

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

P R E S S R E L E A S E

6776/91 (Presse 87)

1496th meeting of the Council
- Economic and Financial Affairs -

6th Ministerial Meeting of the IGC on EMU

Luxembourg, 10 June 1991

President: Mr Jean-Claude JUNCKER

Minister for Finance
of the Grand Duchy of Luxembourg

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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Mr Anders FOGH RASMUSSEN Minister for Economic Affairs

Germany:

Mr Horst KÖHLER State Secretary, Federal Ministry of Economic Affairs

Mr Franz-Christoph ZEITLER State Secretary, Federal Ministry of Finance

Greece:

Mr Eythymios CHRISTODOULOU Deputy Minister for Economic Affairs

Spain:

Mr M. Carlos SOLCHAGA CATALAN Minister for Economic Affairs and Finance

Mr Pedro PEREZ State Secretary for Economic Affairs

Mr Carlos WESTENDORP Y CABEZA State Secretary for European Affairs

France:

Mr Pierre BEREGOVOY Ministre d'Etat, Minister for Economic and Financial Affairs and the Budget

Mrs Elisabeth GUIGOU Minister for European Affairs

Ireland:

Mr Albert REYNOLDS Minister for Finance

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Italy:

Mr Guido CARLI	Minister for the Treasury
Mr Rino FORMICA	Minister for Finance
Mr Emilio RUBBI	State Secretary for the Treasury

Luxembourg:

Mr Jean-Claude JUNCKER	Minister for Finance
Mr Robert GOEBBELS	Minister for Economic Affairs

Netherlands:

Mr W. KOK	Minister for Finance
Mr Marius van AMELSVOORT	State Secretary for Finance
Mr P. DANKERT	State Secretary for Foreign Affairs

Portugal:

Mr José de OLIVEIRA COSTA	State Secretary for Fiscal Affairs
Mr Carlos TAVARES	State Secretary, Treasury

United Kingdom:

Mr Norman LAMONT	Chancellor of the Exchequer
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Commission:

Mr Henning CHRISTOPHERSEN	Vice-President
Mrs Christiane SCRIVENER	Member

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INTERGOVERNMENTAL CONFERENCE ON EMU

In the light of a report from the Chairman of the Working Party of Personal Representatives, the IGC held a broad discussion on basic EMU issues which emerged during the preparatory discussions, namely the achievement of economic convergence, economic and social cohesion, the content of and the conditions for moving to the transitional and final stages, and certain institutional issues relating to the functioning of the Union.

The discussion gave the Ministers an opportunity to define their positions on all those issues. They expressed their appreciation of the considerable progress achieved in the first half of the year, due to the Luxembourg Presidency's efforts.

Today's discussion and the outcome of the preparatory discussions held since the beginning of the year will enable the Presidency to identify the topics to be referred to the European Council in late June.

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ABOLITION OF FISCAL FRONTIERS

The Council continued its discussions on the abolition of fiscal frontiers - VAT and excise duties - on the basis of draft Presidency conclusions amended in the light of the proceedings on 3 June.

The Presidency proposed to continue discussions on the subject at an additional meeting on 24 June.

MEASURES TO HELP CENTRAL AND EAST EUROPEAN COUNTRIES

After noting that other G24 countries or third countries had announced that they would contribute an amount equivalent to that proposed by the Community to the operation to support the balance of payments of Hungary and Bulgaria, the Council agreed to the Decisions on granting ECU 180 million to Hungary and ECU 290 million to Bulgaria as medium-term financial assistance. Those Decisions will be formally adopted in the near future, after the texts have been finalized.

With regard to aid for Romania, after noting that the conditions for a final decision had not yet been met - the contributions announced by other G24 countries were inadequate -, the Council decided to continue discussing medium-term assistance for that country at its meeting on 8 July.

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Discussion of the agenda items relating to "EIB actions outside the Community" and "controls and formalities applicable to the cabin and checked baggage of intra-Community air and sea passengers" was postponed.

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MISCELLANEOUS DECISIONS

Money laundering

The Council finally adopted the Directive on prevention of the use of the financial system for the purpose of money laundering, after the European Parliament had stated its position under the co-operation procedure and the Commission had submitted its re-examined proposal.

