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Commission



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

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

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PART ONE

ACTIVITIES IN SEPTEMBER 1993

News in brief

The single market and the Community economic and social area

Internal market

- The Commission adopts a proposal for a Directive on investor compensation schemes (→ point 1.2.17).
- The Commission approves a proposal for a Directive relating to articles of precious metal (→ point 1.2.2).
- The Commission adopts proposals for Regulations concerning the prohibition of the use of hormones in stockfarming and the monitoring of residues (→ point 1.2.10).
- The Council adopts a Directive on copyright and related rights applicable to satellite broadcasting and cable retransmission (→ point 1.2.20).

Industrial policy

- The Council adopts conclusions on restructuring the European steel industry (→ point 1.2.55).

Education, vocational training and youth

- The Commission adopts a Green Paper on the European dimension of education (→ point 1.2.64).

Transport

- The Council agrees a proposal for a Regulation on a code of conduct for computerized reservations systems (→ point 1.2.77).

Social dimension

- The Commission adopts an opinion on an equitable wage (→ point 1.2.94).
- The Commission adopts an action programme to combat social exclusion (→ point 1.2.99).

Environment

- The Commission adopts a proposal for a Directive on integrated pollution prevention and control (→ point 1.2.103).

Agriculture

- The Commission adopts a proposal for a Regulation modifying the support system for producers of certain arable crops (→ point 1.2.113).

Fisheries

- The Council adopts a Regulation on the conclusion of the Community-Argentina Fisheries Agreement (→ point 1.2.135).

Role of the Community in the world*Mediterranean and the Middle East*

- The Community institutions adopt measures to support the Middle East peace process (→ points 1.3.17 to 1.3.24).

United States, Japan and other industrialized countries

- The Commission adopts a communication on relations between South Africa and the Community (→ point 1.3.35).

ACP countries and OCTs

- The Commission approves a recommendation for a decision on the mid-term review of the fourth Lomé Convention (→ point 1.3.44).

Financing Community activities*Budgets*

- The Commission adopts proposals on the system of own resources (→ points 1.5.3 and 1.5.4).

1. European Union

Subsidiarity

1.1.1. Parliament resolution on the possible withdrawal or amendment of certain Commission legislative proposals (Edinburgh list).

References:

Conclusions of the Edinburgh European Council: Bull. EC 12-1992, point 1.23

Legislative programme for 1993: Bull. EC 1/2-1993, point 1.6.16; Supplement 1/93 — Bull. EC

Adopted on 16 September. Parliament delivered its opinion on the texts which, at the Edinburgh Council, the Commission had proposed should

be withdrawn or amended under the subsidiarity principle.

It approved the opinions of its committees, which concluded that the various proposals should be retained, amended or withdrawn as appropriate.

Parliament considered that under no circumstances should any proposal be withdrawn prior to entry into force of the Treaty on European Union and called on the Commission to submit amended texts as soon as possible under the normal Community procedure, with a vote in the Council and in Parliament.

OJ C 268, 4.10.1993

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

Internal market

General

1.2.1. Commission communication on reinforcing the effectiveness of the internal market, accompanied by a Commission working document on a strategic programme on the internal market.

Reference: White Paper on completing the internal market: COM(85) 310; Bull. EC 6-1985, points 1.3.1 to 1.3.9

Commission communication: COM(93) 256; Bull. EC 6-1993, point 1.2.1

Resolution adopted by Parliament on 17 September. Parliament considers that the White Paper programme has not been completed, that the success of the internal market is not yet assured and that a new impetus needs to be given to the internal market process. In this context it approves of the Commission's presentation of a strategic programme on the internal market and particularly welcomes the importance attached by the Commission to implementing the Social Charter and improving social protection and working conditions. It takes the view that this strategic programme should not be confined to a series of *ad hoc* measures but should be a coherent and readily identifiable new programme with its own name or slogan and with a timetable. It also draws attention to various fields in which Community action should be stepped up, laying particular emphasis on the free movement of individuals.

OJ C 268, 4.10.1993

Opinion delivered by the Economic and Social Committee on 22 September. The Committee endorses the aims of the strategic programme presented by the Commission. It welcomes the Commission's intention to enlist its help in monitoring the operation of the single market

and in assessing the effectiveness of Community rules. It also draws attention to the importance of the political, economic and social context and to the need for a political approach to the problems connected with the internal market.

Council Presidency conclusions adopted on 27 September.

'The Council:

□ noted with great interest the Commission communication entitled "Reinforcing the effectiveness of the internal market" and the working document attached to that communication entitled "Towards a strategic programme for the internal market";

(...)

□ generally endorsed, taking account of the fact that most of the legislative programme contained in the White Paper has been achieved, the political desirability of a programme as envisaged by the Commission after consultation of all the parties concerned; the aim of the programme would be to identify all the measures necessary both for the consolidation of the internal market and the effective implementation of the four freedoms of movement in accordance with the provisions of the Treaty and also, wherever and in so far as appropriate, for the dynamic development of a single market at the service of the citizen; in this context, it laid particular emphasis on the need to maintain a global and balanced approach in the management of the single market as the only way of integrating the specific measures taken in different fields into an overall vision;

□ felt that such a programme could validly set a number of priority aims to guide the Community and its Member States over the coming years; in that connection the following topics would merit particular attention:

Administration of the Community area:

— prevention of the emergence of new barriers to trade;

- organization of the partnership through close cooperation between Member States and the Commission; such cooperation is one of the priorities in the application and effective management of the rules for the single market; establishment of appropriate instruments;
- verification by the Commission of the transposition of Community law into national law not only from the quantitative, but also from the qualitative, point of view;
- in-depth consideration of access to justice, *inter alia* on the basis of a Green Paper promised by the Commission for the end of the year which will consider the problems of means of redress and, where appropriate, improve transparency regarding penalties;
- evaluation of the effectiveness of existing Community rules and general monitoring of the functioning of the single market;
- transparency of Community action, particularly through consolidation of existing rules, and improved coordination of information measures concerning Community law;
- regular assessments, by the appropriate Community bodies, of the economic and social effects of the internal market for all regions of the Community;

Development of the single market:

- taking into account the result of the Copenhagen European Council regarding in particular measures to promote growth, competitiveness and employment;
- creation of an environment free from barriers; in this context, taking into account the inter-relationship between the single market and Community policies in other sectors (*inter alia* competition policy, industrial policy, environment policy, consumer policy, structural and cohesion measures, taxation);
- measures to assist SMEs, in accordance with the conclusions of the Edinburgh European Council, directed at effectively integrating SME policy into the Community growth initiative, with a view particularly to increasing their competitiveness and their ability to create jobs;
- active policy of standardization as an instrument in the functioning of the internal market with a view particularly to developing the use of quality instruments at Community level;
- implementation of a dynamic commercial policy and action to be carried out at external frontiers to combat international fraud and trafficking;

Trans-European networks:

- strengthening of the links between the achievement of trans-European networks, the functioning of the internal market and the economic and industrial growth strategy;
- implementation of means of ensuring greater interconnection and interoperability between networks and within each network, taking into account in particular the needs of the island, land-locked and peripheral regions;
- with a view to transparency, consistency and better use of existing funds, introduction of mechanisms giving an overall view of the various actions carried out in the field of transport infrastructure, energy infrastructure and telecommunications networks.

Free movement of goods

Technical aspects

Precious metals

1.2.2. Proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to articles of precious metal.

Approved by the Commission on 1 September. This proposal is designed to harmonize national legislation governing articles of precious metal (platinum, gold, palladium, silver and alloys of those metals) so as to ensure that such articles are free to move within the Community and that consumers are protected. It provides for each article to be struck with two marks: one indicating the fineness of the metals used and the other identifying the manufacturer of the article and the certification body involved. The following conformity attestation procedures are laid down:

- conformity declaration attesting to the fact that the manufacturer applies an approved product-quality system;
- conformity declaration attesting to the fact that the manufacturer is checked by a certification body;

□ third-party verification of articles prior to marketing.

COM(93) 322

Motor vehicles

1.2.3. Proposal for a Council Directive relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles.

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

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

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

Common position adopted by the Council on 27 September. This Directive will harmonize the technical requirements which the mechanical coupling devices of motor vehicles and their trailers must meet to make such devices compatible and interchangeable.

Dangerous substances

1.2.4. Proposal for a Council Directive amending for the 14th time Directive 76/769/EEC.

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

Endorsed by the Economic and Social Committee on 22 September. The Committee stresses the need for there to be appropriate testing methods.

Foodstuffs

Basic Directive: 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. EC 12-1988, point 2.1.28

1.2.5. Proposal for a Council Directive amending Council Directive 89/107/EEC.

Commission proposal: OJ C 206, 13.8.1992; COM(92) 255; Bull. EC 6-1992, point 1.3.32

Economic and Social Committee opinion: OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.11

Parliament opinion (first reading): OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.7

Amended Commission proposal: OJ C 191, 15.7.1993; COM(93) 289; Bull. EC 6-1993, point 1.2.15

Common position agreed by the Council on 27 September. This Directive allows Member States to continue to prohibit the use of additives authorized by Community legislation in foodstuffs which they regard as traditional, subject to certain conditions: the prohibition must already have existed on 1 January 1992; the foodstuffs concerned must be produced in the Member State applying the prohibition; and there must be no obstacle either to the free movement of non-traditional products conforming to Community legislation or to freedom of establishment.

1.2.6. Proposal for a Council Directive concerning sweeteners intended for use in foodstuffs.

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

Economic and Social Committee opinion: OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.35

Parliament opinion: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.35

Common position agreed by the Council on 27 September. This Directive will draw up a list of the sweeteners permitted on the Community market and will stipulate the conditions governing their use in foodstuffs, particularly regarding maximum permitted levels.

1.2.7. Proposal for a Council Directive on colours for use in foodstuffs.

Commission proposal: OJ C 12, 18.1.1992; COM(91) 444; Bull. EC 12-1991, point 1.2.29

Economic and Social Committee opinion: OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.25

Parliament opinion (first reading): OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.5

Amended Commission proposal: OJ C 134, 13.5.1993; COM(93) 153; Bull. EC 4-1993, point 1.2.9

Common position agreed by the Council on 27 September. This Directive will draw up a list of colours that may be used on the Community market and a list of the foodstuffs in which they

are permitted and will stipulate the conditions under which they may be used, particularly regarding maximum permitted doses.

1.2.8. Council Directive 93/77/EEC relating to fruit juices and certain similar products.

Directives consolidated: Council Directive 75/726/EEC on the approximation of the laws of the Member States concerning fruit juices and certain similar products: OJ L 311, 1.12.1975, and its successive amending directives, the last being Council Directive 89/394/EEC: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20

Commission proposal: Bull. EC 5-1992, point 1.1.24

Economic and Social Committee opinion: OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.27

Parliament opinion (first reading): OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.36

Council common position: Bull. EC 1/2-1993, point 1.2.14

Parliament opinion (second reading): OJ C 194, 19.7.1993; Bull. EC 6-1993, point 1.2.17

Adopted by the Council on 21 September. This Directive provides for the legislative consolidation of Directive 75/726/EEC and its successive amendments.

OJ L 244, 30.9.1993

1.2.9. Recommendation for a Council Decision on the opening of negotiations with the secretariat of the Codex Alimentarius with a view to the Community becoming a member of the Codex Alimentarius.

Adopted by the Commission on 24 September. The recommendation provides for the Community's membership of the Codex Alimentarius, the body responsible for implementing the joint FAO/WHO Food Standards Programme, which is designed to reduce technical barriers to trade in foodstuffs.

Animal and plant health

Animal health

1.2.10. Proposal for a Council Regulation concerning the prohibition of the use in stock-farming of certain substances having a hormonal or thyrostatic action and of beta-agonists; proposal for a Council Regulation on

measures to monitor certain substances and residues thereof in live animals and animal products; proposal for a Council Regulation amending Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal.

Reference: Commission communication on control of residues in meat: hormones, beta-agonists and other substances: COM(93) 167; Bull. EC 4-1993, point 1.2.11

Regulation to be amended: Council Regulation (EEC) No 805/68: OJ L 148, 28.6.1968, as last amended by Council Regulation (EEC) No 125/93: OJ L 18, 27.1.1993; Bull. EC 1/2-1993, point 1.2.182

Directives to be repealed:

Council Directive 81/602/EEC: OJ L 222, 7.8.1981

Council Directive 85/538/EEC: OJ L 191, 23.7.1985

Council Directive 86/469/EEC: OJ L 275, 26.9.1986; Bull. EC 9-1986, point 2.1.122

Council Directive 88/146/EEC: OJ L 70, 16.3.1988; Bull. EC 3-1988, point 2.1.138

Council Directive 88/299/EEC: OJ L 128, 21.5.1988; Bull. EC 5-1988, point 2.1.158

Adopted by the Commission on 22 September. These proposals, which are designed to ensure that Community legislation on control of residues in meat is applied and observed, are a follow-up to the communication presented by the Commission in April. They provide for:

the current requirements regarding substances having a hormonal or thyrostatic action to be consolidated and clarified;

the use of beta-agonists to be prohibited totally, except for the therapeutic treatment of horses and pets;

controls to be based on targeted and unannounced inspections;

penalties to be increased where fraud is detected, including destruction of the entire batch of animals concerned where at least 10% of the animals have been found to have residues of illegal substances;

the sanctions applied to abattoirs failing to cooperate in investigations to be stepped up;

forfeiture of beef premiums for the entire cattle herd (and not simply for the animals involved) where a producer infringes the regulations.

COM(93) 441

1.2.11. Council Decision 93/513/EEC amending Decision 88/408/EEC on the levels of the fees to be charged for health inspections and controls of fresh meat pursuant to Directive 85/73/EEC.

Basic Directive: Council Directive 85/73/EEC on the financing of health inspections and controls of fresh meat and poultrymeat: OJ L 32, 5.2.1985; Bull. EC 1-1985, point 2.1.45, as last amended by Council Directive 88/409/EEC: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223
Decision amended: Council Decision 88/408/EEC: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223, as last amended by Council Decision 93/386/EEC: OJ L 166, 8.7.1993; Bull. EC 6-1993, point 1.2.18
Commission proposal: COM(93) 149; Bull. EC 4-1993, point 1.2.12

Adopted by the Council on 21 September. This Decision extends until 31 December 1993 the standard fee for poultrymeat to be charged when health inspections and controls of fresh meat are carried out. It stems from the same proposal (COM(93) 149) as the previous extension (Decision 93/386/EEC), which expired on 30 September 1993.

OJ L 240, 25.9.1993

1.2.12. Commission communication to the Council and Parliament concerning bovine somatotrophin (BST).

Commission approval: Bull. EC 7/8-1993, point 1.2.7

Formally adopted by the Commission on 16 September.

COM(93) 331

1.2.13. Parliament resolution on an amended proposal for a Regulation (COM(91) 374).

References:

Amended proposal for a Council Regulation laying down the health rules for the production and placing on the market of minced meat, meat preparations and comminuted meat for industrial purposes: OJ C 288, 6.11.1991; COM(91) 374; Bull. EC 10-1991, point 1.2.115

Council Directive 92/110/EEC amending Directive 88/657/EEC laying down the requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations: OJ L 394, 31.12.1992; Bull. EC 12-1992, point 1.3.213

Adopted on 17 September. Parliament points out that Council Directive 92/110/EEC covers only part of the Commission's proposal (COM(91) 374) and calls on the Council to consult it once again on this proposal.

OJ C 268, 4.10.1993

Animal feedingstuffs

1.2.14. Council Directive 93/74/EEC on feedingstuffs intended for particular nutritional purposes.

Commission proposal: OJ C 231, 9.9.1992; COM(92) 324; Bull. EC 7/8-1992, point 1.3.181
Parliament opinion: OJ C 21, 25.1.1993; Bull. EC 12-1992, point 1.3.220
Economic and Social Committee opinion: OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.25
Council agreement: Bull. EC 7/8-1993, point 1.2.15

Formally adopted by the Council on 13 September.

OJ L 237, 22.9.1993

Free movement of persons

1.2.15. Proposal for a Council Directive on the right of residence for students.

Commission proposal: OJ C 166, 17.6.1993; COM(93) 209; Bull. EC 5-1993, point 1.2.18
Parliament opinion (first reading): OJ C 255, 20.9.1993; Bull. EC 7/8-1993, point 1.2.18

Endorsed by the Economic and Social Committee on 22 September. The Committee draws attention to the difficulties involved in transferring funds intended for financing studies from one country to another and to the importance of the Directive being implemented rapidly.

Free movement of services

Financial services

1.2.16. Proposal for a Council Directive on deposit-guarantee schemes.

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

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

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

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

Common position agreed by the Council on 13 September. This Directive will protect depositors in the event of a credit institution failing and thus bolster their confidence so as to prevent sudden withdrawals of funds that might destabilize the banking system. To that end, it provides for all credit institutions to participate in the deposit-guarantee scheme covering the category of institution to which they belong in the Member State authorizing them to operate, with that scheme protecting depositors of branches established in other Member States. The Council's agreement covers the following points in particular:

- reimbursement of deposits up to a minimum of ECU 20 000 within three months of the administrative or judicial authorities establishing that deposits are no longer available;
- recognition of systems guaranteeing the solvency and liquidity of cooperatives and savings banks as being systems under which such institutions may be exempted, subject to certain conditions, from the obligation to belong to a deposit-guarantee scheme;
- possibility of a 10% excess below the minimum amount reimbursed;
- possibility open to branches wishing to supplement the compensation offered under their home-country guarantee scheme to belong to the guarantee scheme in the host country;
- temporary arrangements (re-examination scheduled for the end of 1999): exemption for certain credit institutions in Spain and Greece; deposit cover for branches limited to that obtaining under the guarantee scheme covering the relevant category of institution in the host Member State; option open to Member States whose deposit cover is currently below ECU 20 000 to limit such cover to a sum between ECU 15 000 and 20 000.

1.2.17. Proposal for a Council Directive on investor compensation schemes.

References:

Council Directive 93/22/EEC on investment services in the securities field: OJ L 141, 11.6.1993; Bull. EC 5-1993, point 1.2.19

Proposal for a Council Directive on deposit-guarantee schemes: COM(93) 253; point 1.2.16 of this Bulletin

Adopted by the Commission on 22 September.

This Directive will supplement Directive 93/22/EEC, which introduced a single licence or 'European passport' for investment firms, by providing for an investor compensation scheme in the event of such a firm failing that is based on the same principle as that underlying the proposal on bank deposits (COM(93) 253).

It will introduce a minimum Community level of investor compensation and subject compensation schemes to supervision by the Member State of origin. It provides for each investment firm holding a single Community licence to belong to a compensation scheme in its Member State of origin and for that scheme to cover all the firm's clients, including those established in other Member States and carrying out transactions through branches or cross-frontier supplies of services. The Commission has proposed that the minimum level of cover be set at ECU 20 000, with Member States being free to provide for a higher level of compensation.

COM(93) 381

Other services

1.2.18. Commission Green Paper on pluralism and media concentration in the internal market — An assessment of the need for Community action.

Commission Green Paper: COM(92) 480; Bull. EC 12-1992, point 1.3.18

Economic and Social Committee opinion delivered on 22 September. The Committee welcomes the Commission's decision to initiate debate on pluralism and media concentration in the Community. It takes the view that legislative action is essential not only at Member State level but also at Community level in order to prevent new concentrations and to guarantee pluralism in the media sector.

Company law, company taxation

1.2.19. Proposal for a Council Directive amending Directive 78/660/EEC as regards the revision of amounts expressed in ecus.

Directive to be amended: Council Directive 78/660/EEC: OJ L 222, 14.8.1978, as last amended by Council Directive 90/605/EEC: OJ L 317, 16.11.1990; Bull. EC 11-1990, point 1.3.106

Adopted by the Commission on 1 September. This proposal relates to the five-yearly revision of the amounts expressed in ecus and used to define the small and medium-sized firms for which Member States may decide to ease the accounting obligations. The Commission is proposing that these amounts be increased by 25%.

COM(93) 390

Intellectual property

1.2.20. Council Directive 93/83/EEC on the coordination of certain rules of copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission.

Reference: Council Directive 89/552/EEC concerning the pursuit of television broadcasting activities: OJ L 298, 17.10.1989; Bull. EC 10-1989, point 2.1.18

Commission proposal: OJ C 255, 1.10.1991; COM(91) 276; Bull. EC 7/8-1991, point 1.2.76

Economic and Social Committee opinion: OJ C 98, 21.4.1992; Bull. EC 1/2-1992, point 1.3.52

Parliament opinion (first reading): OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.43

Amended Commission proposal: OJ C 25, 28.1.1993; COM(92) 526; Bull. EC 12-1992, point 1.3.48

Council agreement on a common position: Bull. EC 4-1993, point 1.2.24

Council common position: Bull. EC 5-1993, point 1.2.21

Parliament opinion (second reading): OJ C 255, 20.9.1993; Bull. EC 7/8-1993, point 1.2.23

Re-examined proposal adopted by the Commission on 13 September.

COM(93) 426

Adopted by the Council on 27 September. This Directive supplements Directive 89/552/EEC on 'television without frontiers' by laying down Community provisions relating to copyright and related rights in the fields of satellite broadcasting and cable retransmission. These provisions are limited to the harmonization necessary for cross-border activities to be carried out.

The Directive provides for satellite broadcasting to be subject to the authorization of the rightholder and stipulates that such authorization must be obtained in the country of origin of the broadcast. It also harmonizes the level of protection for authors, artists, performers, producers of phonograms and broadcasting organizations in the Community.

As regards cable retransmission, the Directive provides for rights to be negotiated solely through collecting societies representing the various categories of rightholders.

Derogations from these provisions are to be permitted for a transitional period.

OJ L 248, 6.10.1993

1.2.21. Council Decision 93/520/EEC amending Decision 93/16/EEC on the extension of the legal protection of topographies of semiconductor products to persons from the United States of America and certain territories.

Decision amended: Council Decision 93/16/EEC: OJ L 11, 19.1.1993; Bull. EC 12-1992, point 1.3.49

Commission proposal: COM(93) 300; Bull. EC 6-1993, point 1.2.34

Adopted by the Council on 27 September. This Decision grants the Netherlands Antilles and Aruba provisional protection for the topographies of semiconductor products.

OJ L 246, 2.10.1993

Economic and monetary policy

Growth initiative

References:

Conclusions of the Edinburgh European Council: Bull. EC 12-1992, point 1.30

Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point I.4

1.2.22. Council conclusions on the follow-up to the Copenhagen European Council.

Adopted on 13 September.

'1. Aware of the need to strengthen Community initiatives to support economic activity, the Copenhagen European Council increased the amount of the EIB's temporary lending facility ("Edinburgh facility") from ECU 5 to 8 billion, including 1 billion earmarked for SMEs. The Council welcomed the fact that the facility was continuing to be implemented at a steady rate.

2. The Council acknowledged the desirability of stimulating SME investment. However, it took the view that that objective should be attained by means of a simple, non-discriminatory mechanism that could be implemented rapidly. The possibility was mooted of recourse to a Community initiative programme (CIP), and the Council noted the Commission's intention to examine the viability of such a solution as a matter of urgency.

3. The Council will in due course examine whether consideration should be given to a subsequent increase in the Edinburgh facility in favour of SMEs.

4. The Economic and Financial Affairs Council called upon Member States to take the necessary steps to expedite ratification of the act establishing the European Investment Fund which the Edinburgh European Council agreed to set up. The Council expressed its keen wish that the Fund be operational by the beginning of 1994 at the latest.'

Economic and monetary union

Implementation of the second stage of economic and monetary union

1.2.23. Communication on the secondary legislation for the second stage of economic and monetary union, accompanied by four draft proposals, including:

a draft proposal for a Council Decision on the consultation of the European Monetary Institute by the authorities of the Member States on draft legislative provisions;

a draft proposal for a Council Regulation amending Regulation (EEC, Euratom, ECSC) No 260/68 laying down the conditions and procedure for applying the tax for the benefit of the European Communities;

a draft proposal for a Council Regulation amending Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply.

Reference: Communication on the secondary legislation for the second stage of economic and monetary union, accompanied by four draft proposals: COM(93) 371; Bull. EC 7/8-1993, point 1.2.28

Regulations to be amended:

Council Regulation (EEC, Euratom, ECSC) No 260/68 laying down the conditions and procedure for applying the tax for the benefit of the European Communities: OJ L 56, 4.3.1968

Council Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply: OJ L 74, 27.3.1969

Adopted by the Commission on 22 September. These instruments will set in train informally the necessary discussions with the Community bodies involved so that the formal procedures can be initiated immediately after the entry into force of the Treaty on European Union.

The proposal for a Council Decision sets out the limits within which and the conditions under which the Member States are to consult the European Monetary Institute on any draft legislative provision.

The first draft proposal will make Regulation (EEC, Euratom, ECSC) No 260/68 applicable to the President of the EMI, to the members of its staff and to the recipients of the pensions the Institute pays.

The second draft proposal will extend the privileges and immunities provided for in Article 12, the second paragraph of Article 13 and Article 14 of the Protocol to the staff of the

EMI and to persons receiving disability, retirement or survivor's pensions paid by the Institute.

COM(93) 436

European Monetary System

1.2.24. Parliament resolution on the monetary crisis.

Adopted on 16 September. Parliament, alarmed by the ineffectiveness of the procedures for coordinating economic policies in the context of economic and monetary union (EMU) and by the recession affecting the economies of the Member States, and concerned both by the steep rise in unemployment and by the political crisis threatening the continued existence of the Community, calls upon the Council and the Commission to maintain and continue to support strongly all steps towards economic and monetary union. It analyses the recent monetary crisis, for which it considers that there is no satisfactory economic and monetary explanation, and expresses its concern at the impact this may have on economic cohesion in Europe and the smooth functioning of the internal market. The remedies it proposes include the creation of a European social pact for employment, measures to reduce the impact of waves of speculation on exchange-rate stability, to increase the transparency of the financial markets and to enable central banks to defend more effectively exchange-rate levels consistent with the overall economic situation, and above all the introduction of the common European currency. Parliament calls on the Commission and the Council to propose and implement measures with a view to achieving monetary stability in line with the provisions of the Treaty on European Union and to strengthen the Community institutions through the establishment of the European Monetary Institute. It calls on the European Council to reaffirm clearly its strong commitment to attaining full economic and monetary union and to instruct the Council and the Commission to present proposals aimed at restoring monetary order and stability within the European Monetary System.

OJ C 268, 4.10.1993

Medium-term financial assistance for balances of payments

Reference: Council Regulation (EEC) No 1969/88 establishing a single facility providing medium-term financial assistance for Member States' balances of payments: OJ L 178, 8.7.1988; Bull. EC 6-1988, point 2.1.6.

Medium-term financial assistance to Italy

1.2.25. Council conclusions on the payment of the second tranche of the loan.

Reference: Council Decision 93/67/EEC concerning a Community loan in favour of the Italian Republic; OJ L 22, 30.1.1993; Bull. EC 1/2-1993, point 1.2.43

Adopted on 13 September. Recognizing the progress made in implementing the Italian Government's programme and considering that the conditions for releasing the second tranche of ECU 2 billion had been met, the Council agreed to transfer the second tranche of the loan to Italy.

The Community and the international monetary system

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

Meeting held in Washington on 25 September. In the presence of Mr Maystadt, President of the Council, and Mr Christophersen, Vice-President of the Commission, the Committee stressed the need, in the face of the weak growth performance and high unemployment in industrial countries, to continue action to promote a robust economic recovery and a sustained expansion. It noted that continued progress toward price stability and fiscal deficit reduction would provide scope for further interest-rate reductions. It reaffirmed that completion of the Uruguay Round negotiations was crucial and expressed its concern about the plight of many of the poorest developing countries, especially in Africa, stressing the importance of creating an instru-

ment to replace the enhanced structural adjustment facility. It encouraged the independent States of the former Soviet Union to tackle their budget deficits, pursue strong adjustment and reform programmes, and develop effective financial cooperation within the area, so as to mobilize the financial assistance of the international community.

Statistical area

General

Statistical classification

1.2.27. Proposal for a Council Regulation on the statistical classification of products by activity in the European Economic Community.

Commission proposal: OJ C 12, 18.1.1993; COM(92) 325; Bull. EC 7/8-1992, point 1.3.4

Economic and Social Committee opinion: OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.6

Parliament opinion (first reading): OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.30

Council common position: Bull. EC 6-1993, point 1.2.41

Amended proposal adopted by the Commission on 7 September.

OJ C 271, 7.10.1993; COM(93) 302

Results

Community trade with the countries of Central and Eastern Europe (Bulgaria, Hungary, Poland, Romania and Czechoslovakia) in 1992

1.2.28. In 1992 the Community's trade surplus with the countries of Central and Eastern Europe (the CEECs) went up to ECU 2.5 billion from ECU 1.4 billion in 1991. Com-

munity imports from this group of countries rose by 17.3% to ECU 18.9 billion, while its exports to the CEECs rose by 22.2% to ECU 21.4 billion, reflecting very lively trade between the two groups of countries. The EC's cover ratio (exports over imports) was 113. Germany, with 57.4% of all EC imports and 54% of all EC exports, was the leading Community partner of the CEECs by a wide margin. Poland was the Community's main CEEC partner, accounting for 37.5% of imports from and 38% of exports to those countries. Trade with Czechoslovakia showed the steepest rise, however: EC exports to that country rose by 64.1% between 1991 and 1992. Trade was largely concentrated in manufactured products, which accounted for 75.2% of EC imports from and 82.8% of EC exports to the CEECs. The main EC imports from these countries in 1992 were clothing and accessories, iron and steel and road vehicles; the main exports from the EC to the CEECs were road vehicles, textile yarn and fabrics and industrial machinery.

Community imports from the CEECs

EC imports from the CEECs were up by 17.3% in 1992 to ECU 18.9 billion. Nearly 80% of all EC imports from the CEECs in 1992 went to three Member States — Germany, France and Italy. German imports from this group of countries increased by 22% to ECU 10.8 billion, representing 57.4% of all EC imports from the CEECs in 1992. Italy showed the biggest rise in imports from the CEECs in 1992, at 23.6%.

Community imports from Poland were up by 13.9% to ECU 7.1 billion in 1992, representing 37.5% of all imports from the CEECs. EC imports from Czechoslovakia rose by 36.3% to ECU 5.5 billion (29.3% of all EC imports from this group of countries). EC imports from Hungary and Bulgaria were up by 10.0% and 19.4% respectively, while those from Romania fell by 4.4% between 1991 and 1992.

EC imports of manufactured products (Standard International Trade Classification: SITC 5-8) from the CEECs were up by 26.6% in 1992 to ECU 14.2 billion, accounting for 75.2% of all EC imports from these countries. Miscel-

laneous goods (SITC 8) and machinery and transport equipment (SITC 7) showed the largest increases. EC imports of raw materials other than fuels (SITC 2+4) rose by 16.2% to ECU 1.5 billion. Imports of food, beverages and tobacco (SITC 0+1) fell by 8.0% to ECU 2 billion in 1992.

Imports from the CEECs accounted for 3.9% of all extra-Community imports in 1992.

Community exports to the CEECs

EC exports to the CEECs went up 22.2% in 1992 to ECU 21.4 billion. Germany's exports to the CEECs (over 54% of all EC exports to those countries) were up 20.8% at ECU 11.6 billion. The two Member States with the biggest increases in exports to the CEECs in 1992, however, were the United Kingdom (+ 47.4%) and Italy (+ 40.6%). Danish and Irish exports to the CEECs were down by 18.3% and 1.5% respectively.

Poland and Czechoslovakia accounted for 38% and 29.2% respectively of all EC exports to the CEECs in 1992. EC exports to Poland went up by 3.5% to ECU 8.1 billion and those to Czechoslovakia by 64.1% to ECU 6.3 billion between 1991 and 1992. EC exports to Romania, Hungary and Bulgaria rose by 39.4%, 16.5% and 7.6% respectively.

