: Bull. 6-1994, point I.20

Commission communication 'The European Community and Mercosur: an enhanced policy': COM(94) 428; Bull. 10-1994, point 1.3.51

Conclusions of the Essen European Council: Bull. 12-1994, point I.19

Joint solemn declaration by the Council of the European Union and the European Commission, on the one hand, and the Mercosur States on the other: OJ C 377, 31.12.1994; Bull. 12-1994, point 1.3.80

Recommendation for a decision adopted by the Commission on 4 April. Further to the conclusions of the Corfu and Essen European Councils and its October 1994 communication, the Commission recommended to the Council that it be authorized to negotiate an interregional framework agreement on commercial and economic cooperation with Mercosur. Its aim would be to strengthen existing ties between the parties and prepare an eventual association between them. The draft agreement is founded on the principles of reciprocity and shared interests and provides for as close a relationship as possible between the two integration processes in the economic, commercial, industrial, scientific, institutional and cultural fields. Based on respect for human rights and democratic principles, it also seeks to promote wider political dialogue in areas of interest to both parties.

Bilateral relations

Mexico

1.4.89. Joint solemn declaration between the Council of the European Union and the European Commission, on the one hand, and Mexico on the other.

References:

Conclusions of the Corfu European Council: Bull. 6-1994, point I.20

Conclusions of the Essen European Council: Bull. 12-1994, point I.19

Commission communication to the Council and Parliament: 'Towards closer relations between the European Union and Mexico': COM (95) 3; Bull. 1/2-1995, point 1.4.107

Council Decision on the signing of the declaration, 10 April.

Commission Decision on the signing, 26 April. Pursuant to the conclusions of the Corfu and Essen European Councils, the Council and the Commission agreed to sign a joint declaration between the European Union and Mexico. In the context of closer relations between the parties, the declaration spells out their willingness to view their mutual relations in the long-term perspective and pursue further cooperation.

Cooperation with Latin America

Argentina

Basic Regulation: Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. 1/2-1992, point 1.4.40

1.4.90. Project financing.

Commission financing decision to grant ECU 5.5 million to Argentina for a development project to assist the indigenous peoples of Formosa province.

Aid to refugees and displaced persons

Nicaragua

1.4.91. Commission decision to grant ECU 3 million in aid towards self-sufficiency for displaced persons and demobilized soldiers in the department of Matagalpa.

ACP Countries, South Africa and OCTs

Relations with ACP countries

Bilateral relations

Burundi

1.4.92. Parliament resolution on the situation in Burundi.

References:

Common Position 95/91/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union, with regard to Burundi: OJ L 72, 1.4.1995; Bull. 3-1995, point 1.4.94

Parliament resolution on the situation in Burundi: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.4.96

Adopted on 6 April. Parliament condemned the massacre of 400 Hutus perpetrated by the army and by militias in north-east Burundi, confirmed its support for the institutions of Burundi and its backing for the 'Convention of Government', signed on 10 October 1994, and called on both government and opposition forces to make a firm commitment to the process of national reconciliation and building democracy. It called on the EU Member States to exert pressure on the UN Security Council to take measures to curb the wave of violence and supported the organization of a 'Regional Conference on Peace, Security and Stability' as called for by the latter. Lastly, it repeated its request to Member States of the Union who are members of the UN Security Council to persuade the latter of the need for an international embargo on arms and munitions exports to Burundi and Rwanda.

OJ C 109, 1.5.1995

Financial and technical cooperation

1.4.93. Project financing.

Commission Decisions granting a total of ECU 40 355 000 from the seventh EDF for projects and programmes which it is running (see Table 8).

Table 8 — *Financing of operations under the seventh EDF*

<i>(million ECU)</i>		
Country	Project	Amount
<i>Economic infrastructure</i>		
Kiribati	Airport	1.2
<i>Social and cultural development</i>		
PALOP countries ¹	Education	2.5
New Caledonia	Education infrastructure	0.83
<i>Development of production</i>		
Côte d'Ivoire	Rural production	15.7
<i>Exceptional aid</i>		
Togo	AIDS	0.625
<i>Miscellaneous</i>		
Mauritania	General technical cooperation programme	0.5
Guinea	General import programme	19
Total		40.355

¹ Cape Verde, Guinea-Bissau, Angola, Mozambique, São Tomé and Príncipe.

Diplomatic relations

1.4.94. The following ambassadors, whose appointments took effect on 10 April, presented their letters of credence to the President of the Council and the President of the Commission:

□ HE Mr Edwin P. J. Laurent, Head of Mission of Saint Vincent and the Grenadines to the European Communities;

□ HE Mr Edwin P. J. Laurent, Head of Mission of Saint Kitts and Nevis to the European Communities;

□ HE Mr Denis Polisi, Representative of the Rwandese Republic to the European Community and Head of Mission to the ESCS and Euratom;

□ HE Mr Missoun Sbih, Head of Mission of the People's Democratic Republic of Algeria to the European Communities;

1.4.95. The Head of Mission of Saint Kitts and Nevis is the first ambassador from that country to be accredited to the European Communities. This brings the number of diplomatic missions to 161.

5. Justice and home affairs cooperation

Asylum, external borders and immigration

1.5.1. Parliament resolution on the Schengen Agreement and political asylum.

References:

Signing of the Agreement to give effect to the Schengen Agreement: Bull. 6-1990, point 1.5.9

Dublin Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities: Bull. 6-1990, point 2.2.2

Parliament resolution on the Schengen Agreement: OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.4.4

Council resolution on minimum guarantees for asylum procedures: Bull. 3-1995, point 1.5.1

Adopted on 6 April. On the grounds that the Agreement to give effect to the Schengen Agreement providing for the gradual abolition of checks at common borders between certain Member States of the European Union, which came into force on 26 March 1995, is not a Community instrument and should be replaced as soon as possible by Community rules and that the free movement of persons is an integral part of the internal market and of the objectives of the European Union under Article 7a of the EC Treaty, Parliament called on the institutions and on the Member States to find Community solutions to the problem and to adopt and put into practice compensatory measures to ensure internal security once border controls are abolished without turning the Union into a 'fortress Europe'. On the institutional front it stressed the importance of its role in exercising democratic control and in providing information for the European citizen, and argued that the Court of Justice was the appropriate body to ensure effective legal control of implementation of the Agreement in order to avoid the risk of discordant interpretations at national level.

Concerned at the implications of the Schengen Agreement for the protection of asylum-seekers, Parliament called on the signatory states (the Agreement was signed on 14 June 1985 by Bel-

gium, France, Germany, Luxembourg and the Netherlands, subsequently joined by Italy in 1990, by Portugal and Spain in 1991, by Greece in 1992 and by Austria on 28 April 1995) to guarantee access to asylum procedures unhindered by strict visa requirements. With the coming into force of the Agreement to give effect to the Schengen Agreement, which will be replaced in due course by the Dublin Convention of June 1990, Parliament also called on the Member States of the European Union to implement minimum guarantees for equitable and efficient asylum procedures. It is not convinced that the resolution approved by the Council in March accords with the principles laid down in the 1951 Geneva Convention. Finally, Parliament called on the Member States to review the practice of carriers' liability in order to avoid carriers, who are not qualified to make such judgments, having to decide on the merits of asylum requests.

OJ C 109, 1.5.1995

Prevention of drug abuse

1.5.2. Committee of the Regions' own-initiative opinion on the European Union action plan to combat drugs.

References:

Commission communication to the Council and Parliament on a European Union action plan to combat drugs (1995-99): COM(94) 234; Bull. 6-1994, point 1.4.6

Council opinion on the Commission communication to the Council and Parliament on a European Union action plan to combat drugs (1995-99) and strategy to combat drug trafficking: Bull. 3-1995, point 1.5.8

Council Regulation (EEC) No 302/93 on the establishment of the European Monitoring Centre for Drugs and Drug Addiction (OJ L 36, 12.2.1993; Bull. 1/2-1993, point 1.2.207), as last amended by Regulation (EC) No 3294/94: OJ L 341, 30.12.1994; Bull. 12-1994, point 1.2.235

Adopted on 21 April. Welcoming the European Union action plan to combat drugs presented by

the Commission in June 1994, the Committee stressed that drug addiction and drug trafficking demand a response at all levels, from local to Union, and emphasized the need for the involvement of local authorities in any strategy designed to address this problem within local communities. The Committee endorsed the three key elements of the action plan, namely demand reduction, combating drug trafficking and action at international level. It would like to see more funding for demand reduction activities and specific measures to improve the social and economic environment of the high-risk groups in poor communities. On the question of drug traffick-

ing, the Committee stressed the importance of greater coordination between Member States. It also called on the European Monitoring Centre for Drugs and Drug Addiction to fulfil its role as a dissemination point for best practice at all levels throughout the European Union.

Racism and xenophobia

1.5.3. Parliament resolution on racism, xenophobia and anti-semitism (→ point 1.2.1).

6. Financing Community activities

Budgets

General budget

Financial perspective

1.6.1. Adjustment of the financial perspective to take account of the conditions of implementation.

Reference: Adjustment of the financial perspective annexed to the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure (OJ C 331, 7.12.1993; Bull. 10-1993, point 1.5.1); Bull. 12-1994, point 1.5.2
Commission proposal: Bull. 1/2-1995, point 1.5.1

Agreed at the interinstitutional triologue meeting in Brussels on 4 April. At this meeting, held under the cooperation procedure between Parliament, the Council and the Commission introduced by the interinstitutional agreement on budgetary discipline and improvement of the budgetary procedure, the three institutions reached agreement on the adjustment of the financial perspective to take account of the conditions of implementation. Various questions relating to the implementation of the interinstitutional agreement were also discussed, in particular implementation of the *ad hoc* conciliation procedure for compulsory expenditure, the inclusion of financial references in legislative instruments and the problem of legal bases.

Approved by the Council on 19 April.

Parliament resolution adopted on 26 April. Parliament approved the adjustment of the financial perspective agreed at the interinstitutional triologue meeting on 4 April. Some appropriations not used last year (1994) are transferred to future years. The ceiling for appropriations for commitments in the Structural Funds subheading is raised by ECU 869 million in 1996 and 1997 and the overall ceiling on appropriations for payments is raised by ECU 935 million in

1996, ECU 696 million in 1997, ECU 434 million in 1998 and ECU 173 million in 1999.

OJ C 126, 22.5.1995

Budgetary procedures

1995 financial year

1.6.2. Supplementary and amending budget No 1 for the 1995 financial year.

Commission preliminary draft: Bull. 1/2-1995, point 1.5.4

Council first reading: Bull. 3-1995, point 1.6.5

Given first reading by Parliament on 6 April. Parliament's amendments to the Council draft reinstate the differentiated status of appropriations in certain EAGGF Guarantee headings, increase the appropriations for certain programmes relating to social policy, regional policy, energy, the environment and research on the environment and nuclear safety, reduce the appropriations for the new satellite agencies and boost certain external policies.

OJ C 109, 1.5.1995

Given second reading by Council on 10 April. The Council rejected Parliament's amendments concerning the EAGGF Guarantee, and accepted some of the other amendments, in particular those relating to administrative expenditure.

Given second reading by Parliament on 26 April. Parliament restored virtually all the amendments adopted at first reading.

OJ C 129, 22.5.1995

1996 financial year

1.6.3. Parliament resolutions on the guidelines for the 1996 budgetary procedure (one on Section III — Commission; the other on Sections I, II, IV, V and VI).

Reference: Conclusions of the Essen European Council: Bull. 12-1994, point 1.2.1

Adopted on 5 April. Parliament stressed the need for better information to citizens about the pol-

icies conducted and urged, in particular, that its conciliation meetings with the Council should be held in public. It also requested that the impact on the environment of Community actions be taken into account before any appropriations are granted and that the cost of the possible enlargement of the European Union to including various countries of Central and Eastern Europe be evaluated as soon as possible.

As regards agriculture, it called on the Commission to withhold appropriations where there has been a blatant misuse of funds in a particular policy area. On the subject of the Structural Funds, it stressed the need to improve the transparency of their management and recommended that operation of the Funds be brought into line with the conclusions of the Essen European Council with regard to competitiveness, growth and employment. Parliament's main priorities as regards internal policies are social policy, education, training, culture, transport and the trans-European networks. Parliament called on the Commission to establish clear priorities for external policies, particularly in connection with the Mediterranean countries and Central and Eastern Europe. It recommended that higher priority be given to the countries applying to join the European Union. Parliament also asked for closer interinstitutional cooperation as regards administrative expenditure.

OJ C 109, 1.5.1995

1.6.4. Preliminary draft budget for 1996.

References:

Conclusions of the Edinburgh European Council: Bull. 12-1992, points 1.45 *et seq.*

Adjustment of the financial perspective annexed to the interinstitutional agreement on budgetary discipline and improvement of the budgetary procedure (OJ C 331, 7.12.1993; Bull. 10-1993, point 1.5.1); Bull. 12-1994, point 1.5.2; point 1.6.1 of this Bulletin

Approved by the Commission on 26 April. This preliminary draft budget (see Table 9) fits into the financial framework adopted at the Edinburgh European Council, confirmed by the interinstitutional agreement on budgetary discipline and improvement of the budgetary procedure, and adjusted following enlargement. It comes to ECU 86 280 million in appropriations for commitments and ECU 81 928 million in appropriations for payments, an increase of around 8 % in relation to the 1995 budget.