It should be remembered that on 17 December 1990 the Council reached an agreement in principle on all the problems raised by the proposal and adopted its common position on 14 February 1991 on the formally finalized texts.

The Council's proceedings, which started on 23 March 1990 immediately after the submission of the Commission proposal, were thus concluded within a short period of time, despite the extent of the problems to be resolved.

Those problems fall within the general domain and the context of international initiatives, in particular the UN Convention (Vienna, December 1988), the recommendations made in February 1990 by the Financial Action Task Force set up by the G-7 Summit (Paris, July 1989) and the Council of Europe Convention (Strasbourg, November 1990) which all aim among other things, at combating the laundering of money from unlawful activities such as drug trafficking, organized crime and terrorism.

The Council has thus responded to the appeals made by the Dublin and Rome European Councils, which stressed the need for the proceedings on this matter to be concluded swiftly.

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The Directive, which will have to be transposed into the national law of the 12 Member States, aims at preventing the European financial area created by previous Directives from being used for laundering money derived from criminal activities. It covers credit and financial institutions, including life assurance.

The Member States' legislation must provide for a series of measures such as identification of customers and beneficial owners, co-operation between credit and financial institutions and the authorities responsible for combating money laundering, establishment of the legal conditions for such co-operation and the obligation for the institutions concerned to establish internal control procedures.

The setting-up of a Contact Committee is provided for, the functions of which will be to contribute to the harmonized implementation of the Directive through regular consultations between persons responsible for prudential supervision of financial institutions and to examine the desirability of including professions other than those referred to at this stage, if their activities could be used for money laundering.

The publication of the Directive in the Official Journal of the European Communities will be accompanied by a statement by the representatives of the Governments of the Member States, meeting within the Council, giving a reminder of the commitments entered into by the Member States at international level (the United Nations Convention of 19 December 1988 and the Council of Europe Convention of 8 November 1990).

That statement emphasizes that the wording of the description of money laundering in the Directive is derived from the relevant provisions of the above Conventions and it includes the commitment to take all necessary steps by 31 December 1992 at

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the latest to enact criminal legislation enabling them to comply with their obligations under the aforementioned instruments.

Article 2 of the Directive stipulates that Member States must ensure that money laundering is prohibited and Article 14 requires that appropriate measures be taken to ensure full application of all the provisions of the Directive, in particular determination of the penalties to be applied for infringement of the measures adopted pursuant to the Directive.

The Directive enters into force on 1 January 1993.

One year after that date, the Commission will draw up a report on the implementation of the Directive and submit it to the European Parliament and the Council. It will subsequently make a report whenever necessary and at least at three-yearly intervals.

Fisheries

The Council adopted a Decision on the extension from 1 July 1991 to 31 December 1993, and amendments to, the Agreement in the form of an Exchange of Notes between the United States and the EEC concerning fisheries off the coasts of the United States.

That Agreement, signed in Washington on 1 October 1984, gives Community fishermen access to surplus stocks in United States waters.

The Agreement, which does not have any impact on the Community budget but entails certain obligations for Community shipowners, envisages some co-operation between

the Community and the United States, in particular with regard to the conservation of certain fishery resources.

The Council also adopted a Regulation opening and providing for the administration of a Community tariff quota for certain eels. A zero-rated amount of 5 000 tonnes for the period 1 July 1991 to 30 June 1992 is concerned.

Agricultural policy

The Council adopted Regulations

- amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables as regards quality standards. That Regulation provides that the net weight of the product be included in the information required in the context of quality standards. However, if the number of items is usually indicated on the label, indication of that number is also allowed. These rules are identical to those laid down by Directive 79/112 on the labelling of foodstuffs;
- amending Regulation (EEC) No 1037/72 laying down general rules for granting and financing aid for hop producers. That amendment makes it possible for aid to hop producers to be granted also for areas in which experimental varieties are grown;
- amending Regulation (EEC) No 1784/77 concerning the certification of hops. The existing provisions concerning the certification of hops have been amended to take account of commercial practice.

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After concluding the co-operation procedure with the European Parliament, the Council also adopted a Regulation laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (see press release No 10522/90 Presse 217 of 10/11 December 1990).

