

# BULLETIN

OF THE ECONOMIC AND SOCIAL COMMITTEE  
OF THE EUROPEAN COMMUNITIES 1-1993



This Bulletin covers the period from 1 January 1993 to 31 March 1993 and reports on the activities of the Economic and Social Committee, a consultative body of the European Communities. It is published by the ESC's General Secretariat (2, rue Ravenstein, B-1000 Brussels) in the official Community languages (three editions per annum).

**ECONOMIC AND SOCIAL COMMITTEE**  
Division for Information, Publications and Relations  
with Socio-Economic Groups

2, rue Ravenstein B-1000 Brussels

Tel.: 519 90 11  
Fax: 513 48 93

Telegrams: ECOSEUR  
Telex: 25 983 CESEUR

Catalogue number: ESC-93-010-EN

Brussels: General Secretariat of the Economic and Social Committee, 1993

Catalogue number: EX-AB-93-001-EN-C

Reproduction is authorized, except for commercial purposes, provided the source is acknowledged.

*Printed in Belgium*

## Summary

A. Activities of the Economic and Social Committee January 1993 .....	1
B. Activities of the Economic and Social Committee February 1993 .....	49
C. Activities of the Economic and Social Committee March 1993 .....	81



# Contents

I — 302nd PLENARY SESSION OF 27 AND 28 JANUARY 1993 .....	3
1. TEMPUS II .....	3
2. Food Additives .....	6
3. VOC Emissions .....	7
4. European Aircraft Industry .....	10
5. Information Technology Security .....	13
6. Two- or Three-Wheel Motor Vehicles .....	15
7. Feedingstuffs - Nutrition .....	17
8. Animal Husbandry: Classical Swine Fever .....	19
9. Community System for Fisheries and Aquaculture (Additional Opinion) .....	19
10. Internal Market for Electricity and Gas .....	22
11. EC/Economic Cooperation in the Middle East (Own-initiative Opinion) .....	30
12. Technological Problems of Nuclear Safety (Own-initiative Opinion) .....	34
13. Monitoring of CO <sub>2</sub> and other Greenhouse Gas Emissions .....	37
14. Fruit and Vegetables .....	39
15. EC/Latin America (Information Report) .....	40
II — OUTSIDE PRESENCE AND INFLUENCE OF THE ESC .....	45
III — FACT-FINDING VISITS .....	47



# I — 302nd Plenary Session of 27 and 28 January 1993

The 302nd Plenary Session of the Economic and Social Committee of the European Communities was held in Brussels on 27-28 January 1993. Mrs Susanne Tiemann, Committee Chairman, took the chair.

The meeting of Monday, 28 January was attended by Mrs Jytte Andersen, Danish Minister for Labour and President-in-Office of the Council who presented the work programme of the Danish Presidency.

The following Opinions were adopted during the Session:

## 1. TEMPUS II

**Proposal for a Council Decision adopting the second phase of the Trans-European Cooperation Scheme for Higher Education (TEMPUS II) (1994-1998)**  
(COM(92) 407 final)

### Gist of the Commission proposal

TEMPUS, the aim of which is to support the development and renewal of the higher education systems in the countries of Central and Eastern Europe through cooperation with partners in the European Community, was adopted for an initial pilot phase of three years, which began on 1 July 1990. A later Council Decision extended the pilot phase for one year lasting until the end of June 1994 (Council Decision 92/240/EEC).

The results of the evaluation clearly show that "the TEMPUS programme has made an impressive start and enjoys wide popularity in both East and West".

At the same time the evaluation nevertheless raises a number of important questions about the future direction the programme should take, in particular regarding the need to clarify the objectives and role of TEMPUS in each of the eligible countries concerned in order to have a real impact on structural reform. The Commission's proposals for the second phase of the programme with a four year perspective beginning on 1 July 1994 draw heavily on these conclusions.

Given the experience with the programme until now, in particular concerning the rapid increase in the number of eligible countries at different stages of the reform process and the recommendations made

concerning the need for strategies tailor-made to the needs of individual countries, the Commission proposes retaining a light overall legislative framework for TEMPUS. This will allow the necessary flexibility to adapt the programme to the rapidly changing needs, and individual situations of the large number of eligible countries concerned and to ensure the effectiveness which can only be guaranteed by Community action in the field of inter-university cooperation taking into account, in particular, its possible extension to include the newly independent states of the former Soviet Union which are currently in receipt of Community assistance as part of the TACIS Programme.

### **Gist of the Committee Opinion (CES 68/93)**

The Committee welcomes the TEMPUS II programme and supports its extension to include the newly independent states of the former Soviet Union. It endorses the view that the long-term higher educational and economic restructuring objectives (including the elimination of skill shortages) should be more clearly targeted and considers that the Commission is right to focus on Joint European Projects (JEPs) as distinct from pure "mobility grants".

The "bottom-up" approach, based on calls for applications from individual institutions, is clearly the core and dynamic component of the programme and has resulted in it being very successful. A light regulatory framework has been, and will continue to be, crucial to this success. The need to set it within a clearer national strategy is paramount, both for reasons of clarity and fairness in the application procedure.

In the same context, the Committee would urge closer coordination, between eligible states and the Commission, in jointly setting the application criteria. Likewise, close coordination amongst the various operational services concerned in the Commission might be more evident were it to public an inter-service "Vademecum" of all those involved in TEMPUS including the various Directorates-General concerned and the Task Force for Human Resources, Education, Training and Youth, together with an appended summary of projects undertaken.

The role of the social partners in helping to draw up and assess joint projects within TEMPUS should also be better emphasized in the programme. In the overall context of social and economic reform, the Committee recommends the establishment of a joint liaison committee between the ESC and the social partners in Central and Eastern European countries, similar to that which has existed since 1975 between the EC and EFTA.



The emerging involvement of enterprise, as defined in Article 3 of the Commission Proposal, in JEPs is a welcome development and must be encouraged and broadened to ensure the proper involvement of all categories of enterprise, both private and public.

The Committee recommends that involvement of enterprise in JEPs could be considered a priority option for the future. The involvement of enterprise should be monitored to ensure that any factors which inhibit their participation are removed.

Eligible states should draw up tighter definitions concerning their priority requirements under the programme within the context of a national strategy for economic and social reform, (while respecting the autonomy of the applying institutions and the need for flexibility) together with a closer overview and coordination of elimination criteria, in order to move away from the unfair 12% acceptance rate of 1992.

It might be useful to persuade all eligible States to be clearer as to their restructuring objectives, manpower needs and the development of corresponding skills, and to be more stringent in requiring the active involvement of industry and of the social partners in the TEMPUS programme.

The Committee recommends greater enterprise involvement in JEPs (at present industry from Member States is involved in almost one third of the JEPs and industry from eligible countries is involved in about one sixth of the projects). Without neglecting the importance of fundamental/basic research, greater enterprise involvement would ensure that universities respond to industrial needs in the development of curricula: in meeting skills' shortages and ensuring that industry itself becomes more active in staff development.

The Committee recommends that the Advisory Committee proposed in Article 5.2. of the Proposal should, in addition, comprise only one industry representative from each Member State.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, chaired by Mrs Giacomina Cassina (Italy - Workers). The Rapporteur was Mr Liam Connellan (Ireland - Employers).*

## 2. FOOD ADDITIVES

**Proposal for a Council Directive amending Directive 89/107 on the approximation on the laws of Member States concerning food additives intended for human consumption**  
(COM(92) 255 final - SYN 422)

### **Gist of the Commission proposal**

Commission document COM(92) 255 final contains three related proposals on food additives. This proposed amendment (SYN 422) to the basic Directive 89/107 on additives allows Member States to obtain derogations for traditional foodstuffs.