This substantial increase is mainly due to the sharp rise in expenditure on economic and social cohesion (+ 10.64 %) agreed at the Edinburgh European Council. It also results from the increase in agricultural expenditure (+ 10.57 %) caused by the fall in the dollar, completion of the reform of the common agricultural policy and the effects of enlargement. However, at this stage, this increase will not cover all the costs incurred as a result of the monetary realignments in 1992 and 1993, and additional resources might have to be called in to finance them.

For internal policies, external action and administrative expenditure, the preliminary draft is marked by austerity, with significant margins left available beneath the ceilings of the financial perspective. Despite this constraint, a number of priorities were spared and their allocations were substantially increased: research, development, trans-European networks, culture, audiovisual media and, in the case of external action, cooperation with the Mediterranean countries and Central and Eastern Europe.

Administrative expenditure was based on a very strict estimate of requirements, taking into account a structural increase in the volume of pensions and the costly budgetary impact of the depreciation of the ecu against the Belgian franc.

Table 9 — Preliminary draft budget for 1996 (commitment appropriations, Commission nomenclature)

(ECU)

	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Percentage difference (%)	Difference
		(1)	(2)	(3)	(4) = (3)/(1)	(5) = (3) - (1)
1	Common agricultural policy					
	Markets (B1-1 to B1-3)	34 808 000 000		38 573 000 000	10.82	3 765 000 000
	Accompanying measures (B1-4 and B1-5)	2 089 000 000		2 224 000 000	6.46	135 000 000
	Total 1	36 897 000 000	40 797 000 000	40 797 000 000	10.57	3 900 000 000
	Margin			0		
2	Structural operations					
	EAGGF-Guidance (B2-10)	3 566 900 000		3 772 000 000	5.75	205 100 000
	FIFG (B2-11)	451 230 000		450 350 000	- 0.20	- 880 000
	ERDF (B2-12)	10 814 110 000		11 883 700 000	9.89	1 069 590 000
	ESF (B2-13)	6 760 910 000		7 145 800 000	5.69	384 890 000
	Community initiatives (B2-14)	2 224 200 000		3 030 300 000	36.24	806 100 000
	Transitional measures, innovation schemes and measures to combat fraud (B2-15 and B2-18)	251 650 000		296 850 000	17.96	45 200 000
	Cohesion Fund (B2-3)	2 152 000 000		2 444 000 000	13.57	292 000 000
	EEA financial mechanism (B2-4)	108 000 000		108 000 000	0.00	0
	Structural Funds — Subtotal	24 069 000 000	26 579 000 000	26 579 000 000	10.43	2 510 000 000
	Cohesion Fund — Subtotal	2 152 000 000	2 444 000 000	2 444 000 000	13.57	292 000 000
	EEA financial mechanism — Subtotal	108 000 000	108 000 000	108 000 000	0.00	0
	Total 2	26 329 000 000	29 131 000 000	29 131 000 000	10.64	2 802 000 000
Total margin			0			

	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Percentage difference (%)	Difference
		(1)	(2)	(3)	(4) = (3)/(1)	(5) = (3) - (1)
3	Internal policies					
	Research (B6)	2 991 696 000		3 228 100 000	7.90	236 404 000
	Other agricultural operations (B2-5)	216 200 000		181 400 000	- 16.10	- 34 800 000
	Other regional operations (B2-6)	51 800 000		22 000 000	- 57.33	- 29 800 000
	Transport (B2-7)	24 500 000		36 000 000	46.94	11 500 000
	Fisheries and the sea (B2-9)	28 200 000		35 500 000	25.89	7 300 000
	Education, vocational training, youth (B3-1)	368 410 000		364 900 000	- 0.95	- 3 510 000
	Culture and audiovisual sector (B3-2)	141 780 000		140 000 000	- 1.26	- 1 780 000
	Information and communication (B3-3)	67 300 000		69 000 000	2.53	1 700 000
	Other social operations (B3-4)	180 373 000		167 200 000	- 7.30	- 13 173 000
	Energy (B4-1)	63 000 000		62 000 000	- 1.59	- 1 000 000
	Euratom nuclear safeguards (B4-2)	17 400 000		16 100 000	- 7.47	- 1 300 000
	Environment (B4-3)	144 188 000		139 000 000	- 3.60	- 5 188 000
	Consumer protection (B5-1)	21 250 000		19 100 000	- 10.12	- 2 150 000
	Aid for reconstruction (B5-2)	6 775 000		4 775 000	- 29.52	- 2 000 000
	Internal market (B5-3)	172 780 000		173 200 000	0.24	420 000
	Industry (B5-4)	120 300 000		120 200 000	- 0.08	- 100 000
	Information market (B5-5)	13 930 000		0	- 100.00	- 13 930 000
	Statistical information (B5-6)	37 000 000		38 000 000	2.70	1 000 000
	Trans-European networks (B5-7)	381 000 000		445 000 000	16.80	64 000 000
	Cooperation in the field of justice (B5-8)	5 200 000		5 500 000	5.77	300 000
	Research — Subtotal	2 991 696 000		3 228 100 000	7.90	236 404 000
	Networks — Subtotal	381 000 000		445 000 000	16.80	64 000 000
	Other policies — Subtotal	1 680 386 000		1 593 875 000	- 5.15	- 86 511 000
	Total 3	5 053 082 000	5 337 000 000	5 266 975 000	4.23	213 893 000
	Margin			70 025 000		

	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Percentage difference (%)	Difference
		(1)	(2)	(3)	(4) = (3)/(1)	(5) = (3) - (1)
4	External action					
	Common foreign and security policy (B7-0)	110 000 000		92 000 000	- 16.36	- 18 000 000
	EDF (B7-1)	0		0		0
	Food aid (B7-20)	591 900 000		540 900 000	- 8.62	- 51 000 000
	Humanitarian aid (B7-21)	266 000 000		319 000 000	19.92	53 000 000
	Cooperation — Latin American countries and Asia (B7-3)	700 500 000		719 500 000	2.71	19 000 000
	Cooperation — Mediterranean countries (B7-4)	539 900 000		700 000 000	29.65	160 100 000
	Cooperation — Central and Eastern Europe (B7-60 + B7-61)	1 171 910 000		1 235 000 000	5.38	63 090 000
	Cooperation — former Soviet Union (B7-62)	506 850 000		528 000 000	4.17	21 150 000
	Other cooperation measures (B7-5, B7-63 and B7-64)	601 983 000		613 533 000	1.92	11 550 000
	Democracy and human rights (B7-7)	75 960 000		80 750 000	6.31	4 790 000
	International fisheries agreements (B7-80)	280 000 000		290 000 000	3.57	10 000 000
	External aspects of certain Community policies (B7-81 to B7-86)	29 320 000		38 650 000	31.82	9 330 000
	Total 4	4 874 323 000	5 264 000 000	5 157 333 000	5.81	283 010 000
	Margin			106 667 000		
5	Administrative expenditure of institutions					
	Commission (Part A not including pensions)	2 235 820 356		2 348 026 000	5.02	112 205 644
	Pensions	349 792 000		399 849 000	14.31	50 057 000
	Commission — Total	2 585 612 356		2 747 875 000	6.28	162 262 644
	Other institutions — Total	1 413 621 096		1 327 257 000	- 6.11	- 86 364 096
	Total 5	3 999 233 452	4 191 000 000	4 075 132 000	1.90	75 898 548
	Margin			115 868 000		

(ECU)

Budgets

	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Percentage difference (%)	Difference
		(1)	(2)	(3)	(4) = (3)/(1)	(5) = (3) - (1)
6	Reserves					
	Monetary reserve (B1-6)	500 000 000		500 000 000	0.00	0
	Guarantee (B0-23)	323 000 000		326 000 000	0.93	3 000 000
	Emergency aid reserve (B7-91)	323 000 000		326 000 000	0.93	3 000 000
	Total 6 Margin	1 146 000 000	1 152 000 000	1 152 000 000 0	0.52	6 000 000
7	Compensation					
	Compensation (B1-7)	1 547 000 000		701 000 000	- 54.69	- 846 000 000
	Total 7 Margin	1 547 000 000	701 000 000	701 000 000 0	- 54.69	- 846 000 000
	Grand total — Appropriations for commitments					
	Compulsory	40 392 302 000		43 385 420 000	7.41	2 993 118 000
	Non-compulsory	39 453 336 452		42 895 020 000	8.72	
	Total compulsory + non-compulsory Margin	79 845 638 452	86 573 000 000	86 280 440 000 292 560 000	8.06	6 434 801 548
	Grand total — Appropriations for payments					
	Compulsory	40 371 302 000		43 393 420 000	7.49	3 022 118 000
	Non-compulsory	35 067 124 452		38 534 409 000	9.89	
Total compulsory + non-compulsory Margin	75 438 426 452	82 192 000 000	81 927 829 000 264 171 000	8.60	6 489 402 548	

Discharge procedure

1992 financial year

1.6.5. Parliament decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1992 financial year; Parliament resolution containing the comments which form an integral part of this decision.

References:

Council recommendation concerning the discharge to be given to the Commission in respect of the implementation of the general budget of the European Communities for 1992: Bull. 3-1994, point 1.5.7

Parliament resolution to inform the Commission of the reasons why the discharge cannot at present be given in respect of the implementation of the general budget of the European Communities for the 1992 financial year: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.5.7

Adopted on 5 April. Parliament noted that the Commission had complied with the requests contained in its resolution of 21 April 1994 and therefore granted the Commission a discharge in respect of implementation of the 1992 budget subject to examination of the clearance of the EAGGF Guarantee accounts for that financial year. It called on the Commission to recover an extra ECU 340 million or so from Italy and Spain under the milk quota arrangements. It also made a number of comments on the management of the Structural Funds, the research programmes and loans to the countries of Central and Eastern Europe and to the independent States of the former Soviet Union, and recommended tougher fraud prevention measures.

OJ C 109, 1.5.1995

1993 financial year

1.6.6. Parliament decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1993 financial year; Parliament resolution containing the comments which form an integral part of this decision.

Reference: Council recommendation concerning the discharge to be given to the Commission in respect of the implementation of the general budget of the European Communities for 1993: Bull. 3-1995, point 1.6.2

Adopted on 5 April. Parliament granted a discharge to the Commission in respect of the implementation of the 1993 budget subject to

examination of the clearance of the EAGGF Guarantee accounts for that financial year. It also made a number of comments on the management of the Structural Funds, the PHARE and TACIS programmes and food aid operations and on the operation of the common organization of the wine and beef markets.

OJ C 109, 1.5.1995

1.6.7. Parliament decisions giving discharge to the Commission in respect of the financial management of the fifth, sixth and seventh European Development Funds for the 1993 financial year; Parliament resolution containing the comments which form an integral part of the decisions.

Reference: Council recommendation concerning the discharge to be given to the Commission in respect of the implementation of the operations of the fifth, sixth and seventh EDF: OJ L 80, 8.4.1995; Bull. 3-1995, point 1.6.3

Adopted on 5 April. The main comments relate to the rate of implementation of the fifth, sixth and seventh European Development Funds, the shortage of finance from the counterpart funds for the health and education sectors, and operation of the Stabex system. Parliament also pointed out that EDF funds must only be applied for purposes for which there is a clear legal basis in the Lomé Conventions.

OJ C 109, 1.5.1995

1.6.8. Parliament decision giving discharge to the Management Board of the European Centre for the Development of Vocational Training in respect of the implementation of its budget for the 1993 financial year.

Adopted on 5 April.

OJ C 109, 1.5.1995

1.6.9. Parliament decision giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1993 financial year.

Adopted on 5 April.

OJ C 109, 1.5.1995

ECSC operating budget

Discharge procedure

1993 financial year

1.6.10. Parliament decision giving discharge to the Commission in respect of the management of the ECSC for the financial year 1993.

Adopted on 5 April.

OJ C 109, 1.5.1995

1.6.11. Parliament resolution on the report of the Court of Auditors on the accounts of the European Coal and Steel Community at 31 December 1993 and on the report of the Court of Auditors on the management of the accounts and the financial management of the ECSC.

Adopted on 5 April. The main comments relate to the financing of investment in sites that subsequently closed and the recovery of the interest subsidies which should not have been paid in these cases.

OJ C 109, 1.5.1995

Financial operations

ECSC

Loans raised

1.6.12. In April, the Commission contracted a private placing in German marks on behalf of the ECSC for the equivalent of ECU 37.2 million.