Appointment

The Council adopted a Decision appointing the members of the Advisory Committee of the Euratom Supply Agency.

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MESSAGE # 182
RCV LN 1

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433

21877 COMEU B
COMPUTER MESSAGE :

FROM : C.E.C. - G.P.P.
TO : C.E. WASHINGTON - WASHINGTON
REF : 1158089931 - 7-06-1991 18:25

017289

DG GPP BERL 1/37

CCE M210 SDF
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/GPP46
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BRUXELLES. LE 7 JUIN 1991

NOTE BIO (91) 193 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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PREPARATION DU CONSEIL ECOFIN DU 10 JUIN 1991 A LUXEMBOURG

(I. LE MOAL-OLLIVE)

FISCALITE INDIRECTE

LES MINISTRES DES FINANCES VONT SE PENCHER SUR LE COMPROMIS LUXEMBOURgeois TEL QUE MODIFIE LORS DE LA DERNIERE REUNION DU 3 JUIN (VOIR BIO 181).

LA DISCUSSION DEVRAIT SE DEROULER ENTRE 12H00 ET 15H00, DONC PARTIELLEMENT AU COURS DU DEJEUNER.

L'OBJECTIF DE CE CONSEIL EST DE COMPLETER LE CONSENSUS TECHNIQUE QUI S'EST DESSINE SUR LE DOSSIER TVA ENTRE ONZE ETATS MEMBRES PAR LA FIXATION D'UN CERTAIN NOMBRE DE TAUX MINIMA EN MATIERE D'ACCISES, PUIS D'ESSAYER DE TRANSFORMER CE CONSENSUS EN ACCORD POLITIQUE A DOUZE.

MADAME SCRIVENER EST EN EFFET FERMEMENT DETERMINEE A POURSUIVRE

LES EFFORTS EN VUE D'OBtenir CET ACCORD GLOBAL ET UNANIME.

EN CE QUI CONCERNE LE CONTENU DU COMPROMIS LUI-MEME. IL S'AGIT DE CONFIRMER LE TAUX MINIMUM DE 15 % POUR LE TAUX NORMAL DE TVA. LA DISCUSSION SUR LES TAUX REDUITS. SUPER-REDUITS. LES TAUX ZERO. LES TAUX-PARKING ET LES REGIMES PARTICULIERS NE PARAISSENT PAS DEVOIR ETRE NECESSAIREMENT REPRISE SUITE AU LARGE CONSENSUS QUI S'EST MANIFESTE LE 3 JUIN.

EN CE QUI CONCERNE LE PASSAGE AU REGIME DEFINITIF. L'ALLEMAGNE POURRAIT ETRE EN MESURE DE LEVER SA RESERVE A LA SUITE DU VOTE QUI DOIT AVOIR LIEU AUJOURD'HUI AU BUNDESTAG SUR L'ENSEMBLE DU PAQUET FISCALITE INDIRECTE. EN EFFET. LA COMMISSION DES FINANCES DU BUNDESTAG A EMIS HIER UN AVIS FAVORABLE A CE SUJET.

EN CE QUI CONCERNE LES ACCISES. LE PROJET DE CONCLUSION DE LA PRESIDENCE DEVRAIT POUVOIR ABOUTIR AU SUJET DU DIESEL. DE

CERTAINS ALCOOLS ET DES CIGARETTES. SUR LESQUELS IL EXISTE DEJA DES ELEMENTS D'ACCORD. EN FAIT LA SEULE DECISION QUI DOIT IMPERATIVEMENT INTERVENIR AU COURS DU MOIS DE JUIN CONCERNE LE DIESEL. CONFORMEMENT AU MANDAT DU SOMMET DE ROME DU MOIS DE DECEMBRE 1990. POUR LES AUTRES PRODUITS SOUMIS A ACCISE. COMME POUR LA TVA. LES MINISTRES SE SONT ENGAGES EN 1989 A CONCLURE AVANT LA FIN DE 1991. TOUT ACCORD INTERVENANT LUNDI A LUXEMBOURG. QUE CE SOIT SUR LE DOSSIER TVA OU SUR LES PRINCIPALES ACCISES. AVEC SIX MOIS D'AVANCE SUR LE CALENDRIER PREVU. PERMETTRA AUX ETATS MEMBRES DE MIEUX PREPARER LEUR MISE EN OEUVRE NATIONALE.