### **Gist of the Committee Opinion (CES 69/93)**

The Committee recognizes that a number of special traditional products may encounter problems if the general rules for the authorization of additives have to be adjusted when the Internal Market is completed. For this reason the Committee is prepared to endorse the Commission's proposal for a derogation from the general policy line provided the following conditions are met.

The Committee points out when exceptions are being made, care must be taken to preserve the general thrust of policy on additives in foodstuffs in the EC and in particular to prevent precedents being set.

To this end it is important that the criteria laid down in the framework Directive are taken into account when additives are authorized. The most important of these criteria are that the additives must not be harmful to health, that sufficient technical need for their use can be shown and that the consumer is not being misled.

The Committee points out that the term "traditional" is not defined at all in the Commission proposal, so that many problems of interpretation are to be anticipated in the application of the Directive. The Committee therefore urges the Commission to clarify this point.

As the products in question were already in existence on 1 January 1992, this could be done by making an inventory of products which can be regarded as "traditional" and appending this as an exhaustive list to the Directive.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballos Hertero (Spain - Various Interests). The Rapporteur was Mr G.H.E. Hilkenes (Netherlands - Various Interests).*

### 3. VOC EMISSIONS

**Proposal for a Council Directive on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations (the so-called "Stage I" Directive) (COM(92) 277 final - SYN 425)**

#### **Gist of the Commission proposal**

This proposal for a Directive, based on Article 100 a, forms part of a strategy for improving air quality by reducing man-made volatile organic compound (VOC) emissions. It concerns the evaporative emissions of VOCs from the storage of petrol and its distribution from terminals to service stations. The measures proposed in this Directive will lead to a 90% reduction of these emissions, which currently account for 5% of all man-made VOC emissions.

The first stage is to establish controls over the petrol distribution system, the second stage will focus on VOC emissions from the refuelling of cars at service stations.

After examining the technologies available for controlling VOC emissions (vapour recovery, balance system to recover displacement losses, reduction of breathing losses from storage tanks, bottom-loading systems), the Commission proposes (Articles 3,4 and 6) "target values" for storage installations and mobile containers at terminals, as well as for storage installations at service stations, to serve as reference values. More specific requirements are detailed in the Annexes.

However, Member States may accept technical solutions other than those set out in the Annexes, provided that they are equally efficient. In addition, a specific clause permits more stringent measures in particular geographical areas on grounds of health and environment protection.

The purpose of Article 5, relating to mobile containers, is to ensure that air/vapour mixes are retained in containers until reloading at a terminal.

Under Article 10 the recovered fuel should be exempted from excise duties and other taxes charged on production of mineral oil.

### **Gist of the Committee Opinion (CES 70/93)**

The Committee endorses the general principles and approach of the present Directive, which sets out to regulate Stage 1 VOC emissions. At the same time, it urges the Commission to present proposals on Stage 2 as soon as possible.

The Committee also welcomes the careful cost-benefit balance of most of the proposed measures, reflecting the Commission's growing awareness of the need to optimize scarce economic resources so as to give priority to environmental protection action in the most urgent areas.

The Committee considers the choice of Article 100a of the Treaty to be a positive one, and to reflect the Commission's increasing caution following the approval of the principle of subsidiarity enshrined in the Maastricht Treaty. By opting for this legal basis, the Commission is indicating that its intention is to provide a minimum level of harmonized environmental protection, with implications for the single market, applicable to all the Member States.

However, Article 4 states that Member States may require more stringent measures for loading and unloading at terminals in specific geographical areas; this could compromise harmonization and thus act against the free provision of services, particularly by road or rail hauliers, but possibly also by river and sea, and lead to market fragmentation.

The Committee therefore feels that in addition to receiving notification from Member States, together with the grounds for introducing such measures, the Commission should judge whether they match the ends and assess the potentially contrary effects on the internal market, as set out in Article 100a(4) of the Treaty.

On the other hand, safeguarding of the environment and of workers' health requires a high level of protection in accordance with available technology.

The Committee is aware of the existence in the FRG of emission values for vapour recovery units in major storage terminals stricter than those proposed by the Draft Directive. It would therefore urge the Commission to make a detailed cost/benefit analysis of these values. It would also

suggest that the Commission put forward measures enabling the existing legislation in the FRG to be brought into line with the requirements of the internal market.

The Committee has examined the long deadlines by which all fixed installations or mobile containers must comply with the requirements. Since the Commission itself and experts have explained that more than 90% of total fuel movement is accounted for by those fixed installations or mobile containers which are granted a three-year time limit, the Committee does not consider the longer time limits granted to remaining containers with a low level of activity to contradict the Directive's ultimate aims. However, the Committee emphasizes that more stringent measures may be applied, as proposed in Articles 3 and 4, if local conditions in particular cases so require.

Nevertheless, the Committee is doubtful that the requirements arising from the immediate major overhaul of road and rail tankers - affecting up to 80-90% of the current fleet in some Member States - can be met within three years, for technical and economic reasons.

Another aspect which must not be underestimated is safety, both of workers in the industry and of the general public. Although the Directive establishes the appropriate safeguards, the Committee believes that explicit reference should be made to the close links between this Directive and the international rules for the storage of flammable products and those governing road and rail carriage of dangerous goods.

Similarly for safety reasons, it is the Committee's view that it may be necessary to grant longer adjustment time limits for ship and barge loading installations. The time limits for applying the Directive to sea-going vessels might then be made compatible with the signature of an international agreement under the auspices of the IMO (International Maritime Organization).

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballo Hertero (Spain - Various Interests). The Rapporteur was Mr José Ignacio Gafo Fernandez (Spain - Employers).*

## 4. EUROPEAN AIRCRAFT INDUSTRY

### **Commission Communication to the Council on the European Aircraft Industry: First Assessment and Possible Community Actions** (COM(92) 164 final)

#### **Gist of the Commission proposal**

This Communication on the aircraft industry has two objectives:

- to show the progress of thinking on the situation within the sector, and
- to prepare a coherent set of measures that the Community, Member States and the European aircraft industry - each according to their respective roles - should carry out to strengthen the long-term competitiveness of the European aircraft industry.

Based on the analysis carried out in collaboration with the European aircraft industry, the first part of the Communication aims at describing the situation in the sector and establishing a diagnosis of the competitiveness of the European aircraft industry in relation to its main competitors while taking account of the challenges with which it is confronted.

#### **Proposals for Community action**

The measures to be taken to strengthen the aircraft industry's competitiveness depend primarily on the initiative and the responsibility of manufacturers themselves and their capacity to exploit the opportunities presented to them.

The Commission considers it equally opportune for there to be a dialogue between the two sides of industry to complement industry's efforts.

Apart from such commitments, it is the responsibility of the Community and the Member States, within the framework of the principle of subsidiarity, to help to provide an environment conducive to the improvement of the aircraft industry's competitiveness. The Community should, in particular, help to set up trans-European networks for transport, telecommunications and energy.

On the basis of the above analysis, the Commission proposes the following lines of action:

- create a favourable framework;
  - speed up organization of technical standards;
  - create a common legal framework: the European Company statute;
  - promote training;
  - set up trans-European networks;
  - promote social dialogue;
- assure the existence of competition;
- maintain technological levels;
- face up to the dollar issue;
- guarantee environmental balance;
- consolidate cooperation with Central and Eastern Europe;
- pursue the dialogue with the European aircraft industry.