Loans granted

Workers' housing

1.6.13. Loans totalling ECU 1.4 million were granted for steelworkers and mineworkers in France and Germany.

7. Statistical system

Policy aspects

1.7.1. Proposal for a Council Regulation on Community action in the field of statistics.

Commission proposal: OJ C 106, 14.4.1994; COM(94) 78; Bull. 3-1994, point 1.6.1

Economic and Social Committee opinion: OJ C 195, 18.7.1994; Bull. 4-1994, point 1.6.1

Endorsed by Parliament on 7 April, subject to amendments of a format nature or regarding the procedure for adopting the measures implementing the Regulation.

OJ C 109, 1.5.1995

Results

Trade between the Community and the United States in 1993: breakdown by product

1.7.2. Tables 10 and 11 show Community imports from the United States and Community

exports to the United States in 1993 broken down by product in line with the divisions of the Standard international trade classification (SITC). Of the 67 SITC divisions, only those which account for the highest values are given, but those shown in the two tables represent close to 80 %. The most important divisions are office machines and computers of all trade in imports and road vehicles in exports. In 1993, Community imports from the United States had a total value of ECU 86.3 billion (- 0.6 % compared with 1992), while Community exports to the United States came to ECU 84.1 billion (+ 13.9 % compared with 1992).

(The complete article is available from sales offices in DE, EN and FR)

Table 10 — *Community imports from the United States of America by main SITC division in 1993*

SITC Codes	Products	Value (ECU billion)	Change on 1992 (%)	USA share of total imports of products into the Community (%)	Share of SITC division in total Community imports from the United States	
					(%)	(cumulative %)
75	Office machines and computers	9.85	+ 5.2	36.8	11.4	11.4
89	Miscellaneous manufactured articles	7.89	+ 57.7	29.6	9.2	20.6
77	Electrical machinery	6.69	+ 20.7	24.1	7.8	28.4
79	Other transport equipment	6.39	- 25.1	43.0	7.4	35.8
71	Power-generating equipment	5.96	+ 4.1	43.9	6.9	42.7
87	Precision instruments	4.94	+ 2.1	48.4	5.7	48.4
74	General industrial machinery	3.69	+ 1.0	27.6	4.3	52.7
51	Organic chemicals	2.43	- 7.6	28.7	2.8	55.5
72	Machinery specialized for particular industries	2.37	+ 5.9	25.1	2.8	58.3
78	Road vehicles	2.30	+ 2.2	9.9	2.7	61.0
76	Telecommunications equipment	2.20	+ 16.2	12.8	2.6	63.5

SITC Codes	Products	Value (ECU billion)	Change on 1992 (%)	USA share of total imports of products into the Community (%)	Share of SITC division in total Community imports from the United States	
					(%)	(cumulative %)
54	Medical and pharmaceutical products	1.97	+ 9.2	25.5	2.3	65.8
22	Oil seeds and oleaginous fruits	1.71	- 2.3	49.0	2.0	67.8
59	Chemical products n.e.s.	1.69	+ 1.2	44.4	2.0	69.7
32	Coal, coke and briquettes	1.44	- 27.7	31.3	1.7	71.4
88	Photographic and optical equipment	1.29	- 5.9	18.2	1.5	72.9
08	Animal feedstuffs	1.24	- 2.9	26.5	1.4	74.3
69	Manufactures of metals	1.16	- 4.8	13.3	1.3	75.7
57	Plastics in primary forms	0.98	- 16.3	24.0	1.1	76.8

Table 11 — Community exports to the United States of America by main SITC divisions in 1993

SITC Codes	Products	Value (ECU billion)	Change on 1992 (%)	USA share of total Community exports of products (%)	Share of SITC division in total Community exports to the United States	
					(%)	(cumulative %)
78	Road vehicles	7.97	+ 54.8	18.9	9.5	9.5
71	Power-generating equipment	5.67	- 9.5	33.1	6.8	16.2
72	Machinery specialized for particular industries	5.36	+ 23.6	17.3	6.4	22.6
77	Electrical machinery	4.76	+ 27.1	15.9	5.7	28.3
79	Other transport equipment	4.69	- 3.7	20.6	5.6	33.8
89	Miscellaneous manufactured articles	4.67	+ 10.9	21.1	5.6	39.4
74	Machinery specialized for particular industries	4.23	+ 16.5	14.0	5.0	44.4
75	Office machinery and computers	3.73	+ 13.0	29.5	4.4	48.9
33	Petroleum and petroleum products	3.55	+ 27.1	25.5	4.2	53.1
66	Non-metallic mineral manufactures	3.42	+ 18.7	20.2	4.1	57.2
51	Organic chemicals	3.35	+ 11.6	25.1	4.0	61.2
67	Iron and steel	2.79	+ 46.1	17.7	3.3	64.5
87	Precision instruments	2.60	+ 12.2	22.2	3.1	67.6
11	Beverages	2.19	+ 1.4	28.9	2.6	70.2
54	Medical and pharmaceutical products	1.85	+ 17.2	13.3	2.2	72.4
65	Textile yarn and fabrics	1.67	+ 15.5	11.2	2.0	74.4
69	Manufactures of metals	1.55	+ 14.3	12.3	1.8	76.2
88	Photographic and optical equipment	1.47	+ 12.6	25.7	1.7	78.0
84	Articles of apparel and clothing accessories	1.30	+ 6.9	11.8	1.5	79.5

8. Community law

Monitoring the application of Community law

Infringement proceedings

Reasoned opinions

Failure to notify measures incorporating directives into national law

1.8.1. In April, the Commission delivered a reasoned opinion in the following case:

Energy

Directive 92/42/EEC (OJ L 167, 22.6.1992)
Efficiency requirements for new hot-water boilers
Luxembourg

Infringements of Treaties or regulations; incorrect application of directives

1.8.2. In April, the Commission delivered a reasoned opinion in the following case:

Internal market and financial services

Directive 90/531/EEC (OJ L 297, 29.10.1990)
Public works contracts — construction of a thermal power station in Brescia
Italy

Cases referred to the Court of Justice

Failure to notify measures incorporating directives into national law

1.8.3. In April, the Commission referred the following cases to the Court of Justice:

Agriculture

Directive 92/33/EEC (OJ L 157, 10.6.1992)
Marketing of vegetable propagating material
Italy

Directive 92/34/EEC (OJ L 157, 10.6.1992)
Fruit plant propagating material
Italy

Directive 91/67/EEC (OJ L 46, 19.2.1991)
Animal health conditions governing the placing on the market of aquaculture animals and products
Portugal

Directive 91/492/EEC (OJ L 268, 24.9.1991)
Production and placing on the market of molluscs
Portugal

Directive 91/493/EEC (OJ L 268, 24.9.1991)
Production and placing on the market of fishery products
Portugal

Directive 92/35/EEC (OJ L 157, 10.6.1992)
Rules and measures to combat African horse sickness
Italy

Directive 92/40/EEC (OJ L 167, 22.6.1992)
Community measures for the control of avian influenza
Italy

Directive 92/48/EEC (OJ L 187, 7.7.1992)
Minimum hygiene rules applicable to fishery products caught on board certain vessels
Italy, Portugal

Internal market and financial services

Directive 90/531/EEC (OJ L 297, 29.10.1990)
Procurement procedures in the water, energy, transport and telecommunications sectors
Italy

Cases closed

1.8.4. In April, the Commission decided not to pursue infringement proceedings in the following case:

Internal market and financial services

Articles 30 and 36 of the EC Treaty
Restrictions on imports
Italy

Decisions by the Court of Justice and the Court of First Instance

1.8.5. Decisions given by the Community law-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.

Court of Justice

Main decisions

Free movement of capital

Article 177 of the EC Treaty

1.8.6. 23.2.1995: Joined Cases C-358/93 and C-416/93 *Bordessa, Marí Mellado and Barbero Maestre*.

(1) Rules which make the export of coins, banknotes or bearer cheques conditional upon a prior declaration or an administrative authorization and make that requirement subject to criminal penalties do not fall within the scope of Articles 30 and 59 of the EC Treaty.

(2) Articles 1 and 4 of Council Directive 88/361/EEC of 24 June 1988 for the implementation of Article 67 of the EC Treaty preclude the export of coins, banknotes or bearer cheques being made conditional on prior authorization but do not by contrast preclude a transaction of that nature being made conditional on a prior declaration.

(3) Article 1 in conjunction with Article 4 of Directive 88/361/EEC may be relied on before national courts and render inapplicable national rules which conflict with those provisions.

OJ C 87, 8.4.1995

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

Protocol of 3 June 1971 — Convention of 27 September 1968

1.8.7. 7.3.1995: Case C-68/93 *Shevill and Others v Presse Alliance*.

(1) On a proper construction of the expression 'place where the harmful event occurred' in Article 5(3) of the Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, as amended by the Convention of 9 October 1978 on the accession of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland and by the Convention of 25 October 1982 on the accession of the Hellenic Republic, the victim of a libel by a newspaper article distributed in several Contracting States may bring an action for damages against the publisher either before the courts of the Contracting State of the place where the publisher of the defamatory publication is established, which have jurisdiction to award damages for all the harm caused by the defamation, or before the courts of each Contracting State in which the publication was distributed and where the victim claims to have suffered injury to his reputation, which have jurisdiction to rule solely in respect of the harm caused in the State of the court seised.

(2) The criteria for assessing whether the event in question is harmful and the evidence required of the existence and extent of the harm alleged by the victim of the defamation are not governed by the Convention but by the substantive law determined by the national conflict of laws rules of the court seised, provided that the effectiveness of the Convention is not thereby impaired.

OJ C 87, 8.4.1995

Other decisions

Free movement of goods

Article 177 of the EC Treaty

1.8.8. 9.3.1995: Case C-345/93 *Fazenda Pública, Ministério Público v Nunes Tadeu*.

OJ C 101, 22.4.1995

Agriculture

Article 177 of the EC Treaty

1.8.9. 23.2.1995: Joined Cases C-54/94 *Cacchiarelli* and C-74/94 *Stanghellini*.

OJ C 87, 8.4.19

Free movement of persons, companies and services

Article 173 of the EC Treaty

1.8.10. 16.2.1995: Joined Cases C-29/94 to C-30/94 *Aubertin and Others*.

OJ C 87, 8.4.1995

Transport

Article 173 of the EC Treaty

1.8.11. 3.2.1995: Case C-203/94 *France v Commission*.

OJ C 87, 8.4.1995

State aid

Article 93(2), second subparagraph, of the EC Treaty

1.8.12. 23.2.1995: Case C-349/93 *Commission v Italy*.

OJ C 87, 8.4.1995

European Social Fund

Article 41 of the EC Statute of the Court of Justice

1.8.13. 7.3.1995: Case C-130/91REV *ISAEVP and Interdata v Commission*.

OJ C 101, 22.4.1995

External relations

Article 177 of the EC Treaty

1.8.14. 23.2.1995: Case C-334/93 *Bona-pharma Arzneimittel v HZA Krefeld*.

OJ C 87, 8.4.1995

Infringements

Article 169 of the EC Treaty

1.8.15. 1.2.1995: Case C-115/94 *Commission v Greece*.

OJ C 87, 8.4.1995

1.8.16. 8.2.1995: Case C-146/94 *Commission v Greece*.

OJ C 87, 8.4.1995

1.8.17. 13.2.1995: Case C-181/94 *Commission v Luxembourg*.

OJ C 101, 22.4.1995

1.8.18. 15.2.1995: Case C-265/94 *Commission v Spain*.

OJ C 101, 22.4.1995

1.8.19. 20.2.1995: Case C-223/94 *Commission v Ireland*.

OJ C 101, 22.4.1995

Court of First Instance

Main decisions

Fisheries

Article 173 of the EC Treaty

1.8.20. 8.3.1995: Case T-493/93 *Hansa-Fisch v Commission*.

(1) The application is dismissed.

(2) Application for annulment of the Commission's decision refusing to submit the applicant's request for a fishing licence to the Moroccan authorities in accordance with Annex I to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, as approved by Council Regulation (EEC) No 2054/88 of 23 June 1988 and by Council Regulation (EEC) No 3954/92 of 19 December 1992.

(3) The applicant is ordered to pay the costs.

OJ C 87, 8.4.1995

Other decisions

Agriculture

Article 173 of the EC Treaty

1.8.21. 21.2.1995: Case T-472/93 *Campo Ebro Industrial and Others v Council*.

OJ C 87, 8.4.1995

Fisheries

Article 173 of the EC Treaty

1.8.22. 15.3.1995: Case T-514/93 *Cobrefac and Others v Commission*.

OJ C 101, 22.4.1995

Competition

Article 173 of the EC Treaty

1.8.23. 21.2.1995: Case T-29/92 *Vereniging van Samenwerkende Prijsregelende Organisa-*

ties in de Bouwnijverheid and Others v Commission.