EC exports of manufactured products (SITC 5-8) to the CEECs increased by 25% to ECU 17.7 billion in 1992, accounting for 82.8% of all EC exports to those countries. EC exports of raw materials other than fuels (SITC 2+4) went up by 15.5% to ECU 0.6 billion and those of food, beverages and tobacco (SITC 0+1) by 6.6% to ECU 1.7 billion between 1991 and 1992.

Exports to the CEECs accounted for 4.9% of all extra-Community exports in 1992.

Community trade balance and trade by product

The EC's trade balance with the CEECs showed a surplus of ECU 2.5 billion in 1992 compared with ECU 1.4 billion in 1991. The Member States showing the largest surpluses

with the CEECs were Germany (ECU 0.8 billion), France (ECU 0.7 billion) and the Netherlands (ECU 0.4 billion), while Spain (ECU 0.1 billion) and Greece (ECU 0.03 billion) recorded the highest deficits.

In 1992 the Community showed trade surpluses of ECU 0.7, 0.5 and 0.2 billion with Czechoslovakia, Romania and Bulgaria respectively. EC trade with Hungary was fairly balanced in this period, with a surplus of some ECU 0.07 billion.

EC trade with the CEECs by SITC category showed an EC surplus of ECU 3.5 billion for manufactured products (SITC 5-8). The Community had deficits of around ECU 0.8 and 0.3 billion in raw materials other than fuels (SITC 2+4) and food, beverages and tobacco (SITC 0+1) respectively. Seven product groups accounted for 41% of all EC imports from the CEECs in 1992, the main three being clothing (SITC 84), iron and steel (SITC 67) and road vehicles (SITC 78). Seven SITC product divisions accounted for 45% of all EC exports to the CEECs in 1992, the leaders being road vehicles (SITC 78), textile yarn and fabrics (SITC 65) and industrial machinery (SITC 74).

Information

Publications

1.2.29. New publications available from sales offices:

- Sigma, the bulletin of European statistics* (bi-monthly): Issue No 4/1993 deals with economic and monetary union;
- Rapid reports (economy and finance)*: Comparison in real terms of gross domestic product for the Community countries, Austria, Switzerland and Sweden, 1991;
- Rapid reports (economy and finance)*: Taxes and social contributions in the European Community, 1991;
- Agricultural income 1992*;
- Communications services: Annual statistics 1980-91*.

Competition

Application of the competition rules to businesses: specific cases

Dominant positions

Decision rejecting a complaint

Tiercé Ladbroke/PMU Belge

1.2.30. *Adopted on 3 September.* The Commission decision rejects a complaint made by Ladbroke against PMU Belge.

In 1992 Tiercé Ladbroke, the Belgian subsidiary of the leading British bookmaker, lodged a complaint with the Commission against PMU Belge. PMU Belge comprises Pari Mutuel Unifié Belge Asbl and Société Coopérative Auxiliaire PMU Belge, to which the Belgian racecourse operators, the 'sociétés de courses', entrust the taking of off-course totalizator bets on the races they organize. Tiercé Ladbroke charged that PMU Belge, which had accredited Tiercé Ladbroke as its agent for the taking of totalizator bets on Belgian horseraces from 1982 to 1988, had refused to renew its accreditation. In the meantime, in December 1991, PMU Belge and four chairmen or members of Belgian 'sociétés de courses' had taken control of one of Tiercé Ladbroke's competitors, Tiercé Franco-Belge, which was accredited by PMU Belge as its agent for the taking of this type of bet. Tiercé Ladbroke claimed that PMU Belge had, as a result, excluded it from the market for the taking of bets on Belgian races, which meant that, under Belgian law, it could take bets only on foreign races. It concluded that PMU Belge, which, in its view, had a monopoly for the taking of off-course bets on Belgian races, was abusing its dominant position in breach of Article 86 of the EEC Treaty.

In the decision the Commission takes the view that, if any such monopoly existed, it in any event came to an end when the Brussels Court

of Appeal, in a judgment delivered on 11 May 1993, accepted that the Ostend racecourse was entitled to entrust the taking of bets on its races to an agent other than PMU Belge. The Ostend racecourse immediately availed itself of this right for the 1993 summer season and entrusted the taking of bets on its races to Tiercé Ladbroke. The Commission also concludes that PMU Belge (and its subsidiary Tiercé Franco-Belge) is not in a dominant position on the relevant market, which is the market for the taking of bets in Belgium on horseraces, irrespective of where they are run and the type of betting involved. It is in fact Tiercé Ladbroke which has the largest share of that market.

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, 21.11.1990); Bull. EC 12-1989, point 2.1.78; Supplement 2/90 — Bull. EC

Pilkington/SIV

1.2.31. *Adopted on 2 September.* The transaction would lead to a high level of concentration in various markets for flat glass, including the motor industry; the decision initiates the second stage of proceedings under the Merger Control Regulation so that an in-depth investigation can show whether a position of oligopolistic dominance would be the result.

Rhône-Poulenc/SNIA

1.2.32. *Adopted on 8 September.* The decision authorizes the setting-up of a joint venture making polyamide textile yarn. The joint venture's share of the market in the European Economic Area will be fairly high at 42%, but the presence of strong competitors means that it will not hold an individual dominant position. Given the structural characteristics of the market (significant overcapacity, product

diversity, price-sensitive demand, and the absence of long-term special links between supplier and customers), the Commission takes the view that it is not likely that the transaction will create or strengthen a dominant position either.

British Telecom/MCI

1.2.33. *Adopted on 13 September.* The decision finds that agreements forming part of a strategic alliance between British Telecom (BT) and MCI do not fall within the scope of the Merger Control Regulation. The agreements, notified as one operation, comprise three transactions:

- the creation of a joint venture, Newco, for the provision of enhanced, value-added telecoms services to multinational businesses throughout the world;
- the acquisition by BT of a 20% stake in MCI;
- the acquisition by MCI of BT North America, a BT subsidiary.

The Commission concludes that Newco is a cooperative joint venture, that the 20% stake in MCI will not enable BT to exercise total or joint control over it and that BT North America's turnover does not reach the thresholds laid down in the Regulation. The case has therefore to be considered under Article 85 of the EEC Treaty.

Alcatel/STC

1.2.34. *Adopted on 13 September.* The decision finds that the acquisition of STC by Alcatel has no Community dimension and consequently falls outside the scope of the Merger Control Regulation. Alcatel Cable SA, a subsidiary of the Alcatel Alsthom group, notified an agreement for the acquisition of STC Ltd, a subsidiary of Northern Telecom which manufactures submarine telecommunications systems. The Commission finds that STC's turnover in the Community is below the ECU 250 million threshold.

Nestlé/Italgel

1.2.35. *Adopted on 15 September.* The Commission authorizes the acquisition by Nestlé of a majority holding in Finanziaria Italgel. The main products involved are ice-cream, frozen foods, traditional cakes and pastry, chocolate and confectionery. Italgel is active mainly in Italy, with a smaller ice-cream operation in Portugal. Nestlé does no business on the Italian ice-cream and frozen foods market, and overlapping in other lines is minimal.

Mannesmann/Vallourec/Ilva

1.2.36. *Adopted on 20 September.* The decision initiates the second stage in the examination of a plan to set up a joint venture between three European steel groups, Mannesmann of Germany, Ilva of Italy and Vallourec of France; the new company is to make seamless stainless steel tubes. The transaction will reduce the number of competitors on the European market in seamless tubes from seven to five. In terms of both market share and capacity, the new company will be very close to the market leader, Sandvik of Sweden.

At this stage the Commission's main concern is that, in tandem with Sandvik, the new unit might achieve a position of duopolistic dominance.

Arvin/Sogefi

1.2.37. *Adopted on 23 September.* The decision authorizes Arvin Industries Inc. and Sogefi SpA to set up a joint venture to which they are to transfer their interests in car exhaust systems. These exhaust systems are sold by independent repair shops on the replacement market, where competition is intense. The transaction would neither create nor strengthen a dominant position on this market.

Thyssen/Balzers

1.2.38. *Adopted on 30 September.* The decision authorizes Thyssen Stahl and Balzers, which belongs to the Swiss Oerlikon-Bührle

group, to set up a joint venture to which they are to transfer their German interests in the hardening and coating of steel tools. The effects of the transaction will be confined to Germany, where the new company will have a market share of less than 10%. The transaction was caught by the Merger Control Regulation only because of the turnover of the two parent companies.

Application of the competition rules to government intervention

State aid

Decisions to raise no objection

Steel

Germany

1.2.39. Commission decision on investment aid to Stahlwerk Thüringen GmbH, Saalfeld, Thuringia.

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

Adopted on 29 September. Stahlwerk Thüringen, which belongs to the ARBED group and manufactures heavy sections, is to invest ECU 140 million in order to modernize its rolling mill and to build an electric steel mill to replace its obsolete mill which closed in 1992. It is to receive regional aid totalling ECU 40 million and a loan guarantee. The aid is in line with the requirements of Article 5 of the Steel Aid Code, given the overall reduction in hot-rolling capacity in the new *Länder*.

Chemicals

Germany

1.2.40. Commission decision on fresh aid for Buna, Halle-Merseburg, Saxony-Anhalt.

Reference: Previous decision: Bull. EC 6-1993, point 1.2.62

Adopted on 3 September. In addition to the aid authorized in June, Buna is to receive an interest-free loan of ECU 110 million to finance environmental measures, plant closures, redundancies and other privatization costs.

Other industries

Germany

1.2.41. Commission decisions on loan guarantees given to Nino Textil AG, Nordhorn, Lower Saxony, and Aluminium Giesserei Villingen, Villingen, Baden-Württemberg.

Reference: Proceedings initiated: point 1.2.47 of this Bulletin

Adopted on 29 September. On 1 September the Commission initiated examination proceedings under Article 93(2) of the EEC Treaty against restructuring aid which Lower Saxony proposed to grant to Nino Textil and Baden-Württemberg proposed to grant to Aluminium Giesserei Villingen. Pending the outcome of this examination, the authorities of the two *Länder* are providing the firms with loan guarantees in order to keep them in operation. The guarantees meet the requirements for rescue aid which the Commission set out in its Eighth Competition Report (1978).

Small businesses

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

Germany

1.2.42. Commission decision on a scheme of assistance for investment in new or existing SMEs in the former German Democratic Republic.

Adopted on 19 September. New and existing SMEs in the former German Democratic Republic generally suffer from a lack of capital, and the equity loan scheme ('Eigenkapitalhilfe') is accordingly to be extended to cover 1994 and 1995, with an annual budget of about ECU 1 billion. The intensity of the aid and the terms on which it is offered satisfy the

requirements for the areas concerned laid down in the guidelines on State aid to SMEs.

Belgium

1.2.43. Commission decision on a Flemish scheme to assist SMEs.

Adopted on 14 September. The programme is a regional one, intended mainly to promote general investment projects for the expansion of SMEs, the improvement of environmental protection and energy saving, and advisory services. A budget of ECU 41 million per year is to be provided.

Environment

Belgium

1.2.44. Commission decision on aid towards investment by Phenolchemie GmbH at Doel, East Flanders.

Adopted on 29 September. A grant of ECU 2.63 million is to be paid towards the construction of a combined heat and power plant for the company.

Research and development

United Kingdom

1.2.45. Commission decision on a scheme to encourage energy efficiency.

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

Adopted on 22 September. The decision approves the budgets for the scheme, the 'Energy efficiency best practice programme', for the years 1989 to 1994.

Regional aid

Italy

1.2.46. Commission decision on fresh financing for measures to encourage conversion in the mining industry.

Reference: Previous decisions: Bull. EC 5-1992, point 1.1.49; Bull. EC 12-1992, point 1.3.99

Adopted on 14 September. A further ECU 28 million is to be allocated to the scheme set up to encourage alternative activities in mining areas in the Mezzogiorno. The level of aid satisfies the requirements of the decision on the general aid scheme for the Mezzogiorno, which the Commission adopted in December 1992.

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

Germany

1.2.47. Commission decisions on restructuring aid to Nino Textil AG, Nordhorn, Lower Saxony, and Aluminium Giesserei Villingen GmbH, Villingen, Baden-Württemberg.

Adopted on 1 and 2 September. The decisions initiate proceedings because, in view of the sensitive situation in the industries concerned, the Commission is not satisfied that the aid — in the form of loan guarantees — can be authorized.

Italy

1.2.48. Commission decision on new financial measures to assist CMF Sud SpA.

Reference: Previous decisions: Bull. EC 3-1992, point 1.2.51; Bull. EC 9-1992, point 1.2.51

Adopted on 22 September. Examination proceedings were initiated in March 1992 and extended to other measures in September 1992; the present decision concerns financial measures accompanying the liquidation of CMF Sud SpA and its conversion into a new company, CMF SpA, at a nominal price.

Decision on an application for exemption from Community policy on State aid to the steel industry (Article 95 of the ECSC Treaty)

Spain

1.2.49. Commission decision on proposed aid to Corporación de la Siderúrgica Integral (CSI).

Adopted on 29 September. The Commission asks the Council to approve the granting of aid worth ECU 2 817 million to the steel company CSI. It takes the view that the restructuring plan, which has been amended in the course of discussions with the Spanish authorities, is a sufficient quid pro quo for the aid proposed.

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

Italy

1.2.50. Commission decision on the honouring of the debts of the public holding corporation EFIM.

Reference: Previous decision: Bull. EC 7/8-1993, point 1.2.74

Adopted on 8 September. The Commission approves the terms of the draft agreement concluded with the Italian Government in July, under which the indebtedness of Italian publicly owned companies is to be reduced, and authorizes payment of the second half of EFIM's debts.

OJ C 267, 2.10.1993

1.2.51. Commission decision on aid for the development of Valtellina, Lombardy.

Adopted on 22 September. The programme aims to stimulate development in the Valtellina region, which is still suffering the effects of flooding in 1987. The Italian authorities have undertaken to limit aid to the ceiling specified in the Community guidelines on State aid for SMEs.

Negative final decisions under Article 93(2) of the EEC Treaty

France

1.2.52. Commission decision on aid to PMU.

Adopted on 22 September. The Commission concludes that three measures benefiting Pari Mutuel Urbain (PMU) constitute State aid. These include exemption from the one-month delay rule for VAT payments and exemption

from the employer's contribution to building and construction work. But the Commission considers that only this latter exemption, which continued to be granted after 1 January 1989 when PMU began to operate internationally, is incompatible with the common market. The Commission accordingly requires that aid of ECU 2.3 million be repaid.

Industrial policy

Sectoral strategies

Steel

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

1.2.53. Commission communication to the Council and the ECSC Consultative Committee on financial arrangements for the restructuring of the steel industry.

Adopted by the Commission on 8 September. Having due regard to the Council conclusions on restructuring of the steel industry, the Commission presents here in broad terms the conditions under which it intends to authorize financial arrangements that will help to shed production capacity with a view to achieving a lasting reorganization of the Community industry. These financial arrangements form part of the plan for restructuring the steel industry, along with various other measures, such as adjustment of the production system to demand, additional Community support in the social field, aid coupled with capacity reductions in certain Member States and limitation of steel imports from non-member countries.

Agreements on the financial arrangements were notified to the Commission by three groups of firms in the hot-rolled wide strip, heavy plate and heavy sections subsectors. Two types of producer are involved: companies that

are closing down all or part of their production capacity and will receive compensation and companies that are not opting for closure but will contribute to the reimbursement of any advance finance from the ECSC.

The Commission intends to authorize the proposed financial arrangements, after consulting the Council and the ECSC Consultative Committee, subject to the following conditions:

- the financial arrangements must simply reflect agreements on capacity reductions and their funding;
- the restructuring plans, the individual closures and their financial plans will have to be notified to it for appraisal;
- it will have to check the conformity of plant closures;
- it will have to be given access to any information necessary for checking the operation of the agreements.

Endorsed by the ECSC Consultative Committee on 17 September, albeit with reservations concerning the arrangements for carrying out checks, the overall balance of the financing system and the planned timetable. The Committee regrets that the Commission communication does not take account of the social repercussions of the restructuring and notes that the planned capacity reductions will not enable the overall target to be achieved.

1.2.54. Parliament resolution on the steel industry.

References:

Parliament resolution on the situation in the European steel industry: OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.64

Parliament resolution on the European steel industry: OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.51

Adopted on 16 September. Parliament stresses the urgent need for Community action in the social sphere and a plan for the conversion of production which gives priority to the re-employment of steelworkers who lose their jobs, with the aid of existing resources available under the ECSC Treaty and the Structural Funds.

It calls for help for the introduction of technological innovation in order to achieve ever-higher quality standards and for the creation, as a matter of urgency, of a Community regional development initiative for steel-producing areas.

Lastly, it stresses that ECSC loans and Community aid to the countries of Central and Eastern Europe should not contribute to an increase in capacity that will eventually supply the Community market.

OJ C 268, 4.10.1993

1.2.55. Council conclusions on restructuring of the European steel industry.

References:

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

Commission communication to the Council on financial arrangements for the restructuring of the steel industry: point 1.2.53 of this Bulletin

Adopted on 21 September.

‘The Council

after a detailed discussion on the problems arising from the restructuring of the Community steel industry, noted that considerable progress had been made since its meeting on 4 May 1993 thanks to the joint efforts of the Commission, the governments concerned and the industry;

noted that a number of important questions had yet to be faced;

confirmed the Commission’s and the Council’s obligation to apply the Aid Code, in particular with a view to eliminating subsidies for operating costs and ensuring a rapid reduction in production capacities;

reiterated its determination to see the process of reorganization of the Community steel industry completed as soon as possible so as to achieve sufficient reductions in production capacity to ensure the lasting competitiveness of the industry, subject to the accompanying measures proposed by the Commission;

accordingly invited the Commission to convene the high-level working party comprising the general managers of the industry to examine all cases of State aid in accordance with the habitual criteria;

□ considered that the guidelines concerning the cases of State aid which were set out in the Commission working document offered a working basis and reiterated its awareness that very urgent decisions had to be taken in these cases under the Belgian Presidency;

□ noted that the projects for restructuring the Sidenor and Freital undertakings, as proposed by the Commission, subject to a number of legal and technical provisions (in particular regarding effective reductions in production capacities) to be drawn up by the Permanent Representatives Committee, are ripe for a decision at a forthcoming Council meeting;

□ noted that the accompanying measures introduced in advance in accordance with the Council's conclusions of 25 February 1993 should be maintained in force, at least until the date of the next meeting of the Industry Council, and asked the Commission, in accordance with those conclusions, to remain especially vigilant with regard to imports from certain third countries in order to ensure that such imports do not jeopardize the reorganization of the Community steel industry;

□ asked the undertakings concerned to submit without further delay a programme of concrete, precise and sufficiently extensive measures for definitive and rapid reductions of capacity;

□ stated that it had been consulted in accordance with Article 53(a) of the ECSC Treaty on the Commission proposal for authorizing, on the terms proposed in its communication, three draft agreements establishing voluntary financial mechanisms for the restructuring of the hot-rolled wide strip, heavy plate and heavy sections sectors, and noted the Commission's intention of providing advance finance through a lending mechanism under Article 54(1) of the ECSC Treaty;

□ invited the Commission to report back to it at its next meeting on the financial impact of the voluntary mechanisms on the ECSC's operational budget, the level of ECSC reserves and the financial future of the ECSC.'

1.2.56. Commission communication concerning guidelines relating to production and deliveries of steel products for the fourth quarter of 1993.

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

Adopted on 29 September. The guidelines laid down by the Commission are part of the system of quarterly guidelines for stabilizing the market. The Commission observes that, except in the UK, the economic situation in general does not show any signs of improving. All of the activity indicators continue to point to a downward trend and all of the steel-consuming sectors are directly affected by this situation. Furthermore, the export prospects which China has been offering for nearly a year seem to be diminishing and the new opportunities for deliveries to the United States will not be able to make up for this shortfall.

As far as flat products are concerned, all steel-consuming sectors are experiencing a marked slowdown in their activity. For long products, the situation is more varied according to the products concerned. In general, all long products are badly affected as a result of the cyclical problems affecting the construction industry and civil engineering.

Enterprise policy

Policy to assist SMEs

1.2.57. Commission communication to the Council on SMEs and Community activity in research and technological development.

References:

Specific R&TD programme in the field of industrial manufacturing technologies and advanced materials applications (BRITE-EURAM): OJ L 98, 11.4.1989; Bull. EC 3-1989, point 2.1.39

Council Decision 89/286/EEC concerning the implementation of the main phase of the strategic programme for innovation and technology transfer (Sprint): OJ L 112, 25.4.1989; Bull. EC 4-1989, point 2.1.69

Council Decision 89/412/EEC on a specific programme for the dissemination and utilization of results from research (VALUE): OJ L 200, 13.7.1989; Bull. EC 6-1989, point 2.1.69

Conclusions of the Lisbon European Council: Bull. EC 6-1992, point I.5

Proposals for Council Decisions concerning the fourth framework programme of Community activities in the field of research, technological development and demonstration (1994-98) and a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98): OJ C 230, 26.8.1993; COM(93) 276; Bull. EC 6-1993, point 1.2.86

Adopted by the Commission on 30 September. A number of specific measures such as the CRAFT programme, the feasibility awards under the BRITE-EURAM programme and the VALUE SME technology exchange awards have already been introduced at Community level to cater for the need for cooperation and technological progress within SMEs which have to improve their competitiveness to meet the challenge of technological change. In its communication, the Commission surveys all these specific measures and reviews participation of SMEs in all the Community research and technological development (R&TD) programmes. Despite the progress made in recent years, the evaluation stresses that SMEs are still inadequately represented in Community R&TD programmes in relation to their capacity for innovation and their potential for investment in cross-border technological cooperation. In response to the request from the Lisbon European Council, the Commission identifies various measures designed:

- to attract the most efficient technological SMEs to the leadership of Community research projects or research partnership with other operators;
- to attract an increasing number of SMEs developing and using new technologies to technological partnership with growth enterprises, research centres or technology centres, whether or not within the framework of Community support;
- to make the results of Community research available to a greater number of SMEs in their capacity as users;
- to increase the dissemination of new technologies and their use by all SMEs in order to accelerate their modernization.

To achieve this, SMEs should be eligible for the fourth framework programme in the field of R&TD, which will give them easier access

to the specific programmes such as BRITE-EURAM, VALUE and Sprint, and to the results of research activities and technology transfer by consolidating information networks on Community research. It is also planned to simplify tendering and project management procedures.

COM(93) 356

Research and technology

Framework programme 1990-94

Industrial and materials technologies

1.2.58. Proposal for a Council resolution on the future of testing reactors in the Community.

Adopted by the Commission on 1 September. Noting the urgent need for greater coordination with regard to the use of testing reactors, the Commission proposes that the Council adopt a resolution calling for the implementation of possible solutions in this area, in particular as regards the production of isotopes for medical use in the Community.

COM(93) 408

Framework programme 1994-98

1.2.59. Commission communication to the Council on SMEs and Community research and technological development activities (→ point 1.2.57).

Accompanying, promotion and support (APAS) measures and other activities

Technical steel research

1.2.60. Draft Commission decision granting financial aid to five steel technical research

projects and a steel pilot and demonstration project.

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

Adopted by the Commission on 3 September.
Purpose: to grant a total of ECU 3 528 413 to these projects.

1.2.61. Draft Commission decision granting financial aid to 20 research projects under the sixth ergonomics programme.

Reference: Commission memorandum on a sixth ergonomics research programme for the ECSC industries: Bull. EC 12-1990, point 1.3.119

Adopted by the Commission on 10 September.
Purpose: to grant a total of ECU 3 139 000 to these projects.

1.2.62. Draft Commission decision granting financial aid to research projects concerning the control of pollution at the workplace and in the environment of steelworks.

Commission draft: Bull. EC 6-1993, point 1.2.89
ECSC Consultative Committee opinion: Bull. EC 7/8-1993, point 1.2.84

Assent given by the Council on 13 September.

International cooperation

1.2.63. Draft Scientific and Technical Cooperation Agreement between the European Economic Community and Australia.

Negotiating directives: Bull. EC 5-1992, point 1.1.64

Commission proposal concerning conclusion: OJ C 181, 3.7.1993; COM(93) 269; Bull. EC 6-1993, point 1.2.93

Endorsed by the Economic and Social Committee on 22 September. However, the Committee would like the scope of the Agreement to be extended to include agricultural, food and mining research.

Education, vocational training and youth

Cooperation in the field of education

1.2.64. Green Paper on the European dimension of education.

Adopted by the Commission on 29 September.
With the Treaty on European Union establishing new competences for the Community in the field of education, the Commission's Green Paper is intended to stimulate discussion on the possible future direction of action at Community level in this field. It establishes a possible framework, complementary to measures taken by the Member States; this would not affect the content and organization of teaching, which remain matters for the Member States, but would seek to promote the emergence of a sense of European citizenship based on the shared values of interdependence, democracy and equality of opportunity. It would also offer opportunities for enhancing the quality of education so as to promote social and occupational integration for young people.

To this end, the Commission advocates action centred on schools and concentrating on:

- cooperation between educational establishments by way of mobility and exchanges;
- making teachers and other educational staff aware of the European dimension of education, with special reference to training;
- the development of language teaching;
- making better use of the opportunities offered by distance learning and multimedia systems;
- the promotion and dissemination of innovation in teaching;
- improved exchange of information and experience on teaching methods and educational systems;
- making use of the experience of the European Schools.

The various measures should draw on the experience acquired with current Community programmes in the field of education.

COM(93) 457

1.2.65. Commission report on the Comett programme for 1992.

Reference: Council Decision 89/27/EEC adopting the second phase of the programme on cooperation between universities and industry regarding training in the field of technology (Comett II) (1990-94): OJ L 13, 17.1.1989; Bull. EC 12-1988, point 2.1.159

Adopted by the Commission on 1 September. In its report, the Commission points out that the projects accepted in 1992 involved more than 5 000 European enterprises, some 1 700 higher education establishments and about 2 000 other organizations. This represents a 60% increase in the number of firms involved in Comett II compared with 1991, with a major increase in participation from the EFTA countries too. Comett has an essential role to play in the transfer of new technologies between universities and enterprises thanks to its extensive network of training consortia, thus making an important contribution to a number of Community objectives such as adaptation to industrial change, regional development and more innovation in SMEs.

COM(93) 409

wide telecommunications infrastructure for 1993 and beyond: OJ C 158, 25.6.1992; Bull. EC 6-1992, point 1.3.69

Adopted by the Commission on 1 September. The Commission proposes a framework for Community action to develop as a trans-European network the ISDN, a general multi-purpose network which already exists in six Member States and which is intended to supply a large variety of voice, data and image transmission services via a single network access.

The proposed framework consists of a series of guidelines (master plan) covering the objectives, priorities, broad lines of action and projects of common interest for the development of ISDN. It also provides for multiannual action concerning the implementation of projects of common interest and measures in support of the interoperability of services.

The Commission also proposes to begin exploratory discussions with non-Community countries, in particular the EFTA countries, to assess to what extent projects of common interest can be extended to include those countries.

OJ C 259, 23.9.1993; COM(93) 347

Trans-European networks

Data-communications and telecommunications networks

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

Reference: Council resolution on the development of ISDN in the Community as a Europe-

Energy

Community energy strategy

Promotion of energy efficiency

1.2.67. Council Directive 93/76/EEC to limit carbon dioxide emissions by improving energy efficiency (SAVE).

Commission proposal: OJ C 179, 16.7.1992; COM(92) 182; Bull. EC 5-1992, point 1.1.79

Economic and Social Committee opinion: OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.109

Parliament opinion: OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.69

Council agreement: Bull. EC 6-1993, point 1.2.103

Amended Commission proposal: OJ C 204, 28.7.1993; COM(93) 279; Bull. EC 7/8-1993, point 1.2.95

Formally adopted by the Council on 13 September.

OJ L 237, 22.9.1993

Individual sectors

Solid fuels

1.2.68. Commission report on the market for solid fuels in the Community in 1992 and the outlook for 1993.

Commission first reading: Bull. EC 3-1993, point 1.2.63

ECSC Consultative Committee opinion: Bull. EC 4-1993, point 1.2.75

Revised report adopted by the Commission on 23 September. In this revised version of its report, the Commission updates the information contained in its March 1993 report. The revised forecasts indicate that in 1993 the market for solid fuels is likely to contract more than expected.

New and renewable energy sources

1.2.69. Council Decision 93/500/EEC concerning the promotion of renewable energy sources in the Community (Altener programme).

Commission proposal: OJ C 179, 16.7.1992; COM(92) 180; Bull. EC 5-1992, point 1.1.78

Economic and Social Committee opinion: OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.119

Council guidelines: Bull. EC 11-1992, point 1.3.119

Parliament opinion: OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.70

Council agreement: Bull. EC 6-1993, point 1.2.105

Amended Commission proposal: OJ C 210, 4.8.1993; COM(93) 278; Bull. EC 7/8-1993, point 1.2.96

Formally adopted by the Council on 13 September.

OJ L 235, 18.9.1993

Transport

General policy

Road transport taxation and cabotage

1.2.70. Proposal for a Council Directive on the charging of transport infrastructure costs to heavy goods vehicles.

Commission proposal: OJ C 79, 26.3.1988; COM(87) 716; Bull. EC 12-1987, point 2.1.275

Initial Economic and Social Committee opinion: OJ C 208, 8.8.1988; Bull. EC 6-1988, point 2.4.52

Initial Parliament opinion: OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.214

First amended Commission proposal: OJ C 75, 20.3.1991; COM(90) 540; Bull. EC 11-1990, point 1.3.182

Second Economic and Social Committee opinion: OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.2.52

Second Parliament opinion: OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.76

Second amended Commission proposal: OJ C 311, 27.11.1992; COM(92) 405; Bull. EC 9-1992, point 1.2.62

Third Economic and Social Committee opinion: OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.99

Third Parliament opinion: OJ C 21, 25.1.1993; Bull. EC 12-1992, point 1.3.129

Council conclusions and agreement on road transport taxation: Bull. EC 6-1993, point 1.2.111

The Council confirmed its agreement on 28 September.

1.2.71. Proposal for a Council Regulation laying down the definitive system under which non-resident carriers may operate domestic road haulage services within a Member State.

Commission proposal: OJ C 317, 7.12.1991; COM(91) 377; Bull. EC 10-1991, point 1.2.54

Economic and Social Committee opinion: OJ C 169, 6.7.1992; Bull. EC 4-1992, point 1.3.74

Parliament opinion: OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.74

Amended Commission proposal: OJ C 172, 8.7.1992; COM(92) 283; Bull. EC 6-1992, point 1.3.82

Council agreement: Bull. EC 6-1993, point 1.2.113

The Council confirmed its agreement on 28 September.

Summer time

1.2.72. Proposal for a seventh Council Directive on summer time arrangements.

Previous Directive: Sixth Council Directive 92/20/EEC on summer time arrangements: OJ L 89, 4.4.1992; Bull. EC 3-1992, point 1.2.75

Adopted by the Commission on 27 September.

In view of the fact that Member States have given notice of their intention to maintain summer time arrangements at national level and to work towards full harmonization of the dates for the beginning and end of summer time the Commission proposes to adopt the following timetable throughout the Community:

- summer time will begin on the last Sunday in March;
- summer time will end on the fourth Sunday in October.

The new harmonized timetable will apply from 1997. The Commission intends to maintain the present timetable for 1995 and 1996:

- summer time to begin on the last Sunday in March;
- summer time to end on the last Sunday in September in all countries except Ireland and the United Kingdom, where it will end on the last Sunday in October.

OJ C 278, 16.10.1993; COM(93) 439

Maritime transport

Carriage of dangerous or polluting goods

1.2.73. Council Directive 93/75/EEC concerning minimum requirements for vessels

bound for or leaving Community ports and carrying dangerous or polluting goods.