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INTERVENTION DE LA BEI A L'EXTERIEUR DE LA COMMUNAUTE

(T. KROYER)

LE CONSEIL VA SE PRONONCER SUR UNE COMMUNICATION DE LA COMMISSION A CE SUJET. LE CONSEIL DES AFFAIRES GENERALES A DEJA DONNE UN AVIS POSITIF A UNE TELLE INTERVENTION LIMITEE DE LA BEI A ETUDIER CAS PAR CAS.

ACTIONS EN FAVEUR DES PAYS DE L'EUROPE CENTRALE ET ORIENTALE

LA COMMISSION PRESENTERA DES PROPOSITIONS D'UNE ASSISTANCE MACRO-ECONOMIQUE EN FAVEUR DE LA HONGRIE. LA BULGARIE ET LA ROUMANIE. LES MONTANTS PROPOSES COMME ASSISTANCE COMMUNAUTAIRE SONT DE 250 MILLIONS DE DOLLARS POUR LA HONGRIE. 400 MILLIONS DE DOLLARS POUR LA BULGARIE ET 500 MILLIONS DE DOLLARS POUR LA ROUMANIE. IL EST PROPOSE UNE PARTICIPATION DE 50 % DE LA PART DE LA COMMUNAUTE. LE RESTE SERA FINANCE PAR LES AUTRES PAYS DU G24 ET AUTRES ET A CONDITION QUE SOIT CONCLU UN PLAN DE RESTRUCTURATION A MOYEN TERME ENTRE LES PAYS CONCERNES ET LE FMI.

CONFERENCE INTERGOUVERNEMENTALE

LE CONSEIL SE TRANSFORME EN CONFERENCE INTERGOUVERNEMENTALE A

15H00. LA PRESIDENCE LUXEMBOURGEOISE FERA UN DERNIER BILAN DU TRAVAIL DES REPRESENTANTS PERSONNELS. LE RESULTAT DE CE TRAVAIL EST CONTENU DANS LES 'NON-PAPERS' QUI PORTENT SUR LES REVISIONS DU TRAITE ET SUR LE STATUT DE LA BANQUE CENTRALE EUROPEENNE.

ON S'ATTEND A CE QUE LE DEBAT SE CONCENTRE SUR AU MOINS TROIS SUJETS PRINCIPAUX :

- LA QUESTION DE TRANSITION ET LA CONVERGENCE A RESPECTER POUR LE PASSAGE DE LA PREMIERE PHASE A LA DEUXIEME PHASE.
- LES RELATIONS ENTRE LES INSTITUTIONS.
- COHESION.

AMITIES,

B. DETHOMAS

SENT BY SPP AT : FRI JUN 7 17:15:50 CES 1991

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DURATION 770 SECS LISTED 2113 ???01-27-00

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DISK 2 PAGE 70
MESSAGE # 183
RCV LN 1

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21877 COMEU 8
COMPUTER MESSAGE :

FROM : C.E.C. - G.P.P.
TO : C.E. WASHINGTON - WASHINGTON
REF : 1158090408 - 7-06-1991 20:41

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CCE M210 HF
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BRUSSELS 7 JUNE 1991

NOTE BIO 193 SUITE 1 AUX BUREAUX NATIONALS
CC: AUX MEMBRES DU SERVICE PORTE-PAROLE

ECOFIN COUNCIL, 10 JUNE 1991

MONEY LAUNDERING (PETER GUILFORD)

THE COUNCIL OF MINISTERS WILL BE FORMALLY ADOPTING (AS AN A POINT) THE DIRECTIVE PREVENTING THE USE OF THE FINANCIAL SYSTEM FOR MONEY LAUNDERING PURPOSES.