OJ C 87, 8.4.1995

Articles 173 and 215 of the EC Treaty

1.8.24. 8.3.1995: Case T-34/93 *Société générale v Commission.*

OJ C 87, 8.4.1995

Articles 185 and 186 of the EC Treaty

1.8.25. 16.2.1995: Case T-5/95R *Amicale des résidents du square d'Auvergne v Commission.*

OJ C 87, 8.4.1995

1.8.26. 17.2.1995: Case T-308/94R *Cascades v Commission.*

OJ C 101, 22.4.1995

Environment

Article 173 of the EC Treaty

1.8.27. 21.2.1995: Case T-117/94 *Associazione Agricoltori della Provincia di Rovigo and Others v Commission.*

OJ C 101, 22.4.1995

European Social Fund

Article 173 of the EC Treaty

1.8.28. 7.3.1995: Joined Cases T-432/93 to T-434/93 *Socurte and Others v Commission.*

OJ C 87, 8.4.1995

External relations

Article 173 of the EC Treaty

1.8.29. 13.2.1995: Case T-172/94 *Rima Industrial v Council.*

OJ C 87, 8.4.1995

Analysis of judgments delivered between 1 January and 31 March 1995

Free movement of workers

1.8.30. Judgment of 14 February, Case C-279/93 *Finanzamt Köln-Altstadt v Schmacker* — Free movement of workers — Equal

treatment — Taxation of the income of non-residents.

Legislation on direct tax normally makes a distinction between the taxing of residents and that of non-residents, who are taxed only on that part of their income which is received in the country concerned but are sometimes refused certain benefits relating, for example, to family circumstances. In proceedings between a Belgian national, who lived with his family in Belgium but worked in Germany, and the German tax authorities, fundamental questions were raised as to the limits which the rules on the free movement of workers place on the application of national income tax laws.

The Court found that, although direct taxation did not as such fall within the purview of the Community, the powers retained by the Member States must nevertheless be exercised consistently with Community law, and in particular with the rules governing the free movement of workers, which require the abolition of any discrimination based on nationality between workers from a Member State. The Court had consistently ruled that the rules on equal treatment prohibited not only overt discrimination but also any form of concealed discrimination which was based on different criteria but had the same effect.

In the case in question, the Court held that tax laws under which a distinction was drawn on the basis of residence (in that non-residents were denied certain benefits granted to residents) were liable to operate mainly to the detriment of nationals of other Member States: in the majority of cases non-residents are foreigners. Tax benefits granted only to residents of a Member State could constitute indirect discrimination by reason of nationality, but only where different rules were applied to comparable situations or the same rule was applied to different situations. Where direct taxes are concerned, as the situations of residents and non-residents are not, as a rule, comparable, the Court found that the provisions on the free movement of workers did not in principle preclude the application of national rules under which a non-resident working as an employed person in a Member State was taxed more heavily on his income than a resident in the same employment.

The position was different, however, in cases where the non-resident received no significant

income in the State of his residence and obtained the major part of his taxable income from an activity performed in the State of employment. The Court held that in such cases there was no objective difference which could justify different treatment: in the case of a non-resident who received the major part of his income and almost all his family income in a Member State other than that of his residence, discrimination arose from the fact that his personal and family circumstances were not taken into account either in the State of residence or in the State of employment. Consequently, the provisions governing the free movement of workers precluded the State of employment from withholding from non-residents the tax relief which it granted to residents under the same circumstances.

Free movement of capital

1.8.31. Judgment of 23 February, Joined Cases C-358/93 and C-416/93 *Bordessa and Others* — Free movement of capital — National authorization for the transfer of money in the form of banknotes.

In Spain, the export of banknotes is subject to a prior declaration when the amount is in excess of PTA 1 million and subject to prior administrative authorization when the amount is in excess of PTA 5 million. In criminal proceedings against persons who had transported large sums of money without prior authorization the question had been raised as to whether Spanish legislation was compatible with Community law.

As in the past, the Court ruled that the export of means of payment was governed not by the rules on the free movement of goods and services but by the rules on the free movement of capital.

The Court held that, although Article 4 of Directive 88/361/EEC allowed Member States to take all requisite measures to prevent infringements of their laws and regulations, it precluded national legislation making the export of coins, banknotes or bearer cheques conditional on a prior authorization which would have a suspensory effect on such exports. On the other hand, the Directive did permit Member States to make the exports in question subject to a prior declaration, which need not be a mere formality. The Court stated that such a declaration could be

required prior to the export transaction so that the national authorities could exercise effective supervision in order to prevent infringements of their laws and regulations, and that appropriate penalties could be imposed. The Court also held that the relevant provisions of Directive 88/361/EEC had direct effect, since the requirement that Member States should abolish all restrictions on movements of capital was precise and unconditional and did not require a specific implementing measure.

Free movement of goods

1.8.32. Judgment of 9 February, Case C-412/93 *Leclerc-Siplec v TFI Publicité and M6 Publicité* — Free movement of goods and services.

French law excludes the distribution sector from televised advertising. In the course of proceedings between the importers Leclerc-Siplec and certain French television companies who had refused to broadcast an advertisement concerning the distribution of fuel, the question had arisen as to whether such exclusion was compatible with Community law. The Court upheld its judgment in *Keck and Mithouard*. The purpose of the French rules was not to regulate trade in goods; although the prohibition was likely to restrict the volume of sales and, consequently, sales of products from other Member States, it fell outside the scope of Article 30 of the EC Treaty since it was a national prohibition on a particular form of marketing, applicable to all traders in the sector concerned and affecting the marketing of national and imported products in the same manner, both *de jure* and *de facto*.

1.8.33. Judgment of 28 March, Case C-324/93 *R. v Secretary of State for the Home Department, ex parte Evans Medical* — Free movement of goods — Importation of a narcotic drug (diamorphine) — Public supply contract.

The Misuse of Drugs Act 1971 prohibits the importation of diamorphine, a derivative of opium. The product in question is also covered by the United Nations Single Convention on Narcotic Drugs of 1961, which requires Contracting States to take the necessary legislative and administrative measures to ensure that narcotic drugs are produced, manufactured, exported, imported, distributed, traded, used and held solely for medical or scientific purposes.

The Court found that a national prohibition on the importation of narcotic drugs fell within the scope of Article 30 of the EC Treaty. There was no conflict with Article 234, which did not apply unless the Convention imposed on a Member State an obligation incompatible with the Treaty. It was for the national courts to establish what obligations had to be met under a prior international agreement which could preclude application of the EC Treaty where the rights of third countries under such an agreement were concerned. Member States must, however, refrain from adopting any measure contrary to Community law unless it was necessary to ensure that obligations arising from the said agreement were met.

The Court also made the point that a country's need for reliable supplies of narcotic substances for essential medical purposes could justify, by virtue of Article 36 of the EC Treaty, national arrangements whereby only certain national firms were permitted to manufacture such products and import licences were refused. On the other hand, measures to ensure the survival of a firm did not fall within the scope of the said Article.

The Court held that the need for reliable supplies of a medicine could also be a criterion for consideration under Article 25 of Directive 77/62/EEC on public supply contracts but that it would have to be clearly specified as such for award purposes.

Fisheries policy

1.8.34. Judgment of 8 March, Case T-493/93 *Hansa Fisch v Commission* — Fisheries policy — Agreement with Morocco.

Giving judgment on an application brought by a German shipowner against the Commission, the Court of First Instance ruled for the first time on the allocation of fishing possibilities granted to the Community by a third country (in this case Morocco) under a fisheries agreement. The EEC-Morocco Agreement was concluded by the Community to replace the bilateral fisheries agreements which Spain and Portugal had concluded with Morocco before joining the Community.

The question before the Court was whether the Commission's practice of giving priority to

Spanish and Portuguese vessels when submitting applications for fishing licences to the Moroccan authorities was compatible with the principle of non-discrimination enshrined in Article 7 of the EEC Treaty (now Article 6 of the EC Treaty).

The Court, opting for a literal interpretation of Articles 167(3) and 354(3) of the Act of Accession of Spain and Portugal, took the view that it was. The material Articles call for the continuation of the 'fishing activities' pursued under the bilateral fisheries agreements which Spain and Portugal had already concluded before their accession to the Community.

Vessels from other Member States were not eligible for consideration unless the fishing possibilities obtained exceeded the requirements of Spain and Portugal. The Court's view supported the Commission's interpretation of the Act of Accession.

The Court held that the selection criteria laid down by Articles 167 and 354 left no margin of discretion to the competent Community authority and that the power to select specific vessels lay with the Commission by virtue of Article 155 of the EC Treaty.

Brussels Convention

1.8.35. Judgment of 7 March, Case C-68/93 *Shevill and Others v Presse Alliance* — Civil and commercial law — Article 3 of the Protocol of 3 June 1971 on the Interpretation of the Brussels Convention of 27 September 1968 on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters.

The first paragraph of Article 2 of the Brussels Convention lays down as a general rule that persons may be sued only in the courts of the State where they are domiciled. By way of derogation from this principle, Article 5(3) provides that, in matters relating to tort, delict or quasi-delict, they may be sued in the courts of the place where the harmful event occurred. The Court has consistently ruled that the basis for this rule of special jurisdiction is the existence of a particularly close link between the harmful event in question and a jurisdiction other than that of the courts at the defendant's domicile.

Proceedings had been brought against a French company by a United Kingdom national, who

considered herself to have been libelled by an article in the newspaper *France Soir*, of which more than 200 000 copies had been sold in France but only 230 copies in England and Wales. The plaintiff had nevertheless brought proceedings against the defendant, Presse Alliance SA, before the English courts, claiming damages solely for the harm caused by the copies of *France Soir* sold in England and Wales. Presse Alliance contested the jurisdiction of the English courts in this case.

The question was whether the 'place where the harmful event occurred' was the place where the publisher of the newspaper in question was established or each contracting State in which the newspaper had been distributed and the victim claimed to have suffered injury to her reputation.

The Court held that both were possible but stressed that the courts of the State in which the victim claimed to have suffered injury to her reputation could assess only the damage caused in that State and not the entirety of the damage.

Common commercial policy

1.8.36. Opinion 2/92 delivered on 24 March 1995 — External relations — Commercial policy — Third revised OECD Council Decision on national treatment — Joint competence of the Community and its Member States.

This Opinion follows the same line of reasoning as Opinion 1/94 WTO.

The Third OECD Council Decision on national treatment lays down a procedure whereby the OECD is to be notified of any measure adopted by member countries which constitutes an exception to or has repercussions on national treatment. The OECD had been informed that the Community would participate in the Third Decision in those areas which fell within its competence. Belgium had raised the question of the legal basis on which the Community's competence was to be exercised.

The Court took the view that Article 113 of the EC Treaty did not confer exclusive competence in this field on the Community, since the national treatment rule related not only to the participation of foreign-controlled undertakings in international trade with third countries; it

affected internal trade to the same extent, possibly more so.

The Court also rejected the argument that the Community's participation could be based on Article 57 and subsidiarily on Article 100a and would consequently entail exclusive external competence on the basis of *AETR* and Opinion 1/76. It took the view that exclusive external competence could be based on the Community's internal powers only if internal legislation had first been adopted, thus reaffirming its restrictive interpretation of the scope of Opinion 1/76.

Interinstitutional relations

1.8.37. Judgment of 30 March, Case C-65/93 *Parliament v Council* — Institutions — Generalized tariff preference (Article 43 of the EC Treaty) — Consultation procedure — Exception to the obligation to consult Parliament.

The Court has consistently held that due consultation of Parliament in the cases specified by the Treaty is an essential procedural requirement, non-compliance with which renders the legislation concerned null and void. It has stressed on several occasions that Parliament's effective participation in the legislative process is essential to the institutional balance and an expression of the fundamental democratic principle that the people should participate in the exercise of power through the agency of a representative assembly.

The action in question related to Regulation (EEC) No 3917/92, which extended into 1993 the system of generalized preferences applicable in 1992, adding certain new countries to the list of beneficiaries to take account of the collapse of the former Soviet Union and aligning the Community list of least-developed countries on that of the United Nations.

The proposal for a Regulation being based on Article 43 of the EC Treaty, which requires Parliament to be consulted, the Council requested Parliament to treat the matter as urgent, applying the procedure laid down by Rule 75 of its Rules of Procedure. At its final part-session of 1992, however, Parliament failed to deliver an opinion on the Commission's proposal. On 21 December 1992, the Council adopted the Regulation in question without having obtained Parliament's opinion, giving its reasons in the preamble to the Regulation.

The Court upheld its earlier judgments on the effective participation of Parliament in the legislative process, emphasizing that consultation required the expression of Parliament's opinion and that this requirement was not met merely by the Council's request for an opinion. The Council was under an obligation to use all the possibilities offered by the Treaty and the Rules of Procedure of Parliament to obtain its prior opinion, even in an emergency.

On the other hand, the Court stressed that the same duty to cooperate in good faith applied in the context of interinstitutional dialogue as it did in relations between the Member States and the Community institutions. As regards the substance of the application, the Court held that the request made by the Council for the question to

be dealt with by urgent procedure was justified in view of the special relationship between the Community and the developing countries and the political and technical difficulties which would result from the sudden discontinuation of generalized tariff preferences. Although Parliament had taken these considerations fully into account and had given corresponding assurances to the Council, it had decided to bring its final part-session of 1992 to a close without debating the proposal in question. The Court found that such behaviour was at odds with its duty to cooperate in good faith with the Council. It consequently held that Parliament could not justifiably bring an action against the Council for disregard of the consultation requirement and that Parliament's application should therefore be dismissed.