### **Gist of the Committee Opinion (CES 71/93)**

The Committee welcomes the Commission's Communication as a first step in developing a coherent set of measures for the Community, Member States and all partners in Industry to be implemented with the goal of strengthening the competitiveness of the European Aircraft Industry.

In view of the self-evident strategic technological importance of the aeronautical industry, the Committee recommends that a specific major programme of research and technology should be launched as soon as possible.

The Committee is concerned that the assets of the aerospace industry should not be lost by Europe as a result of reduced defence spending which impacts on the financial health of companies and therefore recommends that national civil research and technology spending should be increased to offset reductions resulting from the loss of direct launch aid under the new USA/EC GATT Agreement and therefore safeguard the future competitiveness of the Industry. Furthermore, the Committee supports the proposed Community strategy for conversion and diversification of defence-oriented products towards civil use.

There should be a clear objective to ensure the Central and Eastern European and the old USSR aeronautical industries should become primary collaborators with Western European industry and not rivals linked to the USA or Japan.

It is essential to increase the rate of production of European Standards, to avoid dominance of American standards in the industry, to avoid wasteful duplication of standards at national and company level, and to contribute to the establishment of a complete set of international standards for the industry.

Multiple national certification in Europe is costly, but free of charge in the USA, and thus constitutes a handicap to the competitiveness of the European aircraft industry.

The Committee regrets that the Commission is not more specific with its proposals on promotion of vocational training.

The Commission should consider the setting up of a special European Defence Retraining and Re-adaptation Programme.

The Community should take steps to ensure that, where appropriate, workers have an entitlement to a specified number of days training each year.

It is important that the Community's work on comparability and mutual recognition of qualifications should continue to facilitate mobility between Member States.

The Committee supports the Commission's intention to create a climate in which constructive dialogue between the social partners can take place. The recognized number of jobs lost to date and at risk in the future is so great that it is imperative that all those involved try and find solutions to the problem. Moreover, such a constructive dialogue is of lasting importance.

The Committee anticipates with the completion of the Single Market at the end of 1992, that the Commission will rigorously enforce equitable market conditions within Europe. However, the greater task of ensuring equitable competition conditions with the rest of the world requires equally determined action.

It is vital to the future of the European aeronautical industry that the Commission and National Officials do not allow the existing direct and indirect support in Europe, which has facilitated its current competitive position, to be eroded.

The European Community has a fundamental role to play in stimulating and supporting the needed European cooperation in aeronautical research and technology acquisition. A major European cooperative programme, planned and conducted on a long-term basis, is urgently needed.



The combined effect of differential inflation and weak dollar adversely impact the profitability of European companies, as price levels are set by market expectations and strong US competitors. The Committee agrees with the Commission's statement that "in the long term only the establishment of a stable world monetary system will make it possible to resolve the dollar problem. At the Community level, the Economic and Monetary Union will contribute significantly to the achievement of this goal".

The Committee endorses the Commission's approach to problems of environment related to the transport and aircraft industries.

It considers that environmental standards for aircraft noise and emissions should be progressively improved on a world-wide basis, in line with advances in engine technology.

There is concern about problems facing SMEs, which are not adequately covered by the Commission Communication.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mr Manuel Cavaleiro Brandão (Portugal - Employers). The Rapporteur was Mr Michael Mobbs (United Kingdom - Employers).*

## 5. INFORMATION TECHNOLOGY SECURITY

### **Proposal for a Council Recommendation on Common Information Technology Security Evaluation Criteria (COM(92) 298 final)**

#### **Gist of the Commission proposal**

Security of Information Systems means,

- confidentiality (prevention of the unauthorized disclosure of information);
- integrity (prevention of the unauthorized modification of information);
- availability (prevention of the unauthorized withholding of information or resources).

Common evaluation criteria for information technology security play a fundamental role in providing a basis for international mutual recognition of certificates; they are, moreover, required for the development of

a single market for secure IT products, these common criteria being necessary to achieve the required economies of scale. The use of common criteria will be a prerequisite for the building of secure trans-European applications and services.

The Commission proposes that Information Technology Security Evaluation Criteria be adopted within evaluation and certification schemes for an initial period of (2) years, that international harmonization and standardization of information technology security evaluation criteria be stepped up, that developments be reviewed after this initial period and appropriate actions proposed.

### **Gist of the Committee Opinion (CES 72/93)**

The Committee welcomes the proposal and approves its aims.

The existence of standard criteria should facilitate the introduction of codes of practice or legislation establishing minimum standards of security acceptable in IT systems and products, if and where these are justified, for example in the area of data protection.

The Committee approves the fact that the criteria have been drawn up bearing in mind criteria existing in other countries outside Europe and reaffirms that it does not wish European ITSEC to become an invisible barrier to trade.

The Committee regrets the use of so much unclear technical language in the body of the Recommendation, which makes the Proposal unnecessarily difficult to comprehend.

It welcomes the separation of functionality from assurance requirements in the criteria enabling ITSEC to be applied to a wide range of IT products or systems.

The Committee approves the intention, after the two-year monitoring period to review developments in the security of information technology systems. It also approves the intention to move towards mutual recognition of national certification throughout the Community but believes that further consideration should be given to certain concerns.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mr Manuel Cavaleiro Brandão (Portugal - Employers). The Rapporteur was Dame Jocelyn Barrow (United Kingdom - Various Interests).*

## 6. TWO- OR THREE-WHEEL MOTOR VEHICLES

**Proposal for a Council Directive on the masses and dimensions of two- and three-wheel motor vehicles**  
(COM(92) 330 final - SYN 428)

**Proposal for a Council Directive on the identification of controls, telltales and indicators for two- or three-wheel motor vehicles**  
(COM(92) 331 final - SYN 429)

**Proposal for a Council Directive on audible warning devices for two- or three-wheel motor vehicles**  
(COM(92) 332 final - SYN 430)

**Proposal for a Council Directive on stands for two-wheel motor vehicles**  
(COM(92) 333 final - SYN 431)

**Proposal for a Council Directive on protective devices intended to prevent the unauthorized use of two- or three-wheel motor vehicles**  
(COM(92) 334 final - SYN 432)

**Proposal for a Council Directive on the mounting of the rear registration plate of two- or three-wheel motor vehicles**  
(COM(92) 335 final - SYN 433)

**Proposal for a Council Directive on statutory markings for two- or three-wheel motor vehicles**  
(COM(92) 336 final - SYN 434)

**Proposal for a Council Directive on passenger handholds on two-wheel motor vehicles**  
(COM(92) 337 final - SYN 435)

### **Gist of the Commission proposal**

The eight Commission proposals fall within the type approval procedure for two- or three-wheel motor vehicles.<sup>1</sup>

The proposals specify requirements and test procedures which must be complied with before the vehicles in question can be marketed in the Community.

---

<sup>1</sup> Directive No. 92/61/EEC, OJ No. L 225, 10 August 1992, p. 72.

Opinion of the Economic and Social Committee: OJ No. C 14, 20 January 1992, p. 31.

These rules will harmonize national legislation and contribute to greater road safety.

Proposal COM(92) 330 final is designed to prevent the marketing of two- and three-wheel motor vehicles which have excessive dimensions or weights in relation to their power unit and thus hamper traffic flows.

Proposal COM(92) 331 final concerns the identification of controls, telltales and indicators for two- or three-wheel motor vehicles. Extensive account was taken of the requirements set out in Regulation No. 60 of the United Nations Economic Commission for Europe.

Proposal COM(92) 332 final concerns the design of audible warning devices and their fitting to two- or three-wheel motor vehicles, and largely corresponds to UN-ECE Regulation No. 28.