Reference: Council Directive 79/116/EEC concerning minimum requirements for certain tankers entering or leaving Community ports: OJ L 33, 8.2.1979

Commission proposal: OJ C 147, 14.6.1989; COM(89) 7; Bull. EC 5-1989, point 2.1.217

Economic and Social Committee opinion: OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.189

Initial Parliament opinion: OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.3.248

Amended Commission proposal: OJ C 294, 24.11.1990; COM(90) 452; Bull. EC 10-1990, point 1.3.192

Council agreement: Bull. EC 12-1992, point 1.3.124

Second Parliament opinion: OJ C 255, 20.9.1993; Bull. EC 7/8-1993, point 1.2.103

Adopted by the Council on 13 September. The main purpose of this Directive is to ensure that the authorities appointed by the Member States are notified of the presence of dangerous or polluting goods on board vessels bound for or leaving Community ports so that they can take appropriate measures. These provisions will also apply to tankers covered by Directive 79/116/EEC.

OJ L 247, 5.10.1993

Positive measures

References:

Commission communication to the Council on a future for the Community shipping industry: measures to improve the operating conditions of Community shipping: OJ C 263, 16.10.1989; COM(89) 266; Bull. EC 7/8-1989, point 2.1.201

Amended proposal for a Council Regulation on a common definition of a Community shipowner; OJ C 73, 19.3.1991; COM(91) 54; Bull. EC 1/2-1991, point 1.2.100

Amended proposal for a Council Regulation establishing a Community ship register and providing for the flying of the Community flag by seagoing vessels: OJ C 19, 25.1.1992; COM(91) 483; Bull. EC 12-1991, point 1.2.108

1.2.74. Parliament resolution on the positive measures in favour of Community sea transport.

Adopted by Parliament on 16 September. In view of the serious social and economic crisis in the Community shipping sector Parliament calls on the Council to approve, as a matter of urgency, the package of positive measures to support the Community fleet together with an aid plan including fiscal aid. It also calls on the Commission and the Council to continue to work towards a Community policy on ports.

It also underlines the need to restrict access to maritime cabotage to vessels in the EUROS register once it has been established. It also advocates the opening-up of European maritime cabotage to non-Community countries which observe the principles of reciprocity and fair competition by complying with Community social legislation.

Parliament calls on the Council to adopt measures to ensure that all vessels flying the flag of a Member State or operating in Community waters apply international standards of passenger and crew safety and environmental protection.

OJ C 268, 4.10.1993

1.2.75. Parliament resolution on the proposal for a Council Regulation establishing a Community ship register and providing for the flying of the Community flag by seagoing vessels.

Adopted by Parliament on 16 September. Parliament calls on the Council to adopt without delay the Commission's proposal on the establishment of a Community ship register and providing for the flying of the Community flag by seagoing vessels.

OJ C 268, 4.10.1993

1.2.76. Parliament resolution on the proposal for a Council Regulation on a common definition of a Community shipowner.

Adopted by Parliament on 16 September. Parliament calls on the Council to adopt the Commission's proposal on a common definition of a Community shipowner without delay.

OJ C 268, 4.10.1993

Air transport

1.2.77. Proposal for a Council Regulation amending Council Regulation (EEC) No 2299/

89 on a code of conduct for computerized reservation systems.

Regulation to be amended: Council Regulation (EEC) No 2299/89: OJ L 220, 29.7.1989; Bull. EC 7/8-1989, point 2.1.204

Commission proposal: OJ C 56, 26.2.1993; COM(92) 404; Bull. EC 9-1992, point 1.2.63

Economic and Social Committee opinion: OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.109

Parliament opinion: OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.75

Agreed by the Council on 28 September. The purpose of the amendment is to ensure that there is fairer competition between air carriers and that users are better informed. Under the new provisions carriers participating in a computerized reservation system must provide details of their timetabling, fares and available seats to any other system which may request such information. Such systems must also be non-discriminatory in terms of data confidentiality and security *vis-à-vis* other users.

Amended proposal adopted by the Commission on 29 September.

COM(93) 405

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

Reference: Commission communication to the Council on Community initiatives concerning air transport incidents and accidents: Bull. EC 9-1991, point 1.2.45

Adopted by the Commission on 1 September. Following its communication on Community initiatives on incidents and accidents involving aircraft, the Commission has proposed a common approach to accident and incident investigations based on the following principles:

- the requirement that any serious civil aviation accident or incident should be investigated to ensure it does not recur;
- a clear distinction should be made between the judicial investigation and the technical investigation with the latter being given greater legal force;
- the investigating agency should be a permanent and independent organization;

- a report setting out the findings and recommendations regarding safety should be published;
- action taken on these recommendations should be followed up;
- steps should be taken to ensure that the investigation is not used for purposes other than accident prevention.

OJ C 257, 22.9.1993; COM(93) 406

International cooperation

Austria

1.2.79. The Commission's general guidelines on transalpine traffic through Austria.

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

Approved by the Commission on 22 September. The Commission sets out the solutions to be sought to the problems of transalpine transit in the accession negotiations with Austria.

Switzerland

1.2.80. Recommendation for a Council Decision on the opening of negotiations between the European Economic Community and the Swiss Confederation in the field of road and air transport.

References:

Third air liberalization package: OJ L 240, 24.8.1992; Bull. EC 7/8-1992, point 1.3.98

Agreement on transit traffic between the Community and Switzerland: OJ L 373, 21.12.1992; Bull. EC 11-1992, point 1.3.104

Commission communication to the Council on future relations with Switzerland: point 1.3.4 of this Bulletin

Adopted by the Commission on 22 September. This recommendation forms part of the Commission's communication on future relations between the Community and Switzerland; it is a follow-up to the bilateral transit agreement concluded in 1992.

Negotiations on road transport will cover bilateral market access, transport operations in non-Community countries and transit traffic.

On the air transport side, negotiations should aim to apply all Community legislation, in particular the third air liberalization package, to Switzerland.

Telecommunications, information services and industry

Telecommunications

Legislation

1.2.81. Proposal for a Council Decision on the implementation by the Member States of measures concerning radio frequencies.

Reference: Council resolution on the implementation in the Community of the decisions of the European Radiocommunications Committee: OJ C 318, 4.12.1992; Bull. EC 11-1992, point 1.3.87

Adopted by the Commission on 10 September. The aim of the proposal is to establish a suitable legal framework for a new approach to the coordination of radio frequencies, taking into account both the need for a coordinated strategy for allocating radio frequencies in the Community and the subsidiarity principle. The new approach is based on three main objectives:

- to introduce systems and services on a Community-wide scale to meet the communications requirements of the single market;
- to achieve Community-wide markets in order to allow economies of scale;
- to ensure that Community and pan-European authorities defend common positions at world conferences on the coordination of radio frequencies.

The Commission proposes that, without prejudice to its responsibilities for external relations, the Community may decide to abstain from regulation on the basis of the single market in favour of an international agreement either at European level, in the European Conference of Postal and Telecommunications Administrations (CEPT), or at world level, within the International Telecommunications Union (ITU). The Commission therefore asks Member States to take the necessary steps to ensure future Community participation at international conferences and in the work of the relevant international organizations.

OJ C 266, 1.10.1993; COM(93) 382

Economic and social cohesion: structural measures

Development, coordination and implementation of policies and measures

1.2.82. Proposal for a Council Regulation amending Regulations (EEC) Nos 2328/91, 866/90, 1360/78 and 1035/72 with a view to expediting adjustment of production, processing and marketing structures within the framework of reform of the common agricultural policy.

Commission proposal: OJ C 235, 31.8.1993; COM(93) 270; Bull. EC 6-1993, point 1.2.135

Amended proposal adopted by the Commission on 22 September.

COM(93) 443

1.2.83. Commission Decision 93/533/EEC amending Decision 91/651/EEC of 10 December 1991 on the establishment of the Community support framework for structural assistance for improvement of the conditions under which agricultural and forestry products are processed and marketed in Spain (except Andalusia, Asturias, the Canaries, Castile-La

Mancha, Castile-Leon, Ceuta-Melilla, Extremadura, Galicia, Murcia, Valencia).

Decision amended: Commission Decision 91/651/EEC: OJ L 350, 19.12.1991; Bull. EC 12-1991, point 1.2.197

Adopted on 24 September. Adjusts total financial allocation and sectoral breakdown following an increase in allotted resources.

OJ L 260, 19.10.1993

1.2.84. Commission Decision 93/535/EEC amending Decision 92/82/EEC of 13 December 1991 on establishment of the Community support framework for structural assistance for improvement of the conditions under which agricultural and forestry products are marketed in Denmark.

Decision amended: Commission Decision 92/82/EEC: OJ L 31, 7.2.1992; Bull. EC 12-1991, point 1.2.198

Adopted on 30 September. Adjusts the total amount available per sector for Denmark, increased following a replenishment of resources.

OJ L 260, 19.10.1993

1.2.85. Commission communication on the future of Community initiatives under the Structural Funds.

Reference: Commission notice setting guidelines for Member States' operational programmes under the Interreg Community initiative for border areas: OJ C 215, 30.8.1990; Bull. EC 7/8-1990, point 1.3.106

Commission adoption: OJ C 209, 3.8.1993; COM(93) 282; Bull. EC 6-1993, point 1.2.134

Endorsed by the Economic and Social Committee on 17 September following consultation by the Commission. The Committee stressed the need for improved involvement of local participants in initiatives, considered that Interreg should promote regional transnational cooperation going beyond geographical contiguity, in particular between internal border areas separated by the sea, and called for the definition of eligibility criteria aimed at promoting regional economic diversification.

Financial assistance*Less-developed regions*

1.2.86. Commission decisions: see Table 1.

Table 1 — *Financing under Objective 1*

(million ECU)

Country/region	Fund	Total assistance
<i>Italy</i>		
Abruzzi	ERDF	2.1
Sardinia	ERDF	20
<i>Italy</i>	ESF	265
<i>Spain</i>		
Extremadura	ERDF	151.51

Declining industrial areas

1.2.87. Commission decision: see Table 2.

Table 2 — *Financing under Objective 2*

(million ECU)

Country/region	Fund	Total assistance
<i>France</i>		
Nord/Pas-de-Calais	ERDF	6.9

Community initiatives

1.2.90. Commission decisions: see Table 5.

Table 5 — *Financing of Community initiatives*

(million ECU)

Initiative	Country	Fund	Total assistance
RETEX	Germany	ERDF	1.4
Konver	Germany	ESF	13.22

Combating long-term unemployment and occupational integration of young people

1.2.88. Commission decision: see Table 3.

Table 3 — *Financing under Objectives 3 and 4*

(million ECU)

Country	Fund	Total assistance
<i>Italy</i>	ESF	2.44

Adjustment of agricultural structures

1.2.89. Commission decisions: see Table 4.

Table 4 — *Financing under Objective 5a*

(million ECU)

Description/country	Fund	Total assistance
Processing and marketing of agricultural products:		
Germany	EAGGF	1.16
Greece	EAGGF	22.28
Portugal	EAGGF	1.78
Processing and marketing of agricultural and forestry products:		
Portugal	EAGGF	13.86

Other financial assistance

1.2.91. Commission decisions: see Table 6.

Table 6 — *Other financial assistance*

<i>(million ECU)</i>			
Type of action	Country/description	Fund	Total assistance
Study	<i>Italy</i> European forum: regionalism and regionalization	ERDF	0.06
	<i>Portugal</i> Third meeting of the European network for an interlocking alternative economy	ERDF	0.03
	<i>United Kingdom</i> Economic change and development: prospects for the outlying regions	ERDF	0.003
	Community development, urban regeneration and local economic development	ERDF	0.066

Cohesion financial instrument

fer to other Community regions funds not used in the Mezzogiorno.

OJ C 268, 4.10.1993

Spain

1.2.92. Commission decision granting assistance.

Adopted on 6 September. Grants assistance amounting to a maximum of ECU 144.76 million for two projects in connection with the Madrid urban ring motorway.

Other regional measures

1.2.93. Parliament resolution on the serious events at Crotona.

Adopted on 16 September. In view of the present employment crisis in the Mezzogiorno and the demonstrations at Crotona, Parliament urged the Italian Government and the regional authorities to launch coherent initiatives to restructure the production base of the Mezzogiorno using unspent Community appropriations, and urged the Commission not to trans-

Social dimension**Employment**

1.2.94. Commission opinion on an equitable wage.

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

Commission draft: Bull. EC 12-1991, point 1.2.135

Economic and Social Committee opinion: OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.88

Parliament opinion: OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.90

Adopted by the Commission on 1 September. This opinion is one of the measures designed

to implement the Community Charter of the Fundamental Social Rights of Workers, which established the principle that all employment should be fairly remunerated. The Commission has thus reaffirmed the right of all workers to be assured of an equitable wage, meaning that all workers should receive a reward for work done which, in the context of the society in which they live and work, is fair and sufficient to enable them to have a decent standard of living. The opinion sets out the following principles:

- the Community's future in the world economy lies in achieving high productivity and high-quality employment, in turn necessitating increased investment in education and training and the promotion of good industrial relations;
- the pursuit of equitable wages is one element of greater economic and social cohesion;
- the elimination of discriminatory wage practices should form part of the Community's wider social and economic objectives;
- attitudes to traditionally low-paid groups should be reassessed.

The Commission calls on the Member States to take action to improve labour market transparency with regard to wages, to ensure that the right to an equitable wage is respected, and to develop human resources.

For its part, the Commission proposes to undertake a new survey on the structure of earnings in the Community, to contribute towards a better matching of vocational training arrangements to the developing needs, to encourage the development of exchanges across the Community on the practices within firms with regard to remuneration, to undertake further studies with a view to promoting convergence of equitable wage policies within the Member States, and to encourage the social partners to address these questions at Community level.

OJ C 248, 11.9.1993; COM(93) 388

1.2.95. Standing Committee on Employment.

Reference: Commission communication on a Community-wide framework for employment: COM(93) 238; Bull. EC 5-1993, point 1.2.92

Previous meeting: Bull. EC 6-1993, point 1.2.144

Forty-fifth meeting held in Brussels on 22 September. The meeting was chaired by Ms M. Smet, the Belgian Minister for Employment and Labour, and was attended by Mr P. Maystadt, the Belgian Minister for Finance, and Mr P. Flynn, Member of the Commission. Discussions focused on the topics featured in the Commission communication on a Community-wide framework for employment, with special reference to labour market adaptability, labour costs, alternative financing of social security, and training.

1.2.96. Parliament resolution on closures and relocations of industrial activities.

Reference: Proposal for a Council Directive on the establishment of a European Works Council in Community-scale undertakings or groups of undertakings for the purposes of informing and consulting employees: OJ C 336, 31.12.1991; COM(91) 345; Bull. EC 9-1991, point 1.2.62

Adopted by Parliament on 16 September. Parliament underlined the social costs of relocation decisions and called on the Member States to ensure that, in the event of closure proposals, an audit is made of the social and environmental costs. It drew attention to certain specific relocation and closure decisions, and called on the companies concerned to reverse their decisions.

Parliament further advocated the early adoption of the proposed European Works Council Directive and suggested using the Social Protocol to the Treaty on European Union to overcome any opposition from the United Kingdom. It also called on the UK Government to sign the Social Protocol.

OJ C 268, 4.10.1993

Social dialogue

1.2.97. Social dialogue summit.

Previous meeting: Bull. EC 7/8-1992, point 1.3.107

Meeting held in Brussels on 28 September. The summit was attended by Mr J. L. Dehaene, the Belgian Prime Minister and President-in-Office of the Council, by Ms M. Smet, the Belgian

Minister for Employment, and by President Delors and Messrs A. Ruberti and P. Flynn, Members of the Commission. It brought together top-level representatives of the European employers' confederations and trade unions, representing the Union of Industrial and Employers' Confederations of Europe (UNICE), the European Centre of Enterprises with Public Participation (CEEP) and the European Trade Union Confederation (ETUC).

Discussions revolved around the preparation by the Commission of a White Paper on growth, competitiveness and employment, with UNICE, CEEP and the ETUC agreeing in principle on a joint contribution. Other points discussed were the implications, within the context of social dialogue, of technological developments and the globalization of economic activity in terms of employment, and new forms of work organization.

1.2.98. Economic and Social Committee own-initiative opinion on the public sector in Europe.

Adopted by the Economic and Social Committee on 22 September. The Committee took the view that it was essential to encourage the development in all Member States of an efficient, high-quality provision of public services, pointing out that there had hitherto been no Community approach to the specific matters affecting the public sector, and that there was no social dialogue at European level. The Committee advocated improvements in this respect, with special reference to the creation of a legal framework to protect the acquired and individual rights of public sector workers. It also stressed the need to devise, at Community level, training programmes for public sector workers, and recommended the involvement of users and workers in discussions on ways of improving the quality of public services.

Combating social exclusion

1.2.99. Proposal for a Council Decision establishing a medium-term action programme to combat exclusion and promote solidarity

(1994-99), accompanied by a report on the implementation of the Community programme for the social and economic integration of the least privileged groups (1989-94).

References:

Council Decision 89/457/EEC establishing a medium-term Community action programme concerning the economic and social integration of the economically and socially less privileged groups in society: OJ L 224, 2.8.1989; Bull. EC 7/8-1989, point 2.1.104

Commission communication on stepping up the fight against social exclusion and promoting integration: COM(92) 542; Bull. EC 12-1992, point 1.3.145

European conference on combating social exclusion: Bull. EC 6-1993, point 1.2.145

Adopted by the Commission on 22 September. The proposed programme for 1994-99 is part of the follow-up to the Commission's communication on social exclusion and the Copenhagen conference. It provides for the Community to grant joint funding for 'model actions' at local, regional and national level centred on the development of innovative methods of combating exclusion and the dissemination of such methods in the Member States, adopting an integrated approach to the various exclusion-related problems, namely accommodation, access to public services, health, safety, training and employment. The Commission also proposes to support the establishment and development of transnational networks of anti-exclusion projects and a variety of studies and information-related activities. The proposed programme budget is ECU 121 million, representing a substantial increase over the 1989-94 programme budget of ECU 55 million.

A report on the implementation of the earlier programme is attached to the proposal, and shows the positive impact of the programme on the development and dissemination of new methods of combating social exclusion.

COM(93) 435

Working conditions

Measures for ECSC industry workers

1.2.100. Proposal for a Commission decision on the granting of loans under the 12th ECSC housing programme.

Previous programme: Bull. EC 12-1988, point 2.1.155

Adopted by the Commission on 1 September.
Purpose: to implement a new programme of financial assistance for ECSC low-cost housing for the period 1993-97.

Adopted by the Commission on 1 September.
Purpose: to grant financial support totalling ECU 3.5 million to 12 technical assistance projects in conjunction with third countries in the Mediterranean and Baltic Sea areas.

Environment

General

International cooperation

1.2.101. Visit by Mr Paleokrassas to Sweden on 19 and 21 September.

Reference: Ministerial conference on Sweden's accession to the European Union: Bull. EC 6-1993, point 1.3.5

Mr Paleokrassas saw Mr Johansson, the Environment Minister, and Mr Olsson, the Minister for Agriculture and Fisheries. Their discussions covered the environmental aspects of the negotiations on Sweden's accession to the European Union, and in particular the links between environmental standards and the free movement of goods, and the integration of Sweden into the common fisheries policy. Mr Paleokrassas stressed the broad measure of convergence between Community and Swedish environmental policy and the raising of environmental awareness in the Community that will result from Sweden's accession.

Financial instruments

1.2.102. Commission decision granting Community financial support to technical assistance projects relating to environmental protection.

Reference: Council Regulation (EEC) No 1973/92 establishing a financial instrument for the environment (LIFE): OJ L 206, 22.7.1992; Bull. EC 5-1992, point 1.1.123

Industry, environment and civil protection

Emissions from plants and industrial products

1.2.103. Proposal for a Council Directive on integrated pollution prevention and control.

Reference: Fifth Community programme of policy and action in relation to the environment and sustainable development entitled 'Towards sustainability': Bull. EC 3-1992, point 1.2.115

Directive to be repealed: Directive 84/360/EEC on the combating of air pollution from industrial plants: OJ L 188, 16.7.1984

Directives to be amended:

Council Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community: OJ L 129, 18.5.1976

Council Directive 82/176/EEC on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry: OJ L 81, 27.3.1982

Council Directive 83/513/EEC on limit values and quality objectives for cadmium discharges: OJ L 291, 24.10.1983

Council Directive 84/156/EEC on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry: OJ L 74, 17.3.1984

Council Directive 84/491/EEC on limit values and quality objectives for discharges of hexachlorocyclohexane: OJ L 274, 17.10.1984

Council Directive 86/280/EEC on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Directive 76/464/EEC: OJ L 18, 4.7.1986, as last amended by Directive 90/415/EEC: OJ L 219, 14.8.1990; Bull. EC 7/8-1990, point 1.3.134

Directive 87/217/EEC on the prevention and reduction of environmental pollution by asbestos: OJ L 85, 28.3.1987; Bull. EC 3/1987, point 2.1.129

Directive 89/369/EEC on the prevention of air pollution from new municipal waste incineration plants: OJ L 163, 14.6.1989; Bull. EC 6/1989, point 2.1.118

Directive 89/429/EEC on the reduction of air pollution from existing municipal waste incineration plants: OJ L 203, 15.7.1989; Bull. EC 6/1989, point 2.1.118

Adopted by the Commission on 14 September 1993. This proposal for a framework Directive is based on an integrated approach to the prevention of industrial pollution in accordance with the priorities set out in the fifth Community action programme. In order to ensure that measures taken to protect an environmental medium do not result in pollution being shifted to another medium, the Commission suggests establishing a system for the balanced reduction of emissions from industrial plants into the three media — air, water and land. To this end, it proposes replacing the sectoral procedures for the control of plants provided for under the specific directives by a single integrated procedure based on the issuing of a permit prior to the establishment of any industrial plant with a major environmental impact. A single competent authority will issue permits in each Member State in order to simplify the administrative procedures. Existing plants will also need a permit. A procedure will be established for the provision of information to the public about applications for permits. Emission limit values will be laid down by the competent authorities in each Member State. They will be established for each sector on the basis of the best available technology taking account of costs and benefits for the environment. This integrated approach will therefore be based on balanced intervention and shared responsibility on the part of the public, industry, the Member States and the Commission.

COM(93) 423

1.2.104. Proposal for a Council Directive amending Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants.

Commission proposal: OJ C 17, 22.1.1993; COM(92) 563; Bull. EC 12-1992, point 1.3.190
Economic and Social Committee opinion: OJ C 201, 26.7.1993; Bull. EC 5-1993, point 1.2.100

Endorsed by Parliament on 14 September subject to certain drafting amendments.

OJ C 268, 4.10.1993

Waste management

1.2.105. Proposal for a Council Directive amending Directive 91/689/EEC on hazardous waste.

Directive to be repealed: Council Directive 78/319/EEC on toxic and hazardous waste: OJ L 84, 31.3.1978

Directive to be amended: Council Directive 91/689/EEC on hazardous waste: OJ L 377, 31.12.1991; Bull. EC 12/1991, point 1.2.304

Adopted by the Commission on 21 September. The purpose of this proposal is to revise the definition of the term 'hazardous waste' in order to avoid drawing up an exhaustive and binding list, and instead to refer directly to hazard properties, and to postpone to 31 December 1994 the date of application of Directive 78/689/EEC and the date of repeal of Directive 78/319/EEC.

OJ C 271, 7.10.1993; COM(93) 425

1.2.106. Proposal for Council Directive on packaging and packaging waste.

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

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

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

Amended proposal adopted by the Commission on 9 September.

OJ C 285, 21.10.1993; COM(93) 416

Environmental quality and natural resources

Protection of water, coastal zones, environment and tourism

1.2.107. Parliament resolution on the pollution of Lake Baikal.

Reference: Council Regulation (Euratom, EEC) No 2053/93 of 19 July 1993 concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia (TACIS programme): OJ L 187, 29.7.1993; Bull. EC 7/8-1993, point 1.3.15

Adopted on 17 September. Parliament calls for the Community to support the placing of Lake Baïkal on the world heritage list and its designation as a biosphere reserve, give technical and scientific support for an environmental management plan for the region, and include an environmental dimension in the TACIS regulation.

OJ C 268, 4.10.1993

Urban environment, air quality, transport and noise

1.2.108. Proposal for a Council Directive amending Directive 86/662/EEC on the limitation of noise emitted by earthmoving machinery.

Commission proposal: OJ C 157, 9.6.1993; COM(93) 154; Bull. EC 5-1993, point 1.2.104

Parliament opinion: OJ C 255, 20.9.1993; Bull. EC 7/8-1993, point 1.2.145

Endorsed by the Economic and Social Committee on 22 September subject to certain comments of a technical nature.

1.2.109. Proposal for a Council Directive on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution to service stations (the 'Stage I' Directive).

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

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

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

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

Amended proposal adopted by the Commission on 9 September.

OJ C 270, 6.10.1993; COM(93) 422

Global environment: climate change, geosphere and biosphere

1.2.110. Parliament resolution on the process of desertification in the Community and measures to control it.

Adopted on 16 September. In view of the risks of desertification in the south of the Community, Parliament calls upon the Commission and the Council to provide the funding needed to collect the data relating to the European regions which are vulnerable to desertification and drought, to prepare a Community policy for soil protection and preservation, to encourage specific programmes of anti-desertification measures, to be coordinated with economic plans and national ecological planning, and for the training, information and participation of farmers and the public in respect of environmental management. It also advocates setting up a European Forestry Fund.

Parliament calls for the common policy to be based on sustainable land management and for soil regeneration and prevention measures to be taken in the context of the reform of the CAP. It also suggests that the Structural Funds (Objectives 1 and 5b) should be used in the action to combat erosion and desertification phenomena.

OJ C 268, 4.10.1993

1.2.111. Proposal for a Council Decision concerning the conclusion of the amendment to the Montreal Protocol on substances that deplete the ozone layer.

Commission proposal: OJ C 103, 14.4.1993; COM(93) 102; Bull. EC 3-1993, point 1.2.105

Economic and Social Committee opinion: OJ C 201, 26.7.1993.; Bull. EC 5-1993, point 1.2.109

Endorsed by Parliament on 17 September.

OJ C 268, 4.10.1993

Nuclear safety

International cooperation

1.2.112. Draft International Convention on Nuclear Safety.

Recommendation for a Decision adopted by the Commission on 27 September. Purpose: to authorize the Commission to negotiate a Convention under the auspices of the International Atomic Energy Agency to promote high safety standards in nuclear installations throughout the world and step up cooperation on nuclear safety.

Agriculture

Development and future of the CAP

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

Regulation to be amended: Council Regulation (EEC) No 1765/92 (OJ L 181, 1.7.1992; Bull. EC 6-1992, point 1.3.141), as last amended by Regulation (EEC) No 1552/93: OJ L 154, 25.6.1993; Bull. EC 6-1993, point 1.2.186

Reference: Commission reflection paper on possible developments in the policy of arable land set-aside: COM(93) 226; Bull. EC 5-1993, point 1.2.111

Adopted by the Commission on 6 September. The aim is to make the set-aside provisions of common agricultural policy reform more flexible without affecting the reform principles. The proposal follows the Commission's reflection paper of May and takes account of the Council's reaction.

The Commission wishes to give Member States more flexibility in establishing their regionalization plans, raise the set-aside compensation from ECU 45 to 57 per tonne of cereals, grant producers setting aside more land than the compulsory minimum compensation at the same rate and authorize:

- the combination of rotational and non-rotational set-aside;
- a rotation of three instead of six years;

under certain conditions, the transfer of set-aside obligations between neighbouring producers;

non-food cropping on set-aside land without compensation.

It also proposes certain waivers to the rule barring set-aside compensation for land not being used for arable crops on 31 December 1991.

OJ C 265, 30.9.1993; COM(93) 417

1.2.114. Proposal for a Council Regulation on the conservation, characterization and utilization of genetic resources in agriculture.

Reference: Council Regulation (EEC) No 2078/92 on agricultural production methods compatible with environmental protection requirements and maintenance of the countryside: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.146

Adopted by the Commission on 7 September. This proposal would promote action to maintain genetic resources and biodiversity in crop and livestock farming and forestry and supplement Regulation (EEC) No 2078/92 granting aid to farmers rearing animals of local breeds in danger of extinction. A permanent inventory would be established of the nature and state of genetic resources, coordination of projects in the Member States for conservation, characterization and utilization of genetic resources would be boosted through European networks and shared-cost projects mounted to supplement action by the Member States.

OJ C 266, 1.10.1993; COM(93) 337

Market organization

Sugar

1.2.115. Proposal for a Council Regulation amending Regulation (EEC) No 1785/81 on common organization of the markets in the sugar sector.

Regulation to be amended: Council Regulation (EEC) No 1785/81 (OJ L 177, 1.1.1981), as last amended by Regulation (EEC) No 1548/93: OJ L 154, 25.6.1993; Bull. EC 6-1993, point 1.2.189

Adopted by the Commission on 29 September. This would prolong the market organization arrangements to 1994/95 and include inulin syrup (a new sweetener made from chicory or Jerusalem artichokes and similar to isoglucose), on which quota restrictions would be imposed on the basis of production between 1 July 1992 and 30 June 1993 and installed annual production capacity on 1 October 1993.

COM(93) 442

Oils and fats

1.2.116. Proposal for a Council Regulation amending Regulation (EEC) No 136/66/EEC on the establishment of a common organization of the market in oils and fats.

Regulation to be amended: Council Regulation No 136/66/EEC (OJ L 172, 30.9.1966), as last amended by Regulation (EEC) No 2046/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.148

Adopted by the Commission on 2 September. This would make provision for specific intervention measures for olive oil.

OJ C 259, 23.9.1993; COM(93) 420

Processed fruit and vegetables

1.2.117. Proposal for a Council Regulation laying down special measures to encourage processing of certain citrus fruits.

Regulations to be repealed:

Council Regulation (EEC) No 2601/69 laying down special measures to encourage processing of certain varieties of orange (OJ L 324, 27.12.1969), as last amended by Regulation (EEC) No 3848/89: OJ L 374, 22.12.1989; Bull. EC 12-1989, point 2.1.194

Council Regulation (EEC) No 1123/89 amending Regulation (EEC) No 2601/69: OJ L 118, 29.4.1989; Bull. EC 4-1989, point 2.1.124

Adopted by the Commission on 1 September. This would adjust and extend to small citrus fruits the aid scheme for the processing of oranges.

OJ C 259, 23.9.1993; COM(93) 387

Wine

1.2.118. Commission communication to the Council and Parliament on the European

Office for Wine, Alcohol and Spirit Drinks (Bevabs).

Adopted on 16 September. It informs the Council and Parliament of the establishment at Ispra, within the Institute for the Environment, of the Bevabs laboratory and specifies its activities and the relevant organizational and financial arrangements. The laboratory, which will have an analytical database, will cooperate with Member States' official laboratories and Community wine inspectors and will analyse wine sector products by nuclear magnetic resonance of hydrogen isotopes for detection of illegal sugaring. It will in due course also carry out mass spectrometry of oxygen and carbon isotopes for detection of adulteration and false origin declarations.

COM(93) 360

1.2.119. Council Regulation (EEC) No 2606/93 amending Regulation (EEC) No 3677/89 with regard to the total alcoholic strength by volume of certain quality wines imported from Hungary.

Regulation amended: Council Regulation (EEC) No 3677/89 (OJ L 360, 9.12.1989), as last amended by Regulation (EEC) No 2795/92: OJ L 282, 26.9.1992; Bull. EC 9-1992, point 1.2.122
Commission proposal: COM(93) 368; Bull. EC 7/8-1993, point 1.2.159

Adopted on 21 September. Extends to 31 August 1994 the waiver introduced by Regulation (EEC) No 3677/89 in regard to certain high-quality wine imported from Hungary.