9. Institutional affairs

Preparations for the 1996 Intergovernmental Conference

Reference: Conclusions of the Corfu European Council: Bull. 6-1994, point I.25

1.9.1. Council report on the functioning of the Treaty on European Union.

Adopted on 10 April. The Council report has been produced in response to the request made to the institutions by the Corfu European Council in June 1994 to draw up reports on the functioning of the Treaty on European Union to provide input for the Reflection Group which has been set up to prepare for the 1996 Intergovernmental Conference and which is due to begin work in June of this year.

In the introduction, the Council defines the aim of the report as being not to examine the general functioning of the European Union but to present a factual account of the functioning of the Treaty in so far as it breaks new ground compared with the treaties that preceded it. Care has been taken not to anticipate the work of the Group and no value judgments are offered other than those arising from a straightforward account of the facts. Nor does the report speculate on potential reforms. Given both the lack of distance (the Treaty only entered into force on 1 November 1993) and the fact that some of the new provisions have not yet worked through in their entirety or have not yet been invoked, the Council stresses that the scope of the exercise is initially restricted and calls for a degree of caution when the initial findings are assessed.

The Council then goes on to examine: aspects relating to the single institutional framework and application of the subsidiarity principle; implementation of the provisions relating to Union citizenship and measures adopted by the institutions with a view to greater transparency and better provision of information; operation of the institutional system and the decision-making process; the internal powers of the Community,

both new powers and existing powers given a more ambitious dimension; the Union's external relations, including the common foreign and security policy; and the application of Title VI relating to cooperation in the fields of justice and home affairs.

1.9.2. Committee of the Regions' own-initiative opinion on the revision of the Treaty on European Union.

Adopted on 21 April. In the belief that it can and must make a contribution to the revision of the Treaty on European Union and that, by virtue of its composition and function, this contribution should be limited to improving the mechanisms for regional and local participation, the Committee would like the formulation of the subsidiarity principle to contain an explicit reference to regions and local authorities and the powers of the Union and the States to be clearly defined in order to facilitate its application. As for its place within the institutional architecture, the Committee would like to be given the status of institution as well as the right to institute annulment proceedings and proceedings for failure to act before the Court of Justice. It also wants to be allowed to cooperate with the Commission when it takes initiatives and to have its consultative function strengthened (to include all areas where provision is made for consultation of the Economic and Social Committee, as well as development cooperation, state aid and Union citizenship).

As for its structure and organization, the Committee would like the political mandate and legitimacy of its members to be spelled out (representatives appointed on the recommendation of regional and local bodies who have a mandate from the electorate or are accountable to an assembly elected by direct universal suffrage), its powers to organize its own work to be strengthened (in particular it would like the power to adopt its own Rules of Procedure) and full organizational and budgetary autonomy from the Economic and Social Committee.

When Union policies have a bearing on regional or local powers, the Committee would like the

right of Member States under the Treaty to cooperate and participate to be extended to regional and, where appropriate, local authorities. Lastly, the Committee would like a better definition of the fundamental rights of European citizens.

Interinstitutional relations

1.9.3. Commission communication on relations with the Committee of the Regions.

Adopted on 19 April. In view of the crucial role that the Committee of the Regions can play in helping to ensure that the concerns of local and regional authorities are taken into account in the formulation and implementation of Community policies and in increasing the involvement of ordinary citizens in the process of European integration, the Commission has decided to strengthen its relations with the Committee and to formalize them by establishing a set of simple rules.

The Commission will seek to improve cooperation with the Committee in the following three ways: when it draws up its annual work programme, it will identify the items which it will be referring to the Committee for an opinion and, in a spirit of openness, it will endeavour to consult the Committee, if possible, when it publishes green or white papers; it will strive to provide the Committee with all the assistance it needs to operate smoothly; and it will take the greatest possible account of the Committee's opinions and views in its proposals as well as in the implementation of policies.

As for the items on which the Committee will be consulted, the Commission will not restrict itself to the five fields in which consultation is mandatory under the Treaty (economic and social cohesion, trans-European networks, education, health and culture) but will apply the following three criteria: the matter in question falls within the scope of the regulatory or implementing powers exercised by decentralized bodies; the planned rules are likely to have a direct impact

on the operation of regional or local administration; and the economic impact of Community action is likely to differ from one region to another.

1.9.4. Modus vivendi between Parliament, the Council and the Commission concerning measures taken for the implementation of acts adopted under Article 189b of the EC Treaty.

References:

Interinstitutional conference: Bull. 12-1994, point 1.7.1

Parliament resolution on the *modus vivendi*: OJ C 43, 20.2.1995; Bull. 1/2-1995, point 1.8.4

Approved by the Commission on 10 April. The purpose of this interinstitutional *modus vivendi*, the text of which was initialled by the three institutions concerned at the interinstitutional conference of 20 December 1994, is to overcome difficulties encountered with measures for the implementation of acts adopted under the codecision procedure for reasons connected with the question of committee procedure, pending the review of the Treaty on European Union in 1996. The arrangements mainly concern procedures for informing and consulting Parliament on all draft general implementing measures and in no way prejudge the positions of principle expressed by the three institutions in this respect.

1.9.5. Parliament, Council and Commission Decision 95/167/EC, Euratom, ECSC on the detailed provisions governing the exercise of Parliament's right of inquiry.

Reference: Parliament, Council and Commission Decision on the detailed provisions governing the exercise of Parliament's right of inquiry: OJ L 78, 6.4.1995; Bull. 3-1995, point 1.8.3

Approved by the Commission on 19 April.

Corrigendum to the Decision of 6 March 1995 adopted by Parliament, the Council and the Commission on 19 April. The purpose of the corrigendum was to assign an official serial number to the Decision and to alter the date of adoption from 6 March 1995 to 19 April 1995.

OJ L 113, 19.5.1995

10. Community institutions

Parliament

Strasbourg: 3 to 7 April

1.10.1. The highlights of the first April part-session were the debates on the peace process in Northern Ireland and Community enlargement to include the countries of Central and Eastern Europe.

Parliament unanimously approved the programme proposed by the Commission to encourage the peace process in Ireland (→ point 1.3.75), quoting as exemplary the way in which the Commission had consulted widely with the communities in Northern Ireland in the preparatory stages.

In the presence of the Presidents of the Parliaments of the six associated countries, Parliament also held a debate on the future accession of the countries of Central and Eastern Europe, during which speakers drew attention to the historic nature of this venture, which would require a joint effort on the part of the European Union and the applicant countries.

In the external relations field, Parliament adopted resolutions on the situation in Burundi (→ point 1.4.92), Bosnia (→ point 1.4.79), and Croatia and Kosovo (→ point 1.4.74), and on the partnership agreements with the new independent States (→ point 1.4.81).

In the budgetary field, Parliament gave discharge to the Commission in respect of the implementation of the general budget for the 1992 financial year (→ point 1.6.5). Discharge was also granted in respect of the budgets for the 1993 financial year (→ points 1.6.6 to 1.6.11) after a debate which also focused on the need to improve information on the implementation of expenditure, the Phare and Tacis programmes, the wine sector, research, own resources and the Structural Funds. Parliament gave a first reading to supplementary and amending budget No 1/95,

designed primarily to cover the consequences of enlargement (→ point 1.6.2). Lastly, Parliament adopted resolutions on the guidelines for the 1996 budget (→ point 1.6.3).

On the human rights front, Parliament adopted resolutions on the situation in Iran and Armenia, human rights violations arising from the conflict between Peru and Ecuador, the impending executions in the United States, the trial in Georgia and the missing persons of the Cyprus tragedy (→ points 1.2.5 to 1.2.10), and on the expulsion of Vietnamese immigrants from the European Union (→ point 1.2.2), the Turkish intervention in Iraq (point 1.2.11) and the situation in Algeria (→ point 1.2.4).

In the institutional field, Parliament approved a draft text amending Article 46 of the Statute of the Court of Justice (→ point 1.10.11).

In the legislative field, under the consultation procedure Parliament gave its opinion on proposals for Regulations concerning reform of the common organization of the markets in wine (→ point 1.3.111), the common organization of the markets in sugar (→ point 1.3.107), the marketing of fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana (→ point 1.3.125), Community action in the field of statistics (→ point 1.7.1) and a protocol relating to fishing off Côte d'Ivoire (→ point 1.3.118), on two proposals for Directives, one relating to the control of diseases affecting bivalve molluscs (→ point 1.3.13) and the other to health conditions for the production and marketing of fresh meat (→ point 1.3.12), and on two proposals for Decisions, one relating to the creation of the Indian Ocean Tuna Commission (→ point 1.3.123) and the other to reconstruction aid for Madeira.

Under the co-decision procedure Parliament delivered opinions at first reading on a proposal for a Directive relating to cableway installations designed to carry passengers (→ point 1.3.9) and, in the cultural field, on the proposals for Decisions relating to the Kaleidoscope 2000 and

Ariane programmes (→ points 1.3.133 and 1.3.134).

Parliament also adopted resolutions on the Schengen Agreement (→ point 1.5.1), the Nuclear Non-Proliferation Treaty (→ point 1.4.6), the right of citizens of the European Union to vote in municipal elections (→ point 1.1.1), the broad economic policy guidelines (→ point 1.3.5), the Green Paper on the liberalization of telecommunications infrastructure (Part One) (→ point 1.3.95), the conservation of fishery resources (→ point 1.3.117), the safety of ships' crews (→ points 1.3.89 and 1.3.90), the Thermie II programme (→ point 1.3.84), the shipbuilding industry (→ point 1.3.57), the 'open skies' agreements between certain Member States and the United States (→ point 1.3.91), certain categories of motor vehicle distribution agreement (→ point 1.3.19) and the shipment of hazardous waste (→ point 1.3.99).

Record of proceedings:
OJ Annex No 4-455

Full text of opinions and resolutions:
OJ C 109, 1.5.1995

Brussels, 25 to 27 April

1.10.2. This part-session was marked by the adoption of supplementary and amending budget No 1/95 and by a statement by Mr Hänsch, President of Parliament, condemning the massacres in the refugee camps in Rwanda.

In the budgetary field, Parliament adopted at second reading supplementary and amending budget No 1/95, which, once it has been signed by the President, will make it possible to cover the budgetary costs of enlargement (→ point 1.6.2). Parliament also approved the adjustment of the financial perspective (→ point 1.6.1).

In the human rights field, Parliament adopted a resolution on the Union's policy on human rights (→ point 1.2.3) as well as a resolution on racism, xenophobia and anti-semitism (→ point 1.2.1).

In the legislative field, Parliament gave its opinion under the consultation procedure on two proposals for Regulations, one relating to specific measures for table olives (→ point 1.3.108) and the other to the extension of economic aid for

Croatia (→ point 1.4.76), and on a proposal for a Directive concerning the list of less-favoured farming areas (→ point 1.3.68). Under the codification procedure Parliament delivered an opinion at first reading on the action programme for the prevention of AIDS (→ point 1.3.130).

Record of proceedings:
OJ Annex No 4-456

Full text of opinions and resolutions:
OJ C 126, 22.5.1995

Council

1837th meeting (continued)

1.10.3. Agriculture (Luxembourg, 10 and 11 April).

Previous meeting: Bull. 3-1995, point 1.10.11

President: Mr Puech, French Minister for Agriculture and Fisheries.

Commission: Mr Fischler.

Main item

□ Adjusting the common organization of the markets in sugar: proposal for a Regulation agreed by qualified majority, without the agreement of the Portuguese delegation (→ point 1.3.107).

Other business

- Extraordinary set-aside: exchange of views.
- Agrimonetary aspects: exchange of views.

1841st meeting

1.10.4. Audiovisual and cultural affairs (Luxembourg, 3 and 4 April).

Previous meeting: Bull. 11-1994, point 1.7.5

President: Mr Toubon, French Minister for Culture.

Commission: Mr Oreja.

Main items

□ Culture and multimedia: resolution adopted (→ point 1.3.132).

□ Cooperation with the associated countries of Central and Eastern Europe in the cultural domain: resolution adopted (→ point 1.4.61).

Other business

□ Television without frontiers: exchange of views.

□ Financial mechanisms for mobilizing finance for European audiovisual productions: preparatory discussions.

□ MEDIA II programme: initial discussion.

□ Kaleidoscope 2000 programme: general discussion.

□ Ariane programme: examined.

□ Raphael programme: Commission statement.

□ International convention on the return of stolen or illegally exported cultural items: discussed.

□ Joint meeting of the Council and the associated countries of Central and Eastern Europe: discussion.

1842nd meeting

1.10.5. Fisheries (Luxembourg, 6 April).

Previous meeting: Bull. 12-1994, point 1.7.12

President: Mr Puech, French Minister for Agriculture and Fisheries.

Commission: Mrs Bonino.

Main items

□ Measures for the conservation and management of fishery resources in the NAFO area: Regulation adopted by qualified majority; United Kingdom delegation voted against (→ point 1.3.120).