Proposal COM(92) 333 final is designed to ensure that stands for two-wheel motor vehicles function properly and that vehicles cannot tip over and cause injuries either to the rider or to other persons or objects.

Proposal COM(92) 334 final concerns the design and operation of protective devices intended to prevent the unauthorized use of two- or three-wheel motor vehicles. This proposal was drawn up taking account of UN-ECE Regulation No. 62.

Proposal COM(92) 335 final concerns the mounting of rear registration plates of two- or three-wheel motor vehicles. The purpose of the registration plate is to identify the owner of the vehicle and in particular any driver of a vehicle committing a road traffic offence.

Proposal COM(92) 336 final concerns the statutory markings for two- or three-wheel motor vehicles. The purpose is to enable the police to verify during roadside checks that the vehicle forms part of the production run of the type of vehicle that has been type approved and thus meets the design requirements for both safety and environmental protection.

Proposal COM(92) 337 final concerns requirements applying to passenger hand-holds i.e. straps or grips on two-wheel motor vehicles.

### **Gist of the Committee Opinion (CES 73/93)**

The Committee welcomes the package of eight draft Directives implementing the framework Directive 92/61/EEC of 30 June 1992 relating to the type-approval of two- or three-wheel motor vehicles.

In particular, the Committee stresses that the abiding concern of these rules is the safety of people and transport, together with the need to harmonize technical standards and procedures in order to eliminate barriers to trade between Member States. This is vital if there is to be a real internal market.

The Committee notes that the Council has opted for the legal instrument of a Directive. Since a Regulation is not being used, the Committee considers that the Directives must include appropriate provisions to ensure that the rules are applied concurrently and uniformly in all Member States.

The Committee also favours the definition of appropriate rules - as laid down in the framework Directive - to make it more difficult to "soup up" both mopeds and motorcycles.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mr Manuel Cavaleiro Brandão (Portugal - Employers). The Rapporteur was Mr Edoardo Bagliano (Italy - Employers).*

## 7. FEEDINGSTUFFS - NUTRITION

### **Proposal for a Council Regulation (EEC) on feeding-stuffs intended for particular nutritional purposes (COM(92) 324 final)**

#### **Gist of the Commission proposal**

In response to an invitation from the Council, the Commission has drawn up a proposal for a Regulation laying down the conditions which feeding-stuffs intended for particular nutritional purposes must meet in order to qualify for a corresponding description whereby they can be clearly distinguished from other types of feedingstuffs.

In order to be termed "dietetic", feedingstuffs, whether straight or compound, must be composed of specific ingredients or have been obtained through special manufacturing methods which give them special nutritional properties that distinguish them from ordinary and medicated feedingstuffs.

The proposal lays down specific labelling rules applicable to "dietetic" feedingstuffs. These provisions will include the labelling rules usually

applicable to normal compound feedingstuffs as well as declarations concerning certain analytical constituents which give the feedingstuffs their "dietetic" quality.

Like "ordinary" feedingstuffs, feedingstuffs intended for particular nutritional purposes must be marketed in sealed containers or packages. However, provision may be made for exceptions to this rule at Community level.

The need to provide stockfarmers and pet owners with accurate and objective information requires that the Commission be granted the necessary legislative means to :

- draw up and regularly update the list of intended uses;
- decide, in disputed cases, whether a feedingstuff effectively answers a particular nutritional purpose;
- determine the declarations which must appear on the label;
- lay down the methods for calculating the energy value of the feedingstuffs.

### **Gist of the Committee Opinion (CES 74/93)**

The Committee considers that:

- the Commission's decision to use a Regulation rather than a Directive satisfies the need for an EC legal framework that is both autonomous and uniform;
- the term "dietetic feedingstuff" should be restricted to products that have special nutritional qualities;
- manufacturers should be explicitly authorized to use whatever ingredients they see fit;
- an exhaustive list of uses is inappropriate;
- a descriptive list of uses and possible ingredients would nevertheless be useful.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Guiseppe Pricolo (Italy - Employers).*

## 8. ANIMAL HUSBANDRY: CLASSICAL SWINE FEVER

**Proposal for a Council Decision amending Directive 80/217/EEC introducing Community measures for the control of classical swine fever**  
(COM(92) 437 final)

### **Gist of the Commission proposal**

The Commission proposal seeks to extend the contract with the laboratory of the "Institut für Virologie der Tierärztlichen Hochschule, Hannover", as trans-national liaison laboratory for classical swine fever. Pursuant to decision 81/859/EEC this contract is due to expire in February 1993.

The liaison laboratory at the Hannover School of Veterinary Medicine has, since it was established, carried out the work assigned to it efficiently and to the full satisfaction of Member States and the Commission.

Its main tasks have been: coordination of the methods employed in the Member States for diagnosing classical swine fever, production of antibodies against the virus, training of veterinarians and technicians from national swine fever laboratories and organization of annual meetings.

### **Gist of the Committee Opinion (CES 75/93)**

The Committee endorses the Commission proposal.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Georges Proumens (Belgium - Employers).*

## 9. COMMUNITY SYSTEM FOR FISHERIES AND AQUACULTURE (Additional Opinion)

**Proposal for a Council Regulation (EEC) establishing a Community System for Fisheries and Aquaculture**  
(COM(92) 387 final)

### **Gist of the Commission proposal**

While taking account of the discussions on the Commission reports on the Common Fisheries Policy (CFP) in the Council, the European

Parliament, the Economic and Social Committee and the Advisory Committee on Fisheries, the proposal translates the review of the CFP into a legal instrument, in accordance with the guidelines laid down.

In view of the general deterioration of fish stocks in Community waters and the endemic over-capacity of the Community fishing fleet, the Commission considers it essential and a matter of urgency to consolidate aspects of the CFP in a single legal framework in order to strike an acceptable and accepted durable balance between the fishing effort deployed and the resources that are available (in internal waters) and accessible (in external waters).

The Commission's report and the subsequent discussions have shown that the measures for the management and conservation of resources established by Regulation (EEC) No. 170/83 have basically proved worthwhile but have failed to prevent the current situation, primarily because they are inadequate and there are shortcomings in their execution and control.

So while maintaining the existing CFP legislation, and in order to improve it, the proposal lays down guidelines which can be summarized as follows:

- **ONE OBJECTIVE:** to ensure the sustainability of activities in the fisheries sector while at the same time ensuring the economic and social viability of the sector by means of stable, rational and responsible exploitation of living aquatic resources.
- **TWO MISSIONS:** regulation of fishing effort and rationalization of the exploitation of these resources.
- **THREE PRINCIPLES:** a global approach, focusing attention, energies and resources on the regulation of access; a coherent policy, taking account of all the parameters likely to influence fishing mortality; and, lastly, the institutionalized division of responsibilities between the Community, national and regional authorities and the socio-economic agents in the sector.

These guidelines must be implemented by effective means adapted to the various situations, and in particular:

- binding and coherent planning of the factors likely to influence fishing mortality, in accordance with the provisions regulating conditions of access and the pursuit of fishing activities;



- the establishment of a Community licensing system for all Community fishing vessels and for foreign vessels operating in Community waters, the Community entrusting management of the arrangements to the most appropriate levels; and
- the introduction of a system of monitoring the implementation of the Common Fisheries Policy throughout the entire sector, which must be effective, modern and binding.

### **Gist of the Committee Additional Opinion (CES 76/93)**

The current vulnerability of the fisheries sector brings a need for new provisions to ensure stable, rational exploitation of fishery resources. This will impose additional constraints which will affect the sector's entire socio-economic fabric. Financial compensation and social support measures must therefore be devised to cushion the impact.