UNDER THE DIRECTIVE, MEMBER STATES AGREE TO ENACT LEGISLATION BY 1 JANUARY 1993 WHICH WOULD FORBID THE USE OF BANKS AND OTHER FINANCIAL INSTITUTIONS IN ORDER TO DISGUISE THE ORIGINS OF DRUG AND OTHER CRIMINALLY EARNED MONEY. IT WILL APPLY BOTH TO BANKS AND FINANCIAL INSTITUTIONS FROM EC COUNTRIES AND TO BRANCHES AND SUBSIDIARIES OF THOSE BASED OUTSIDE THE COMMUNITY. ALTHOUGH IT DOES NOT FORCE MEMBER STATES SPECIFICALLY TO MAKE MONEY LAUNDERING A PUNISHABLE OFFENCE, THE COMMISSION CONSIDERS THAT THE DIRECTIVE, TOGETHER WITH THE VIENNA CONVENTION AND THE UNITED NATIONS DECLARATION OF 1988.

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THE PRINCIPLE POINTS OF THE DIRECTIVE ARE AS FOLLOWS:

- BANKS (THIS REFERS TO OTHER CREDIT AND FINANCIAL INSTITUTIONS AS WELL) MUST DEMAND THE IDENTITY OF CLIENTS WHENEVER THEY ENTER INTO A BUSINESS RELATIONS WITH THE BANK. FOR EXAMPLE BY OPENING A SAVINGS OR CURRENT ACCOUNT. REGARDING ONE-OFF FINANCIAL TRANSACTIONS, THE BANKS MUST DEMAND CUSTOMER IDENTITY WHEN 15.000 ECUS OR MORE ARE BEING TRANSFERRED. OR WHEN THE BANK DOUBTS THE TRUE IDENTITY OF THE CLIENT. THE BANK MUST USE 'REASONABLE MEASURES' TO DISCOVER SUCH AN IDENTITY.
- IF THE BANK SUSPECTS LAUNDERING, IT MUST INFORM THE NATIONAL AUTHORITIES, WHICH MAY THEN LIFT ITS BANKING SECRECY IN ORDER TO CARRY OUT AN INQUIRY.
- BANKS MUST KEEP RECORDS ON THE ACCOUNTS AND IDENTITY OF ALL CUSTOMERS FOR AT LEAST FIVE YEARS AFTER THE CLIENT'S RELATIONSHIP WITH THE BANK HAS ENDED.
- BANKS MUST SET UP INTERNAL PROCEDURES AGAINST MONEY LAUNDERING, INCLUDING SUITABLE STAFF TRAINING PROGRAMMES.

THE MEMBER STATES LEAST EFFECTED WILL BE THE UNITED KINGDOM AND FRANCE, WHOSE OWN LEGISLATION AND PRACTICES HAVE CONSIDERABLY INFLUENCED THE SHAPE OF THE DIRECTIVE. THE UK, FRANCE, LUXEMBOURG AND (TO A PARTIAL EXTENT) ITALY ALL DEFINE MONEY LAUNDERING AS A CRIME, AND OTHERS WILL BE OBLIGED TO FOLLOW.

REGARDS,

BRUNO DETHOMAS BRUSSELS, 7 JUNE 1991
SENT BY SPP AT : FRI JUN 7 18:43:04 CES 1991

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DURATION 468 SECS LISTED 2323 ???01-27-00

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Strasbourg, le 11 juin 1991

NOTE BIO(91) 193 (suite 2) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES UD SERVICE DU PORTE-PAROLE

CONFERENCE INTER-GOUVERNEMENTALE SUR L'UEM (T. KRØYER)

Dans son intervention lors de la Conférence Inter-gouvernementale sur l'UEM hier, le Vice-Président Christophersen a félicité la présidence luxembourgeoise de la manière dont elle a dirigé la Conférence pendant les derniers six mois. Le travail s'est déroulé d'une manière qui permet au Sommet à la fin juin de constater des progrès en ce qui concerne le but final et les principes de fonctionnement dans la phase finale, le statut de la banque centrale et la surveillance multilatérale. En ce qui concerne la politique externe il a estimé possible de se mettre d'accord sur un principe de coopération entre la banque et le pouvoir politique.

Répondant aux déclarations de plusieurs délégations, de mettre en oeuvre des programmes d'adaptation, le Vice-Président a prévu un premier échange de vue sur ces programmes pendant le Conseil ECO/FIN le 8 juillet.