□ 1995 guide prices: Regulation adopted by qualified majority; Ireland and United Kingdom delegations voted against (→ point 1.3.124).

Other business

□ Allocation of the quota for Greenland halibut in the NAFO area: statement by the Presidency.

□ 1995 tariff quotas: exchange of views.

□ Management objectives and strategies for the period 1994-97: conclusions adopted.

□ Year-to-year management of TACs and quotas: progress report.

□ Socio-economic measures: general discussion.

□ Driftnets: conclusions adopted.

□ EC/Morocco fisheries agreement: report on progress in negotiations.

1843rd meeting

1.10.6. Industry (Luxembourg, 7 April).

Previous meeting: Bull. 11-1994, point 1.7.4

President: Mr Rossi, French Minister for Industry, Posts and Telecommunications and Foreign Trade.

Commission: Mr Bangemann, Mr Van Miert and Mrs Cresson.

Main items

□ Industrial policy — competitiveness: conclusions adopted (→ point 1.3.58).

□ Industrial cooperation with the countries of Central and Eastern Europe: conclusions adopted (→ point 1.4.62).

□ High-tech industries and businesses: conclusions adopted (→ point 1.3.60).

Other business

□ Industry and competition: general discussion.

□ Steel — monitoring: Commission statement.

□ Information society: discussion.

□ Industry and research: Commission statement.

1844th meeting

1.10.7. General affairs (Luxembourg, 10 April).

Previous meeting: Bull. 3-1995, point 1.10.4

President: Mr Juppé, French Minister for Foreign Affairs.

Commission: Mr Santer, Sir Leon Brittan, Mr Marín, Mrs Bonino, Mr Pinheiro and Mr Van den Broek.

Main items

□ Functioning of the Treaty on European Union: report adopted (→ point 1.9.1).

- Malta: conclusions adopted (→ point 1.4.72).
- Former Yugoslavia: conclusions adopted (→ point 1.4.73).
- Draft economic and trade cooperation Agreement with Croatia: decision adopted (→ point 1.4.75).
- Draft joint solemn declaration by the European Union and Mexico: decision adopted (→ point 1.4.89).
- Nuclear non-proliferation and preparations for the Conference: conclusions adopted (→ point 1.4.7).
- Joint action on anti-personnel landmines: agreed (→ point 1.4.5).
- Trade and investment: conclusions adopted (→ point 1.4.22).
- Macro-financial assistance for Albania: statement adopted (→ point 1.4.69).

Other business

- Fisheries relations with Canada: progress report.
- Ministerial meeting with the associated countries of Central and Eastern Europe: preparations.
- Association Council with the Czech Republic: preparations.
- Association Council with Romania: preparations.
- Relations with Russia: exchange of views.
- New agreements with Israel, Morocco and Tunisia: report on progress in negotiations.
- Euro-Mediterranean Conference: preparations.
- Turkey: statement adopted.
- European Union support for Palestinian elections: statement adopted.
- Relations with Chile: evaluation report.
- Relations with Mercosur: Commission communication.
- South Africa: Commission communication presented.
- Mid-term review of the fourth ACP-EC Convention: held over.
- Burundi: exchange of views.
- Mochovce nuclear power station: discussed.
- Transparency of Council proceedings: progress report.

- Quadripartite meeting between the European Union and the Council of Europe: discussed.
- Stability Pact: discussed.
- World Trade Organization — current negotiations on services — accession of China: progress report and appointment of Director-General.

Commission

Proposals adopted

1.10.8. The Commission adopted a proposal for a Regulation amending the Regulation establishing a financial instrument for the environment (LIFE) (→ point 1.3.98). It also adopted a proposal for a Regulation on the supervision and control of shipments of waste (→ point 1.3.100) and a proposal for a Decision adopting an action programme for Community customs (Customs 2000) (→ point 1.4.30).

Communications, Green Papers and reports

1.10.9. The Commission adopted a Green Paper on the role of the Union in the field of tourism (→ point 1.3.62). It also adopted communications on a medium-term social action programme (1995-97) (→ point 1.3.126) and on relations with the Committee of the Regions (→ point 1.9.3).

Other decisions

1.10.10. The Commission adopted a Regulation exempting certain categories of agreements, decisions and concerted practices between liner shipping companies (→ point 1.3.21) and a draft Regulation exempting certain categories of motor vehicle distribution and servicing agreements (→ point 1.3.20). It approved single programming documents for Germany under Objec-

tive 5a (→ point 1.3.69). It adopted a recommendation for a decision on the negotiation of an agreement with the United States in the field of civil aviation (→ point 1.3.92). On the external relations front, it adopted a recommendation for a decision on the negotiation of an interregional agreement on commercial and economic cooperation between the European Community and Mercosur (→ point 1.4.88). And, finally, it approved the preliminary draft budget for 1996 (→ point 1.6.4).

Community lawcourts

Court of Justice

1.10.11. Amendment of the Statute of the Court of Justice.

Reference: Council Regulation (EC) No 40/94 on the Community trade mark: OJ L 11, 14.1.1994; Bull. 12-1993, point 1.2.38

Parliament opinion delivered on 7 April.
OJ C 109, 1.5.1995

Commission opinion adopted on 12 April.

In view of the entry into force of Community legislation introducing a system for the protection of certain intellectual property rights, the Court, acting under Article 168a(2) of the EC Treaty, has requested the Council to approve the amendment of Article 46 of its Statute after consulting the Commission and Parliament. The purpose of the proposed amendment is to take account of the specific features of litigation in the field of intellectual property and, in particular, to introduce provisions enabling third parties to intervene to protect their interests. Parliament and the Commission have endorsed the proposal.

Court of Auditors

Annual report

1.10.12. Annual report on the accounts of the Euratom Supply Agency in respect of the 1994 financial year.

Adopted at the Court's 499th meeting on 26 and 27 April. In accordance with Article 16 of the Statutes of the Euratom Supply Agency the report has been sent to the Commission and the Agency's Director-General and, for information, to Parliament and the Council.

Special report

1.10.13. Special report No 2/95 on the Stabex fund in the context of the first financial protocol of the Fourth Lomé Convention.

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

Adopted at the Court's 499th meeting on 26 and 27 April. The report has been sent to all the other Community institutions and the national audit bodies and will be published in the Official Journal.

European Investment Bank

Financing

1.10.14. In April, the European Investment Bank granted loans totalling ECU 1 600 million, of which ECU 185 million went outside the European Union.

European Union

Links with Union policies

Loans were made for the following measures:

- ECU 1 045 million for the economic development of disadvantaged regions;
- ECU 776 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 127 million for the pursuit of Community objectives in the field of energy;
- ECU 52 million for the enhancement of the international competitiveness of industry and its integration within the Union.

The Bank also continued its operations to support small businesses: a total of ECU 839 million has been granted in global loans since the beginning of the year.

In many cases individual loans come under several Union policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Austria

□ ECU 16.2 million in the form of global loans for the financing of small and medium-scale projects.

Belgium

□ ECU 52.5 million (including ECU 40.2 million under the Edinburgh financial mechanism) for the construction of the Ghislenghien — Hacquenies section of the A8 motorway (Brussels — Lille).

Denmark

□ ECU 32.7 million for the construction of the motorway suspension bridge on the eastern part of the Great Belt fixed link.

Germany

□ ECU 54 million for a combined-cycle power station running on natural gas in Dresden;

□ ECU 29.7 million (including ECU 27 million under the Edinburgh financial mechanism) for the construction of a combined heat and electricity plant at Potsdam;

□ ECU 16.2 million (under the Edinburgh financial mechanism) for waste water collection and treatment facilities in the south-west of North Rhine-Westphalia;

□ ECU 8.1 million for the construction of a regional public waste disposal complex at Bonacker (North Rhine-Westphalia);

□ ECU 105.3 million in the form of global loans for the financing of small and medium-scale projects.

Greece

□ ECU 105 million for the extension of the underground railway in Athens.

Spain

□ ECU 76.3 million (including ECU 17.6 million under the Edinburgh financial mechanism) for the improvement of the regional road network, waste water purification plant, the development of industrial estates, forestry development, and forest fire prevention;

□ ECU 146.8 million for the construction of various sections of the national motorway network;

□ ECU 58.7 million for the construction of a new road linking Aduna, in the Basque province of Guipúzcoa, and the bridge over the River Leizaran in Navarre.

France

□ ECU 108 million (under the Edinburgh financial mechanism) for the financing of work on the Maurienne section of the A43 motorway linking the Fréjus tunnel with the national road network.

Italy

□ ECU 4.8 million for renovation of the historic centre and other improvements to the urban fabric in Bologna, Ferrara (Emilia-Romagna) and Macerata (Marche);

□ ECU 13.1 million for the construction of two clothing factories and a services and advanced vocational training centre at Villorba (Veneto);

□ ECU 43.7 million for the completion of the second gas pipeline across the Mediterranean;

□ ECU 39.3 million for the modernization and extension of a thread production line at Pisticc (Basilicata);

□ ECU 38.5 million in the form of global loans for the financing of small and medium-scale projects.

Portugal

□ ECU 28.1 million for the financing of small-scale infrastructure projects, especially in the water and road building sectors;

□ ECU 127.8 million for eleven road building projects for the national network;

□ ECU 70.6 million for the modernization of a suburban railway line between Oporto and Cete.

United Kingdom

□ ECU 149.3 million for the partial replacement of a fleet of long-haul aircraft.

Outside the European Union

Cooperation and development policy

ACP countries

Guyana

- ECU 0.5 million for the financing of an institute for the development of private enterprise.

Sao Tomé and Príncipe

- ECU 5.6 million for the renovation and extension of plant for the production and distribution of electricity at Sao Tomé.

Senegal

- ECU 3.4 million for the modernization of airport and air traffic control equipment.

Mediterranean countries

Morocco

- ECU 40 million for a new irrigation network in the plain of central Haouz, near Marrakesh;
- ECU 95 million for the construction of a section of motorway between Rabat and Fez.

Turkey

- ECU 35 million for sewerage and sewage disposal works in the Antalya conurbation on the south-west coast.

Cooperation with the countries of Central and Eastern Europe

Lithuania

- ECU 5 million in the form of global loans for the financing of projects by small businesses.

Economic and Social Committee

325th plenary session

1.10.15. The Economic and Social Committee held its 325th plenary session on 27 April, chaired by Mr Ferrer.

1.10.16. The Economic and Social Committee debated and adopted opinions on the following:

- agricultural prices (→ point 1.3.105);
- the indication of the prices of foodstuffs and non-food products (→ point 1.3.131);
- economic growth and the environment (→ point 1.3.97);
- the mutual recognition of qualifications (→ point 1.3.64);
- the special support programme for peace and reconciliation in Northern Ireland (→ point 1.3.76).

1.10.17. The Economic and Social Committee adopted opinions on the following, without debate:

- the emission of gaseous pollutants from diesel engines (→ point 1.3.8);
- air pollution from emissions from motor vehicles (→ point 1.3.7);
- plant protection products (→ point 1.3.16);
- household refrigerators and freezers (→ point 1.3.85).

Committee of the Regions

Seventh plenary session

1.10.18. The Committee of the Regions held its seventh plenary meeting on 20 and 21 April, chaired by Mr Blanc and Mr Andersen and attended by Mrs Wulf-Mathies for the Commission.

Mrs Wulf-Mathies presented the broad outline of the Commission communication on relations with the Committee of the Regions (→ point 1.9.3). She expressed the conviction that the Committee's opinions on subjects of direct concern to the local population constitute a living expression of subsidiarity and will enable the Commission to take account of local reality. The Committee will be able to contribute to increasing public awareness of the implications of Community decisions. With respect to institu-

tional affairs, she discussed with members the Committee's opinions on the revision of the Treaty on European Union (→ point 1.9.2) and the Community initiative for peace and reconciliation in Northern Ireland and the border counties of Ireland.

1.10.19. The Committee of the Regions adopted opinions on:

- the revision of the Treaty on European Union (→ point 1.9.2);
- the Community initiative for Northern Ireland and the border counties of Ireland (Peace) (→ point 1.3.77);
- the European Charter on mountain areas (→ point 1.3.67);
- the action plan to combat drugs (→ point 1.5.2);
- safeguarding employees' rights in the event of transfers of undertakings (→ point 1.3.127);
- the communication on an industrial competitiveness policy (→ point 1.3.59);
- the Kaleidoscope 2000 and Ariane programmes (→ points 1.3.133 and 1.3.134);
- the programme for the prevention of AIDS (→ point 1.3.130);
- the guidelines for the trans-European airport network (→ point 1.3.83).

European Monetary Institute

1.10.20. Annual report of the European Monetary Institute (EMI) to the Commission, the Council and Parliament.

Reference: First meeting of the EMI Council: Bull. 11-1994, point 1.7.48

Presented by the European Monetary Institute in Frankfurt on 4 April. In its report the EMI reviews recent economic, financial and monetary

developments in the European Union and provides an account of its work in the field of monetary policy coordination, with particular reference to preparations for the third stage of economic and monetary union (EMU).