The Committee reaffirms its position as regards retention of the TACs and quotas system. The establishment of an EC licensing system, designed to help rationalize and manage the exploitation of fishery resources, should bring significant benefits.

The Committee confirms its endorsement of:

- the continued derogation to free access within the 12-mile band;
- retention of the principle of relative stability;
- flexible application of measures to strike the right balance between resources and fishing effort, with effective participation by interested parties.

Lastly, the Committee reiterates the demands made in previous Committee Opinions concerning the CFP's neglect of the social aspects.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Augusto Gil Bensabat Ferraz da Silva (Portugal - Workers).*

## 10. INTERNAL MARKET FOR ELECTRICITY AND GAS

**Proposal for a Council Directive concerning common rules for the internal market in electricity**

**Proposal for a Council Directive concerning common rules for the internal market in natural gas**  
(COM(91) 548 final)

### **Background to and Gist of Commission Document**

In May 1988 the Commission submitted a Working Document (COM(88) 238 final) listing the various effective and potential barriers to the implementation of a single energy market. The document also identified the basic priority topics to be addressed in the run-up to a genuine internal market.

The Commission's first estimates indicated that the cost of non-Europe in the energy sector was just under 0.5 % of Community GDP. Greater market integration would lead to:

- a reduction in costs as a result of increased competition;
- a reduction in certain unit costs as a result of the effect of scale and the optimization of investment/management.

The Commission advocates a global approach which, while taking account of the constraints peculiar to the energy sector (security of supply and strategic nature of energy products, etc.), depends on four sets of action:

- the implementation of the 1985 White Book's provisions on the energy sector;
- the determined application by the Commission of Community Law;
- the attainment of a satisfactory energy/environment equilibrium;
- the definition of appropriate means, to be selected case by case, in areas specifically related to energy policy.

In line with this approach, which was endorsed by the Energy Council on 9 June 1988, the Commission, inter alia, undertook a more detailed review of (i) the obstacles to completion of the Internal Market in electricity and natural gas, and (ii) ways of eliminating these obstacles, while catering for the specific features of the sectors concerned.

The Commission submitted the results of these reviews in September 1989 in two Communications entitled: "Increased intra-Community electricity exchanges: a fundamental step towards completing the internal energy market" (COM(89) 336 final) and "Towards completion of the Internal Market for Natural Gas". The Communications were accompanied by two Draft Directives on the transit of natural gas and electricity through the major systems.

These proposals were the first facet of a three-stage approach advocated by the Council in the above-mentioned Communications, i.e.

- the adoption of Directives based on Treaty Article 100A, setting out the procedures for implementing transit rights between integrated electricity systems and between Community gas companies via the high-pressure system;
- the establishment of a consultation procedure with the Member States and parties concerned, in order to examine the conditions for providing third party access to electricity and natural gas transport systems;
- the promotion of the Community dimension in investment in electricity production and transmission; this would involve improving information and consultation procedures in line with the relevant Draft Regulation (COM(89) 335 final).

This Draft Regulation was, however, never adopted by the Council; it did, however, adopt on 29 June 1990 a parallel Draft Directive establishing a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users<sup>1</sup>.

The two Directives on gas and electricity transit on major networks were adopted by the Council on 29 October 1990 and 31 May 1991<sup>2,3</sup> respectively.

In 1988 the Committee also addressed the issue of the internal market in an Information Report adopted by the relevant Section on 15 July 1988<sup>4</sup>.

---

<sup>1</sup> OJ L 185 of 17 July 1990 - Page 16.

<sup>2</sup> OJ L 313 of 13 November 1990 - Page 30.

<sup>3</sup> OJ L 147 of 12 June 1991 - Page 37.

<sup>4</sup> Community Energy Policy and Completion of the Internal Market - CES 69/88 fin of 10 August 1988.

The Report stresses the possible conflict of objectives between a free energy market and conventional methods of guaranteeing reliable supplies. At the same time energy diversification mechanisms, crisis-management machinery, storage systems and the worldwide measures which are expected to be taken to compensate for political instability are all cost-intensive.

The Committee goes on to describe, in four separate chapters, the present situation in the electricity, oil, natural gas and coal industries. Each chapter defines the features of the particular industry and its markets and considers changes which should be made to meet the ideal requirements of a free internal market.

Given the diversity of national energy policies and structures, the conclusions stress that it is particularly important to have an independent EC energy policy if a single internal energy market in Europe is to be achieved.

The Committee adopted two Opinions on 31 January 1990 on the Draft Directives appended to the two abovementioned Directives<sup>1 2</sup>. These Opinions covered the specific technical features of the electricity and natural gas sectors and the inherent constraints.

The Committee also endorsed the Commission's gradualist approach to opening up the electricity and natural gas sectors in the Community. It approved the principles underlying the two Directives and the main procedures for implementing transit rights.

The Committee stressed that in the absence of a thorough review of the pros and cons of third party access arrangements (TPA) to the relevant networks, and of any concrete proposals on the matter, it could not at this stage take a stand. It did not, however, reject the principle a priori.

As announced in the two Commission Communications, four consultative Committees were created in early 1990. Two of these have two representatives each for the gas and electricity sectors (integrated enterprises, producers, carriers, distributors, major industrial consumers and domestic consumers). The other two Committees comprise representatives of the Member States.

---

<sup>1</sup> OJ C 75 of 26 March 1990 - Page 28.

<sup>2</sup> OJ C 75 of 26 March 1990 - Page 20.

These Committees, whose reports were published in May 1991, are responsible for highlighting the main economic and administrative factors to be catered for in a policy for determining if and under what conditions third parties should have access to EC natural gas and electricity networks. Their conclusions were thus designed to assist the Commission in drafting future Directives on the relevant markets. The two reports were therefore taken into account by the Commission in drafting the Draft Directives on natural gas and electricity on which the Committee is now called to give an Opinion.

These proposals are based on four general principles:

- the application of a gradual approach enabling the industry to adjust to its new environment in a flexible, orderly manner;
- adherence to the principle of subsidiarity. The Community should merely define a framework enabling Member States to opt for the system best suited to their natural resources, the state of their industry and their energy policies;
- the Community must also avoid the trap of excessive regulation, leaving scope for commercial negotiation between the undertakings concerned;
- the adoption of a legal approach providing for interinstitutional dialogue and consultation of the interested parties.

These basic principles are enshrined in a three-stage approach:

- the first stage involves implementation of the Directives on transit and price transparency;
- the second stage from 1 January 1993 (covered by the proposals in hand) continues the liberalization process while respecting existing structures;
- the third stage will be defined in the light of the experience acquired during the second. The Commission expects this stage to enter into force on 1 January 1996. It should complete the Internal Market for gas and electricity. This will involve, in particular, extending eligibility for TPA, which is to be implemented on a limited scale during the second stage.

The two Draft Directives hinge on the following factors:

- the abolition of exclusive rights for electricity production and the building of electricity lines and gas pipelines. This involves a transparent, non-discriminatory licensing system opening up the market to independent operators and in particular to large industrial users;

- the concept of unbundling, i.e. separation of the management and accounting of production, transmission and distribution operations, must be put into practice in vertically-integrated undertakings, in order to ensure transparency of operations;
- the final element is the introduction of limited third party access (TPA), requiring the transmission and distribution companies to provide access to their network to certain eligible entities at reasonable rates, within the limits of available transmission and distribution capacity.