OJ L 239, 24.9.1993

1.2.120. Agreements between the Community and Bulgaria, Hungary and Romania on (a) reciprocal establishment of tariff quotas for certain wines and (b) reciprocal protection and control of wine names.

Adoption by the Commission on 1 September of proposals for Decisions on the conclusion and signature of the six Agreements. This would establish mutual tariff concessions between the Community and Bulgaria, Hungary and Romania respectively and also reciprocal protection of geographical indications, appellations of origin and traditional expressions used to describe and present wines.

COM(93) 358 and 359

Milk and milk products

1.2.121. Proposal for a Council Regulation amending Regulation (EEC) No 1842/83 laying down general rules for the supply of milk and certain milk products at reduced prices to schoolchildren.

Regulation to be amended: Council Regulation (EEC) No 1842/83 (OJ L 183, 7.7.1983; Bull. EC 6-1983, point 2.1.143), as last amended by Commission Regulation (EEC) No 222/88: OJ L 28, 1.2.1988

Commission proposal: COM(93) 305; Bull. EC 7/8-1993, point 1.2.164

Agreed by the Council on 21 September. This will reduce, from 1994, the aid on milk and certain milk products supplied to schoolchildren from 125 to 95% of the milk target price.

Beef and veal

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

Regulation to be amended: Council Regulation (EEC) No 805/68 (OJ L 148, 28.6.1968), as last amended by Regulation (EEC) No 125/93: OJ L 18, 27.1.1993; Bull. EC 1/2-1993, point 1.2.182

Adopted by the Commission on 2 September. This would increase additional rights to the suckler cow premium for Luxembourg, authorize Member States to make payment of the suckler cow and male bovine premiums conditional on respect for certain environmental requirements, and bring the weight restriction applying to certain imports of young male bovines into line with the provisions of the agreements concluded with Central European supplier countries.

OJ C 265, 30.9.1993; COM(93) 418

1.2.123. Proposal for a Council Regulation amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal (forfeiture of entitlement to aid if hormone rules are infringed) (→ point 1.2.10).

Sheepmeat

1.2.124. Proposal for a Council Regulation amending Regulations (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat and No 3493/90 establishing general rules on granting of the premium to sheepmeat and goatmeat producers.

Regulations to be amended:

Council Regulation (EEC) No 3013/89 (OJ L 289, 7.10.1989; Bull. EC 9-1989, point 2.1.104), as amended by Regulation (EEC) No 2069/92 (OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.145) and most recently by Regulation (EEC) No 363/93: OJ L 42, 19.2.1993; Bull. EC 1/2-1993, point 1.2.183

Council Regulation (EEC) No 3493/90 (OJ L 337, 4.12.1990; Bull. EC 11-1990, point 1.3.134), as last amended by Regulation (EEC) No 2070/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.145

Adopted by the Commission on 2 September. This would simplify application of the ewe premium by incorporating the headage limits in force since 1989 into the individual quota arrangement introduced by Regulations (EEC) Nos 2069/92 and 2070/92 as part of the CAP reform.

OJ C 265, 30.9.1993; COM(93) 419

Poultrymeat and eggs

1.2.125. Proposal for a Council Regulation amending Regulation (EEC) No 1906/90 on certain marketing standards for poultrymeat.

Regulation to be amended: Council Regulation (EEC) No 1906/90 (OJ L 173, 6.7.1990), as amended by Regulation (EEC) No 317/93: OJ L 37, 18.2.1993; Bull. EC 1/2-1993, point 1.2.184

Reference: Council Directive 92/116/EEC amending and updating Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat: OJ L 62, 15.3.1993; Bull. EC 12-1992, point 1.3.202

Adopted by the Commission on 21 September. This would bring the provisions on marketing standards for poultrymeat into line with the

health rule changes introduced by Directive 92/116/EEC.

COM(93) 434

1.2.126. Council Regulation (EEC) No 2617/93 amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs.

Regulation amended: Council Regulation (EEC) No 1907/90: OJ L 173, 6.7.1990

Commission proposal: COM(92) 468; Bull. EC 11-1992, point 1.3.213

Amended Commission proposal: COM(93) 254; Bull. EC 6-1993, point 1.2.197

Second amended proposal adopted by the Commission on 20 September.

COM(93) 446

Adopted on 21 September. Replaces the packing date on eggs by the 'best-before date' and broadens the provisions on promotional material on egg packs.

OJ L 240, 25.9.1993

EAGGF-Guarantee

1.2.127. Proposal for a Council Regulation repealing Regulation (EEC) No 3035/80 on refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty and amending Regulation (EEC) No 876/68 on export refunds on milk products.

Regulation to be amended: Council Regulation (EEC) No 876/68 (OJ L 155, 3.7.1968), as last amended by Regulation (EEC) No 1344/86: OJ L 119, 6.5.1986

Regulation to be repealed: Council Regulation (EEC) No 3035/80 (OJ L 323, 29.11.1980), as last amended by Regulation (EEC) No 3381/90: OJ L 327, 27.11.1990; Bull. EC 11-1990, point 1.3.115

Adopted by the Commission on 23 September. This would provide for replacement of the Council Regulation on rules for granting refunds on agricultural products exported in the form of non-Annex II goods by a Commission Regulation, except for milk products.

COM(93) 357

1.2.128. Proposal for a Council Regulation on part-financing by the Community of remote sensing checks and amending Regulation (EEC) No 3508/92.

Regulation to be amended: Council Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes: OJ L 355, 5.12.1992; Bull. EC 11-1992, point 1.3.163

Adopted on 30 September. Provides for Community part-financing of the cost of using satellite pictures and air photographs of agricultural land for control purposes in connection with EAGGF subsidies.

OJ C 282, 20.10.1993; COM(93) 455

1.2.129. Commission Decision 93/524/EEC amending Decision 92/491/EEC on clearance of the Member States' accounts for 1989 for expenditure financed by the EAGGF Guarantee Section.

Decision amended: Commission Decision 92/491/EEC: OJ L 298, 14.10.1992; Bull. EC 7/8-1992, point 1.3.215

Adopted on 27 September. Corrects certain provisions of Decision 92/491/EEC (milk sector in Italy and Spain).

OJ L 252, 9.10.1993

State aid

Decisions to raise no objection

Germany

1.2.130. Commission decision on beehive maintenance measures in Bavaria.

Adopted on 22 September. The purpose is to improve beekeeping and technical assistance to beekeepers, give special assistance to new beekeepers and help protect the environment.

France

1.2.131. Commission decision on aid for cattle fattening.

Adopted on 22 September. The aid consists of interest-rate subsidies on special loans replacing short-term loans taken out by farmers who did not receive any aid to form their start-up herd.

International cooperation

1.2.132. Council conclusions on the Uruguay Round (→ point 1.3.79).

1.2.133. Parliament resolution on the effects of trade agreements with third countries on European agriculture and the success of CAP reform.

Reference: EEC-United States ministerial level meeting, 19 November 1992: Bull. EC 11-1992, point 1.4.83

Adopted on 17 September. Parliament called for liberalization of world trade to give priority to benefiting developing countries, drew attention to the problems caused by importing into the Community agricultural products of which it already produced a surplus, and suggested introduction of an import calendar for products in seasonal surplus and that agricultural imports be subjected to the same quality requirements as Community products. While holding to the principles of the Blair House understanding it called for clarifications and complementary statements guaranteeing its compatibility with CAP reform.

OJ C 268, 4.10.1993

Fisheries

Review and future development of the common fisheries policy

1.2.134. Commission report on the application of the Act of Accession of Spain and Portugal in the fisheries sector.

Commission report: Bull. EC 12-1992, point 1.3.265

Economic and Social Committee opinion delivered on 22 September. The Committee stressed, firstly, that adjustments to the accession arrangements for Spain and Portugal must not involve an increase in fishing effort and, secondly, that any changes must aim, in overall terms, to simplify arrangements, improve efficiency and facilitate management, in response to requests from those working in the sector.

Resources

External aspects

Argentina

1.2.135. Community-Argentina Fisheries Agreement.

Initialled: Bull. EC 11-1992, point 1.3.222

Commission proposal on the conclusion of the Agreement: OJ C 64, 6.3.1993; COM(93) 12; Bull. EC 1/2-1993, point 1.2.198

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

Regulation on the conclusion of the Agreement adopted by the Council on 28 September. The Agreement, valid for five years, with the possibility of an automatic two-year extension, is the first concluded by the Community with a Latin American country. It provides for the creation of joint enterprises, undertakings established in Argentina with the aid of European capital and temporary associations between Community and Argentinian ship-owners, plus the granting of trade concessions to encourage the supply of Argentinian products to the Community market. It also provides for cooperation between the Community and Argentina in the scientific and technical fields, to promote conservation and the rational exploitation of resources, together with balanced development of the sector.

The annual fishing opportunities total 120 000 tonnes of *Merluccius hubbsi* and 130 000 tonnes

of other species (principally Patagonian grenadier, Argentinian shortfin squid and Patagonian rockcod), including 10% by-catches. The Community funding required for the implementation of the Agreement is estimated at ECU 162.5 million, including ECU 28 million for scientific programmes and other specific measures such as the improvement of port facilities in Argentina and the organization in Argentina of vocational and technical training schemes in the fisheries sector.

Seychelles

1.2.136. Protocol defining, for the period 18 January 1993 to 17 January 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the Community and the Seychelles; draft Agreement in the form of an exchange of letters concerning the provisional application of the Protocol.

Commission proposal on the conclusion of the Agreement: OJ C 100, 8.4.1993; COM(93) 90; Bull. EC 3-1993, point 1.2.143

Parliament opinion: OJ C 194, 19.7.1993; Bull. EC 6-1993, point 1.2.216

Regulation (EEC) No 2718/93 on the conclusion of the Protocol adopted by the Council on 28 September. The Protocol provides for the granting of fishing licences in Seychelles waters to 40 tuna seiners and also to tuna trollers and surface tuna longliners, corresponding to a total catch of 46 000 tonnes a year. The Community financial compensation is ECU 6.9 million, and the Community is also to contribute ECU 2.7 million towards the financing of scientific programmes relating to the region of the Indian Ocean surrounding the Seychelles.

OJ L 246, 2.10.1993

International Convention for the Conservation of Atlantic Tunas (ICCAT)

1.2.137. Proposal for a Council Regulation introducing a system for the statistical monitoring of trade in bluefin tuna (*Thunnus thynnus*) in the Community.

Commission proposal: OJ C 174, 25.6.1993; COM(93) 242; Bull. EC 6-1993, point 1.2.217

Endorsed by Parliament on 17 September.

OJ C 268, 4.10.1993

NAFO

1.2.138. Proposal for a Council Regulation (EEC) setting up licensing arrangements for fishing within the regulatory area defined by the NAFO Convention by vessels flying the flag of a Member State or registered at a Community port.

Commission proposal: OJ C 259, 8.10.1992; COM(92) 394; Bull. EC 9-1992, point 1.2.144

Parliament opinion: OJ C 194, 19.7.1993; Bull. EC 6-1993, point 1.2.218

Amended proposal adopted by the Commission on 23 September.

OJ C 275, 13.10.1993; COM(93) 461

Market organization

1.2.139. Commission Regulation (EEC) No 2621/93 amending Regulation (EEC) No 420/93; Regulation (EEC) No 2622/93 extending Commission Regulation (EEC) No 695/93.

Regulation amended: Commission Regulation (EEC) No 420/93 making imports of certain fishery products subject to observation of the reference price (OJ L 48, 26.2.1993), as amended by Commission Regulation (EEC) No 1671/93: OJ L 158, 30.6.1993; Bull. EC 6-1993, point 1.2.220

Regulation extended: Commission Regulation (EEC) No 695/93 adopting safeguard measures applicable to the placing in free circulation of fishery products landed in the Community by fishing vessels from third countries (OJ L 73, 26.3.1993; Bull. EC 3-1993, point 1.2.148), as amended by Commission Regulation (EEC) No 1672/93: OJ L 158, 30.6.1993; Bull. EC 6-1993, point 1.2.220

Adopted on 23 September. Extends until 31 October 1993 the special safeguard measures and minimum import prices for white fish adopted in February and March 1993 in view

of the deterioration of the Community market in white fish.

OJ L 240, 25.9.1993

A people's Europe

Public health

1.2.140. Proposal for a Decision of the Council and the Ministers for Health meeting within the Council concerning the extension to the end of 1994 of the 1991-93 plan of action in the framework of the 'Europe against AIDS' programme.

Decision to be extended: Decision 91/317/EEC of the Council and the Ministers for Health meeting within the Council adopting a plan of action in the framework of the 1991-93 'Europe against AIDS' programme: OJ L 175, 4.7.1991; Bull. EC 6-1991, point 1.2.215

Adopted by the Commission on 29 September. The aim is to continue the Community action plan for the fight against AIDS until 31 December 1994.

COM(93) 453

1.2.141. Parliament resolution on prohibiting trade in transplant organs.

Adopted on 14 September. Parliament called on the Council to take the necessary measures to prohibit trade in transplant organs throughout the Community and asked the Commission to draw up a code of conduct listing the principles which should be respected in relation to transplantation, such as organs to be donated free and donors to remain anonymous. Parliament also recalled the need for Community self-sufficiency in transplant organs and urged cooperation between Member States to this end, including the improvement of information networks and the launching of public awareness campaigns. It also called on the Commission to take all the necessary measures to ensure that there are no administrative or

health obstacles to the transportation of transplant organs within the Community.

OJ C 268, 4.10.1993

1.2.142. Parliament resolution on self-sufficiency in and safety of blood and its derivatives in the Community.

Reference: Council Directive 89/381/EEC extending the scope of Directives 65/65/EEC and 75/319/EEC relating to proprietary medicinal products and laying down special provisions for medicinal products derived from human blood or human plasma: OJ L 181, 28.6.1989; Bull. EC 6-1989, point 2.1.23

Adopted on 14 September. Parliament reaffirmed the principle that the human body is inviolable and that there may be no trade in any of its parts, including blood. It advocated the drawing-up of an action plan to ensure Community self-sufficiency in blood and its derivatives by promoting national self-sufficiency and safe transfusion, particularly through the encouragement of voluntary donations and of biotechnological production methods. It also called on the Member States to enact legislation guarding against the biological risk related to transfusion and shifting the burden of proof away from the recipient.

OJ C 268, 4.10.1993

Solidarity

Measures to help disabled people

1.2.143. Council Decision No 93/512/EEC on a Community technology initiative for disabled and elderly people (TIDE) (1993 to 1994).

Commission proposal: OJ C 166, 17.6.1993; COM(93) 175; Bull. EC 5-1993, point 1.2.150
Economic and Social Committee opinion: OJ C 249, 13.9.1993; Bull. EC 6-1993, point 1.2.224
Parliament opinion: OJ C 255, 20.9.1993; Bull. EC 7/8-1993, point 1.2.192

Adopted on 21 September. The aim of the TIDE initiative is to encourage the use of readaptation technologies with a view to facilitating the economic and social reintegration of the disabled and the elderly and promoting the

creation of an internal market in these technologies. It comprises four main categories of action:

- improvement of access to communication and information technology;
- development of environmental control technologies for daily living;
- development of technologies for the restoration and enhancement of motor and cognitive functions;
- development of integrated system technologies.

The amount deemed necessary for this initiative is ECU 30 million.

OJ L 240, 25.9.1993

Measures to help disaster victims

1.2.144. Commission decision to grant emergency aid to victims of forest fires in Spain.

Adopted on 17 September. The Commission decided to grant ECU 30 000 to the victims of the forest fires in the province of Tarragona.

1.2.145. Commission decision to grant emergency aid to victims of floods in France and Italy.

Adopted on 29 September. The Commission decided to grant two sums, each of ECU 800 000, to the victims of the flooding in south-east France and north-west Italy.

Human rights

1.2.146. Parliament resolution on the death of Joy Gardner.

Adopted on 16 September. Parliament called on the British Government to hold an independent public inquiry into the death of Mrs Joy Gardner, who died while being detained in her home by British police and immigration officials. It also called on the Council to establish and declare guiding principles governing the detention and deportation of illegal immigrants.

OJ C 268, 4.10.1993

1.2.147. Parliament resolution on the kidnapping of the engineer Julio Iglesias Zamora.

Adopted on 16 September. Parliament condemned the kidnapping by the terrorist organization ETA of Mr Julio Iglesias Zamora, demanded his release and expressed its solidarity with his family.

OJ C 268, 4.10.1993

1.2.148. Parliament resolution on trade in women.

Reference: Parliament resolution on the exploitation of prostitution and the traffic in human beings: OJ C 120, 16.5.1989; Bull. EC 4-1989, point 2.4.3

Adopted on 16 September. Parliament is of the opinion that there is a need for international cooperation in the fight against trade in women. It called on the Commission to coordinate action on this front and on the governments of the Member States, meeting within the Council, to adopt a declaration denouncing the exploitation of prostitution and promising Community measures to combat it.

It also called on the Member States to ensure that their struggle against the laundering of money from trade in women is effectively coordinated and to adopt legal provisions to protect the rights, dignity and safety of the victims and, in particular, to give them the legal right to remain on Community territory if repatriation might pose a threat to their safety.

OJ C 268, 4.10.1993

Audiovisual media, information, communication and culture

Information and public awareness

Information policy

1.2.149. Parliament resolution on the information policy of the European Community.

Adopted on 17 September. Considering as it does that the provision of information is a democratic duty and that information should address all citizens to explain, in plain and simple terms, the political aims being pursued, Parliament sets forth the principles it would like to see reflected in the information policy of the Community institutions. It calls on the Commission to draw up a work programme implementing Article 138a of the EC Treaty, as inserted by the Treaty on European Union. It also calls on the Commission to present to it an annual report on its communication policy and, in drawing up its decisions, to put across to the general public the political aspirations formulated by Parliament and the Council. Parliament also proposes setting up a databank on Community funding and programmes, organizing seminars and group visits, providing access to the European institutions for primary and secondary schoolchildren and improving Community publications to provide answers to the most commonly asked questions. The resolution also addresses the problems connected with the refunding of communication charges, the functioning of Community offices in the Member States and the creation of small information offices. It concludes by stressing the information role which public libraries and the new media should play and recommends that adequate funds for a campaign to promote European values and

democracy be made available in the Commission's 1994 information budget.

OJ C 268, 4.10.1993

Information and public awareness

1.2.150. Economic and Social Committee opinion on the Commission Green Paper on pluralism and media concentration in the internal market (→ point 1.2.18).

International cooperation

Austria

1.2.151. Visit to Vienna on 7 September by Mr Pinheiro, Member of the Commission with special responsibility for audiovisual media and culture. Responding to an invitation from the Minister for Foreign Affairs, Mr Alois Mock, Mr Pinheiro also met the Minister for Education and the Arts, Mr Rudolf Scholten. Discussions focused on the choice of Graz as the European City of Culture in 1998, on cooperation in cultural affairs with Central and Eastern Europe and on Community cultural programmes. Mr Pinheiro also suggested setting up Euro-Info-Centres as part of the Community's information policy in Austria.

3. The role of the Community in the world

European Free Trade Association

Bilateral relations

Austria

1.3.1. Visit by Wolfgang Schüssel, the Minister for Economic Affairs, on 17 September.

Reference: Ministerial conference on Austria's accession to the European Union: Bull. EC 6-1993, point 1.3.2

Mr Schüssel saw Mr van den Broek. They discussed the negotiations on Austria's membership of the European Union and together expressed a desire to see the Agreement on the European Economic Area (EEA) come into force by 1 December.

Finland

1.3.2. Visit made by Mr van den Broek on 20 and 21 September.

References:

Ministerial conference on Finland's accession to the European Union: Bull. EC 6-1993, point 1.3.3

Draft Agreement establishing the European Economic Area: Bull. EC 6-1993, point 1.3.8

Mr van den Broek saw the President, Dr Koivisto, Mr Aho, the Prime Minister, Mr Haavisto, the Minister for Foreign Affairs, and Mr Salolainen, the Minister for Foreign Trade. They discussed the negotiations on Finnish accession, implementation of the EEA Agreement and the GATT negotiations.

Sweden

1.3.3. Visit by the Swedish Prime Minister, Carl Bildt, on 17 September.

Reference: Ministerial conference on the country's accession to the European Union: Bull. EC 6-1993, point 1.3.5

Mr Bildt saw Mr van den Broek. They discussed Swedish membership negotiations, which the Prime Minister thought were going well. The Uruguay Round trade negotiations and the situation in former Yugoslavia were also raised.

Switzerland

1.3.4. Commission communication on future relations with Switzerland.

Reference: Council conclusions on the European Economic Area and the effect of the Swiss 'no' vote of 6 December: Bull. EC 12-1992, point 1.4.3

Approved by the Commission on 14 September. The communication looks at future relations between the Community and Switzerland in light of the country's rejection of the Agreement establishing the EEA. It puts forward the idea of negotiations on agreements bringing equal benefit to both parties in areas of mutual interest. The first two sectors involved should be road and air transport and the free movement of people.

1.3.5. Recommendation for a Council Decision on the opening of negotiations between the European Economic Community and the Swiss Confederation in the fields of road and air transport (→ point 1.2.80).

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

Central Europe

Assistance to Central Europe

1.3.6. Financing decisions pursuant to Council Regulation (EEC) No 3906/89 on

economic aid to certain countries of Central and Eastern Europe (PHARE programme).

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

Reference: General guidelines for assistance under the PHARE programme from 1993 to 1997: Bull. EC 7/8-1993, point 1.3.6

Adopted by the Commission on 8 September. The Commission approved the financing of six projects under the PHARE programme for a total of ECU 65.2 million:

□ *Albania:* ECU 6 million for a three-year programme of support for the restructuring of the health sector;

□ *Estonia:* ECU 10.5 million for a two-year general programme of technical assistance. This programme covers four key areas: economic restructuring, public administration reform, the development of human resources and social security;

□ *Latvia:* ECU 16 million for a two-year general programme of technical assistance. This programme covers four key areas: reform of banking and finance, agriculture, energy, telecommunications, transport and environment, social policy reforms and programmes and public administration reform;

□ *Lithuania:* ECU 22.5 million for a two-year general programme of technical assistance. This programme covers four key areas: sectoral restructuring, infrastructure development, human resources development and aid for regional programmes;

□ *Slovenia:* ECU 7.5 million for a two-year general programme of technical assistance. This programme is geared to the following priorities: restructuring, privatization and the development of the private and financial sectors, assistance for the public sector, mainly in the form of feasibility studies prior to public-sector investment and specific institutional development, consultancy and training projects;

□ *Information campaign on the PHARE programme:* ECU 2.7 million.

Relations with Central Europe

1.3.7. Meeting of the Foreign Ministers of the Visegrad countries, Bulgaria, Romania and the European Community.

Reference: Commission communication to the Council concerning the follow-up to the European Council in Copenhagen: market access measures to help the Central and Eastern European countries: COM(93) 321; Bull. EC 7/8-1993, point 1.3.10

Previous meeting: Bull. EC 3-1993, point 1.3.12

Meeting held in Brussels on 21 September. It was attended by the Foreign Ministers of Bulgaria, Romania and the Visegrad countries (Hungary, Poland, the Czech Republic and Slovakia), the members of the Community troika (made up of the President of the Council, Mr W. Claes, Belgium's Deputy Prime Minister and Foreign Minister, Mr N. Helveg Petersen, Denmark's Foreign Minister, and Mr M. Papaconstantinou, Greece's Foreign Minister), and a Commission representative.

In discussing bilateral relations, the ministers considered France's initiative concerning a stability pact in Europe and the implementation of the conclusions of the Copenhagen European Council concerning the improvement of the trade concessions granted to the countries of Central Europe. The discussions concerning international relations covered the situation in the Russian Federation, and in particular the need to support the Russian Government's efforts to achieve internal and external stability. The ministers also discussed the conflict in former Yugoslavia. Referring to the role of international organizations, they stressed the importance of adapting the structure of the UN to the new challenges, enabling the new democracies to join the Council of Europe and tackling the issue of minorities at the next Summit.

Bilateral relations

Bulgaria and Romania

1.3.8. Draft Commission Decisions on certain detailed rules for the application of the

Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and Bulgaria and Romania respectively.

References:

Commission Decision 2424/88/ECSC on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community: OJ L 209, 2.8.1988; Bull. EC 7/8-1988, point 2.2.9

Draft Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria, of the other part: Bull. EC 4-1993, point 1.3.9

Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part: OJ L 81, 2.4.1993; Bull. EC 3-1993, point 1.3.10

Proposal for a Council Regulation on certain procedures for applying the Interim Agreement on trade and trade-related matters between the EEC and the ECSC, of the one part, and Bulgaria, of the other part: COM(93) 179; Bull. EC 5-1993, point 1.3.11

Proposal for a Council Regulation on certain procedures for applying the Interim Agreement on trade and trade-related matters between the EEC and the ECSC, of the one part, and Romania, of the other part: COM(93) 179; Bull. EC 5-1993, point 1.3.14

Adopted by the Commission on 6 September. The purpose is to lay down procedures for implementing the safeguard and commercial protection measures laid down in the Interim Agreements for ECSC products, specifying in particular the conditions for implementing the commercial protection measures provided for in Decision No 2424/88/ECSC.

Endorsed by the ECSC Consultative Committee on 17 September.

Visegrad countries (Poland, Hungary, Czech Republic and Slovakia)

1.3.9. Draft Additional Protocols to the Interim Agreements on trade and trade-related measures between the EEC and the ECSC, of

the one part, and the Republic of Hungary, the Republic of Poland and the Czech and Slovak Federal Republic, of the other part, and to the Europe Agreements between the European Communities and their Member States, of the one part, and the Republic of Hungary, the Republic of Poland and the Czech and Slovak Federal Republic, of the other part.

Draft Commission Decisions on the conclusion of the Additional Protocols: COM(93) 404; Bull. EC 7/8-1993, point 1.3.11

Endorsed by the ECSC Consultative Committee on 17 September.

1.3.10. Draft Europe Agreements between the European Communities and their Member States, of the one part, and the Czech Republic and Slovakia respectively, of the other part.

Commission recommendation: Bull. EC 1/2-1993, point 1.3.2

Negotiating directives: Bull. EC 4-1993, point 1.3.16

Initialling of Agreements: Bull. EC 6-1993, point 1.3.17

Commission proposals concerning the conclusion of the Agreements: COM(93) 386; Bull. EC 7/8-1993, point 1.3.13

Endorsed by the ECSC Consultative Committee on 17 September.

1.3.11. Draft Supplementary Protocols between the EEC and the ECSC of the one part and, respectively, the Czech Republic and Slovakia, of the other part, to the Interim Agreement on trade and trade-related matters between the EEC and the ECSC, of the one part, and the Czech and Slovak Federal Republic, of the other part.

Reference: Interim Agreement on trade and trade-related matters between the EEC and the ECSC, of the one part, and the Czech and Slovak Federal Republic, of the other part: OJ L 115, 30.4.1992; Bull. EC 1/2-1992, point 1.4.9

The Commission adopted proposals for Council Decisions and draft Commission Decisions concerning the conclusion of Supplementary Protocols on behalf of, respectively, the EEC and the ECSC on 30 September. These proposals and draft Decisions are a result of the break-up of the Czech and

Slovak Federal Republic and are intended to enable the Czech Republic and Slovakia to assume the obligations of the former Czech and Slovak Federal Republic in applying the Interim Agreement concluded between the latter and the European Communities.

1.3.12. Proposal for a Council Decision allowing for separate liability of the Czech Republic and Slovakia with regard to the loan facility granted to the Czech and Slovak Federal Republic pursuant to Council Decision 91/106/EEC.

Reference: Council Decision 91/106/EEC providing medium-term financial assistance for the Czech and Slovak Federal Republic: OJ L 56, 2.3.1991; Bull. EC 1/2-1991, point 1.3.21

Adopted by the Commission on 1 September. The Decision allows for separate liability of the Czech Republic and Slovakia with regard to the loan of ECU 375 million granted by the Community to the Czech and Slovak Federal Republic in February 1991, two thirds being assigned to the Czech Republic and one third to Slovakia.

OJ C 257, 22.9.1993; COM(93) 399

Independent States of the former Soviet Union

Assistance to the independent States of the former Soviet Union

1.3.13. Commission financing decision pursuant to Council Regulation (Euratom, EEC) No 2053/93 concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia.

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

Adopted by the Commission on 22 September. Emergency humanitarian aid of ECU 8 million

is being granted to Armenia under the TACIS programme. The aid will take the form of fuel supplies for electricity generation.

Bilateral relations

Armenia and Azerbaijan

1.3.14. Parliament resolution on Armenia and Azerbaijan.

Adopted by Parliament on 16 September. Parliament reaffirmed that it supported the territorial integrity and sovereignty of the States in the region. It urged the Armenian authorities to stop their attacks on Azerbaijani towns and villages and withdraw from Azerbaijani territory and called on the Azerbaijanis to refrain from renewing their attacks against Nagorno-Karabakh. It also urged the neighbouring powers to refrain from any intervention which might draw other countries into the conflict and called on all the parties concerned to support all efforts to consolidate the provisional cease-fire between Azerbaijan and Armenia as a prelude to full implementation of the relevant UN Security Council resolutions. Parliament also welcomed efforts by the international community to mediate and urged the Member States and the Commission to use their influence to bring about an end to the fighting and a peaceful solution.

OJ C 268, 4.10.1993

Turkmenistan

1.3.15. Visit to the Commission by Mr Saparmurad Niyazov, the President of the Republic, on 28 and 29 September.

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

Mr Niyazov saw Mr Delors and Sir Leon Brittan. The talks focused on Turkmenistan's domestic political and economic situation. Mr Niyazov stressed the problems of introducing

a national currency, and the difficulties being experienced by the government in applying its policy of autonomous development: bankruptcy of traditional customers, the status of the bilateral trade agreements with the countries of the region and the military agreement with the Russian Federation, and Turkmenistan's political and trade dependence on the latter. In this connection reference was made to the recent framework agreement establishing an economic union adopted by the Heads of State of the Commonwealth of Independent States (CIS), excluding Turkmenistan and Ukraine. In the face of these difficulties, Mr Delors and Sir Leon stressed the need to continue the present efforts at economic restructuring, emphasizing in particular the programme for the privatization of agriculture and all industrial sectors, with the exception of energy, and pointing to the fact that the Community was prepared to help Turkmenistan under the TACIS programme. They also expressed the Community's concern regarding the human rights situation in Turkmenistan.

Ukraine

1.3.16. Visit to the Commission by Mr Anatoly Zlenko, Foreign Minister, on 16 September.

Reference: Draft partnership and cooperation agreements with the independent States of the former Soviet Union: Bull. EC 10-1992, point 1.4.19; Bull. EC 4-1993, point 1.3.18

Mr Zlenko saw Mr van den Broek. Their talks focused mainly on the political and economic situation in Ukraine, the fighting in former Yugoslavia and France's initiative concerning a stability pact in Europe. They also covered the progress of the negotiations for a partnership and cooperation agreement.

Mediterranean and Middle East

Support for the Middle East peace process

1.3.17. Visit to the Commission by Mr Shimon Peres, Israel's Foreign Minister, on 2 September.

Reference: Agreement between the European Economic Community and the State of Israel: OJ L 136, 28.5.1975

Mr Peres saw Mr Delors and Mr van den Broek. He asked the Community to help finance implementation of the agreement on the autonomy of the Gaza Strip and Jericho and to revise the 1975 EEC-Israel Cooperation Agreement. Mr Delors welcomed the agreement reached between Israel and the Palestinians, which should facilitate revision of the Cooperation Agreement (→ point 1.3.19). He also advocated an economic, financial and moral commitment from the Community to help launch the peace process and stressed that while it was rapidly devising a short-term financial and technical assistance programme for the Gaza Strip and Jericho, the Community wanted to encourage overall long-term regional integration.

1.3.18. Commission communication to the Council on 'Future relations and cooperation between the Community and the Middle East'.