Under Article 109f of the EC Treaty, the EMI is responsible for specifying — by the end of 1996 — the regulatory, organizational and logistical framework necessary for the European System of Central Banks (ESCB) to perform its tasks. The Institute's analysis shows that the monetary policy instruments available or in use in the Member States can be adjusted and new systems introduced in time. The ESCB also has to be ready to conduct a single foreign exchange policy, which will require a number of issues to be prepared ahead of time, including: the mechanism for the transfer of foreign reserve assets from the national central banks to the European Central Bank (ECB); the organization of foreign exchange intervention; and exchange relationships with the currencies of the Member States not participating in the third stage.

The EMI also has the task of promoting the efficiency and soundness of cross-border payments, including the setting-up of real-time settlements systems: to this end, it is proposing development of the new Trans-European automated real-time gross settlement express transfer system (Target). And it is responsible for supervising the technical preparation of ECU banknotes: a consensus has been reached that the highest face value for coins will be ECU 2 and the smallest denomination of note will be ECU 5. To facilitate the use of the ecu, another of its tasks, the EMI intends to improve the operation of the ECU clearing system: at the start of the second stage of EMU the EMI took over responsibility for overseeing the ECU Clearing and Settlement System from the Committee of Governors of the Central Banks. Cooperation between the EMI and the national central banks in the field of payment systems more generally has focused on their harmonization.

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

April 1995¹

BFR/ LFR	Belgian franc and Luxembourg franc	38.0913
DKR	Danish krone	7.29452
DM	German mark	1.85233
DR	Greek drachma	301.839
ESC	Portuguese escudo	195.756
FF	French franc	6.50276
FMK	Finnish markka	5.73180
HFL	Dutch guilder	2.07414
IRL	Irish pound	0.823342
LIT	Italian lira	2 296.16
OS	Austrian schilling	13.0345
PTA	Spanish peseta	166.666
SKR	Swedish krona	9.85460
UKL	Pound sterling	0.833905
AUD	Australian dollar	1.82280
CAD	Canadian dollar	1.84755
ISK	Icelandic króna	84.5598
NKR	Norwegian krone	8.31644
NZD	New Zealand dollar	2.01092
SFR	Swiss franc	1.52628
USD	United States dollar	1.34143
YEN	Japanese yen	112.500
ZAR	South African rand	4.83191

¹ Average for the month: OJ C 111, 3 5.1995.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. 7/8-1982, points 3.1.1 to 3.1.3, and Bull. 9-1989, point 2.1.3.

Representative rates ('green' rates)

*Conversion rates into national currencies
for the ecu used in connection with the common agricultural policy*

April 1995

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	40.8337	LIT	Italian lira All products	2 269.92 2 277.46 on 5.4.1995
DKR	Danish krone All products	7.74166			2 291.15 on 15.4.1995
DM	German mark All products	1.94962	OS	Austrian schilling All products	2 311.19 on 25.4.1995 13.7190
DR	Greek drachma All products	302.187 302.837 on 5.4.1995	PTA	Spanish peseta All products	170.165
ESC	Portuguese escudo All products	198.202	SKR	Swedish krona All products	9.58593 9.80081 on 5.4.1995
FF	French franc All products	6.61023			9.80624 on 15.4.1995
FMK	Finnish markka All products	5.88000			9.91834 on 25.4.1995
HFL	Dutch guilder All products	2.19672	UKL	Pound sterling All products	0.829882 0.833125 on 15.4.1995
IRL	Irish pound All products	0.829498			0.836385 on 25.4.1995

2. Additional references in the Official Journal

2.2.1. This section lists the titles of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when those issues went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. 9-1994

Points 1.7.40 and 1.7.41

Opinions adopted by the Economic and Social Committee at its 318th plenary session on 14 and 15 September
OJ C 393, 31.12.1994

Bull. 12-1994

Point 1.2.41

Draft Commission Directive amending Commission Directive 90/388/EEC regarding the abolition of the restrictions on the use of cable television networks for the provision of telecommunications services
OJ C 76, 28.3.1995

Point 1.2.131

Commission Decisions 94/1021/EC to 94/1033/EC and 94/1035/EC of 16 December 1994 approving single programming documents for Community structural assistance in certain regions concerned by Objective 2 in Belgium and the United Kingdom
OJ L 382, 31.12.1994

Point 1.2.132

Commission Decisions 94/1000/EC to 94/1020/EC and 94/1034/EC of 6, 9, 14 and 16 December 1994 approving single programming documents for Community structural assistance in certain regions concerned by Objective 2 in Belgium, Denmark, Italy, Luxembourg and the Netherlands
OJ L 382, 31.12.1994

Point 1.3.40

Council Decision 94/976/EC of 19 December 1994 on the conclusion by the European Community of the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia of the other

Commission Decision 94/977/ECSC, Euratom of 20 December 1994 on the conclusion on behalf of the European Coal and Steel Community and the European Atomic Energy Community of the Agreement on free trade and trade-related matters between the European Community, the European Atomic Energy Community and the European Coal and Steel Community, of the one part, and the Republic of Latvia, of the other
OJ L 374, 31.12.1994

Point 1.5.2

Decision on the adjustment of the financial perspective annexed to the Interinstitutional Agreement of 29 October 1993 on budgetary discipline and improvement of the budgetary procedure
OJ C 395, 31.12.1994

Bull. 1/2-1995

Point 1.3.83

Amended proposal for a European Parliament and Council Decision on the Community guidelines for the development of the trans-European transport network
OJ C 97, 20.4.1995

Point 1.3.102

Proposal for a European Parliament and Council Directive on the application of open network provision (ONP) to voice telephony
OJ C 122, 18.5.1995

Point 1.3.119

Commission proposals on the prices for agricultural products and on related measures (1995/96)
OJ C 99, 21.4.1995

Point 1.3.170

Proposal for a Council Decision on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA II — Training) (1996 to 2000)

Proposal for a Council Decision on a programme to promote the development and distribution of European audiovisual works (MEDIA II — Development and Distribution) (1996 to 2000)
OJ C 108, 29.4.1995

Point 1.4.61

Council Decision 95/131/EC of 20 February 1995 on the provisional application of certain Agreements between the European Community and certain third countries on trade in textile products
OJ L 94, 26.4.1995

Points 1.9.35 and 1.9.36

Opinions adopted by the Economic and Social Com-

mittee at its 322nd plenary session on 25 and 26 January
OJ C 102, 24.4.1995

Points 1.9.38 and 1.9.39

Opinions adopted by the Economic and Social Committee at its 323rd plenary session on 22 and 23 February
OJ C 110, 2.5.1995

Bull. 3-1995

Point 1.3.20

Proposal for a Council Regulation (EC) amending Regulations (EEC) No 1035/72, (EEC) No 2240/88 and (EEC) No 1121/89 as regards the intervention threshold mechanism in the fresh fruit and vegetables sector
OJ C 117, 12.5.1995

3. Corrigenda

2.3.1. This section lists the corrigenda to earlier issues of the Bulletin. The corrections are shown in bold.

Bull. 1/2-1995

Point 1.9.2

The cross-reference after 'fishing off the Guinean coast' in the seventh paragraph to read '(→ point 1.3.146)'.
Bull. 3-1995

Point 1.9.3

The cross-reference after 'fishing off the coast of Equatorial Guinea' in the fourth paragraph to read '(→ point 1.3.147)'.
Point 2.3.1

Point 2.3.1

The decision number in the additional reference for Bull. 12-1994, point 1.3.98 to read 'Council Decision 94/800/EC'.
Point 1.3.93

Bull. 3-1995

Point 1.3.93

The Bulletin reference for the Parliament opinion to read 'Bull. 5-1992, point 1.1.72'.

4. Index

- A**
- ACP States: 1.3.109; 1.4.58; 1.4.92; 1.4.93; 1.10.14
 - ADAPT: 1.3.74
 - Africa: 1.4.55
 - Agricultural prices and related measures: 1.3.105
 - Agricultural products: 1.3.69
 - Agricultural structures: 1.3.68; 1.3.69
 - Agriculture (report): 1.3.103
 - Aid for refugees: 1.4.91
 - AIDS: 1.3.130
 - Air pollution: 1.3.7; 1.3.8
 - Air transport: 1.3.91; 1.3.92
 - Albania: 1.4.63; 1.4.69
 - Algeria: 1.2.4
 - Angola: 1.4.93
 - Annual Economic Report: 1.3.5
 - Annual report of the Court of Auditors: 1.6.11
 - Anti-dumping: 1.4.34 to 1.4.48
 - Anti-Semitism: 1.2.1
 - Anti-subsidy activities: 1.4.49
 - Arable crops: 1.3.106
 - Arable land set-aside: 1.3.106
 - Argentina: 1.4.90
 - Ariane programme: 1.3.134
 - Armenia: 1.2.5
 - Asia: 1.4.85 to 1.4.87
 - Association agreements: 1.4.64
 - Association Council: 1.4.66; 1.4.67
 - Asylum and immigration: 1.5.1
 - Audiovisual policy: 1.3.135
 - Austria: 1.3.63; 1.3.68; 1.3.74; 1.3.92; 1.3.110; 1.4.3; 1.5.1; 1.10.14
 - Azerbaijan: 1.4.82
- B**
- Baltic States: 1.4.64; 1.4.65
 - Banana trade: 1.3.109; 1.3.110
 - Basle Convention: 1.3.99; 1.3.100
 - Belarus: 1.4.84
 - Belgium: 1.1.1; 1.3.92; 1.5.1; 1.10.14; see State aid
 - Borrowing activities: 1.6.12
 - Bosnia-Herzegovina: 1.4.73; 1.4.74; 1.4.79
 - Brazil: 1.4.34; 1.4.35
 - Broad guidelines of economic policies: 1.3.5
 - Budgetary procedures: 1.6.2 to 1.6.4
 - Bulgaria: 1.3.89; 1.4.48; 1.4.67; 1.4.68
 - Burundi: 1.4.92
- C**
- Canada: 1.3.121; 1.4.39
 - Cancer: 1.3.129
 - CAP (orientation): 1.3.104
 - CAP (State aid): 1.3.114 to 1.3.116
 - Cape Verde: 1.4.93
 - Central and Eastern Europe: 1.3.84; 1.3.91; 1.4.60 to 1.4.69
 - CFSP: 1.4.2 to 1.4.8
 - CFSP (joint action): 1.4.5
 - CFSP (statements): 1.4.9 to 1.4.19
 - Chernobyl: 1.3.102
 - China: 1.3.84; 1.4.36; 1.4.37; 1.4.42; 1.4.47; 1.4.52; 1.4.54; 1.4.85
 - Civil aviation: 1.3.91; 1.3.92
 - Climate: 1.3.101
 - Coal industry: 1.3.87
 - Cohesion Fund: 1.3.82
 - Committee of the Regions: 1.9.3
 - Common foreign and security policy: see CFSP
 - Commonwealth of Independent States (CIS): 1.4.81 to 1.4.84
 - Communicable diseases: 1.3.130
 - Community initiative concerning the adaptation of SMEs to the single market: 1.3.74
 - Community initiative concerning the restructuring of the fisheries sector: see PESCA
 - Community initiative on adaptation of the workforce to industrial change: see ADAPT
 - Community initiative on employment and development of human resources: 1.3.74
 - Community law (monitoring of application): 1.8.1 to 1.8.4
 - Community regional policy: 1.3.67
 - Competition: 1.3.18 to 1.3.57
 - Competition rules: 1.3.56
 - Competitiveness: 1.3.58; 1.3.59
 - Concentrations: 1.3.23 to 1.3.32
 - Consumer protection: 1.3.131
 - Convention on the Law of the Sea: 1.3.122
 - Conversion of steel areas: see Resider programme
 - Cooperation agreements: 1.4.81; 1.4.88
 - Côte d'Ivoire: 1.3.118; 1.4.93
 - Council of Europe: 1.4.21
 - Court of Auditors: 1.6.11
 - Court of Auditors (Special Report): 1.10.12; 1.10.13
 - Court of First Instance
 - agriculture: 1.8.21
 - competition: 1.8.23 to 1.8.26
 - environment: 1.8.27
 - European Social Fund: 1.8.28

- external relations: 1.8.29
- fisheries: 1.8.20; 1.8.22; 1.8.34
- Court of Justice: 1.10.11
- agriculture: 1.8.9
- commercial policy: 1.8.36
- European Social Fund: 1.8.13
- external relations: 1.8.14
- free movement: 1.8.6; 1.8.8; 1.8.10; 1.8.30 to 1.8.33
- infringements: 1.8.15 to 1.8.19
- interinstitutional relations: 1.8.37
- jurisdiction: 1.8.7; 1.8.35
- State aid: 1.8.12
- transport: 1.8.11
- Croatia: 1.3.90; 1.4.23; 1.4.73 to 1.4.76
- Cuba: 1.4.9
- Culture: 1.3.132; 1.4.61
- Customs union: 1.4.30 to 1.4.33
- Cyprus: 1.2.6; 1.4.70
- Czech Republic: 1.4.66; 1.4.68
- Czechoslovakia (former): 1.4.48