The eligibility criteria for this stage are to include:

- large industrial energy consumers whose annual consumption exceeds 100 GWh of electricity or 25,000,000 m<sup>3</sup> of gas; a total of 400 to 500 industrial consumers will be eligible in the Community, mainly in the aluminium, steel, chemicals, construction materials and glass sectors; the main gas consumers concerned are fertilizer and electricity producers;
- distributors who supply at least 3 % of the electricity or 1 % of the gas consumed in their Member State; distributors can join forces to attain or exceed this threshold; a total of 100 or so electricity distributors, individually or in association, will be eligible in the Community as a whole, as will a similar number of gas distributors; this will enable all consumers, especially the smallest ones, to benefit indirectly from the greater competition.

Under the subsidiarity principle, the Member States will, during the second phase, retain the right:

- to regulate all aspects of gas and electricity pricing for all end-users not eligible for TPA;
- to determine the scale and nature of distribution companies' rights and their public service obligations;
- to determine the detailed criteria for granting licenses to build power stations and transmission and distribution lines;
- to choose how they implement the Directive, i.e. whether to set up a regulatory authority or to rely on competition legislation.

In the Communication accompanying the Draft Directive, the Commission also stresses the need to back up the opening of national markets by measures guaranteeing fair effective competition. These back-up measures concern the following areas:

### *Control of State aid*

There must be more systematic and tighter control of state aid to the energy industries in order to avoid distortions of competition both in energy markets and in downstream markets. Recognizing the ongoing need for national measures to ensure security of supply, the Commission intends to authorize the continuation of aid for a "reserved" sector of energy supply. The percentage of total electricity demand represented by the reserved sector would however decline over time as the energy markets became more integrated.

This approach is consistent with that developed in the Commission working document of 6 July 1990 on Security of Supply, the Internal Energy Market and Energy Policy (SEC(90) 1248 final) in the sections dealing with Community organization of measures designed to ensure security of supply.

In this document the Commission indicated its intention to authorise Member States to maintain the application of measures designed to encourage use of domestic energy sources during the transition stage of national systems towards a Community concept of security of supply. The initial maximum was to be 20% of national electricity consumption, tapering off to 15% by the year 2000.

### *Electricity and gas transmission infrastructures*

The Commission will present proposals to foster the development and the integration, at Community level, of electricity and gas transmission infrastructures, in order to cater for the increased trade within the Internal Market.

### *Standardization*

The Commission intends to pursue standardization work on the physical characteristics of electricity - frequency, voltage wave amplitude, harmonics, imbalances, voltage interruptions and transmissions of signals via the network. A European standard will be drawn up in early 1992.

As regards gas, European standards are being prepared to define (i) "reference gases" which are representative of the nominal equipment supply conditions and (ii) limit gases representative of extreme variations in gas characteristics.

The Commission has also recently taken decisions to reinforce application of the Treaty's competition rules for the energy sector, such as the

infringement procedures brought in 1991 against those Member States who have maintained exclusive import and operational rights for electricity and natural gas in violation of Articles 30 and 37 of the EC Treaty.

### **Gist of the Committee Opinion (CES 77/93)**

The Committee supports the Commission proposals in certain respects only. While endorsing their ultimate objective, it has serious reservations about some aspects of them. It therefore asks the Commission to give further consideration to these aspects, and to alter the Draft Directives on the basis of the following proposals and recommendations.

The Committee doubts whether the Commission proposals in their present form are the only way of achieving the objectives set. In particular, they do not contain a precise and detailed breakdown of the advantages to society as a whole from the introduction of the new system, compared with the risks entailed in the switch from an established, stable system.

The Committee makes it plain that the adoption of a new framework for the deregulation of the electricity and gas sectors as contained in the proposed Directives must be based, in balanced fashion, on the principles of gradualism, application of commercial criteria, security and quality of supply. It does, however, realize that the free movement of energy products - including electricity and gas - cannot be excluded from the Community ambit.

The Committee is aware that there can be no question of economic and social cohesion in relation to the internal energy market if it is not possible to ensure the best possible supply of electricity and gas at comparable prices for all the citizens of all the Member States, especially their least developed regions.

The provision of electricity and gas services and the guarantee of supply are therefore unquestionably in the general interest and this must be borne in mind when supply conditions are drawn up.

The Committee endorses the liberalization of the construction of power stations, LNG facilities and electricity and gas transmission or distribution lines as laid down in the Directives. Such liberalization must be compatible with security of supply and environmental protection.

The Committee rejects the plans and deadlines for the introduction of the TPA system as provided for in these Directives. In particular it wishes



to call attention to the need to avoid the risk of radical, inadequately tested innovations in sectors which have demonstrated their efficiency and progressive outlook over several decades.

The Committee reiterates that it will be difficult to achieve the Community-wide organizational changes in the electricity and gas sectors proposed in these Directives if they are not preceded by proper alignment of national energy policies.

The Committee points out the importance of guaranteeing the independence of the operators and managers of the electricity and natural gas transmission and distribution networks.

The Committee welcomes the introduction of the principle of accounting transparency and therefore approves the proposed rules on unbundling, although it would like the Commission to clarify the situation which the application of this principle could create in gas undertakings.

In particular the Committee would like to call attention to the major role which consumer consultation should play in the development and application of these rules.

The Committee also reiterates its environmental concerns with regard to all provisions concerning the energy sector, especially those aimed at reorganizing its sub-sectors.

The Committee points out that the creation of a new European Economic Area, under which the members of the European Free Trade Association will subscribe to the objectives and tasks of the internal market, will offer a wider range of alternatives and models for the electricity and gas sector; their potential impact on the application of the proposed Directives will have to be considered.

*This Opinion, adopted by a majority with 87 votes for, 17 votes against and 32 abstentions, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Aldo Romoli (Italy - Employers). The Rapporteur was Mr José Ignacio Gafo Fernandez (Spain - Employers).*

Two counter-opinions were tabled at the Plenary Session.

The first, sponsored by John Lyons (United Kingdom - Workers) secured only 13 votes and 26 abstentions. Mr Lyons explained that the fundamental difference between his approach and that of his colleagues was that

they sought to endorse the concept of liberalization while expressing a range of reservations and restrictions. Mr Lyons felt that this approach created confusion and undermined the credibility of the final result. There were also divergences on specific questions, including the major issue of security of supply.

The second amendment sponsored by Wilfred Aspinall (United Kingdom - Various Interests) was voted down by 114 votes to 9 with 15 abstentions. The counter-Opinion's conclusions stated that the ESC resolutely supported liberalization of the gas and electricity markets and therefore supported third-party access to the network. The principle of unbundling would enhance the efficiency and transparency of a European energy market.

## 11. EC/ECONOMIC COOPERATION IN THE MIDDLE EAST (Own-initiative Opinion)

### **European Community and economic cooperation in the Middle East**

#### **Case for an Own-initiative Opinion**

Following a meeting in the summer of 1991 between Mr Shimon Peres and Mr Staedelin, at that time the Chairman of the Committee, discussions were held on whether the Committee should also discuss the Eastern Mediterranean region once work had been completed on the Maghreb States. As a result of these discussions the Committee decided to draw up an Own-initiative Opinion on the Community and economic cooperation in the Middle East.

The Community has for some years been linked by a series of agreements to the countries of the Middle East. At the present time the EC has been given a specific role to play in chairing a working group on regional economic development in the framework of the Middle East peace process. In this multilateral part of the peace talks the Community is essentially concerned with economic cooperation, integration, and in particular the inclusion of Israel in the development effort of neighbouring countries. Community-sponsored feasibility studies, in particular for the management of natural resources vital for the entire region (water, alternative energy sources, agriculture, etc.) and the sharing of certain technologies, have been mooted.