Reference: Commission communication on 'The future of relations between the Community and the Maghreb': Bull. EC 4-1992, point 1.4.6

Adopted by the Commission on 8 September. In its communication, the Commission explores longer-term prospects of involving Egypt, Israel, Jordan, Lebanon, the Occupied Territories and Syria in a process of regional cooperation, supported by the Community. It welcomes the Gaza and Jericho peace agreement but emphasizes the need for interregional cooperation to help make the peace process irreversible. It draws a distinction between this cooperation and the necessary short-term support for the peace process. It therefore examines the conditions for successful regional cooperation, the role that the Community and its Member States should play to promote such cooperation and the prospects for triangular relations between the Community, Israel and the Mashreq.

The Commission underlines the importance of economic integration and the development of interdependence between the various parties in promoting political stability in the Middle East, and the need to reduce the disparities

between the countries concerned, i.e. between Israel and the Mashreq. It suggests that these countries adopt habits of cooperation leading to the development of appropriate institutions and a free trade area in the region. The peace settlement would thus be strengthened by bilateral and multilateral Arab-Israeli cooperation agreements. For this approach to succeed, the Commission underlines the need for assistance by outside parties and particularly the Community, which could have a major role to play because of its geopolitical situation, its close links with all the parties concerned and its own experience of regional cooperation.

The Commission therefore advocates working towards balanced triangular relations between Europe, the Mashreq and Israel, on the basis of the following guidelines:

- Community support in implementing economic reforms and developing regional cooperation between the Mashreq and Israel;
- development of a partnership between the Community and the Mashreq along the lines of that already established with the Maghreb;
- establishment with Israel of a partnership adapted to its situation and involving it more closely with European developments;
- respect for human rights and democracy in all the countries of the region.

In this connection the Commission underlines the need for the Mashreq and Israel to develop common capacities in order to improve economic efficiency in areas such as trade, regional infrastructure, tourism, education, research and industry and to tackle jointly problems stretching beyond national borders, such as water, energy, health or the environment.

In parallel to the proposed guidelines, the Commission plans to draw up a programme of specific operations with an ECU 500 million budget for the next five years.

COM(93) 375

1.3.19. Peace agreement between Israel and the PLO.

Statement given by Mr Delors on 9 September.

'All of us at the European Commission are delighted to welcome the agreement on mutual recognition between Israel and the PLO. It is a major step

towards lasting peace in the Middle East and lays the ground for Palestinian autonomy in the Gaza Strip and Jericho. The European Community has already expressed its admiration for the far-sightedness and the courage shown by the leaders of the Israeli and Palestinian peoples who have set this historic process in motion and I have spoken to Shimon Peres about the aid we can provide to help the peace process. The Commission is already working on practical proposals to demonstrate the Community's political, financial and economic commitment in the short, medium and long term. Everything must be done to create an area of peace, mutual understanding and cooperation in the region.'

Agreement signed in Washington on 13 September. The Community was represented at the signing ceremony by Mr Delors and Mr Claes, President of the Council.

Joint declaration of 13 September on the peace process in the Middle East (→ point 1.4.9).

1.3.20. Granting of financing to support the peace process.

Agreed in principle by the Council (economic and financial affairs) on 13 September. The Council approved the Commission Decision to grant a further ECU 20 million to the Occupied Territories. This sum will be used to help establish the necessary administrative structures in Jericho and the Gaza Strip, particularly in the education and health spheres, to set up small businesses and to provide food aid.

1.3.21. Visit to the Commission by Mr Nabel Shaath, President of the PLO's Political Committee, on 16 September.

Mr Shaath saw Mr Marín and Mr Matutes to whom he expressed his gratitude for what the Community, as the first donor to have given any practical commitment, had already done for the Occupied Territories. It was pointed out that the Commission was also willing to provide medium and long-term assistance for regional cooperation projects in areas such as infrastructure, water and energy.

1.3.22. Parliament resolution on the Middle East peace process.

Adopted by Parliament on 16 September. Parliament welcomed the peace agreement concluded

between the Israeli Government and the representatives of the Palestinian people, and the mutual recognition of Israel and the PLO. It paid tribute to the positive role played by Norway in bringing the negotiations to a successful conclusion, and considered that the implementation of the agreement could open the way to lasting peace in the region. Expressing the hope that an economic and social aid programme could be drawn up to help the Occupied Territories, it welcomed both the Community's decision to implement a five-year programme with a budget of ECU 500 million and the Commission communication on 'Future relations and cooperation between the Community and the Middle East'. It also underlined the need to involve Arab capital in these plans and the importance of the Euro-Arab dialogue. It called on the international community to support the peace process with a view to securing the full application of the UN Security Council resolutions.

OJ C 268, 4.10.1993

1.3.23. Commission communication on 'Community support to the Middle East peace process'.

Adopted by the Commission on 29 September. In its communication, the Commission examines the ways in which the Community can contribute to the success of the peace process, and sets two objectives: to help bring about a satisfactory level of economic development in the Occupied Territories and to give active support to the economic development of the region as a whole.

It proposes, as outlined in its communication on 'Future relations and cooperation between the Community and the Middle East' (→ point 1.3.18), to earmark ECU 500 million for the Occupied Territories for the period 1994-98. It suggests that half this sum should come from the Community budget and the other half should take the form of long-term loans from the European Investment Bank. This support could be used for two complementary types of operation:

□ in the short term, projects already under way in the fields of housing, credit for small and medium-sized businesses, renovation of

the sewage system and the construction of hospitals could be extended;

□ in the medium and long term, a contribution could be made to the development of economic and social infrastructure and to the creation of modern private-sector businesses in order to generate jobs rapidly.

The Commission also highlights the need for parallel Community support for the Mashreq countries and Israel, in the form of aid for the development of regional cooperation and the strengthening of bilateral relations between the Community and these countries. It points out that as the main financial contributor to the development of the Occupied Territories, the Community will have a decisive role to play in donor coordination.

COM(93) 458

1.3.24. Draft Association Agreement with Israel.

Reference: Agreement between the European Economic Community and the State of Israel: OJ L 136, 28.5.1975

Recommendation for a Decision adopted by the Commission on 29 September. The Commission proposes negotiating a new EEC-Israel Agreement to replace and amplify the 1975 accord, while remaining within the context of Community support for the Middle East peace process. It wants to promote greater political dialogue, the extension of free trade to services, public procurement and capital movements, closer cooperation in all areas, particularly banking, research, technology, energy and industrial property and support for regional cooperation.

Mediterranean countries

Bilateral relations

Algeria

1.3.25. Parliament resolution on the situation in Algeria.

Adopted by Parliament on 17 September. Parliament roundly condemned the attacks and violence perpetrated in Algeria. It considered that the policies and the violence of the fundamentalist movements and the statements made by their leaders represented a serious threat to democracy and basic freedoms and that a policy of repression could not achieve the objective of democratization in Algeria. It therefore called on the Algerian Government to promote a far-ranging dialogue between all the democratic forces and thus to foster free, democratic elections. It also called on the international financial institutions to find ways of reducing Algeria's foreign debt and reviving its economy and in this connection highlighted the role of Euro-Maghreb cooperation.

OJ C 268, 4.10.1993

Bosnia-Herzegovina

1.3.26. Parliament resolution on the situation in Bosnia-Herzegovina.

Adopted by Parliament on 16 September. Parliament criticized proposals for a settlement to the situation in Bosnia-Herzegovina which implied the destruction of a multi-ethnic society, and supported the position taken by the Government of Bosnia-Herzegovina. It called on the Member States to initiate or support military intervention under the authority of the United Nations in order to enforce the relevant Security Council resolutions. It also called on the Community to step up its humanitarian aid, particularly with winter on its way. It also stressed the importance of clearly defining the responsibilities of the various international organizations and the Member States. It called for measures to prevent the war spreading to neighbouring countries, for the immediate release of people detained by Croat and Serb forces and for the setting up of an international war crimes tribunal as proposed in Security Council Resolution 827. It also called for Sarajevo to be designated the 'multicultural capital of Europe'.

OJ C 268, 4.10.1993

Morocco

1.3.27. Commission communication on 'Combating drugs and developing the northern provinces of Morocco'.

References:

Conclusions of the Rome European Council: Bull. EC 12-1990, point I.17

Conclusions of the Lisbon European Council: Bull. EC 6-1992, point I.11

Conclusions of the Edinburgh European Council: Bull. EC 12-1992, point I.11

Visit to Morocco by Mr Delors, from 24 to 28 February 1993: Bull. EC 1/2-1993, point 1.3.20

Draft Euro-Maghreb Association Agreement with Morocco: Bull. EC 6-1993, point 1.3.25

Approved by the Commission on 8 September.

Formally adopted by the Commission on 24 September. In this communication to the Council, the Commission presents a set of measures designed to support the Moroccan Government's campaign against cannabis growing and trafficking and to promote an alternative development strategy in the northern provinces. The Commission's proposals dovetail with the European programme to combat drugs drawn up at various European Councils and are in line with the United Nations international drug control programme (UNIDCP). They will promote the implementation of the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which Morocco ratified in October 1992.

The Commission suggests that the Community and its Member States cooperate with Morocco in the following areas:

- a basic socioeconomic study of drug production and export in Morocco;
- technical assistance with a view to setting up a drugs monitoring centre;
- preparation and implementation, in liaison with UNIDCP, of a master plan covering all aspects of the phenomenon;
- support in the form of equipment and technical assistance for the authorities concerned;
- support for private and/or public efforts to prevent drug abuse among the Moroccan population, principally in northern towns.

The Commission also notes that given the economic conditions of cannabis trafficking, its elimination depends on an overall development strategy involving all economic oper-

ators. It therefore proposes to support this strategy in the following ways:

- support for the Agency for the Development of the Northern Provinces: exchange of know-how, technical assistance, capital input;
- support for an integrated regional development strategy for the North (technical assistance);
- financing of priority measures in areas such as job creation, the environment, health, agribusiness and rural power supplies.

The Commission stresses that in the short term these operations can be financed under existing budget headings and that there are resources available for EIB loans as part of horizontal cooperation. It also points out that a special chapter on the fight against drugs will be included in future Euro-Maghreb Agreements.

Slovenia

1.3.28. Visit by Mr van den Broek on 6 and 7 September.

References:

Economic and trade cooperation Agreement between the European Economic Community and the Republic of Slovenia: OJ L 189, 29.7.1993; Bull. EC 7/8-1993, point 1.3.25

Protocol on financial cooperation between the European Economic Community and the Republic of Slovenia: OJ L 189, 29.7.1993; Bull. EC 7/8-1993, point 1.3.26

Agreement between the Member States of the European Coal and Steel Community and the ECSC, of the one part, and the Republic of Slovenia, of the other part: OJ C 210, 4.8.1993; Bull. EC 7/8-1993, point 1.3.24

Agreement between the European Economic Community and the Republic of Slovenia in the field of transport: OJ L 189, 29.7.1993; Bull. EC 7/8-1993, point 1.2.108

Mr van den Broek visited Ljubljana at the invitation of Mr Lojze Peterle, Deputy Prime Minister and Foreign Minister. Mr van den Broek and Mr Peterle welcomed the entry into force of the various agreements concluded between the Community and Slovenia and considered that they provided the necessary legal and political basis for strengthening ties between the two sides, the next stage being to negotiate a European Association Agreement.

Mr van den Broek approved the process of economic restructuring under way in Slovenia which will be bolstered by its forthcoming membership of GATT. He also welcomed the democratic progress made in Slovenia which he felt had an important role to play in contributing to stability and security in Europe.

Turkey

1.3.29. Visit by Mrs Scrivener from 11 to 13 September.

Mrs Scrivener saw Mr Suleyman Demirel, President of Turkey, and Mrs Tansu Ciller, Prime Minister. Talks focused on the establishment of the customs union between the Community and Turkey.

Financial and technical cooperation

Cooperation under the Mediterranean Financial Protocols

Egypt

1.3.30. Financing decision.

Reference: Council Decision 92/207/EEC on the conclusion of the fourth Financial Protocol with Egypt: OJ L 94, 8.4.1992; Bull. EC 3-1992, point 1.3.20

Approved by the Commission on 21 September. The decision concerns a grant of ECU 4.94 million for the Al Ahram printing works project.

Support for democratization and the defence of human rights in developing countries

Jordan

1.3.31. Financing decision.

Reference: 1993 budget: OJ C 21, 25.1.1993; Bull. EC 12-1992, point 1.6.3

United States, Japan and other industrialized countries

United States

1.3.32. Sir Leon Brittan visited Washington on 27 September.

References:

EEC-US ministerial meeting, 19 November 1992: Bull. EC 11-1992, point 1.4.83

Quad meeting on the Uruguay Round in Tokyo, on 6 July 1993: Bull. EC 7/8-1993, point 1.3.37

Sir Leon met Mr Kantor, US Trade Representative. Their talks focused on the Uruguay Round negotiations, particularly market access for goods and services and the steel, aerospace and agriculture sectors. In respect of the latter, Sir Leon stressed the importance of clarifying the Blair House agreement and examining the various ways in which it could be interpreted, while Mr Kantor reiterated his government's opposition to any renegotiation of the agreement.

Japan

1.3.33. Parliament resolutions on trade and economic relations between the Community and Japan.

References:

Parliament resolution on trade and economic relations between the European Community and Japan: OJ C 42, 15.2.1993; Bull. EC 1/2-1993, point 1.3.34

Third EC-Japan Summit: Bull. EC 7/8-1993, point 1.3.42

Two resolutions adopted by Parliament on 17 September. Against a backdrop of increasing imbalances in bilateral trade, Parliament reaffirmed the need to develop a consistent and global approach to trade relations between the two parties, and saw the annual EC-Japan Summit as the ideal vehicle for expressing the Community's political will. Parliament called for vigorous and drastic action to reduce the trade imbalance over the next four years, stressed the need for measures to open up the Japanese mar-

ket, and urged the Japanese Government to identify the main structural reforms required and to deregulate their economy. The resolutions also called on the Japanese Government and the Community to complete their joint study aimed at identifying the degree of penetration achieved by European products on the Japanese market and to undertake a feasibility study on the proposal to set up a European Trade Centre to assist European exporters. Finally, Parliament called on the Council to fund the Community executive training programme, which gives young Europeans the opportunity to learn the Japanese language and to gain work experience in Japan.

OJ C 268, 4.10.1993

1.3.34. Parliament resolution on trade relations between the Community and Japan.

Adopted by Parliament on 30 September. Parliament expressed the belief that the new Japanese Government is willing and able to redress the trade imbalances with the Community, and called on the Commission to pursue the dialogue with Japan along those lines.

OJ C 279, 18.10.1993

Other industrialized countries

South Africa

1.3.35. Communication from the Commission to the Council entitled 'South Africa and the European Community: guidelines for a policy to support the transition to democracy'.

References:

Special Community programme of assistance to the victims of apartheid in South Africa: Bull. EC 9-1985, point 2.5.1

Declaration of the Council and the representatives of the governments of the Member States meeting within the Council on the future development of cooperation with South Africa: Bull. EC 5-1993, point 1.3.29

Adopted by the Commission on 29 September. This communication is in response to recent political developments in South Africa, in particular the decision to create a Transitional Executive Council. Stressing the need to normalize and strengthen relations between the

Community and South Africa, the Commission sets out guidelines for a Community policy to support the transition to democracy in that country. The communication proposes that Community action should be phased to reflect the pace of democratization.

The Commission suggests that the first series of short-term initiatives should be launched as soon as the legislation creating the Transitional Executive Council is in place. This would entail diplomatic action to have the remaining restrictions on South Africa's participation in World Bank and IMF programmes lifted, plus development cooperation under the special programme and assistance and monitoring services to ensure that the forthcoming elections proceed smoothly.

Once the Transitional Executive Council is up and running, the Commission proposes that the remaining sanctions applied by the Community and its Member States should be reviewed, a Commission delegation opened, new lines of political communication established, South Africa encouraged to step up its efforts to dismantle trade barriers and a dialogue initiated with regard to economic and trade relations and the normalization of bilateral relations in the field of development cooperation.

In conclusion, the Commission suggests that the third and final phase should get under way following the holding of free elections and the effective establishment of a democratic government, at which point it would recommend that the Council adopt negotiating directives for the conclusion of a comprehensive long-term agreement.

COM(93) 460

Australia

1.3.36. Mr Evans, Foreign Affairs Minister, visited the Commission on 23 September.

Reference: Council conclusions on the Uruguay Round: point 1.3.79 of this Bulletin

Mr Evans met Sir Leon Brittan and Mr Steichen, with whom he discussed the outlook for the Uruguay Round negotiations in the light of the Council conclusions of 21 September.

Asia and Latin America

Asia

Relations with the members of the Association of South-East Asian Nations (ASEAN)

1.3.37. Proposed agreement between the European Community and the members of the Association of South-East Asian Nations (Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand) on drug precursors.

Negotiating directives adopted by the Council on 13 September. The Commission negotiating directives were a follow-up to the recommendation for a Decision of 7 July. The aim of the proposed agreement is to introduce Community-ASEAN drug precursor monitoring arrangements and to step up cooperation and mutual assistance between the appropriate authorities on both sides, in the interests of preventing the diversion of precursors in a manner which protects and preserves the confidentiality of the data involved.

Bilateral relations

China

1.3.38. Chinese Vice-Premier Zou Jiahua visited the Commission on 16 and 20 September.

Mr Zou met Mr Delors on 16 September and Sir Leon Brittan on 20 September. The main issues discussed were China's economic situation and the outlook for furthering bilateral trade and economic cooperation between the Community and China.

Hong Kong

1.3.39. Mr Chan, Hong Kong Trade and Industry Secretary, visited the Commission on 30 September.

Mr Chan met Sir Leon Brittan for talks on bilateral Community-Hong Kong relations and the Uruguay Round trade negotiations.

the country eventually to repair the damage caused by the April 1993 hurricane.

OJ C 268, 4.10.1993

Latin America

Bilateral relations

Cuba

1.3.40. Parliament resolution on the embargo against Cuba and the Torricelli Act.

References:

Parliament resolution on the restrictions on international trade imposed by the United States (Cuban Democracy Act): OJ C 21, 25.1.1993; Bull. EC 12-1992, point 1.4.32

Parliament resolution on Community emergency aid for the population of Cuba following a violent storm: OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.3.56

Adopted by Parliament on 16 September. Parliament called on the US administration and Congress to put an end to the trade, economic and financial embargo against Cuba. It reiterated its firm condemnation of the Torricelli Act, which tightens up the economic embargo against Cuba with the aim of preventing firms outside the United States' jurisdiction from trading with the island, and emphasized that the Act violates international law. It called on Congress to revoke the Act and urged the Community and Member States not to comply with it.

Parliament advocated a stepping-up of political, economic and cultural dialogue between Cuba and the Community in order to encourage the development of Cuban democracy. It called in particular for Cuba to be eligible for Community-financed regional cooperation programmes for the Caribbean and Latin America, and for a general economic and commercial cooperation agreement to be concluded with the country.

It also wished to see an increase in humanitarian aid and the provision of trade facilities or financial and technical cooperation to help

Mexico

1.3.41. Mexico's President, Carlos Salinas, visited the Commission on 23 September.

Reference: Framework Agreement for cooperation between the European Economic Community and the United Mexican States: OJ L 340, 11.12.1991; Bull. EC 10-1991, point 1.3.24

Mr Salinas, accompanied by Jaime Serra Puche, Minister for Commerce and Industrial Development, and Fernando Solana, Foreign Minister, met Mr Delors, Mr Marin and Mr van den Broek for talks which centred on the prospects for strengthening trade relations between the Community and Mexico and the 1991 cooperation Agreement. The main issues raised were the signing of the North American Free Trade Agreement (NAFTA), the growing moves towards regional integration in Latin America, and the institutional changes which would be brought by the entry into force of the Treaty on European Union.

Financial and technical cooperation with Asia and Latin America

1.3.42. Project financing.

Basic Regulation: Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. EC 1/2-1992, point 1.4.40

A Commission Decision of 2 September allocated ECU 17.5 million for a rural development project in the Quiche department of Guatemala, an area of the country with an 85% Mayan population. The main targets of the project are small-scale infrastructure (tracks, drinking water, health, education), food security (irrigation and reforestation) and the development of micro-enterprises. Provision is also made for activities aimed expressly at women.

Relief for refugees

1.3.43. Project financing.

Commission Decisions allocating funds for the following projects:

- Afghanistan*: ECU 12.32 million for four relief projects for refugees, returnees and displaced persons;
- Bangladesh*: ECU 500 000 for a programme to improve medical assistance in the district of Cox's Bazar.

ACP countries and OCTs

Implementation of the fourth ACP-EEC Convention

1.3.44. Mid-term partial review of Lomé IV.

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

The Commission approved a recommendation for a Decision on 8 September. The possibility exists for a mid-term review of the fourth Lomé Convention when the Financial Protocol annexed to it is renewed after five years. In order to increase the effectiveness of Community development aid to the ACP States, the

Commission proposes at this juncture that the Council and Member States authorize it to negotiate a number of amendments to the Convention which take account of changes on the international scene and the experience it has gained. The Commission pinpointed the following aims:

- to uphold in the Convention the principles of democracy, the rule of law and good governance in addition to the existing references to human rights;
- to adapt and improve the instruments for dialogue between the ACP States and the Community;
- to ensure that instruments and procedures are more consistent and effective.

The Commission also proposed a wider role for the ACP-EEC Council of Ministers with a view to establishing political dialogue at regional level.

The Commission sent an addition to the recommendation by the European Investment Bank to the Council on 29 September.

Financial and technical cooperation

1.3.45. Financing of projects.

Commission decisions allocating a total of ECU 22 100 000 from the seventh EDF (see Table 7).

Table 7 — *Financing of operations under the sixth and seventh EDFs*

Country	Purpose	Amount	
		Grant	Special loan
	<i>Social development</i>		
Angola	Post-emergency health programme	15.000	—
Niger	Urban renewal	1.600	—
Guinea-Bissau	Cultural cooperation	1.650	—
Tanzania	Education infrastructure (support for the East and Southern Africa Management Institute)	1.900	—
	<i>Other</i>		
Burkina Faso	General technical cooperation	1.950	—
	Total	22.100	—

(million ECU)

Bilateral relations

Haiti

1.3.46. Council Regulation (EEC) No 2520/93 suspending the embargo concerning certain trade between the European Economic Community and Haiti.

Regulation suspended: Council Regulation (EEC) No 1608/93 introducing an embargo concerning certain trade between the European Economic Community and Haiti: OJ L 155, 22.6.1993; COM(93) 301; Bull. EC 6-1993, point 1.3.47

Proposal adopted by the Commission on 1 September.

COM(93) 424

Adopted by the Council on 13 September. In the light of the decision by the UN Security Council on 27 August 1993 to suspend the embargo, the Council suspended the embargo on Haiti that it had decided upon in June 1993.

OJ L 232, 15.9.1993

1.3.47. President Aristide visited the Commission on 8 September.

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

Mr Aristide had talks with Mr Delors and Mr Marín, who stressed the importance that the European Community attached to the restoration of the constitutional order in Haiti and assured him of their support upon his return to Haiti and of the resumption of cooperation under the Lomé Convention. Mr Aristide considered that the aid should be principally geared towards the country's revitalization by means of job-creation initiatives, taking in refugees and combating deforestation. The Commission welcomed this approach and said that it would give special attention to micro-projects involving direct aid to local communities. It also emphasized the importance that it attached to compliance with the agreements concluded and their full implementation with due regard for democracy and human rights.

1.3.48. Parliament resolution on the health situation in Haiti.

Adopted by Parliament on 16 September. Parliament considered that the resumption of general technical cooperation was likely to suffer unavoidable delays, despite the particular gravity of the situation. It therefore called on the Commission and the governments of the Member States to take concerted action immediately to ensure that Haiti received rapid and massive medical assistance.

OJ C 268, 4.10.1993

General development cooperation

General

1.3.49. Parliament resolution on development cooperation policy in the run-up to 2000.

Reference: Commission communication concerning development cooperation policy in the run-up to 2000 — SEC(92) 915; Bull. EC 5-1992, point 1.2.41

*Adopted by Parliament on 30 September. Parliament approved the submission of a Commission communication on the future of development policy and drew attention to the principles of solidarity with the countries of the South, regional cooperation, the social, structural, ecological, cultural and economic facets of development and the adverse repercussions of the structural adjustment policies advocated by the IMF and the World Bank. It called upon the Commission to establish the following as priority objectives of development policy: the eradication of poverty, the promotion of democracy, sustainable development in the North and the South, an increased transfer of resources from North to South, the formulation of a European strategy to tackle the debt problem, support for the creation of small and medium-sized businesses, the conclusion of fair commodity agreements and the democratization of the *modus operandi* of international institutions. It also called for development cooperation policy to be conducted at Euro-*

pean level and taken into account in the context of Community sectoral policies.

OJ C 279, 18.10.1993

Commodities and world agreements

Cocoa

1.3.50. International Cocoa Council.

Reference: Council Decision establishing directives with a view to negotiating a fifth international cocoa agreement: Bull. EC 4-1992, point 1.4.28

Previous meeting: Bull. EC 6-1993, point 1.3.51

Forty-sixth meeting, held in London from 9 to 18 September. Discussion revolved around the procedures for implementation of the new coffee agreement. The Council decided to introduce a five-month transitional period pending ratification of the agreement. It also agreed that the abolition of buffer stocks, decided at the June 1993 meeting, would be effected over a maximum period of four and a half years.

Coffee

1.3.51. Council Decision 93/505/EEC concerning notification of the acceptance by the Community of the International Coffee Agreement 1983, as extended to 30 September 1994.

Commission proposal: COM(93) 316; Bull. EC 7/8-1993, point 1.3.57

Adopted by the Council on 13 September.

OJ L 237, 22.9.1993

Cooperation via non-governmental organizations

1.3.52. Projects in developing countries.

Commission co-financing: commitment of ECU 5 791 240 for 25 operations.

1.3.53. Campaigns to raise public awareness.

Bull. EC 9-1993

Commission contribution: ECU 2 001 270 for 21 operations.

Humanitarian aid

Emergency aid

1.3.54. Commission decisions: see Table 8.

Table 8 — *Emergency aid*

<i>(million ECU)</i>		
Country	Funds	Amount
<i>EDF grants (ACP countries)</i>		
Senegal	Displaced persons from the Casamance region	1
Somalia	Fighting	1.3
Sudan	Fighting and drought	6
Zaire	Internal unrest	1
<i>Grants from 1993 budget</i>		
Algeria	Sahrawi refugees	0.225
Azerbaijan	Displaced persons	3
Croatia	Logistic assistance to the town of Zagreb	0.27
Nicaragua	Hurricane Bret	0.2
Pakistan	Migrating locusts	0.2
Former Yugoslavia	Displaced persons in Montenegro	0.268

Commercial policy

General matters

Operation of the Customs Union

1.3.55. Proposal for a Council Regulation on mutual assistance between the administrative

authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters.

Commission proposal: OJ C 56, 26.2.1993; COM(92) 544; Bull. EC 12-1992, point 1.3.24

Economic and Social Committee opinion: OJ C 161, 14.6.1993; Bull. EC 4-1993, point 1.3.61

Amended proposal adopted by the Commission on 1 September. Amendments affect in particular the provisions on the customs information system and personal data protection.

OJ C 262, 28.9.1993; COM(93) 350

1.3.56. Proposal for a Council Regulation amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

Regulation to be amended: Council Regulation (EEC) No 2658/87 (OJ L 256, 7.9.1987; Bull. EC 7/8-1987, point 2.1.80), as last amended by Council Regulation (EEC) No 1969/93: OJ L 180, 23.7.1993; Bull. EC 7/8-1993, point 1.3.65

Adopted by the Commission on 1 September. The proposal aims to extend relief from customs duty to integrated circuit test equipment by reason of its end use.

COM(93) 407

1.3.57. Proposal for a Council Regulation laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products.

Commission proposal: OJ C 126, 7.5.1993; COM(93) 135; Bull. EC 4-1993, point 1.3.62

Endorsed by the Economic and Social Committee on 22 September, subject to comments concerning in particular the duties of the management committee provided for in the proposal, and various technical and drafting amendments.

1.3.58. Proposal for a Council Regulation on the control of exports of certain dual-use goods and of certain nuclear products and technologies.

Commission proposal: OJ C 253, 30.9.1992; COM(92) 317; Bull. EC 7/8-1992, point 1.3.13

Endorsed by Parliament on 14 September, subject to various amendments. Parliament requests, in particular, that the scope of the proposal be enlarged to the movement of dual-use goods and nuclear products and technologies within the Community.

OJ C 268, 4.10.1993

1.3.59. Proposal for a Council Regulation withdrawing tariff concessions in accordance with the provisions of Articles 23(2) and 27(3)(a) of the Free Trade Agreement between the Community and Austria.

References:

Agreement between the Community and Austria: OJ L 300, 31.12.1972

Visit to the Commission by Mr Franz Vranitzky: Bull. EC 7/8-1993, point 1.3.4

Adopted by the Commission on 22 September. These proposals have been prompted by State aid granted by Austria to General Motors Austria, Steyer Nutzfahrzeuge AG and Grundig Austria. The Commission, having found that such aid is incompatible with the proper functioning of the Agreement, proposes to adopt safeguard measures to counter the difficulties caused.

Commercial policy instruments

Council anti-dumping measures

1.3.60. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of certain electronic weighing scales originating in Singapore and the Republic of Korea.

References:

Initiation of proceeding: OJ C 6, 10.1.1992; Bull. EC 1/2-1992, point 1.4.90

Provisional duty: OJ L 112, 6.5.1993; Bull. EC 4-1993, point 1.3.68

Extension of provisional duty: OJ L 179, 22.7.1993; Bull. EC 7/8-1993, point 1.3.70

Adopted by the Commission on 28 September.

COM(93) 429

1.3.61. Council Regulation (EEC) No 2717/93 imposing a definitive anti-dumping duty on imports of ferro-chrome with a carbon content

by weight of maximum 0.5% (low carbon ferro-chrome) originating in Kazakhstan, Russia and Ukraine.

References:

Initiation of proceeding: OJ C 195, 1.8.1992; Bull. EC 7/8-1992, point 1.4.73

Provisional duty: OJ L 80, 2.4.1993; Bull. EC 3-1993, point 1.3.63

Extension of provisional duty: OJ L 187, 29.7.1993; Bull. EC 7/8-1993, point 1.3.69

Proposal adopted by the Commission on 21 September.

COM(93) 428

Adopted by the Council on 28 September.

OJ L 246, 2.10.1993

1.3.62. Council Regulation (EEC) No 2552/93 imposing a definitive anti-dumping duty on imports of artificial corundum originating in the People's Republic of China, the Russian Federation and Ukraine, with the exception of those imports sold for export to the Community by companies whose undertakings have been accepted.

Commission proposal: COM(93) 369; Bull. EC 7/8-1993, point 1.3.71

Adopted by the Council on 13 September.

OJ L 235, 18.9.1993

1.3.63. Council Regulation (EEC) No 2474/93 imposing a definitive anti-dumping duty on imports into the Community of bicycles originating in the People's Republic of China and collecting definitively the provisional anti-dumping duty.

Commission proposal: COM(93) 411; Bull. EC 7/8-1993, point 1.3.72

Adopted by the Council on 8 September.

OJ L 228, 9.9.1993

1.3.64. Proposal for a Council Regulation amending Regulation (EEC) No 577/91 imposing a definitive anti-dumping duty on imports of certain types of electronic microcircuits known as EPROMs (erasable programmable read-only memories) originating in Japan.

References:

Definitive duty: OJ L 65, 12.3.1991; Bull. EC 3-1991, point 1.3.53

Initiation of review: OJ C 181, 17.7.1992; Bull. EC 7/8-1992, point 1.4.78

Adopted by the Commission on 21 September.

COM(93) 431

1.3.65. Council Regulation (EEC) No 2553/93 amending Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball-bearings originating in Japan and Singapore.