Interrogé par les journalistes sur le plan de redressement du budget italien, M. Christophersen a dit que ce plan est une contribution substantielle pour la proposition des prochaines phases de l'UEM, pour autant qu'un tel redressement soit impératif pour l'UEM. La Commission va étudier très prochainement ce plan Italien.

En faisant référence à plusieurs interventions sur la cohésion le Vice-Président a exprimé une certaine préoccupation. L'UEM contribue à la cohésion et ne doit pas être considérée comme contrevaleur à la cohésion, a-t-il dit, en ajoutant que la question de cohésion sera traité dans la conférence sur l'Union Politique.

Finalement le Vice-Président a soulevé la question de légitimité démocratique en proposant que le Parlement européen soit attribué des pouvoirs supplémentaires en ce sens tout en respectant l'équilibre institutionnel.

ACTIONS EN FAVEUR D'EUROPE CENTRALE ET OCCIDENTALE

Le Conseil a adopté la proposition de la Commission qui vise à accorder un prêt à la Hongrie de 180 Mécus. Le prêt est octroyé à condition qu'un effort similaire soit fait de la part des autres pays G-24 et autres pays.

Le Conseil a également décidé d'octroyer la première tranche d'un prêt en faveur de la Bulgarie dès que les contributions des autres pays G-24 et autres pays soient équivalent au contribution communautaire.

La proposition de la Commission d'un prêt en faveur de la Roumanie sera examinée lors d'une prochaine réunion.

Amitiés,

B. DETHOMAS

Bruxelles, le 11 juin 1991

NOTE BIO (91) 193 (suite 3) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL ECOFIN DU 10 JUIN 1991 A LUXEMBOURG - FISCALITE INDIRECTE

(1. Le Moal-Ollive)

Les Ministres des Finances ne sont pas parvenus à boucler un accord politique global sur la TVA et les accises au cours de ce Conseil.

L'objectif de ce Conseil est de compléter le consensus technique qui s'est dessiné sur le dossier TVA entre onze Etats membres par la fixation d'un certain nombre de taux minima en matière d'accises, puis d'essayer de transformer ce consensus en accord politique à Douze.

Au cours du déjeuner une solution semblait se dégager pour résoudre le problème de principe britannique et les difficultés particulières à certaines délégations du dossier accise.

Cet accord entrevu a pour autant été remis en cause dans la soirée par un raidissement de certaines délégations, privées pour quelques unes d'entre elles, de leur Ministre.

C'est la question du niveau des accises sur les cigarettes et surtout l'alcool et le vin qui finalement a fait échouer ces négociations, les délégations ayant réouvert le traditionnel conflit Nord/Sud entre ceux qui souhaitent des accises les plus élevées possibles pour des raisons de politique de santé (ce qu'un taux communautaire minimum n'empêche pas de faire) et ceux qui, producteurs de surcroît, préfèrent un niveau le plus bas possible, proche de celui qu'ils pratiquent à l'heure actuelle. Cet obstacle a surgî alors qu'un arrangement politique était en vue pour permettre aux britanniques de se joindre à l'accord à Douze sur l'ensemble du dossier, c'est-à-dire, sur le taux normal de TVA supérieur ou égal à 15%, le taux réduit de TVA supérieur ou égal à 5%, la liste des produits auxquels il s'applique, les taux "parking", zéro et super-réduits, de même que sur les principales accises.

En effet, le consensus sur la TVA n'a pas été remis en question, et l'on peut également dire que les accises sur les carburants ne semblent plus poser de difficultés. Cependant une majorité des délégations ne souhaitait pas dissocier ces éléments importants d'accord des questions d'accises des alcools et cigarettes, préférant un compromis global sur le tout.

A l'issue de cette difficile session Madame Scrivener a conclu que la Commission avait fait tout son possible pour rassembler les douze délégations autour de ce compromis de la Présidence luxembourgeoise, mais que maintenant la responsabilité de l'ensemble du paquet fiscalité indirecte était dans le camp des Etats membres.

Prochaine étape : le 24 juin, nouvel ECOFIN à Luxembourg !

Amitiés,

C. STATHOPOULOS