Israel has rather a special place amongst the non-Community Mediterranean countries and its integration into a regional group is not very likely in the foreseeable future. But even here, political developments are discernible which could give a fresh impetus to relations between the Eastern Mediterranean countries, although it is still too early to assess their possible implications.

Even though Israel is perhaps more interested in being associated with a European Economic Area than in economic cooperation at regional level, an Own-initiative Opinion at the present time would not be out of place since the various working groups have started their multilateral discussions in the framework of the Middle East peace process. Nevertheless, it is probably clear that economic cooperation can be no alternative to the search for a lasting solution to the complex political problems of the region. All it can do is offer a possible way forward towards finding a solution.

### **Gist of the Committee Opinion (CES 78/93)**

In its Own-initiative Opinion of July 1989<sup>1</sup>, on the Community's updated Mediterranean Policy, an Additional Opinion of April 1990<sup>2</sup> and a second Additional Opinion of November 1991<sup>3</sup>, the Committee put forward views and suggestions with regard to the Community's policy on the Mediterranean area as a whole. In so doing, it stressed the need for *economic and social dialogue, preferably at regional level*, with the main economic and social interest groups.

The present Opinion could act as a stimulus for such a dialogue in the south-eastern Mediterranean area and the Middle East. The dialogue would concentrate initially on the opportunities for regional cooperation and Community support within the framework of Euro-Mediterranean cooperation. The Opinion highlights the economic and social groups' interest in economic cooperation and stable development in the region and looks at various forms of cooperation and support.

---

<sup>1</sup> OJ No. C 221 of 28 August 1989.

<sup>2</sup> OJ No. C 168 of 10 July 1990.

<sup>3</sup> OJ No. C 40 of 17 February 1992.

Europe has many political, historical, cultural and economic ties with its Middle East neighbours and the maintenance of stability and security in the Middle East is therefore of vital importance to Europe. It is therefore particularly significant that the EC is currently chairing a working group on regional economic development in the framework of the Middle East peace negotiations.

The peace process will be successful only if accompanied by the creation of new economic and trade relations. Given the relatively small markets of the economies concerned, not only trade but also domestic and foreign investment must be encouraged in order to raise material living standards.

Because of the small size of these economies, economic cooperation extending beyond trade would be of benefit to costs and efficiency as a result of the greater mobility of capital and labour, the dissemination of new technologies, the introduction of more efficient payments systems, the establishment of modern infrastructures and communications systems, and better use of R&D and education and training potential. The big disparities, both quantitative and qualitative, in the various countries' factors of production (land, capital and labour) themselves guarantee that synergy effects would be achieved through regional economic cooperation. Such cooperation, in conjunction with a process of political détente, would also help reduce risks for investors, a precondition for the necessary increase in investment by domestic and foreign firms.

At a time when the Community's relations with the Maghreb and Gulf states are evolving from bilateral relations with individual countries to relations between the EC and a group of states (although political difficulties in some countries mean that this is not a straightforward process), ways should be sought of making a regional approach part of overall policy on relations with the Middle East.

The Opinion indicates some possible areas for economic cooperation in the Middle East, with emphasis on a few particular points, and mentions some preconditions and objectives of regional cooperation. Its conclusions are as follows:

The Committee has warmly welcomed the Community's support for the peace process. It asks the Community to take steps to overcome the obstacles which have arisen or which could arise in the future. Peaceful solutions must be found, with full respect for human rights and all UN resolutions.

The Opinion is drawn up on the assumption that the peace process - the most hopeful development in the Middle East for many years - will succeed. What the Committee has endeavoured to identify are the economic and social advantages which await the peoples of the area, once the usually intractable political problems are solved.

The main objectives of regional economic cooperation would then be (a) to promote the efficiency of economies, (b) to establish balanced economic and social structures and (c) to help reduce excessive imbalances in income distribution so as to prevent internal and external tensions.

EC cooperation with the Middle East states should take account of the Community's decision to make aid conditional on respect for human rights and the development of democracy, implementing the guidelines set out in the Council Resolution of 28 November 1991.

Every effort must be made to identify representative social partners with whom to cooperate and, where these do not yet exist, to encourage their emergence.

At an appropriate stage, a meeting with Middle Eastern organizations should be envisaged.

Lifting of all vestiges of the Arab boycott on trade with Israel would be a confidence-building measure, as would Israel's ceasing to deny the Palestinians of the Occupied Territories equal economic and social conditions and equal access to the Israeli and foreign markets.

Israel, for her part, needs to respect international law in her political and military control of the Occupied Territories, which has attracted widespread condemnation.

Once peace has been achieved, it will be necessary for the countries of the region to accept that their development within a regional framework will be to their advantage.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for External Relations, Trade and Development Policy, chaired by Mr John F. Carroll (Ireland - Workers). The Rapporteur was Mr Neville Beale (United Kingdom - Employers).*

## 12. TECHNOLOGICAL PROBLEMS OF NUCLEAR SAFETY (Own-initiative Opinion)

### **Subject of the Own-initiative Opinion**

Despite the adverse impact of the Chernobyl nuclear accident on the development of national programmes, nuclear energy remains a pivotal element in the Community's strategy of reducing its dependence on imported energy and of diversifying its supplies.

Nuclear energy remains the major source of electricity production in the Community, accounting for some 35% of total electricity generation even though it involves only six Member States where the proportion of nuclear energy in electricity generation ranges from 5% to 70%.

Although the situation depicted above has not changed over the last few years, particularly because of the repercussions of the Chernobyl disaster and favourable energy price trends on world markets, a number of new factors have created a new context, so justifying a comprehensive Committee study of the nuclear industry's problems.

Among the factors creating a new context for the Committee's study, we should mention in particular:

#### *Completion of the Single Market in energy*

The Commission's working document of May 1988 on the internal energy market (COM(88) 238 final) states that one of the key requirements in the nuclear sector is to draw up common rules on the design and construction of plants. This ties in with safety aspects.

#### *The energy/environment interface*

The Committee Opinion of 4 July 1991 on Energy and the Environment emphasized the contribution nuclear energy could make to attenuating the risk of climatic changes caused by the greenhouse effect and called for a definition of the role of nuclear energy as part of the overall strategy for reducing CO<sub>2</sub> emissions.

The Committee also underlined the need for the widest possible consensus on nuclear energy, which presupposed that problems associated with the production and utilization of nuclear energy (nuclear safety, waste disposal, decommissioning of nuclear power stations and nuclear proliferation) were tackled in unison.

### *Nuclear industries in Central and Eastern Europe*

The operation of nuclear power plants in Central and Eastern Europe poses major safety problems, although it is not possible to shut down all of them for energy-supply reasons. It is essential for the Community to assist these countries - something which has been highlighted in several Committee Opinions - thereby opening up wide prospects for international cooperation.

The Committee could therefore examine the following topics:

- harmonization of plant, equipment and components in the context of the Single Market; common safety standards;
- need for a system of international standards regarding the safety, monitoring and control of nuclear plants;
- management and operation of nuclear plants; the development of a general safety consciousness;
- international cooperation in the field of nuclear safety - requirements and detailed arrangements;
- situation of the nuclear industry in the countries of Central and Eastern Europe - current position and prospects for cooperation.

### **Gist of the Committee Opinion (CES 79/93)**

EC Member States use nuclear energy to widely differing degrees. This reveals differences in political thinking about the use of nuclear energy and about nuclear safety. It also reflects differences in the public's acceptance of nuclear energy. Economic conditions are also a factor insofar as they vary from one Member State to another.