Commission proposal: COM(93) 311; Bull. EC 7/8-1993, point 1.3.75

Adopted by the Council on 13 September.

OJ L 235, 18.9.1993

1.3.66. Council Regulation (EEC) No 2519/93 amending Regulation (EEC) No 729/92 imposing a definitive anti-dumping duty on imports of certain thermal paper originating in Japan.

Commission proposal: COM(93) 397; Bull. EC 7/8-1993, point 1.3.76

Adopted by the Council on 13 September.

OJ L 232, 15.9.1993

1.3.67. Council Regulation (EEC) No 2554/93 repealing Article 1(4) of Regulation (EEC) No 2849/92 modifying the definitive anti-dumping duty on imports of ball-bearings with a greatest external diameter exceeding 30 mm originating in Japan imposed by Regulation (EEC) No 1739/85.

Commission proposal: COM(93) 401; Bull. EC 7/8-1993, point 1.3.77

Adopted by the Council on 13 September.

OJ L 235, 18.9.1993

1.3.68. Council Regulation (EEC) No 2455/93 amending Regulation (EEC) No 1798/90 in respect of the definitive anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand.

Commission proposal: COM(93) 395; Bull. EC 7/8-1993, point 1.3.78

Adopted by the Council on 2 September.
OJ L 225, 4.9.1993

1.3.69. Council Regulation (EEC) No 2655/93 repealing with retroactive effect the anti-dumping measures applying to imports into the Community of tapered roller-bearings originating in Japan.

References:

Definitive duty: OJ L 167, 27.6.1985; Bull. EC 6-1985, point 2.3.2

Initiation of review: OJ C 126, 23.5.1989; Bull. EC 5-1989, point 2.2.2

Proposal adopted by the Commission on 6 September.

COM(93) 415

Adopted by the Council on 27 September.
OJ L 244, 30.9.1993

Commission anti-dumping measures

1.3.70. Commission Regulation (EEC) No 2463/93 imposing a provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China.

References:

Initiation of proceeding: OJ C 105, 25.4.1992; Bull. EC 4-1992, point 1.4.38

Extension of proceeding: OJ C 210, 4.8.1993; Bull. EC 7/8-1993, point 1.3.85

Adopted by the Commission on 1 September.
OJ L 226, 7.9.1993

1.3.71. Commission Regulation (EEC) No 2477/93 imposing a provisional anti-dumping duty on imports of certain photo albums originating in the People's Republic of China.

Reference: Initiation of proceeding: OJ C 120, 12.5.1992; Bull. EC 5-1992, point 1.2.63

Adopted by the Commission on 6 September.
OJ L 228, 9.9.1993

1.3.72. Commission Regulation (EEC) No 2581/93 imposing provisional anti-dumping duties on imports of ferro-silicon originating in South Africa and the People's Republic of China.

Reference: Initiation of proceeding: OJ C 173, 9.7.1992; Bull. EC 7/8-1992, point 1.4.70

Adopted by the Commission on 20 September.
OJ L 237, 22.9.1992

1.3.73. Commission Regulation (EEC) No 2720/93 imposing a provisional anti-dumping duty on imports of isobutanol originating in the Russian Federation.

Reference: Initiation of proceeding: OJ C 239, 18.9.1992; Bull. EC 9-1992, point 1.3.56

Adopted by the Commission on 28 September.
OJ L 246, 2.10.1993

1.3.74. Notice of initiation of a review of anti-dumping measures concerning imports of potassium permanganate originating in the People's Republic of China.

References:

Definitive duty: OJ L 138, 3.6.1988; Bull. EC 5-1988, point 2.2.5

Notice of impending expiry: OJ C 319, 5.12.1992; Bull. EC 11-1992, point 1.4.75

Notice of intention to review an anti-dumping measure: OJ C 148, 28.5.1993; Bull. EC 5-1993, point 1.3.65

Published on 11 September.
OJ C 248, 11.9.1993

1.3.75. Commission Decision 93/521/EEC accepting undertakings given in connection with the anti-dumping review in respect of imports of binder and baler twine originating in Brazil, terminating the anti-subsidy review proceeding with regard to these imports and terminating the anti-dumping and anti-subsidy review in respect of imports of binder and baler twine originating in Mexico.

Reference: Initiation of review: OJ C 111, 30.4.1992; Bull. EC 4-1992, point 1.4.42

Adopted by the Commission on 3 September.
OJ L 251, 8.10.1993

1.3.76. Commission Decision 93/485/EEC terminating the anti-dumping proceeding concerning imports of bicycles originating in Taiwan.

Reference: Initiation of proceeding: OJ C 266, 12.10.1991; Bull. EC 10-1991, point 1.3.59

Adopted by the Commission on 6 September.

OJ L 227, 8.9.1993

1.3.77. Commission Decision 93/519/EEC terminating the anti-dumping proceeding concerning imports of unwrought manganese containing more than 96% by weight of manganese originating in the People's Republic of China.

Reference: Initiation of proceeding: OJ C 15, 21.1.1992; Bull. EC 1/2-1992, point 1.4.78

Adopted by the Commission on 28 September.

OJ L 244, 30.9.1993

International organizations and conferences

United Nations

1.3.78. General Assembly.

Previous session: Bull. EC 9-1992, point 1.3.66

The 48th session opened in New York on 28 September. The Community, represented by Mr Claes, President of the Council, and Mr van den Broek of the Commission, and its Member States welcomed the admission to the United Nations of the Czech Republic, Slovakia, Eritrea, the Principality of Monaco, the former Yugoslav Republic of Macedonia and the Republic of Andorra.

In his address on behalf of the Community and its Member States, (→ point 2.2.1) Mr Claes spoke of the crises throughout the world and economic underdevelopment, particularly endemic in Africa. He also emphasized the active support of the Community and its Member States for the Middle East peace process and the backing for political, economic and social change in the former Soviet Union and the countries of Central and Eastern Europe. He highlighted the Community's efforts with regard to the former Yugoslavia and the difficulty of its role, both in the London and

Geneva Conferences and on the ground. He also announced a Community initiative to table a draft resolution on assistance with mine clearance. After taking stock of the UN's work in the past year, Mr Claes stressed the need to improve the organization's finances and continue its restructuring.

Turning to the major international conferences organized under the umbrella of the United Nations, Mr Claes insisted on the importance of following up the Rio and Vienna Summits, and in particular the appointment of a UN High Commissioner for Human Rights, and preparing for the forthcoming conferences on population, social development and women.

He also mentioned the execution of UN peacekeeping operations. The multiplication of operations and the problem of financing them, together with the scale and complexity of the crises throughout the world, called for discussion of the organization's capacity to accomplish its mission in this field. The importance of reinforcing cooperation between the United Nations and regional organizations, which was vital if the United Nations was to achieve in full its objectives with regard to peacekeeping and development, was also emphasized. Here, the 'deepening' of the building of Europe and the strengthening of the international role of the Community and the Union would undoubtedly be factors for stability and peace and would permit a more uniform approach in dealings with partners.

Other important subjects touched on included Somalia, humanitarian aid, preventive diplomacy, the relationship between respect for human rights and democratic principles and economic and social development, the Secretary-General's 'Agenda for development', the possible reform of the composition of the UN Security Council, the extension in 1995 of the Treaty on the non-proliferation of nuclear weapons and the issue of an international agreement banning all nuclear testing, and drug trafficking.

Mr van den Broek took advantage of the occasion to take part in a series of meetings between the Community and the foreign ministers of China, Israel, the United States, Japan, Russia, Syria, Jordan, Malta, Mexico, Urug-

way, the Rio Group, Central America, the Non-Aligned Movement, the Gulf Cooperation Council and the Group of Seven.

General Agreement on Tariffs and Trade

1.3.79. Council conclusions on the Uruguay Round.

References:

Meeting at ministerial level between the Community and the United States and the report from the Commission to the Council on the compatibility of the results of the agricultural negotiations with the United States with the reform of the common agricultural policy: Bull. EC 11-1992, points 1.4.83 and 1.4.84

Conclusions of the Copenhagen European Council: Bull. EC 6-1993, point I.9

At its meeting of 21 September on general affairs and agriculture, the Council adopted the following conclusions:

'Following a detailed rundown by the Commission on the state of the negotiations in the Uruguay Round, the Council held a thorough examination of all the factors which must be taken into account in the different chapters of the negotiations if, in accordance with the conclusions of the Copenhagen European Council, they are to be completed by the end of the year to the Community's satisfaction, with a comprehensive and balanced outcome.

In addition, the Council had to hand a Commission document defining the guidelines for completion of the negotiations, the Commission's reply to the French delegation's series of questions on agricultural matters as well as a report on discussions within the SCA. The Council also had before it memoranda from the Spanish, French, Greek, Irish, Italian, Portuguese and United Kingdom Governments.

The Council reaffirmed its conviction that the conclusion of the Uruguay Round before 15 December 1993 on satisfactory terms for all the partners was an essential prerequisite for international economic recovery and should have a positive impact on the Community's economic development, particularly the employment situation in the Member States.

The Council endorsed the Commission's determination to secure the necessary improvements in the nascent overall agreement to safeguard the Com-

munity's essential interests. The Council welcomed the Commission's indication that it had already set in train exploratory talks with its GATT partners.

As regards market access for goods and services, particularly financial services and shipping, the Council urged the Commission to hold out for a broader package to which all partners would subscribe on the basis of the progress achieved in July and invited all those taking part in the negotiations to come forward with additional offers, even conditional ones, so that a solid basis for this agreement might be established.

As regards the textiles sector, the Council confirmed that the integration of the textiles and clothing trade in the GATT had to be achieved through stricter rules and greater discipline and invited the United States and the other partners, including exporting countries, to put forward offers which met the Community objective of tariff harmonization.

The Council reaffirmed that the new multilateral trade system would not be complete, credible or lasting unless the World Trade Organization were set up as the sole centre for monitoring compliance with the commitments to be entered into.

The Council also discussed the other aspects of the negotiations, including intellectual property, strengthening of the rules and greater discipline, subsidies, steel, aeronautics and the audiovisual sector.

It recalled the approach of the GATT Trade Negotiations Committee to this matter, namely that no part of the negotiations could be regarded as having been successful unless the whole was acceptable to all participants. It regarded the progress made hitherto as inadequate and the contributions of the third countries concerned as unsatisfactory, and noted that serious problems for the Community continued to exist.

It asked the Commission to press ahead with the negotiations on the basis of the general guidelines in the Commission document, together with those which had emerged in the course of the discussions.

As regards agriculture, the Council examined whether the Blair House pre-agreement was compatible with the agricultural policy following its 1992 reform.

The Council noted the Commission's replies to the specific points raised by the French and several other delegations. The following items were discussed in this context: peace clause, safeguard clause, cereal substitute products, assessment of commitments at

term, grouping, disposal of stocks, growth of the world market.

In the light of this discussion, a number of general guidelines for the Commission were laid down.

With regard to market access in agriculture, the Council confirmed that the Community's offer made earlier in Geneva formed an integral part of the Community position.

For those sectors in which the common market organization arrangements have not yet been amended, the Council and the Commission undertake to adopt such provisions as are necessary to maintain farm incomes and Community preference. The conditions and agricultural and financial principles which have been applied throughout the agricultural sector will be taken into account in those sectors. Account will also be taken of the context of the Uruguay Round.

The Council emphasized the importance of obtaining tariff treatment from third countries allowing for a true opening-up of their agricultural markets.

The Community must ensure that its international commitments are compatible with the CAP. Accordingly the Council confirmed its view that the outcome of the agricultural part of the Uruguay Round could not, either directly or indirectly, be allowed to jeopardize the durability of the common agricultural policy, nor stand in the way of compliance with its basic principles, particularly Community preference. The Council went on to emphasize that the Community's role of exporter had to be maintained and that its place on the international market in agricultural products had to be secured.

In the light of these guidelines, the Commission will conduct its forthcoming discussions with the Americans and multilaterally, with the aim of finding an agreement acceptable to all parties.

The Council agreed to monitor constantly the progress of the negotiations in the appropriate bodies and the Commission will report afresh on 4 October 1993.

1.3.80. Parliament resolution on the state of the multilateral trade negotiations of the GATT Uruguay Round.

Adopted by Parliament on 30 September. Parliament thought it essential that the Community show its cohesion and identity in the negotiations and that a comprehensive and balanced conclusion be achieved before the end of the year. It endorsed the Blair House agree-

ment but called for the clarifications, amplifications and additions needed to ensure compatibility between the reform of the common agricultural policy and GATT. It also backed the 'cultural exception' and Europe's desire to preserve and defend its cultural identity.

OJ C 279, 18.10.1993

European Bank for Reconstruction and Development

Financing

Poland

Amerbank

1.3.81. A subordinated loan of USD 5 million (ECU 4.3 million) was granted, along with USD 15 million in co-financing, to Amerbank, a bank set up in 1990 by American Bankers Trust and other Polish and American private investors. The subordinated loan is aimed at strengthening Amerbank's own resources and hence its growth potential.

Russia

Polar Lights

1.3.82. A loan of USD 90 million (ECU 76.5 million) was granted to the joint venture Polar Lights, in which Arkhangelskgeologia, a Russian Arctic geological firm, and Conoco Timan-Pechora, a Bermuda-registered company owned by US petrochemicals group Conoco/Dupont de Nemours, hold equal shares. The investment concerns the operation of new wells in the Arctic oilfields and the construction of a pipeline some 50 kilometres in length. The loan is co-financed by the US Overseas Private Investment Corporation (OPIC) and a syndicate of commercial banks.

Macomnet

1.3.83. The Bank granted a loan of USD 4 million (ECU 3.4 million) to a joint venture set up by the Moscow metro and Andrew Corporation, an American manufacturer of telecommunications and integrated systems. The investment will finance the construction of a fibre-optic telecommunications system using the metro tunnels.

Human rights in the world

Brazil

1.3.84. Parliament resolution on the violation of human rights in Brazil.

Adopted on 16 September. Shocked by the succession of human rights violations by members of the military police or other police forces, Parliament appealed to the Brazilian authorities to bring to justice those responsible for acts of torture and murder and carry out a fundamental review of the operation of the civilian and military police forces. It strongly condemned the massacre of Yanomami Indians and called on the authorities to remove gold prospectors from tribal land once and for all and continue efforts to demarcate, recognize officially and protect that land.

OJ C 268, 4.10.1993

United States

1.3.85. Parliament resolution on the life imprisonment sentence on Jonathan Pollard.

Adopted on 16 September. Parliament urged the US Government to commute the sentence of Mr Pollard, who was convicted in 1985 of having passed to Israel classified information on the military activities of Iraq, Syria and other Middle Eastern nations, and release him forthwith.

OJ C 268, 4.10.1993

Iraq

1.3.86. Parliament resolution on the continued detention of Kuwaitis and other non-Iraqis by the Government of Iraq.

Adopted on 16 September. Parliament demanded that the Iraqi Government release without further delay all people arrested during its illegal occupation of Kuwait and called on the foreign ministers meeting in European political cooperation to do all in their power to help the Kuwaiti and other Arab governments trace those who had disappeared and obtain their release.

OJ C 268, 4.10.1993

Tibet

1.3.87. Parliament resolution on the detention of the Tibetans Gendun Rinchen, Lobsang Yontan and Damchoe Pemo and other violations of human rights in Tibet.

References:

Parliament resolution on repression in Tibet and the exclusion of the Dalai Lama from the World Conference on Human Rights: OJ C 194, 19.7.1993; Bull. EC 6-1993, point 1.3.83

Statement by the Community and its Member States: Bull. EC 6-1993, point 1.4.2

Adopted by Parliament on 16 September. Parliament called on the Chinese authorities to release forthwith all those detained solely for exercising their right to freedom of expression and to ensure that Tibetan detainees are protected from torture and ill-treatment and granted access to relatives and a lawyer of their choice. It supported the courageous actions of Mr Gendun Rinchen and those defending with him the cause of human rights in general, and in particular political prisoners in Tibet.

OJ C 268, 4.10.1993

Turkey

1.3.88. Parliament resolution on kidnappings by the PKK.

Adopted on 16 September. Shocked by the kidnappings of travellers by the PKK in Eastern Turkey, Parliament pointed out that these out-

rages could only reduce public sympathy for the Kurds in the Member States.

1.3.89. Parliament resolution on the acts of desecration at the Christian cemetery of Neohorion (Yenikoy) in Istanbul.

Adopted on 16 September. Parliament called on the authorities to shed light on these incidents and to prosecute those responsible, take the measures necessary to protect the peaceful existence of the Greek Orthodox community and repair the damage caused by the desecration of the cemetery.

1.3.90. Parliament resolution on the assassination of Mr Mehmet Sinçar, Kurdish MP in Turkey, and the situation of the Kurds in Turkey.

Adopted on 16 September. Parliament condemned the attack in Batman (Turkish Kurdistan) on 4 September which cost the lives of Mehmet Sinçar, a Kurdish MP belonging to the Democratic Party, and another party member and called for the guilty parties to be brought to justice. It condemned all forms of violence, and especially terrorist acts by the PKK, and called on the Turkish authorities to end the state of emergency in the provinces with a Kurdish majority and guarantee respect for human rights in the region.

OJ C 268, 4.10.1993

Islamic fundamentalism

1.3.91. Parliament resolution on the rise of Islamic fundamentalism in the countries along the southern shore of the Mediterranean and in the Middle East.

Adopted on 17 September. Parliament stressed the responsibility of many fundamentalist leaders who, by their encouragement of intolerance

and violence, were preventing the development and democratization of political life in the countries of the southern Mediterranean and the Middle East. It recommended that the governments fight political terrorism by legal means and with due regard for democracy and human rights. It called on the Community and the Member States to condemn terrorism in the strongest terms and support movements seeking to establish multiparty democracy in the region, and to assist governments which were working to promote the emancipation and equality of women, education, social reform and economic development and so staunch religious fanaticism. It also insisted that the intolerance and aggression of the fundamentalists should never be used as an excuse for violence and intolerance towards Muslim minorities in the Member States.

OJ C 268, 4.10.1993

Diplomatic relations

1.3.92. Mr Stuart E. Eizenstat, Head of Mission of the United States of America to the European Communities, whose appointment took effect on 27 September, presented his letters of credence to the President of the Council and the President of the Commission.

1.3.93. The Government of the Republic of Armenia announced that it was opening a mission to the European Communities from 10 September and designated Mr Armen Sarkisian as Chargé d'Affaires, pending the accreditation of an ambassador.

This brings the number of diplomatic missions to 156.

4. Intergovernmental cooperation

European political cooperation

1.4.1. The joint statements adopted and published in September are reproduced below in chronological order.

Central African Republic

1.4.2. The following joint statement was published in Brussels on 1 September:

'The European Community and its Member States welcome the fact that the balloting and vote counting in the first round of legislative and presidential elections were carried out under good conditions. They consider that the responsible attitude shown by all sectors of the population and the opposing political forces during both the campaign and the balloting is a clear indication of the commitment of the Central African Republic to the democratic process.

The Community and its Member States stress the importance they attach to the final results of the elections being published as soon as possible.'

Haiti

1.4.3. The following joint statement was published in Brussels on 1 September:

Reference: Joint statement of 6 July: Bull. EC 7/8-1993, point 1.4.2

'The European Community and its Member States welcome the ratification of Mr Malval as Prime Minister by the Haitian Parliament and his investiture by President Aristide. This investiture constitutes a fundamental stage in the implementation of the New York agreement of 3 July 1993.

Following the suspension of sanctions on 27 August 1993 by the Security Council, the European Community and its Member States are suspending the measures which they had introduced pursuant to Resolution 841 of 16 June 1993. In accordance with their statement of 6 July 1993, they will be resuming

their cooperation with Haiti, which was interrupted by the *coup d'état*.

The European Community and its Member States sincerely hope that the taking-up of his duties by the Prime Minister will be followed by the implementation of the other points in the agreement of 3 July 1993 in order to conclude the process of restoring constitutional order swiftly and make the return of President Aristide to Haiti possible.'

Lithuania

1.4.4. The following joint statement on the withdrawal of Russian troops was published in Brussels on 1 September:

'The Community and its Member States welcome the completion of the withdrawal of Russian troops from Lithuania in accordance with the Russian-Lithuanian Agreement of 8 September 1992, the joint Russian-Lithuanian Declaration of 30 August 1993 and paragraph 15 of the CSCE Helsinki Final Document. They acknowledge the efforts made in recent days by Russia and Lithuania, in particular by Presidents Yeltsin and Brazauskas, to resolve the problems relating to troop withdrawals. The Community and its Member States welcome the proposed meeting between Presidents Yeltsin and Brazauskas. They hope that the fact that the troop withdrawals have now been completed will enable Russia and Lithuania to open a new chapter in their bilateral relations. They believe that the completion of withdrawals from Lithuania will make an important contribution to stability and security in Northern Europe.

The Community and its Member States now hope that Russia will accept and implement timetables for early and complete withdrawal from Estonia and Latvia, in accordance with the CSCE Helsinki Final Document, without linkage to other problems. The Community and its Member States call on Russia, Estonia and Latvia, respectively, to resolve all outstanding problems relating to troop withdrawals through dialogue held in a constructive and flexible manner, in particular at the highest political level.'

Nagorno-Karabakh

1.4.5. The following joint statement was published in Brussels on 3 September:

'The Community and its Member States condemn the recent offensives by local Armenian forces in Nagorno-Karabakh, which are making deeper and deeper incursions into Azerbaijani territory. They note with regret that such actions are extending the area of armed conflict to encompass more and more of Azerbaijani territory and are creating a very serious refugee problem in Azerbaijan and one already involving neighbouring countries, with a concomitant increased threat to regional security.

The Community and its Member States reaffirm their support for the territorial integrity and sovereignty of the States in the region.

The Community and its Member States fully support the efforts being made by the Minsk Group within the framework of the CSCE to consolidate the provisional cease-fire decided on 31 August 1993 between the Nagorno-Karabakh authorities and the Azerbaijan Government. They urge both parties to instigate any form of additional dialogue which would make it possible to implement the timetable on which there was agreement in principle by all parties at the end of June.

The Community and its Member States also hope to see local Armenian forces in Nagorno-Karabakh fully respect United Nations Security Council Resolutions 822 and 853, and withdraw from the regions of Kelbadjar, Agdam, Fizouli and Djebrail. The Community and its Member States have no evidence that Azerbaijan would be capable of initiating major attacks from these regions.

The Community and its Member States call on the Government of the Republic of Armenia to use its decisive influence over the Armenians of Nagorno-Karabakh to see that they comply with Security Council Resolutions 822 and 853 and the proposals of the CSCE Minsk Group. The Community and its Member States call upon Armenia to ensure that the local Armenian forces carrying out offensives in Azerbaijan territory are not given the material means of further extending such offensives.'

Bosnia-Herzegovina

1.4.6. The following joint statement was published in Brussels on 3 September:

'The Community and its Member States have learnt with concern and regret of the interruption of the

Geneva negotiations on Bosnia-Herzegovina. In this context, they pay tribute to the efforts of the co-presidents. They remain convinced that only an agreement negotiated and accepted by the parties in accordance with the principles of the London Conference and the conclusions of the European Council in Copenhagen will make it possible to resolve the conflict. They reaffirm their readiness to participate actively in the implementation of such an agreement and the guarantees implied by it on the basis of a mandate sufficient to ensure its implementation.

The Community and its Member States strongly urge all three parties to ensure that what has been achieved by the Conference is not lost and in particular that the confidence-building measures foreseen during the most recent meetings in Geneva can be applied without delay, and that, in the interests of the long-suffering population, there are no longer any obstacles to humanitarian convoys.

The Community and its Member States urgently call on the parties to refrain from any action likely to lead to a resumption of hostilities. They recall the decision of the Atlantic Council of 9 August 1993 concerning actions which could be taken further to relevant resolutions of the United Nations Security Council. They invite the parties to resume negotiations without delay.'

Nicaragua

1.4.7. The following joint statement was published in Brussels on 6 September:

'Following the events of 2 September 1993 in Nicaragua, the European Community and its Member States reiterate their support for President Chamorro in her efforts to bring about the consolidation of democracy and the rule of law, including the guarantee of civil control of the armed forces.'

Saudi Arabia

1.4.8. The following joint statement on the establishment of the Majlis Al-Shoora was published in Brussels on 10 September:

'The European Community and its Member States have taken note of, and welcome, the creation of an advisory council in Saudi Arabia — the Majlis Al-Shoora — for which provision was made in a series of reforms announced by HM King Fahd in March 1992.

They consider the creation of the Majlis Al-Shoora to be the first concrete step towards greater participation by the Saudi people in the conduct of the political and economic affairs of the Kingdom.'

Middle East

1.4.9. The following joint statement on the Middle East peace process was published in Washington and Brussels on 13 September:

'The European Community and its Member States pay tribute to the vision and courage of the Israeli and Palestinian leaders who signed this historic agreement which represents a positive breakthrough in the peace process.

The European Community and its Member States offer their continuing political support and readiness to participate in further international arrangements arising in connection with implementation of the agreement.

Stressing the fact that the Community and its Member States are already the largest net contributor to the Occupied Territories, the Community and its Member States announce their intention to continue to be a substantial contributor. The European Community is ready to offer a package of immediate aid of ECU 20 million and to discuss medium-term aid with Palestinian institutions as they are formed.

The European Community and its Member States reiterate their commitment to a comprehensive peace and hope that progress will be accomplished in other bilateral negotiations and in the multilateral talks on future cooperation; as a chairman of the Regional Economic Development working group, the European Community and its Member States are prepared to contribute to all forms of regional economic cooperation.'

Haiti

1.4.10. The following joint statement on the most recent acts of violence in Haiti was published in Brussels on 20 September:

'The European Community and its Member States express their indignation at the series of assassinations of supporters of President Aristide and at the threats made against members of the Constitutional Government and political activists who are in favour of the return of the President.

The European Community and its Member States condemn such violence which runs counter to the

national reconciliation to be achieved on the basis of the Governor's Island Agreement. They stress the obligation to maintain order which is incumbent on the army and the police and demand that those responsible be prosecuted and punished.'

Russia

1.4.11. The following joint statement on the situation in Russia was published in Brussels on 22 September:

'The Community and its Member States have taken note of the recent political developments in Russia, which are the apparently inevitable consequence of a stalemate created by forces opposed to the process of democratic reform.

The Community and its Member States continue to support this process of democratization, which is backed by the whole international community.

The Community and its Member States support President Yeltsin as the only directly elected authority in his efforts to keep up the pace of this process, which has already been given the people's seal of approval in the referendum of 25 April 1993. It is for the people of Russia to decide on its system of government and constitution.

The Community and its Member States appreciate the fact that free and democratic elections making it possible to move on from the present political situation will take place. This is an essential condition for the economic and social development which will enable the Russian people to create the prosperity to which they aspire.

The Community and its Member States hope that the elections planned for 11 and 12 December 1993 will be completed without turmoil and will prove to be a decisive turn on the path of reform.'

South Africa

1.4.12. The following joint statement on recent events in South Africa was published in Brussels on 25 September:

'The Community and its Member States warmly welcome recent events in South Africa, which have enabled Mr Nelson Mandela, the President of the ANC, to call in New York for the lifting of all economic sanctions still in force *vis-à-vis* his country. They consider these events as the culmination of the first phase of a process that will lead to non-racial democracy in South Africa.

The multiparty negotiating process at Kempton Park has now led to the decision to create a Transitional Executive Council. The Community and its Member States express the hope that once the TEC is in place it will be able to fulfil the historic task that the parties to the negotiating process have reserved for it, namely to be the first step in representative government and to facilitate the transition to a democratic order in South Africa.

The Community and its Member States appeal to all parties to continue their efforts and call on all South African political forces to participate in the process of transition, to ensure that all agreements reached in the multiparty negotiations are adhered to, to put an end to violence and to participate fully in the emerging democratic life of their country.

The Community and its Member States recall their decision of 8 June last to adjust their policy towards South Africa concurrently with developments in that country towards majority rule and democracy. They note with satisfaction that other important partners have recently announced that they will lift the economic sanctions still in place, as the Community and its Member States have done before. As to other measures, the Community and its Member States will shortly consider further steps in line with the decision of 8 June.'

Liberia

1.4.13. The following joint statement was published in Brussels on 29 September:

'The Community and its Member States welcome the agreement concluded at Cotonou on 25 July 1993 between the Liberian parties during the Summit of Heads of State or Government of Ecomog. The Community and its Member States support the efforts made in this connection by the United Nations and the Organization of African Unity.

The Community and its Member States encourage all the Liberian parties to apply the Cotonou Agreement in good faith and take part, in accordance with the conditions laid down, in the provisional institutions responsible for administering the country before the elections. They take note of the decision to extend the participation in Ecomog to other African States and express their hope that such decisions will be implemented swiftly.

The Community and its Member States are pleased to note the inclusion of humanitarian aid in the process of a return to peace. They welcome the fact that the principles relating to this in the Cotonou Agreement are being implemented and would urge that adequate arrangements be made to allow aid to reach all Liberians in all regions of the country by the most direct routes.

Finally, the Community and its Member States confirm that they are prepared to consider when the time comes what assistance they will be able to provide in the context of the process of a return to peace in Liberia.'

Cambodia

1.4.14. The following joint statement was published in Brussels on 30 September:

'The Community and its Member States welcome the adoption of a new constitution by Cambodia and express the hope that this constitution will provide a solid basis for a peaceful, democratic and prosperous Cambodia. They congratulate His Majesty Prince Sihanouk on his appointment as constitutional monarch and express the hope that the process of national reconciliation will continue to make progress under his authority.

The next step towards achieving that goal, in accordance with the provisions of the Paris Agreements, is to form a new government after transforming the Constituent Assembly into a Legislative Assembly; the Community and its Member States congratulate His Royal Highness Prince Ranariddh and His Excellency Mr Hun Sen on their appointment as first and second Prime Ministers.

The Community and its Member States reaffirm their desire to continue support for the rebuilding of Cambodia in cooperation with the new Cambodian Government, with the aim of consolidating the peace process embarked on pursuant to the Paris Agreements, and would urge the Party of Democratic Kampuchea to rejoin the peace process by agreeing to open up the areas which it controls to the regular forces of the legitimate Government of Cambodia in order to ensure the unity of the country in accordance with the second Paris Agreement guaranteeing the neutrality, unity and integrity of Cambodian territory.'

5. Financing Community activities

Budgets

General budget

Budgetary procedures

1993 financial year

1.5.1. Letter of amendment No 2 to preliminary draft supplementary and amending budget No 1/1993.

Preliminary draft supplementary and amending budget No 1/1993: Bull. EC 3-1993, point 1.5.2
Letter of amendment No 1 to preliminary draft supplementary and amending budget No 1/1993: Bull. EC 6-1993, point 1.5.2

Adopted by the Commission on 1 September. As a result of decisions taken in connection with the failure to apply the milk quota arrangements, the Commission proposes that the estimated negative expenditure in this chapter be raised from ECU 218 million to ECU 365 million in line with the budgetary impact of these decisions.

ECSC operating budget

1992 financial year

1.5.2. 1992 financial report.

Previous report: Bull. EC 11-1992, point 1.6.4
References:
ECSC operating budget for 1992: OJ L 352, 21.12.1991; Bull. EC 12-1991, point 1.5.4
Amending ECSC operating budget: OJ C 307, 25.11.1992; Bull. EC 11-1992, point 1.6.5

Adopted by the Commission on 10 September. The Commission noted that in spite of a general situation marked by slow growth and a

steady fall in coal and steel production, the ECSC had continued its efforts to finance major infrastructure projects of Community-wide importance that use Community steel and a number of major industrial and productive investments leading to job creation in ECSC redevelopment areas.

The total amount of loans disbursed rose by 7.53% from ECU 1 382.2 million in 1991 to ECU 1 486.2 million in 1992.