D

Declining industrial areas: 1.3.44; 1.3.45
 Denmark: 1.3.92; 1.10.14; see State aid
 Developing countries: 1.3.84; 1.4.55 to 1.4.56
 Development of Community internal and external border areas: see Interreg programme
 Development of rural areas: 1.3.70 to 1.3.73
 Discharge procedure: 1.6.5 to 1.6.11

E

EAGGF
 • Guidance Section: 1.3.79; 1.3.80
 EBRD: 1.4.23 to 1.4.29
 ECHO: 1.4.58
 Economic and monetary policy: 1.3.4; 1.3.5
 Economic and monetary union: see EMU
 Economic and social cohesion: 1.3.67 to 1.3.82
 Economic conversion of coal-mining areas: see Rechar programme
 Economic situation: 1.3.5
 ECSC operating budget: 1.6.10; 1.6.11
 Ecuador: 1.2.10
 EDF: 1.4.58; 1.4.93; 1.6.7
 Education: 1.3.64; 1.3.65
 EEA: 1.4.59
 EIB: 1.10.14
 Electricity: 1.3.88
 EMI: 1.10.20
 Employees' rights: 1.3.127
 EMU: 1.10.20
 Energy: 1.3.84 to 1.3.88
 Energy (Community strategy): 1.3.84; 1.3.85
 Energy efficiency: 1.3.84; 1.3.85
 Environment: 1.3.97 to 1.3.102

Environment (financial instruments): 1.3.98
 ERDF: 1.3.79; 1.3.81
 ESF: 1.3.79
 Estonia: 1.4.50; 1.4.64; 1.4.65
 Europe Agreements: 1.4.64; 1.4.68
 European Agricultural Guidance and Guarantee Fund: see EAGGF
 European Bank for Reconstruction and Development: see EBRD
 European citizenship: 1.1.1
 European Community Humanitarian Office: see ECHO
 European Development Fund: see EDF
 European Economic Area: see EEA
 European Investment Bank: see EIB
 European Monetary Institute: see EMI
 European Regional Development Fund: see ERDF
 European Social Fund: see ESF
 European technologies for energy management: see Thermie
 European Union: 1.9.1; 1.9.2
 European Year: 1.3.65

F

Federal Republic of Yugoslavia (Serbia and Montenegro): 1.4.73; 1.4.74; 1.4.77; 1.4.78
 Feedingstuffs: 1.3.14; 1.3.15
 Fight against drugs: 1.5.2
 Financial and technical assistance: 1.4.69; 1.4.84
 Financial and technical cooperation: 1.4.93
 Financial instrument for the environment: see LIFE
 Financial operations: 1.6.12; 1.6.13
 Financial perspective: 1.6.1
 Finland: 1.3.63; 1.3.74; 1.3.92; 1.3.110; 1.4.3
 Fisheries (external aspects): 1.3.118 to 1.3.123
 Fisheries (internal aspects): 1.3.117
 Fisheries (prices): 1.3.124
 Fisheries (products): 1.3.125
 Foodstuffs: 1.3.11; 1.3.131
 Footwear industry: 1.3.51
 Framework programme for R&TD 1994-98: 1.3.63
 France: 1.3.71; 1.3.79; 1.5.1; 1.10.14; see State aid
 Free movement of goods: 1.3.7 to 1.3.16
 Fruit and vegetables: 1.3.109; 1.3.110

G

General budget: 1.6.1 to 1.6.9
 Georgia: 1.2.8
 Germany: 1.3.69; 1.5.1; 1.10.14; see State aid
 Greece: 1.3.112; 1.3.113; 1.5.1; 1.10.14
 Green Paper: 1.3.95
 Guinea (Republic): 1.4.93
 Guinea-Bissau: 1.4.93

H

Hazardous waste: 1.3.99; 1.3.100
 Higher education: 1.3.66
 Higher education diplomas: 1.3.64

- Hong Kong: 1.4.86
Housing programme: 1.6.13
Human rights: 1.2.1 to 1.2.12
Humanitarian aid: 1.4.58
Hungary: 1.4.68
- I**
- Iceland: 1.4.35
ICRC: 1.4.79
Import and export arrangements: 1.4.2; 1.4.3; 1.4.31; 1.4.50
Independent States of the former Soviet Union: see Commonwealth of Independent States
India: 1.4.40; 1.4.87
Indian Ocean Tuna Commission: 1.3.123
Indirect taxation: 1.3.17
Indonesia: 1.4.38 to 1.4.40
Industrial cooperation: 1.4.62
Industrial policy: 1.3.58 to 1.3.60
Industrial products: 1.3.9
Industry and environment: 1.3.42; 1.3.44; 1.3.99; 1.3.100
Information technology: 1.3.96
Infringements
 - reasoned opinions: 1.8.1; 1.8.2
 - referrals to the Court: 1.8.3
 - termination of proceedings: 1.8.4
Initiative for urban areas: see URBAN
Institutional affairs: 1.9.1 to 1.9.5
Instruments of trade policy: 1.4.34 to 1.4.50
Intergovernmental Conference: 1.9.1; 1.9.2
Interinstitutional relations: 1.9.3 to 1.9.5
Internal market: 1.3.6 to 1.3.17
International Committee of the Red Cross: see ICRC
Interreg programme: 1.3.74
Iran: 1.2.9
Iraq: 1.2.11
Ireland: 1.3.75 to 1.3.77; 1.3.82; see State aid
Italy: 1.3.72; 1.3.79; 1.3.80; 1.3.112; 1.3.113; 1.5.1; 1.10.14; see State aid
- J**
- Justice and home affairs: 1.5.1; 1.5.2
- K**
- Kaleidoscope programme 2000: 1.3.133
Kazakhstan: 1.4.11; 1.4.35
Kenya: 1.4.58
Konver Programme: 1.3.74
Korea: 1.4.43; 1.4.45
Kosovo: 1.4.73; 1.4.74
- L**
- Latin America: 1.2.12; 1.3.84; 1.4.88 to 1.4.91
Latvia: 1.4.50; 1.4.64; 1.4.65
Leader programme: 1.3.74; 1.3.79
Less-developed regions: 1.3.80
Less-favoured farming areas: 1.3.68; 1.3.69
Liechtenstein: 1.4.59
LIFE: 1.3.98
Links between agencies for the development of the rural economy: see Leader programme
Lithuania: 1.4.50; 1.4.64; 1.4.65; 1.10.14
Loans: 1.6.13
Luxembourg: 1.3.92; 1.5.1
- M**
- Macao: 1.4.39
Maghreb: 1.4.80
Malaysia: 1.4.41
Malta: 1.4.71; 1.4.73
Mauritania: 1.4.93
Medical devices: 1.3.10
Mediterranean: 1.3.117
Mediterranean countries: 1.3.84; 1.4.70 to 1.4.79
Mercosur Group: 1.4.88
Mexico: 1.4.89
Milk and milk products: 1.3.112; 1.3.113
Morocco: 1.3.119; 1.10.14
Motor vehicles: 1.3.7; 1.3.8; 1.3.19; 1.3.20
Mozambique: 1.4.93
Multimedia: 1.3.132
Municipal elections: 1.1.1
- N**
- NAFO: 1.3.120; 1.3.121
Netherlands: 1.5.1; see State aid
New Caledonia: 1.4.93
New plant varieties: 1.3.104
New Zealand: 1.4.3
NGOs: 1.4.55
Nicaragua: 1.4.91
Niger: 1.4.58
Non-governmental organizations: see NGOs
North-West Atlantic: 1.3.120; 1.3.121
Northern Ireland: 1.3.75 to 1.3.77
Northwest Atlantic Fisheries Organization: see NAFO
Norway: 1.4.35
Nuclear safety: 1.3.102
Nuclear weapons (non-proliferation): 1.4.6 to 1.4.8
- O**
- OCTs: 1.4.93
OECD: 1.3.57; 1.3.99; 1.3.100; 1.4.22
Oils and fats: 1.3.108
Organization for Economic Cooperation and Development: see OECD
Overseas countries and territories: see OCT
- P**
- Palestinian Territories: 1.4.16
Peace: 1.3.75 to 1.3.77
Peru: 1.2.10

PESCA: 1.3.74
 PHARE: 1.4.66; 1.4.67; 1.4.73
 Plant health legislation: 1.3.16
 Plant protection products: 1.3.16
 Poland: 1.4.26; 1.4.27; 1.4.48; 1.4.68
 Portugal: 1.3.78; 1.5.1; 1.10.14; see State aid
 Pre-accession strategy: 1.4.60 to 1.4.62
 Price marking (consumer protection): 1.3.131
 Public health: 1.3.128 to 1.3.130

R

Racism: 1.2.1
 Rechar programme: 1.3.74
 Report on Competition Policy: 1.3.18
 Research and development: 1.3.46; 1.3.47
 Resider programme: 1.3.74
 RETEX (Community initiative in favour of regions heavily dependent on the textile industry): 1.3.74
 Right of inquiry: 1.9.5
 Right to vote and stand: 1.1.1
 Romania: 1.4.28; 1.4.48; 1.4.67; 1.4.68
 Rules applying to businesses: 1.3.19 to 1.3.32
 Russian Federation: 1.4.14 to 1.4.15; 1.4.24; 1.4.34; 1.4.35
 Rwanda: 1.4.12

S

São Tomé and Príncipe: 1.4.93; 1.10.14
 Schengen Agreement: 1.5.1
 Senegal: 1.10.14
 Shipbuilding: 1.3.35 to 1.3.38; 1.3.57
 Shipping: 1.3.89; 1.3.90
 Shipping companies: 1.3.21
 Singapore: 1.4.43
 Single programming documents (SDP): 1.3.69; 1.3.71 to 1.3.73
 Slovak Republic: 1.4.68
 Small and medium-sized enterprises (SMEs): 1.3.44; 1.3.45; 1.3.48
 Solid fuels: 1.3.86
 South Africa: 1.4.34
 Spain: 1.3.80; 1.3.112; 1.5.1; 1.10.14; see State aid
 Sri Lanka: 1.4.13
 State aid: 1.3.34

- Belgium: 1.3.39; 1.3.53
- Denmark: 1.3.40; 1.3.88
- France: 1.3.49; 1.3.50; 1.3.54
- Germany: 1.3.44; 1.3.46; 1.3.48; 1.3.55; 1.3.87
- Ireland: 1.3.52
- Italy: 1.3.41; 1.3.47; 1.3.51; 1.3.114 to 1.3.116
- Netherlands: 1.3.36; 1.3.43; 1.3.45
- Portugal: 1.3.37; 1.3.93
- Spain: 1.3.35; 1.3.42
- United Kingdom: 1.3.38

 State-trading countries: 1.4.50
 Statistics (policy aspects): 1.7.1

Statistics (results): 1.7.2
 Steel industry: 1.3.52
 Sudan: 1.4.58
 Sugar: 1.3.107
 Sweden: 1.3.63; 1.3.70; 1.3.74; 1.3.92; 1.3.110; 1.4.3; 1.4.35
 Switzerland: 1.3.91
 Synthetic fibres industry: 1.3.34; 1.3.49

T

Telecommunications: 1.3.94; 1.3.95
 Television: 1.3.95
 Textile industry: 1.3.39; 1.3.78
 Textile products: 1.4.52 to 1.4.54
 Thailand: 1.4.39; 1.4.40; 1.4.42; 1.4.46; 1.4.49
 Thermie: 1.3.84
 Togo: 1.4.93
 Tourism: 1.3.62
 Trade agreements: 1.4.51
 Trans-European networks: 1.3.83
 Transport: 1.3.83; 1.3.93
 Troika: 1.4.87
 Tunisia: 1.4.80
 Turkey: 1.2.11; 1.4.17; 1.4.18; 1.10.14

U

Ukraine: 1.3.102; 1.4.29; 1.4.34; 1.4.35
 UNHCR: 1.4.79
 United Kingdom: 1.3.73; 1.10.14; see State aid
 United Nations: 1.4.20; 1.4.74; 1.4.75; 1.4.77 to 1.4.79
 United Nations High Commissioner for Refugees: see UNHCR
 United States: 1.2.7; 1.3.56; 1.3.66; 1.3.91; 1.3.92; 1.4.10; 1.4.44; 1.7.2
 URBAN: 1.3.74
 Uruguay Round: 1.4.67
 Uzbekistan: 1.4.25

V

Value-added tax (VAT): 1.3.17
 Venezuela: 1.4.35
 Veterinary legislation: 1.3.12; 1.3.13
 Viet Nam: 1.2.2; 1.4.53
 Visegrad countries: 1.4.67
 Vocational training: 1.3.64 to 1.3.66; 1.6.8

W

White Paper (social policy): 1.3.126; 1.3.127
 WHO: 1.4.79
 Wine: 1.3.111
 World Health Organization: see WHO

X

Xenophobia: 1.2.1

Y

Yugoslavia (former): 1.4.73 to 1.4.79



Supplements 1995

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debate of the new Commission**
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