As regards borrowing operations, the upturn on the bond markets continued, with a 14% rise in the volume of issues between 1991 and 1992 to reach a record USD 343 000 million. The ECSC borrowed a total of ECU 1 474 390 000 in various currencies, a slight increase — 2% — on the previous year's figure.

The ECSC also financed a number of schemes from its operating budget, in particular to promote the redeployment of workers, interest subsidies for industrial conversion loans and coal and steel research programmes.

The outturn of the 1992 operating budget totalled ECU 535.3 million, compared with the estimate of ECU 536 million in the amending budget adopted in November.

Financial Regulation

1.5.3. Proposal for a Council Decision replacing Decision 88/376/EEC, Euratom on the system of own resources.

Decision to be replaced: Decision 88/376/EEC on the Communities' system of own resources: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.5

Reference: Conclusions of the Edinburgh European Council: Bull. EC 12-1992, points 1.45 to 1.72

Adopted by the Commission on 14 September. This proposal provides for the introduction of measures giving effect to the conclusions of

the Edinburgh European Council, in particular setting the level of own resources available for the period 1995-99 and establishing the structure of the system for financing the Community. It also provides for measures to adjust and supplement the present arrangements in order to ensure that the system of finances operates smoothly in the years ahead.

Under the proposal the own resources ceiling would rise from 1.20% of GNP to 1.21% in 1995, and gradually up to 1.27% in 1999, while the VAT base would be reduced from 1.4 to 1% in gradual steps from 1995 onwards. Finally, the VAT base of countries whose per capita GNP is less than 90% of the Community average would be capped at 50% of GNP from 1995 onwards; for the other Member States the rate would be reduced from 55 to 50% in 1999.

1.5.4. Proposal for a Council Regulation amending Regulation (EEC, Euratom) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources.

Regulation to be amended: Regulation (EEC, Euratom) No 1552/89: OJ L 155, 7.6.1989; Bull. EC 5-1989, point 2.5.1

Reference: Decision 88/376/EEC on the system of the Communities' own resources: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.5

Adopted by the Commission on 14 September. This proposal lays down detailed implementing rules for observing the own resources ceiling set in Article 3 of Decision 88/376/EEC, Euratom and for neutralizing budgetary balances

in relation to that ceiling. By offsetting positive and negative budgetary balances arising from underestimates or overestimates of revenue, it should be possible to improve forecasting in future in line with the objectives of the medium-term financial framework established by the second package of structural and financial measures.

Financial operations

Loans raised

1.5.5. In September the Commission contracted a private placing in marks, on behalf of the ECSC, for the equivalent of ECU 0.6 million.

Loans granted

1.5.6. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 0.6 million in September.

Industrial loans

1.5.7. No industrial loans (Article 54) were made.

Conversion loans

1.5.8. No conversion loans (Article 56) were made.

Workers' housing

1.5.9. Loans totalling ECU 0.6 million were granted for steelworkers and mineworkers in Germany and Italy.

6. Community institutions

Interinstitutional relations

1.6.1. Parliament resolution on the interinstitutional agreements.

References:

Draft Commission opinion on the regulations and general conditions governing the performance of the Ombudsman's duties: Bull. EC 4-1993, point 1.1.1

Commission guidelines on the procedures for exercising Parliament's right of inquiry: Bull. EC 4-1993, point 1.1.2

Adopted on 16 September. Parliament would like to see the interinstitutional negotiations on the regulations governing the performance of the Ombudsman's duties and the negotiations on subsidiarity, transparency and democracy concluded as soon as possible. In particular, it would like the regulations in question to provide the Ombudsman with all the powers he needs to carry out his duties and with the right to inspect any document in the possession of the Community institutions, including those declared confidential.

Parliament also feels that all Council legislative decisions ought to be taken by means of a vote and that the result of the vote should be made public. There is likewise a need for a political agreement on implementation of the co-decision procedure.

Parliament also insists on the need to conclude new interinstitutional agreements or to revise existing ones on economic and monetary union, the conclusion of international agreements pursuant to Article 228 of the EEC Treaty, the common foreign and security policy, and cooperation in the fields of justice and home affairs.

OJ C 279, 18.10.1993

Parliament

Rules of Procedure

1.6.2. Decision amending the Rules of Procedure of the European Parliament subsequent to the Treaty on European Union.

Adopted by Parliament on 15 September. The amendments to Parliament's Rules of Procedure stem from implementation of the Treaty on European Union and relate primarily to Parliament's role in the negotiation of accession treaties and international agreements and in the context of the common foreign and security policy and cooperation in the fields of justice and home affairs. They also deal with the new legislative procedures, examination of the implementation of the budget, the creation of temporary committees of inquiry, and the appointment and role of the Ombudsman.

OJ C 268, 4.10.1993

Strasbourg, 13 to 17 September

1.6.3. Parliament's first September part-session was largely taken up with the adoption of its new Rules of Procedure and, on the political front, with various debates on the monetary crisis, the Middle East peace agreement, the situation in former Yugoslavia, the restructuring of the steel industry, and the social dimension of the Treaty on European Union, the report on which was referred back to committee. The Council also presented the House with the draft budget for 1994.

Parliament adopted its new Rules of Procedure (→ point 1.6.2), which will enter into force at the same time as the Treaty on European Union. During the debate Members expressed the desire to increase the powers of Parliament, without however exceeding the limits of the

Treaty, and discussed changes to the institutional balance. In the field of interinstitutional relations, Parliament adopted two resolutions, one on the interinstitutional agreements (→ point 1.6.1) and the other on the possible withdrawal or amendment of certain Commission legislative proposals on the 'Edinburgh list' (→ point 1.1.1). Parliament also passed a resolution on the role of the Court of Justice (→ point 1.6.14).

The draft budget for 1994 was presented by Mr Robert Urbain, Belgian Minister for Foreign Trade and European Affairs and President of the Council. He emphasized that the budget had to be assessed in the light of the different budgetary situations in the Member States and was confident that a satisfactory interinstitutional agreement could soon be concluded in this field. In the brief debate that followed, Parliament expressed regret that its spending priorities had not been taken into account.

During the debate on the recent monetary crisis, at the end of which Parliament adopted a resolution (→ point 1.2.24), Mr Delors and Mr Christophersen, President and Vice-President of the Commission respectively, called for changes in the way the money markets operated, at the same time warning against any form of protectionism or abandonment of economic and monetary union. Mr Philippe Maystadt, Belgian Minister for Finance, speaking on behalf of the Council, raised two points: the need for closer convergence and respect for the principle of subsidiarity. He reiterated that priority should be given to the establishment of the European Monetary Institute on the scheduled date and called for thought to be given to ways of improving cooperation between the Member States. In the debate that followed, Parliament stressed the need for a clear expression of political will in the face of the crisis and for greater emphasis on the social dimension of Europe accompanied by more concern for the needs of its citizens.

Parliament adopted several resolutions on external relations, dealing with the situation in Bosnia-Herzegovina (→ point 1.3.26), Algeria (→ point 1.3.25), and Armenia and Azerbaijan (→ point 1.3.14), and two resolutions on trade

and economic relations with Japan (→ point 1.3.33), a resolution on the health situation in Haiti (→ point 1.3.48), and one on the embargo against Cuba (→ point 1.3.40). It also adopted a resolution on the Middle East peace process (→ point 1.3.22) at the end of a debate in which speakers hailed the historic nature of the agreement and called for financial aid from the Community to support the process. Mr Willy Claes, Belgian Minister for Foreign Affairs and President of the Council, made a statement stressing the role played by the Community and its Member States and expressing their willingness to discuss detailed arrangements and to supply the guarantees needed for a comprehensive settlement. He outlined the framework for future action, pledging in particular political commitment and financial assistance. Mr van den Broek, Member of the Commission, welcomed the task ahead.

Human rights formed the subject of a large number of resolutions ranging from the kidnapping of Julio Iglesias Zamora, the death of Joy Gardner and trade in women (→ points 1.2.146 to 1.2.148) to the detention of a number of Tibetans, the continued detention of Kuwaitis and other non-Iraqis by the Government of Iraq, the sentence of life imprisonment on Jonathan Pollard, Islamic fundamentalism, kidnappings by the PKK, the assassination of a Kurdish MP in Turkey, human rights violations in Brazil and the desecration of a Christian cemetery in Istanbul (→ points 1.3.84 to 1.3.91).

Numerous other resolutions were adopted, notably in the area of maritime transport, with Parliament expressing its views on positive measures to be taken in favour of Community sea transport, a common definition of a Community shipowner and the establishment of a Community shipping register (→ points 1.2.74 to 1.2.76). It adopted two resolutions on public health, one on prohibiting trade in transplant organs, the other on blood supplies (→ points 1.2.141 and 1.2.142). Two resolutions on the environment dealt with measures to control the process of desertification in the European Community and the pollution of Lake Baikal (→ points 1.2.110 and 1.2.107). Employment was the subject of two other resolutions, one on

closures and relocations of industrial activities (→ point 1.2.96), the other on the events in Crotona (→ point 1.2.93). In the area of agriculture, Parliament passed resolutions on the effects on the common agricultural policy of trade agreements with third countries (→ point 1.2.133) and health rules for the production of minced meat (→ point 1.2.13). Other resolutions dealt with the Community's information policy (→ point 1.2.149), the strategic programme on reinforcing the effectiveness of the internal market (→ point 1.2.1) and the steel industry (→ point 1.2.54).

In the legislative field, Parliament delivered only four opinions, all under the consultation procedure, relating respectively to a proposal for a Regulation on the control of exports of dual-use goods and technologies (→ point 1.3.58), a proposal for amending the Directive on the limitation of emissions of certain atmospheric pollutants (→ point 1.2.104), a proposal for a Decision on ratifying the amendment to the Montreal Protocol (→ point 1.2.111) and a proposal for a Regulation on the trade in bluefin tuna (→ point 1.2.137).

Report of proceedings:

OJ Annex 3-433

Full text of opinions and resolutions:

OJ C 268, 4.10.1993

Brussels, 29 and 30 September

1.6.4. At the first part-session in its new chamber in Brussels, Parliament heard statements by the Commission and the Council on GATT and discussed development policy, the situation in Russia, and the common organization of the market in bananas.

Sir Leon Brittan and Mr Steichen, Vice-President and Member of the Commission respectively, briefed the House on the state of play in the Uruguay Round. After reaffirming the Commission's position on the compatibility of the Blair House agreement with the reform of the common agricultural policy, Sir Leon indicated that progress had been made as regards access to the markets in goods and services and that, although culture could not be excluded from the global negotiations, it

might well be possible to accommodate the idea of cultural specificity. There was also a possibility of progress in other sectors, such as steel and aeronautical engineering. As regards agriculture, he reported that the United States and other third countries regarded the agreement as beneficial to the Community and were not prepared to renegotiate. Mr Steichen reminded the House of the philosophy underlying the Commission's approach to the agricultural negotiations, stressing that the agreement was an improvement on the previous situation in several respects and pointing to the risk of the final outcome being less favourable if the dossier were reopened. For the Council, Mr Robert Urbain, Belgian Minister for Foreign Trade and European Affairs and President of the Council, referred to the multilateral and global nature of the Uruguay Round negotiations and expressed the Council's support for the Commission. In the ensuing debate, which concluded with the adoption of a resolution (→ point 1.3.80), a consensus emerged in the House on the need to conclude the Uruguay Round in order to find a solution to the current economic difficulties. Still in the area of international economic relations, Parliament also adopted a resolution on relations between the European Community and Japan (→ point 1.3.34).

Parliament adopted a resolution on development cooperation policy in the run-up to 2000 (→ point 1.3.49) at the end of a debate in which Mr Marín, Vice-President of the Commission, took the floor to remind Members of the new dimension given to cooperation policy by the Treaty on European Union, reiterating that solidarity was fundamental to this policy and that it was important not to overlook the social corollary to the policy of economic liberalization in developing countries.

During the debate on the situation in Russia, almost all the speakers were in favour of supporting President Yeltsin.

Mr Steichen spoke in the debate on the common organization of the market in bananas, reminding the House that the aim was to reconcile various opposing interests and that administration needed to be flexible. He commented on the situation of the German ports

and the problems facing producers in the ACP countries.

Report of proceedings:
OJ Annex 3-434
Full text of opinions and resolutions:
OJ C 279, 18.10.1993

Council

1682nd meeting

1.6.5. Economic and financial affairs (Brussels, 13 September).

Previous meeting: Bull. EC 7/8-1993, point 1.6.3

President: Mr Maystadt, Belgian Minister for Finance.

Commission: Mr Christophersen and Mr Vanni d'Archirafi.

Main items

- Financial assistance for the peace process in the Middle East: decision adopted (→ point 1.3.20).
- Medium-term financial assistance to the Italian Republic (second tranche of loan): conclusions adopted (→ point 1.2.25).
- Deposit guarantee scheme: common position on a proposal for a Directive agreed (→ point 1.2.16).
- Follow-up to the Copenhagen European Council: conclusions adopted (→ point 1.2.22).

Other business

- Programme of the Belgian Presidency: exchange of views.
- Annual meetings of the Bretton Woods institutions: preparations made.
- EMU secondary legislation: progress report.

Guarantee Fund for external operations: agreement reached.

EIB loans for projects in Central and East European countries: agreement reached.

1683rd meeting

1.6.6. Agriculture (Brussels, 21 September).

Previous meeting: Bull. EC 7/8-1993, point 1.6.5

President: Mr Bourgeois, Belgian Minister for Agriculture.

Commission: Mr Steichen.

Main item

School milk: proposal for a Regulation agreed (→ point 1.2.121).

Other business

- Agri-monetary sector: conclusions adopted.
- Development and future of wine-sector policy: exchange of views.
- Support for producers of certain arable crops (set-aside): discussed.
- Implementation of the Memorandum of Understanding on oilseeds: exchange of views.

1684th meeting

1.6.7. Industry (Brussels, 21 September).

Previous meeting: Bull. EC 5-1993, point 1.6.2

President: Mr Wathélet, Belgian Deputy Prime Minister and Minister for Economic Affairs.

Commission: Mr Bangemann and Mr Van Miert.

Main item

Restructuring of the European steel industry: conclusions adopted (→ point 1.2.55).

Other business

Rules for aid to the coal industry 1994-2002: examined.

1685th meeting

1.6.8. General affairs/agriculture (Brussels, 20 and 21 September).

Previous meetings: Bull. EC 7/8-1993, points 1.6.4 and 1.6.5

President: Mr Claes, Belgian Minister for Foreign Affairs, and Mr Bourgeois, Belgian Minister for Agriculture.

Commission: Sir Leon Brittan and Mr Steichen.

Main item

Uruguay Round: conclusions adopted (→ point 1.3.79).

1686th meeting

1.6.9. Internal market (Brussels, 27 September).

Previous meeting: Bull. EC 6-1993, point 1.6.8

President: Mr Urbain, Belgian Minister for Foreign Trade and European Affairs.

Commission: Mr Bangemann, Mr Van Miert and Mr Vanni d'Archirafi.

Main items

Foodstuffs — Additives: common position on a proposal for an amending Directive agreed (→ point 1.2.5).

Foodstuffs — Sweeteners: common position on a proposal for a Directive agreed (→ point 1.2.6).

Foodstuffs — Colours: common position on a proposal for a Directive agreed (→ point 1.2.7).

Strategic programme on the internal market: conclusions of the Presidency (→ point 1.2.1).

Other business

Procedure for the provision of information in the field of technical standards and regulations: discussed in detail.

Agreement on Community patents — Ratification: progress report.

Merger control: examined.

1687th meeting

1.6.10. Transport (Brussels, 28 September).

Previous meeting: Bull. EC 6-1993, point 1.6.5

President: Mr Coëme, Belgian Deputy Prime Minister and Minister for Transport.

Commission: Mr Matutes.

Main items

Taxation of road transport: agreement on a proposal for a Directive confirmed (→ point 1.2.70).

Goods cabotage by road: agreement on a proposal for a Directive confirmed (→ point 1.2.71).

Computerized reservation systems: amendment of a Regulation agreed (→ point 1.2.77).

Other business

Network master plans: exchange of views.

Road safety: general discussion.

Opening of negotiations with Switzerland in the fields of road and air transport: discussed.

Commission

Proposals adopted

1.6.11. The Commission adopted a proposal for a Directive on investor compensation

schemes (→ point 1.2.17). It also adopted proposals for Regulations concerning the prohibition of the use of hormones in stockfarming and the monitoring of residues (→ point 1.2.10) and approved a proposal for a Directive relating to articles of precious metal (→ point 1.2.2). It also adopted a proposal for a Directive on integrated pollution prevention and control (→ point 1.2.103). On the agricultural front it adopted a proposal for a Regulation modifying the support system for producers of certain arable crops (→ point 1.2.113). Finally, it adopted proposals on the system of own resources (→ point 1.5.3).

Communications, green papers and reports

1.6.12. The Commission adopted a Green Paper on the European dimension of education (→ point 1.2.64). It also adopted an opinion on an equitable wage (→ point 1.2.94). It adopted two communications on the Middle East peace process, one on future relations and cooperation between the Community and the Middle East, the other on Community support for the peace process (→ points 1.3.18 and 1.3.23). Finally, it adopted a communication on relations between South Africa and the Community (→ point 1.3.35).

Other decisions

1.6.13. The Commission adopted an action programme to combat social exclusion (→ point 1.2.99). It also adopted a recommendation for a Decision on a draft association agreement with Israel (→ point 1.3.24). Finally, it approved a recommendation for a decision on the mid-term review of the fourth Lomé Convention (→ point 1.3.44).

Community lawcourts

Legislation

1.6.14. Parliament resolution on the role of the Court of Justice in the development of the European Community's constitutional system.

Adopted on 16 September. Parliament calls for improvements to the Community's legal system, including changes in the respective jurisdiction of the Court of Justice and the Court of First Instance, though references for preliminary rulings would continue to go to the Court of Justice alone. Parliament should have wider scope for consulting and referring matters to the Community courts, and greater legal protection must be afforded to individuals. Parliament calls on the Commission to bring forward appropriate proposals but reserves to itself the right to make proposals for changes to the Treaties to achieve its aims.

OJ C 268, 4.10.1993

Court of Justice

1.6.15. Decisions given by the Courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The operative part of the main decisions is reproduced; other decisions are simply listed by field and legal basis. Decisions in disputes between the Community and its staff are not reported.

Main decisions

Free movement of goods

Article 177 of the EEC Treaty

□ 2.8.1993: Case C-266/91 *CELBI v Fazenda Pública*

1. A parafiscal charge that is applicable without distinction to domestic and imported products constitutes a charge having an effect equivalent to a customs duty prohibited by Article 12 of the EEC Treaty where the revenue deriving from it is appropriated wholly to the funding of advantages which accrue solely to domestic products, thus fully offsetting the burden borne by the latter. If, on the other hand, the revenue is used only partially to provide such advantages, which thus offset only a part of the burden borne by domestic products, the charge in question constitutes discriminatory taxation prohibited by Article 95.

2. The rule concerning the offsetting of charges levied on the domestic product is to be construed

as requiring pecuniary equivalence, to be verified over a reference period, between the total amount of the charge levied on domestic products and the advantages which accrue exclusively to those products.

3. The use of the revenue from a parafiscal charge, such as the one with which this case is concerned, may constitute a State aid incompatible with the common market if the conditions set out in Article 92 of the Treaty are fulfilled; however, the assessment of that is a matter for the Commission and may be made only on the expiry of the procedural time-limit laid down by Article 93 of the Treaty.

4. A parafiscal charge of the kind in issue here does not, provided that it is governed by Articles 12 et seq. and 95 of the EEC Treaty, fall within the scope of Article 30.

OJ C 243, 7.9.1993

Free movement of workers and social policy

Article 177 of the EEC Treaty

□ 2.8.1993: Case C-158/91 *Ministère public and Direction du travail et de l'emploi v Levy*

The national courts are under an obligation to ensure that Article 5 of Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, is fully complied with by leaving unapplied any contrary provision of national legislation unless the application of such a provision is necessary to ensure that the Member State concerned performs obligations arising under a convention concluded with non-member countries prior to the entry into force of the EEC Treaty.

OJ C 240, 4.9.1993

□ 2.8.1993: Case C-271/91 *Marshall v Southampton and South-West Hampshire Area Health Authority*

1. Article 6 of Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, properly construed, requires that compensation for the damage sustained by a person wronged by discriminatory dismissal may not be restricted by a predetermined upper limit and that it should include an

award of interest to compensate for the loss sustained by the recipient of the compensation as a result of the effluxion of time until the capital sum awarded is actually paid.

2. A person who has been injured as a result of discriminatory dismissal may rely on the provisions of Article 6 of the Directive as against an authority of the State acting in its capacity as an employer in order to set aside a national provision which imposes limits on the amount of damages recoverable by way of compensation.

OJ C 243, 7.9.1993

Infringements

Article 169 of the EEC Treaty

□ 2.8.1993: Case C-355/90 *Commission v Spain*

Spain has failed to fulfil its obligations under the EEC Treaty by failing to classify the Marismas de Santoña as a special protection area and by failing to take appropriate steps to avoid pollution or deterioration of habitats in that area contrary to Article 4 of Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds.

OJ C 243, 7.9.1993

Other decisions

Customs Union

Article 177 of the EEC Treaty

□ 2.8.1993: Case C-248/92 *Jepsen Stahl v HZA Emmerich*

OJ C 240, 4.9.1993

Agriculture

Article 173 of the EEC Treaty

□ 12.7.1993: Case C-107/93 *AEFMA v Commission*

OJ C 244, 8.9.1993

Article 177 of the EEC Treaty

□ 11.7.1993: Case C-175/91 *Ahlers and Grünefeld v Landwirtschaftskammer Weser-Ems*
OJ C 251, 15.9.1993

□ 2.8.1993: Case C-289/91 *Kuhn v Landwirtschaftskammer Rheinland-Pfalz*
OJ C 243, 7.9.1993

□ 2.8.1993: Case C-81/92 *Hans Dinter v HZA Bad Reichenhall*
OJ C 243, 7.9.1993

□ 2.8.1993: Case C-87/92 *Hoche v Bundesanstalt für landwirtschaftliche Marktordnung*
OJ C 240, 4.9.1993

Articles 185 and 186 of the EEC Treaty

□ 16.7.1993: Case C-107/93R *AEFMA v Commission*
OJ C 244, 8.9.1993

Free movement of workers and social policy*Article 177 of the EEC Treaty*

□ 16.7.1993: Case C-348/92 *Sames v Stauereibetrieb Paetz*
OJ C 251, 15.9.1993

□ 2.8.1993: Joined Cases C-259/91, C-331/91 and C-332/91 *Allué and Coonan v Università degli studi di Venezia; Barta v Università degli studi di Parma; Sellinger and Others v Università degli studi di Parma*
OJ C 243, 7.9.1993

□ 2.8.1993: Case C-23/92 *Grana-Novoa v Landesversicherungsanstalt Hessen*
OJ C 250, 14.9.1993

□ 2.8.1993: Case C-31/92 *Larsy v Inasti*
OJ C 240, 4.9.1993

□ 2.8.1993: Case C-66/92 *Acciardi v Commissie beroepszaken administratieve geschillen in de provincie Noord-Holland*
OJ C 240, 4.9.1993

Taxation*Article 177 of the EEC Treaty*

□ 2.8.1993: Case C-111/92 *Lange v Finanzamt Fürstentfeldbruck*
OJ C 240, 4.9.1993

External relations*Article 173 of the EEC Treaty*

□ 12.7.1993: Joined Cases C-429/92 and C-25/93 *Assobacam and Compagnie fruitière Import v Commission*
OJ C 238, 2.9.1993

Infringements*Article 169 of the EEC Treaty*

□ 5.7.1993: Case C-325/92 *Commission v Luxembourg*
OJ C 243, 7.9.1993

□ 2.8.1993: Case C-366/89 *Commission v Italy*
OJ C 243, 7.9.1993

□ 2.8.1993: Case C-276/91 *Commission v France*
OJ C 240, 4.9.1993

□ 2.8.1993: Case C-9/92 *Commission v Greece*
OJ C 243, 7.9.1993

□ 2.8.1993: Case C-107/92 *Commission v Italy*
OJ C 240, 4.9.1993

□ 2.8.1993: Case C-139/92 *Commission v Italy*
OJ C 240, 4.9.1993

□ 2.8.1993: Case C-303/92 *Commission v Netherlands*

OJ C 240, 4.9.1993

Analysis of judgments delivered between 1 July and 30 September 1993

Freedom of establishment and freedom to provide services

1.6.16. Judgment of 13 July, Case C-330/91 *The Queen v Inland Revenue Commissioners ex parte Commerzbank* — Freedom of establishment — Company tax — Indirect tax discrimination.

Commerzbank, a German bank whose registered office is in Germany, had granted loans to various American companies through its United Kingdom subsidiary. On the interest from these loans the bank paid a tax which was subsequently refunded as wrongly paid pursuant to Article XV of the Double Taxation Convention between the United Kingdom and the United States. This stipulates that the interest paid by an American company is not taxable in the United Kingdom unless it is paid to a British company or to a company resident for tax purposes in the United Kingdom, which was not the case with Commerzbank. Commerzbank also claimed a 'supplement' on the sum repaid under United Kingdom law, which provides that when overpaid tax is refunded, interest is payable on the amount reimbursed. The law also stipulates, however, that this supplement is payable only to companies resident in the United Kingdom, so in this case the supplement was refused to Commerzbank.

The Court held that such provision was discriminatory and contrary to Community law (Articles 52 and 58 of the EEC Treaty). If a non-resident company was not entitled to the repayment supplement available to all resident companies, it was placed at a disadvantage as compared with them.

In the Court's view, the fact that the tax exemption which gave rise to the refund was available only to non-resident companies could not jus-

tify a rule of a general nature withholding the benefit.

Equality of treatment for men and women

1.6.17. Judgment of 1 July 1993, Case C-154/92 *Van Cant v Rijksdienst voor pensioenen* — Equal treatment — Old-age pension — Method of calculation — Pensionable age.

Since 1 January 1991 male and female employees have been able to retire under the Belgian State scheme between the ages of 60 and 65, without any distinction being made on grounds of sex. The law introducing this arrangement, however, retained the earlier method of calculating pensions whereby entitlement to pension was acquired by calendar year, each year counting as a fraction of salary whereof the denominator was to be not greater than 45 for men and 40 for women.

The Court was asked to rule whether Article 7 of Directive 79/7/EEC on equal treatment for men and women in matters of social security, which authorizes Member States to continue setting different pensionable ages for men and women (with all the consequences which this may have for other benefits), also authorizes them to retain in the method for calculating pensions a difference depending on sex, such difference being linked to the difference in retirement age which existed under earlier legislation.

The Court held that Article 7 did not authorize this practice and could no longer be relied upon once a Member State had made the pensionable age the same for both sexes.

1.6.18. Judgment of 2 August 1993, Case C-158/91 *Ministère public and Another v Levy* — Equal treatment for men and women — Legislation prohibiting night work by women — ILO Convention No 89.

In its judgment of 25 July 1991 in *Stoekel* the Court had held that Article 5 of Directive 76/207/EEC precluded national legislation from laying down, as a general rule, that night work by women was prohibited. It followed that in principle national courts had to be consistent

in ensuring the full effect of that Community rule, where necessary disregarding any domestic provisions to the contrary (Case 106/77 *Simmenthal* [1978] ECR 629).

The Court was now asked whether a national court was under the same obligation if the domestic provisions incompatible with the Community rule were intended to implement an international agreement, in this case ILO Convention No 89, which the Member State concerned had entered into with other Member States and non-EEC countries before the entry into force of the EEC Treaty.

The Court based its judgment on Article 234 of the Treaty, which stipulates that the rights and obligations arising from agreements concluded before the entry into force of the Treaty between one or more Member States, on the one hand, and one or more non-member countries, on the other, are not affected by Community law. However, Member States are required to take all appropriate steps (e.g. denunciation of the agreement) to eliminate any incompatibility with Community law.

In this particular case the Court held that, although equality of treatment for men and women was a fundamental right recognized by the Community legal system, the national court could justifiably set aside its obligation to ensure full compliance with Article 5 of the Directive if domestic provisions to the contrary had to be applied to ensure that the Member State concerned met its international obligations under an agreement concluded with non-member countries before the Treaty came into force.

1.6.19. Judgment of 2 August 1993, Case C-271/91 Marshall v Southampton and South-West Hampshire Area Health Authority — Directive 76/207/EEC — Equal treatment for men and women — Right to compensation in the event of discrimination.

The Court was asked to rule whether, in the event of a breach of the prohibition on sex discrimination, the provisions of Directive 76/207/EEC left Member States a margin of discretion in selecting the types of penalty to be applied and the level of compensation. Since the aim of the Directive was to ensure real

equality of opportunities, the Court held that where the payment of compensation was provided for in domestic legislation, it had to be sufficient to compensate for all the loss actually sustained as a result of discriminatory dismissal.

The Court therefore concluded that compensation subject to a ceiling of the kind imposed by the Sex Discrimination Act 1975 could not, by definition, constitute full compensation since it was thus limited to a predetermined level which was not necessarily that of the damage actually sustained.

Environment and consumer protection

1.6.20. Judgment of 14 July 1993, Case C-56/90 Commission v United Kingdom — Directive 76/160/EEC — Bathing water.

On application by the Commission, the Court declared that the United Kingdom had failed to take all the necessary measures to ensure that the quality of bathing water at Blackpool and Southport met Community standards.

This judgment throws valuable light on the interpretation of Directive 76/160/EEC:

□ the term 'bathing water' (in Article 1 of the Directive) must be interpreted in the light of the aims of the Directive: if a Member State provides infrastructures for bathers it is thereby indicating that the waters in question are 'bathing water' within the meaning of the Directive; it is therefore obliged to ensure that the waters in that area conform to the limit values set by the Directive;

□ a failure to meet this obligation could not be justified by the argument that the Member State concerned had taken all practicable steps to conform to the limit values, since the obligation was to achieve a specific result (i.e. bathing water which met the requirements of the Directive); the Court also found that the United Kingdom had failed to show that it was completely impossible to conform to the limit values.

1.6.21. Judgment of 2 August 1993, Case C-355/90, Commission v Spain — Preservation of wild birds — Special protection areas.

The Court granted the Commission's application for a declaration that Spain, by permitting certain measures in the Marismas de Santoña (building of a new road, establishment of industrial estates, permits for aquaculture facilities, release of non-purified waste water, the raising of dykes and quarrying activities), had failed to fulfil its obligations under Directive 79/409/EEC on the conservation of wild birds, and in particular its obligation to classify the Marismas de Santoña (one of the most important ecosystems for aquatic birds on the Iberian peninsula) as a special protection area and to take appropriate steps to prevent pollution or deterioration of wild-bird habitats there.

The Court dismissed the Spanish Government's contention that the ecological requirements imposed by the Directive had to be subordinated to, or at least balanced against, other — social and economic — considerations. Derogations based on other considerations, if they were to be allowed, must serve the general interest even more than the ecological aims pursued by the Directive. Economic and recreational requirements could not be taken into account in this context.

1.6.22. Judgment of 7 July 1993, Case C-217/91 *Spain v Commission* — Labelling and presentation of liqueurs — Conditions for the use of compound terms including the word 'brandy'.

Spain contended that the Commission had exceeded its powers by authorizing, in an implementing Regulation, the use of the generic name 'brandy' in the compound term describing certain liqueurs made from ethyl alcohol and containing no brandy.

The Court held that the Commission's powers were limited only by Council Regulation No 1576/89 (the basic regulation), according to which confusion must be avoided especially regarding spirit drinks already in existence when the Regulation entered into force. The contested authorization applied only to a limited number of compound terms which had been used for many years (prune brandy, orange brandy, apricot brandy, cherry brandy).

Spain also argued that the principle of non-discrimination had been infringed to the detriment of 'brandy' producers, who were placed at a competitive disadvantage as compared with those who could manufacture from ethyl alcohol of agricultural origin a spirit drink bearing a composite name including the word 'brandy'. The Court rejected this argument, holding that 'brandy' producers and 'liqueur' producers manufactured very different products and were not therefore in similar situations.

Common commercial policy and external relations

1.6.23. Judgment of 1 July 1993, Case C-312/91 *Metalsa* — EEC-Austria free trade Agreement — Non-discrimination in tax matters. Case C-207/91 *Eurim-Pharm v Bundesgesundheitsamt* — EEC-Austria free trade Agreement — Parallel imports of medicinal products — Quantitative restriction on imports — Measure having equivalent effect.

In these two cases the Court was asked to interpret the provisions of the EEC-Austria free trade Agreement in the light of its own case-law concerning corresponding provisions of the EEC Treaty which are worded in similar or identical terms.

In *Metalsa*, which related to the interpretation of the first paragraph of Article 18 of the Agreement, which prohibits any direct or indirect tax discrimination in respect of products from either of the contracting parties, the Court recalled an earlier ruling to the effect that the extension of the interpretation of a comparable Treaty provision (in this case the first paragraph of Article 95) to a provision of an external agreement depended in particular on the objective pursued by each of these provisions in the appropriate context and that it was of considerable importance in this connection to compare the objectives and context of the Agreement with those of the Treaty (Case 270/80 *Polydor* [1982] ECR 329 and Case 104/81 *Kupferberg* [1982] ECR 3641).

Recalling the aims of the EEC Treaty as set out in Articles 2 and 3, which provide first of

all for the establishment of a common market in which all obstacles to trade will be eliminated so that the national markets can merge into a single market, thus creating conditions as close as possible to those of a genuine internal market, and pointing out that these aims were not those of the EEC-Austria Agreement, the Court held that its interpretation of Article 95 of the Treaty could not be extended to Article 18 of the Agreement and that, consequently, national rules which punished offences relating to VAT on imports more severely than offences relating to VAT on domestic sales were not incompatible with Article 18, even if the difference in penalties was disproportionate to the dissimilarity between the two kinds of offence.

In *Eurim-Pharm* the Court did not rule whether Articles 13 and 20 of the Agreement were to be interpreted in the same way as Articles 30 and 36 of the Treaty. It simply held that Article 13 of the Agreement precluded the imposition of a new authorization procedure involving the submission of documents attesting to the composition of a pharmaceutical product, in cases where the product concerned already originated from a Member State and had merely passed through Austrian territory before its reimportation into the Community (no duplication of marketing authorization procedures). By this ruling the Court 'approximated' its interpretation of Articles 13 and 20 of the Agreement to that of Articles 30 and 36 of the Treaty.

Court of Auditors

1.6.24. Opinion No 7/93 of the Court of Auditors on the proposal for a Council Regulation (EEC, Euratom) amending Regulation (EEC) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources.

Reference: Proposal for a Council Regulation amending Regulation (EEC) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own

resources: OJ C 199, 23.7.1993; COM(93) 213; Bull. EC 5-1993, point 1.5.1

Adopted on 23 September at the Court's 453rd meeting, pursuant to Article 209 of the EEC Treaty and at the Council's request. The opinion has been transmitted to all the Community institutions and will be published in the *Official Journal of the European Communities*.

European Investment Bank

Financing

1.6.25. In September the European Investment Bank, the European Community's financial institution, granted loans totalling ECU 1 105.4 million, of which ECU 49 million went outside the Community.

Community

Links with Community policies

1.6.26. In the period in question loans were made for the following measures:

- ECU 503.8 million for the economic development of disadvantaged regions;
- ECU 390.3 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 270.7 million for the protection of the environment and the improvement of the quality of life;
- ECU 139.1 million for the pursuit of Community objectives in the field of energy.

The Bank also continued its operations to support small businesses: since the beginning of the year around ECU 1 billion has been granted in global loans.

In many cases, individual loans come under several Community policies; some are therefore counted more than once in the above amounts.

Geographical distribution

Belgium

1.6.27. ECU 248.2 million (including ECU 99.2 million under the Edinburgh financial mechanism) was granted for the new high-speed rail link between the French frontier and Brussels.

Germany

1.6.28. ECU 174 million was granted in the form of global loans to finance small and medium-scale projects and ECU 9.7 million was granted for waste-water treatment plants in the regions of Bitterfeld and Wolfen.

Spain

1.6.29. ECU 66.8 million was granted to relieve traffic congestion in greater Madrid. ECU 63.4 million was granted for improvements to waste-water collection and treatment in Catalonia and ECU 10 million for extending and modernizing the electricity supply network.

France

1.6.30. ECU 134.6 million (including ECU 24.2 million under the Edinburgh financial mechanism) was provided for transport: modernization of the road network in Réunion, extension of the international airport at Pointe-à-Pitre, partial replacement of the Air Inter fleet, and the construction of ground facilities and an automatic internal shuttle system at Roissy-Charles de Gaulle airport.

Ireland

1.6.31. ECU 11.7 million was granted for industrial gas production at a plant in Dublin.

Italy

1.6.32. A loan of ECU 117.9 million (including ECU 84.2 million under the Edinburgh

financial mechanism) was made towards doubling the capacity of the gas pipeline from Algeria and Tunisia to Italy in the section under the Strait of Messina and towards extending the natural gas distribution network in Piedmont, Liguria and the metropolitan area of Turin. ECU 28.1 million was provided for the restructuring and modernization of cement works in Apulia, Tuscany and Molise and the construction of a new production plant, and for modernizing and developing a factory producing mopeds and small vans near Pisa.

United Kingdom

1.6.33. ECU 119.5 million was granted for various projects in the field of water supply, sewerage and sewage disposal, road improvements and industrial estates in Scotland and the Midlands.

Projects of Community interest

1.6.34. ECU 72.5 million was granted for the Klagenfurt bypass on the A2 motorway from Austria into Italy, a project of Community interest located in a non-member country but treated in the same way as a Community loan.

Community development cooperation policy

ACP countries

Caribbean

1.6.35. ECU 3 million was granted from risk capital in the form of a global loan to finance small and medium-scale projects.

Mauritius

1.6.36. ECU 12 million (including ECU 2 million from risk capital) went towards water supply and sewerage and sewage disposal projects.

Jamaica

1.6.37. ECU 8 million (including ECU 3 million from risk capital) was granted in the form of a global loan to finance small and medium-scale projects.

Tanzania

1.6.38. ECU 1.1 million was used to finance the contribution of the Commonwealth Development Corporation to the Tanzanian Venture Capital Fund to promote privatization and help new businesses to start up in the private sector.

Mediterranean countries*Malta*

1.6.39. ECU 13 million was provided for improving the waste-water collection and treatment system and modernizing air traffic control equipment.

*Cooperation with Central and Eastern Europe***Poland**

1.6.40. ECU 13 million was granted to organize the forestry sector.

Economic and Social Committee**308th plenary session**

1.6.41. The Economic and Social Committee held its 308th plenary session on 22 and 23 September, chaired in turn by Mrs Tiemann and Mr Stecher Navarra and attended by Mr Jean-Luc Dehaene, Belgian Prime Minister

and President of the Council, and Mr Vanni d'Archirafi, Member of the Commission.

In his address, Mr Dehaene focused on the difficulties currently facing the Community: the delays in implementing the Treaty on European Union, the Community's lack of competitiveness *vis-à-vis* the United States, Japan and the newly industrializing countries, and its weakness in the face of the current political and economic turmoil on the international scene. He argued that traditional macro-economic solutions were no longer appropriate and called for a detailed analysis of the cause of the problems, the creation of highly efficient transport and communications networks and a reduction in labour costs to help promote a more active employment policy.

Mr Dehaene expressed his conviction that the key to overcoming the recession lay in greater cohesion between the Member States. The Belgian Presidency therefore hoped that economic, monetary and social union, European citizenship and the common foreign and security policy, as provided for in the Union Treaty, would be put into effect quickly and would give extra impetus to the Community as it tried to establish its position on the world market.

Mr Vanni d'Archirafi, for his part, dealt with the impact of the internal market, the cornerstone of the European Union, stressing the Commission's willingness to support the idea of the Economic and Social Committee playing a central role in monitoring and policing it.

1.6.42. The Economic and Social Committee debated and adopted:

- opinions on the following documents on which it had been consulted:
 - the Commission working document on a strategic programme on the internal market (→ point 1.2.1);
 - the Commission Green Paper on pluralism and media concentration in the internal market (→ point 1.2.18);
 - the Commission communication on the future of Community initiatives under the Structural Funds (→ point 1.2.85);
- an own-initiative opinion on the public sector in Europe (→ point 1.2.98).

1.6.43. The Committee adopted opinions on the following without debate:

- the 14th amendment to Directive 76/769/EEC on the use of certain dangerous substances and preparations (→ point 1.2.4);
- the right of residence for students (→ point 1.2.15);
- the draft agreement on scientific and technical cooperation between the EC and Australia (→ point 1.2.63);
- the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders (→ point 1.2.108);
- application of the Act of Accession of Spain and Portugal to the fisheries sector (→ point 1.2.134);
- the trade arrangements applicable to certain goods resulting from the processing of agricultural products (→ point 1.3.57).

ECSC Consultative Committee

308th meeting (extraordinary)

1.6.44. Luxembourg, 17 September.

Chairman: Mr Gonzalez.

Items discussed

- Financial mechanisms for the restructuring of the steel industry: consultation (→ point 1.2.53).
- Public funds for restructuring:
 - EKO-Stahl,
 - the Spanish steel company *Corporación de la Siderúrgica integral (CSI)*,
 - the Italian steel group *ILVA*: exchange of views.
- Draft Commission Decisions on certain procedures for applying the Interim Agreements on trade and trade-related matters between the EEC and the ECSC, of the one part, and Bulgaria and Romania, of the other part: consultation.
- Draft Commission Decisions on the conclusion by the ECSC of Additional Protocols to the Interim Agreements on trade and trade-related matters between the EEC and the ECSC, of the one part, and the Republics of Hungary and Poland and the Czech and Slovak Federal Republic, of the other part, and to the Europe Agreements between the European Communities and their Member States and the Republics of Hungary and Poland and the Czech and Slovak Federal Republic: consultation.
- Draft Council and Commission Decisions on the conclusion of Europe Agreements between the European Communities and their Member States, of the one part, and the Czech and Slovak Republics, of the other part: consultation.

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

September 1993 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	41.0548
DKR	Danish krone	7.83300
DM	German mark	1.91165
DR	Greek drachma	273.811
ESC	Portuguese escudo	196.052
FF	French franc	6.68994
HFL	Dutch guilder	2.14690
IRL	Irish pound	0.821195
LIT	Italian lira	1 848.48
PTA	Spanish peseta	154.071
UKL	Pound sterling	0.773298
AUD	Australian dollar	1.80871
CAD	Canadian dollar	1.55682
FMK	Finnish markka	6.81658
ISK	Icelandic króna	81.7682
NKR	Norwegian krone	8.34283
NZD	New Zealand dollar	2.13769
OS	Austrian schilling	13.4521
SFR	Swiss franc	1.67214
SKR	Swedish krona	9.44354
USD	United States dollar	1.17506
YEN	Japanese yen	124.263

¹ Average for the month; OJ C 266, 1.10.1993.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

Representative rates ('green' rates)

Conversion rates into national currencies for the ecu used in connection with the common agricultural policy

September 1993					
National currency/sector		Value in national currency of ECU 1	National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc	48.5563	FF	French franc	7.98191
	— All products			— All products	
DKR	Danish krone	9.34812	HFL	Dutch guilder	2.65256
	— All products			— All products	
DM	German mark	2.35418	IRL	Irish pound	0.976426
	— All products			— All products	
DR	Greek drachma	322.728	LIT	Italian lira	2 166.58
	— All products			— All products	
ESC	Portuguese escudo	236.933	PTA	Spanish peseta	190.382
	— All products			— All products	
			UKL	Pound sterling	0.920969
				— All products	

2. The Community at the United Nations

2.2.1. Speech given by Mr Willy Claes, Belgium's Minister for Foreign Affairs and President of the Council of Ministers of the European Community, to the United Nations General Assembly on 28 September.

'Mr President,

I have the honour of speaking on behalf of the European Community and its Member States.

Allow me, first of all, Mr President, to pay a tribute to your predecessor, Mr Stoyan Ganey, who conducted the General Assembly's proceedings during its 47th session.

The Assembly has unanimously decided to entrust to you, Sir, the conduct of this the 48th session. We welcome that decision as we are familiar with your personal qualities and your professional experience. We also see this as a well-earned tribute to your country, the Republic of Guyana, and to the contribution made by the Caribbean region to the activities of our Organization. The European Community and its Member States, which continue to enjoy fruitful relations with the countries of the Caribbean, within the dynamic framework of the Lomé Convention, assure you of their fullest cooperation.

We welcome also the admission to our Organization of the Czech Republic, the Slovak Republic, Eritrea, the Principality of Monaco, the former Yugoslav Republic of Macedonia and the Principality of Andorra.

In his address to the Assembly last year, my British colleague, Mr Douglas Hurd, made the point that, after a brief interlude of optimism, the world had entered a period of instability and of challenges to law and order. This trend has increased over the past 12 months. We now have to cope with new crisis situations, while — speaking only about Europe — a just and lasting solution to such a longstanding problem as that of Cyprus has yet to be found, despite the continued efforts of our Organization.

Long restrained by the so-called balance of terror, latent antagonisms have resurfaced in the Balkans, the Caucasus and Central Asia. The collapse of the old institutional frameworks has led to the emergence of forms of rapidly competing nationalisms. The personal ambitions of certain rulers and the propaganda machines they control have plunged

clans or whole peoples into conflicts marked by the blind use of violence. In that process, the basic rights of the individual and the elementary rules of international humanitarian law have been constantly flouted.

In other countries, the economic and social crisis has continued to provide fertile ground for religious fundamentalism, enabling it to increase the number both of its followers and of its victims. Elsewhere, the existence of a large immigrant population has served as a pretext for reactions of racial intolerance, which have even led to deliberate criminal acts. All these forms of fanaticism designate human beings as the enemy to be destroyed. They must be fought not only through political declarations and laws but also through a more sincere and committed engagement in favour of the human values which should unite us all across continents and cultures.

The proliferation of these situations has gone hand in hand with a growing desire to possess weapons of mass destruction. In this connection, we are concerned by the actions of member States of our Organization which have ample resources, bear regional responsibilities and claim to be lovers of peace. The proliferation of these weapons represents a grave threat to both global and regional security and stability. It is of the utmost importance that the Non-Proliferation Treaty should be unconditionally extended in 1995 for an indefinite period.

Economic underdevelopment and the unacceptable living conditions of hundreds of millions of inhabitants of the planet constitute another major concern for the European Community and its Member States.

The outcome of three decades of development cooperation cannot be regarded as positive. This means that all of us, countries of the South and of the North, must take serious stock of the situation. We know that it is pointless to speak of peace in the world if we do not at the same time work towards global economic and social development. The forthcoming world conferences in Cairo, Copenhagen and Beijing will be important landmarks in this process.

Our concerns have not blinded us to the important efforts undertaken in all regions of the world towards democratization and economic recovery.

The republics which made up the former Soviet Union have pursued the immense task of creating a political, economic and social framework designed to strengthen their sense of identity as individual nations. We must help these countries find ways of achieving deep-rooted national reconciliation while fully respecting each other's territorial integrity. The European Community and its Member States will continue to support them substantially through technical assistance and partnership agreements. They will also maintain their trade with the countries of Central and Eastern Europe, in particular through new or strengthened association agreements.

The European Community and its Member States support President Yeltsin in his efforts to promote economic and political reform as well as to strengthen democracy in his country.

It is in Africa that the gap between objectives and realities remains most discouraging. Two hundred million people across that continent live in abject poverty. However, in spite of armed conflicts and acute economic problems, there are undeniable signs of the dawn of a new political era. It is of course up to the African people to determine the pace and practical form of their democratic development. Some dictators, however, are still clinging to the power they have long exercised for their own exclusive benefit. Their armies, for whose services they somehow manage to pay, are like a weapon permanently aimed at their own people. Despite appearances, they are now no more than an anachronistic element of underdevelopment.

South Africa is approaching the historic moment when the democratic majority of its people will accede to power. The path leading to this has, alas, been littered with further massacres and attacks. The European Community and its Member States reiterate their support for the negotiating process pursued by President Frederik De Klerk and Mr Nelson Mandela and appeal to the international community to assist South Africa in this crucial phase by helping to organize elections and to rebuild and develop the country.

In Asia, the positive trend of the past few years has been maintained. On the economic front, the Asian countries of the Pacific Rim, particularly China, are characterized by remarkable dynamism. The European Community and its Member States hope that this progress will swiftly bear positive results for the living and working conditions of their populations.

Latin America is a continent at peace, continuing its economic recovery in accordance with the objec-

tives of democratically elected governments. In several of these countries, rapid population growth, social imbalances and drug trafficking are, however, still a considerable handicap in the march towards progress.

More attention has been paid by the authorities to the indigenous peoples, but certain tragic events have occurred to remind us of the precarious conditions in which those peoples live.

The European Community and its Member States welcome the substantially improved prospects for peace and stability in the Middle East. They hope that following the recent Israeli-Palestinian agreements new decisive steps will be taken by Israel and the Arab countries directly concerned in the Middle East peace process. The recent Israeli-Jordanian declaration of principles is a positive move in this direction. We call upon this Assembly to take account of these major developments when considering the situation in the Middle East.

The European Community and its Member States, in keeping with their longstanding position, stand ready to assume, in close coordination with the competent international institutions, an important part in the general coordination of the assistance offered by the international community to the Palestinian people in the Occupied Territories. In this connection donor countries will, above all, have to be guided by criteria of efficiency and speed.

During this difficult period the United Nations has not been merely a passive onlooker.

The World Conference on Human Rights made it possible to adopt a Final Declaration which reaffirms and enriches the universal consensus on the essential respect due in all circumstances to the human person. The Vienna Programme of Action provides for a large number of measures to ensure greater respect for, and promotion of, such rights throughout the world. The European Community and its Member States will endeavour, from the present session, to achieve application of these measures, in particular as regards increased resources for the Centre for Human Rights and the appointment of a United Nations High Commissioner for Human Rights.

Active preparations have continued for other world conferences, on population, social development and the promotion of women. The follow-up to Rio was ensured by the first meeting of the Commission on Sustainable Development, which, from the outset, established a relation of partnership, which we consider to be highly promising.

The "Agenda for Peace" has been discussed in various bodies. The warm welcome it has received has

been followed by various practical measures of implementation. We would, however, like our Assembly to show more willingness to abandon its reservations regarding certain types of preventive action which have already been adopted in practice by the Security Council and the Secretary-General.

The Organization itself has embarked on and made progress with a series of restructuring measures. The most complex is probably the restructuring of the Security Council, but it is encouraging that this topic is now the subject of open dialogue.

Pending a reform which would not compromise its efficiency, the Council has kept up the pace of its activities. It has given a larger place in practice to the concepts of preventive diplomacy and cooperation with regional organizations. The Secretary-General has resolutely backed this trend both through his numerous visits on the ground or those of his personal representatives and through the adjustments he has made within the Secretariat. These have focused particularly on strengthening the departments responsible for managing peacekeeping operations. The indispensable extension of these services has not yet been completed and will require further assistance from the Member States. Indeed, there has been an overwhelming increase in the United Nations operations in this area over the last few years. They have not simply multiplied: their objectives have also diversified. In several cases, the traditional task of peacekeeping has had to be supplemented or, initially, replaced by the much more delicate task of restoring peace.

The Organization has, in the eyes of some, met with failure in the very difficult situations with which it has had to cope in the former Yugoslavia and Somalia. The duplicity of some warlords constitutes a permanent threat of destabilization.

But, in no circumstances has the international community chosen to combine humanitarian-aid missions with peace-restoring missions. The use of force has been seen only as a last resort in order to come to the help of people held hostage by self-proclaimed leaders. Our Organization has consequently been constrained to use, under certain circumstances, means corresponding to the provocations it has had to face. We must, however, draw lessons from the experience acquired through these various operations.

The breadth and complexity of humanitarian crises throughout the world also require greater coordination of humanitarian assistance both during strategic planning of operations and during their implementation on the ground.

The spirit of perseverance, in compliance with the Charter and human rights, is more necessary than

ever. It enabled Cambodia to implement the Paris Agreements in conditions which proved to be very difficult — as indeed they had promised to be. This represents a great victory for the Cambodian people as well as a remarkable success for the United Nations, and was achieved through unprecedented effort: by numerous governments, by thousands of officials and volunteers, and also by large numbers of soldiers, dozens of whom sacrificed their lives. The European Community and its Member States pay tribute to the “Blue Helmets” who, frequently killed in cold blood, have been victims of their duty throughout the world. Their safety, as well as that of all United Nations staff, must be improved and the pursuit of their aggressors must be organized more effectively.

The European Community and its Member States are also convinced of the need to react to the consequences of the presence of mines resulting from armed conflicts. These devices claim numerous victims every year amongst the civilian population and jeopardize the rehabilitation of vast areas of territory ravaged by war. We ask this Assembly to consider the draft resolution which we have submitted on this subject with a view to a more systematic and effective organization of assistance in mine-clearing. We also welcome the French initiative of asking the United Nations Secretary-General to convene a conference to review the 1981 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

Thus, the overall picture of activities by the United Nations and its members during the last 12 months is far from disappointing, and I could have listed many other positive developments. However, when we consider the difficulties facing us, it is hard to claim categorically that, whatever happens, the United Nations will be able to meet the challenges of the future effectively.

The Secretariat's capacities are being used to the full; they are no longer sufficient to deal with member States' wishes in every case. The Organization's coffers are empty or virtually so. The development of new activities is hampered more and more often by disagreements about the allocation of costs. Most of the major contributors, who are seriously affected in their own countries by an unfavourable economic situation, regard strict budgetary restraint as more important than ever. The cost of peacekeeping operations alone will be USD 3.6 billion for 1993.

In addition to the immediate cash-flow problems, there is an increasing structural deficit in the balance between the ability to take multilateral action and

ever-increasing requests for intervention. What can we do to ensure that the United Nations does not fall victim to its own success? We feel that finding a solution entails three areas of action.

First, of course, all member States must pay their contributions fully and in a timely manner. That is a fundamental obligation with which the European Community and its Member States never fail to comply. The effort this requires is neither more nor less than that demanded of other contributors, be they "big" or "small", for each member State is required to make a contribution in line with its ability to pay. Failure to pay represents a serious breach of the commitments entered into, and it is all the more regrettable that certain defaulting countries at the same time lay claim to a privileged role in the Organization's debates and decisions.

Secondly, the various reforms undertaken in order to improve the operational efficiency of the Organization have to be pursued with a maximum of determination. We have in mind in particular the management of the Secretariat, the control of its expenditure and the forthcoming restructuring in the economic and social sector. It is unacceptable that the objectives set could not be met owing to interminable negotiations or power struggles between senior administrators.

Thirdly, although the United Nations remains an intergovernmental body, it is called upon more and more frequently to fulfil a central government task, with responsibility for solving each and every problem that may arise.

In order to cope with this growing tide of demands, the Secretary-General in his "Agenda for Peace" has quite rightly stressed the need for cooperation with regional organizations and arrangements.

But are they ready? Do they exist everywhere? Does the strengthening of cooperation between the United Nations and regional organizations offer real prospects if the latter do not become effective centres of decision and action? We feel that, without the capacity for swift and ongoing intervention on a regional scale, preventive diplomacy by our Organization is a resource which is undoubtedly indispensable but of limited scope. It will indeed facilitate successes here and there, but will be insufficient to come to grips with the most deep-rooted and most threatening antagonisms. If nothing changes, the danger of entire countries imploding is real. The situation will channel multilateral resources more and more into makeshift rescue and rehabilitation operations, to the detriment of collective sustainable development objectives.

In this connection the positive effects of an area of stability such as the European Community no longer

need to be demonstrated. The European Community was inspired at the start by a profound desire for peacemaking and reconstruction. The same needs and aspirations are to be found elsewhere in the world but have not been matched by a comparable response.

We believe that there is no alternative to the establishment of such areas in every continent. The resolute pursuit of regional economic integration is a decisive and indispensable step in that direction. The benefits of economies of scale and the free movement of persons and goods then contribute as much to consolidating peace as to sharing prosperity. By uniting to form centres of stability and progress, the participating countries gradually free themselves of the mounting problems and crises which, at this time of tremendous change, tend to be more than they can cope with on their own.

In addition to these areas of stability, it is also necessary to create or strengthen broader regional mechanisms, making it possible for a number of subregions to develop principles of peaceful and prosperous coexistence. Here, the Conference on Security and Cooperation in Europe can serve, if not as a universal model, at least as a source of inspiration. Even if its ability to intervene directly is limited, it constitutes an indispensable platform for dialogue. When internal or bilateral crises occur, it encourages the neighbouring countries to show moderation and thus contributes to limiting the conflict. As respect for common rules grows, more concrete collective actions can be envisaged.

These are the essential tools for achieving the three-fold objective which the Secretary-General recommends in his latest report on the activities of the Organization: peace, development and democracy.

To be sure, in all continents regional bodies have already embarked on this course of action: in the past year they have contributed, in cooperation with the United Nations, to crucial mediation and peace-keeping ventures — but always after the conflict had flared up. Areas of genuine stability and more reliable regional mechanisms would make it possible to forestall major crises by reducing their causes.

Regional integration indeed can only help contain the collective frustrations and anxieties that fuel nationalist movements. It also provides a formidable incentive for economic growth and therefore a strategic element in combating poverty. Finally, regional economic integration, as it is progressively being built, simply eliminates the option of war from the thinking of the governments and peoples involved.

The disintegration of the former Yugoslavia and its tragic consequences make it all too clear that the

comments we have just made relate to a course of action that will prove long and demanding rather than a miracle cure. Neither the European Community nor the Conference on Security and Cooperation in Europe has been able to prevent the outbreak of the conflict and the subsequent series of disasters. Like the United Nations and the United States of America, the European Community and its Member States have consequently been accused of lacking strategy and of indifference. For the European Community and its members, one of the lessons to be learned from this catastrophe is that the deepening of its own internal relations — more Europe rather than less Europe — would strengthen the role it must play as an instrument for promoting stability and peace in Europe and neighbouring areas.

No one can dispute, however, the fact that the European Community and its Member States have endeavoured to mediate from the earliest days of the conflict. It was the members of the European Community who, going against the current, managed to persuade the whole Security Council to react to the worsening situation. Without compromising their positions of principle, and despite numerous disappointments, the Member States of the Community have at no point wearied of their thankless task.

The efforts deployed at the London and Geneva Conferences bear witness to this. As you are aware, the European Community and its Member States have played a fundamental role on the ground, particularly through the activities of their monitors,

in the implementation of sanctions and through their contribution to the United Nations Protection Force and to measures to help the victims of the civil war.

The European Community and its Member States also reiterate their readiness to participate in the implementation of a peace plan accepted by all the parties.

The Maastricht Treaty on European Union should provide us with the means of strengthening the Union's ability to act in the world, in particular by implementing the common foreign and security policy. Once it has entered into force — which should happen in the next few days — that Treaty will enable the European Union to play an enhanced role in all areas of international policy and security and will establish close working relations between the European Union and the Western European Union. Moreover, the imminent enlargement of the European Union to include new members will simply increase its ability to exercise a stabilizing influence over adjacent countries.

The enlargement of the European Union and its readiness to conclude association and cooperation agreements of ever wider scope with virtually all regions and countries of the globe are proof of our sincere desire to forge ahead with the building of Europe while at the same time opening Europe to the world. This is the kind of Europe that is proving increasingly able to serve the objectives of the Charter. It provides encouragement to other countries and regions to unite, to join together, as Europe has done, in the common task of achieving greater peace in tomorrow's world.'

3. Infringement proceedings

Reasoned opinions

Failure to communicate any measures incorporating Directives into national law

2.3.1. In September the Commission delivered reasoned opinions in the following cases:

Industry

Directive 89/677/EEC (OJ L 398, 30.12.1989)
Restrictions on the marketing and use of certain dangerous substances and preparations
Italy

Agriculture

Directive 91/508/EEC (OJ L 271, 27.9.1991)
Additives in feedingstuffs
Luxembourg

Transport

Directive 91/224/EEC (OJ L 103, 23.4.1991)
Combined transport of goods between Member States
Italy

Directive 89/459/EEC (OJ L 226, 3.8.1989)
Tread depth of tyres
Portugal

Internal market and financial services

Directive 90/364/EEC (OJ L 180, 13.7.1990)
Right of residence
Germany, France

Directive 90/365/EEC (OJ L 180, 13.7.1990)
Right of residence for employees and self-employed persons who have ceased their occupational activity
Germany, France

Failure properly to incorporate Directives into national law

2.3.2. In September the Commission delivered reasoned opinions in the following cases:

Audiovisual media, information, communication and culture

Directive 89/552/EEC (OJ L 298, 17.10.1989)
Television without frontiers
United Kingdom

Consumers

Directive 85/577/EEC (OJ L 372, 31.12.1985)
Contracts negotiated away from business premises
Belgium

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.3.3. In September the Commission delivered reasoned opinions in the following cases:

Agriculture

Directive 83/189/EEC (OJ L 109, 26.4.1983)
Technical standards and regulations — Preparation and labelling of shellfish
France

Transport

Decision 91/523/EEC (OJ L 283, 11.10.1991) and Article 80 of the EEC Treaty
Support tariffs applied by Italian railways
Italy

Environment, nuclear safety and civil protection

Directives 80/778/EEC (OJ L 229, 30.8.1980), 75/440/EEC (OJ L 194, 25.7.1975) and 80/68/EEC (OJ L 20, 26.1.1980)
Drinking water
Germany

Internal market and financial services

Articles 52 and 67 of the EEC Treaty
Taxation discriminating against permanent establishments of foreign companies
Belgium

Customs and indirect taxation

Article 95 of the EEC Treaty
Taxation of second-hand cars
Greece

Directive 77/388/EEC (OJ L 145, 13.6.1977) and Article 95 of the EEC Treaty
VAT on transport, cruises and package tours
Greece

4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments, communications and notices of Community institutions which have appeared in the Official Journal since the last Bulletin was published but relate to items appearing in earlier issues; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the

Official Journal, the number of the issue and the date of publication.

Bull. EC 6-1993

Point 1.2.115

Council resolution of 8 June 1993 on a common policy on safe seas
OJ C 271, 7.10.1993

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Eastern Europe and the USSR

THE CHALLENGE OF FREEDOM

GILES MERRITT



The sparks of unrest that leapt from Berlin in November 1989 to Moscow's Red Square in August 1991 are firing an explosion of political and economic change. Out of the ashes of Communism is emerging the shape of a vast new European market-place stretching from the Atlantic to the Pacific.

In his fascinating account of Europe's fast-changing East-West relationships, Giles Merritt argues that a massive rescue operation must be mounted to ensure the success of these changes. The upheaval of Communism's collapse is 'The challenge of freedom'.

Written with the cooperation and support of the European Commission, this book sets out to identify the key policy areas where a new partnership is being forged between the countries of Eastern and Western Europe. It offers a privileged insight into the current thinking of European

Community officials, politicians and industrial leaders, and analyses the factors that will determine whether the emerging market economies of Eastern Europe can truly be absorbed into a single European economy.

Immensely readable and often disturbing, this important book contains much up-to-date and hitherto unpublished information on such major East-West problem areas as energy, environmental control, immigration, trade relations, agriculture and investment. It also examines the arguments surrounding a 'Marshall Plan' for Eastern Europe that would emulate the famous US aid programme that helped relaunch the economies of Western Europe in the aftermath of World War II.

For anyone concerned about the future of Eastern Europe and the USSR, whether from a political, social or economic standpoint, this book is essential reading.

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