The Community needs to reach general agreement on the future role of nuclear energy. However the Committee does not wish to discuss the general aspects of nuclear energy but prefers to contribute to creating an objective basis on which to build a general political consensus. The Committee therefore focuses on certain technological priority aspects of nuclear safety.

Safety (safety engineering) for an industrial technology such as nuclear power is a continuous learning process. This learning process must be based on wide-ranging, detailed and open technical information and discussions at both national and international levels, covering all experiences and findings, especially when there are problems and failings. All individuals and organizations affected by this industrial technology (including the general public) must participate in the learning process.

These recommendations, which are mainly addressed to the Commission and the Member States, essentially cover four areas.

— *International cooperation*

The Member States and the Commission are called upon to encourage greater international cooperation in the field of reactor safety, and in particular to support a strengthening of the institutional machinery of the IAEA, both from the point of view of setting norms and standards, and in respect of the status of inspectors.

The Committee therefore calls for increased funds for the IAEA, claiming that this is a matter of urgency if the IAEA is to play the central role incumbent on it.

— *The safety of nuclear power plants in the countries of Central and Eastern Europe*

The Committee would emphasize that the lack of information and the absence of any critical debate in the field of safety have no doubt been a major factor in the serious safety deficiencies of Soviet reactors. This situation has now changed radically following the Chernobyl accident, but above all because of the political changes which have taken place in Central and Eastern Europe.

After having a) surveyed the nuclear sector in the countries of Central and Eastern Europe, b) looked at action taken so far to improve safety, c) analyzed the initial findings and d) reviewed investment requirements, the Committee underlines the need to intensify aid programmes and allocate sufficient funds thereto.

The Committee therefore calls upon the industrialized countries, the European Community and international financial institutions to act urgently. The Commission is also invited to assume responsibility for organizing the financing of these aid programmes.

— *Future nuclear safety requirements*

The Committee makes clear that if nuclear energy is to be able to make an important contribution to the provision of secure energy supplies and the overcoming of climatic problems, it is absolutely necessary first of all to constantly improve reactor safety, and secondly to establish or re-establish trust in nuclear energy, i.e. to make nuclear energy politically acceptable.



It will therefore be necessary to develop new designs for future generations of reactors which clearly reduce risks, and particularly the risks stemming from a major accident. This means reducing the probability of major damage and/or reducing the impact of major damage.

— *Research and development activities in the field of nuclear safety*

Appropriate R&D activities are - in addition to wide-ranging and detailed information about and discussion of all experiences and findings - a crucial element of the learning process referred to earlier.

More research also still needs to be carried out in the fields of waste management, the final disposal of waste and radiation protection.

The Committee totally fails to understand why there has been a drastic cut back in the Community's nuclear safety and radiation protection R&D programmes in the last few years to coincide with the major cut-backs in most national programmes. The Committee, which has made this point in several earlier Opinions, therefore calls upon the Commission to take the appropriate action in accordance with the Council Resolution of 18 June 1992 on the technological problems of nuclear safety.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Aldo Romoli (Italy - Employers). The Rapporteur was Mr Klaus-Benedict von der Decken (Germany - Various Interests).*

## 13. MONITORING OF CO<sub>2</sub> AND OTHER GREENHOUSE GAS EMISSIONS

**Proposal for a Council Decision for a monitoring mechanism of Community CO<sub>2</sub> and other greenhouse gas emissions**  
(COM(92) 181 final)

### **Gist of the Commission proposal**

The proposal is based on Article 130s of the Treaty. Its main purpose is to ensure at Community level, as appropriate, that CO<sub>2</sub> emissions are stabilized by the year 2000 at their 1990 levels and other greenhouse-gas emissions limited. This will be done by evaluating EC and national measures.

The proposal has four key elements: *national programmes* to be drawn up by the Member States; their *evaluation* by the Commission in the light of the EC stabilization agreement; follow-up to their implementation by means of a *data reporting system* and the establishment of an *inventory* of greenhouse gas emissions, while taking account of the need to share burdens equitably.

### **Gist of the Committee Opinion (CES 80/93)**

The Committee endorses the proposal, subject to the comments which follow.

The Commission Communication states that the decision to limit emissions is prompted by the fact that the "removal of CO<sub>2</sub> from emissions at present is not only uneconomic but at the technical level such methods are far from being sufficiently developed<sup>1</sup>. Hence the only practical solution in the short and medium term is to limit the growing use of fossil fuels, improve energy efficiency, and promote renewable energy sources.

Nevertheless, the Committee suggests that the Community give firmer support to EC research and development and to non-polluting technologies and processes for the use of fossil fuel energy, insofar as this will continue to play a role in the future.

The Committee's November 1989 Opinion on the European Environment Agency<sup>2</sup> expressed serious concern at the delays and opposition to the establishment of the Agency and the failure to agree on where it should be based. This concern has been reiterated in subsequent Opinions. It is clear that the Environment Agency would provide the best framework for the proposed monitoring mechanism. The present Commission proposal is important partly because it seeks to reduce these delays and difficulties by bringing in a Community mechanism to monitor and act on CO<sub>2</sub> and other greenhouse-gas emissions at both EC and national level.

In supporting the mechanism and the Community strategy, the Committee also endorses the common objective of stabilizing emissions. Three types of action are envisaged, based on the principle that burdens should be shared fairly:

---

<sup>1</sup> SEC(91) 1744 final, p.1.

<sup>2</sup> OJ No. C 56 of 7 March 1990.

- 1) stepping-up of non-fiscal measures (SAVE and ALTENER programmes);
- 2) economic and fiscal instruments, with a possible tax to encourage energy saving and a reduction in emissions, but without causing an increase in the overall tax burden;
- 3) national implementing and additional measures.

The Committee stresses the need for a global solution. CO<sub>2</sub> emissions affect the whole planet and therefore call for a global solution which should involve all developed and developing countries.

The Committee considers that a special effort should be made to involve the developing countries in such action, by framing appropriate agreements and measures as soon as possible, including the transfer of technology and financial resources.

East European countries produce a significant proportion of greenhouse-gas emissions. The Committee considers that experience-swapping and cooperation should be undertaken with these countries as a matter of urgency<sup>1</sup>, so as to avoid the problems that have beset other countries with heavy concentrations of industry and energy. The main aim should be to encourage moves towards energy efficiency and environmental and technological rehabilitation, taking account of the complicated and difficult economic restructuring facing these countries.

*This Opinion, adopted by a large majority with 4 abstentions, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballo Herrero (Spain - Various Interests). The Rapporteur was Mr Augusto Gil Bensabat Ferraz da Silva (Portugal - Workers).*

## 14. FRUIT AND VEGETABLES

### **Proposal for a Council Regulation (EEC) amending Regulation (EEC) No. 1035/72 on the common organization of the market in fruit and vegetables** (COM(92) 442 final)

#### **Gist of the Commission proposal**

In view of the increased production of pineapples, avocados, mangoes and guavas and the growth of trade in these products, the Commission

---

<sup>1</sup> PHARE programme.

is proposing that these products be brought within the scope of Regulation (EEC) No. 1035/72.

''Plantain'' bananas, which were excluded from the common organization of the market in bananas, must be covered from 1 January 1993. It seems appropriate to include this product in the common organization of the market in fruit and vegetables.

In anticipation of 1 January 1993 it is intended to repeal the existing provisions of Regulation (EEC) No. 1035/72 permitting the application of national quantitative restrictions.

The introduction of an import licensing system for certain products is envisaged since potential world customers are closing their frontiers to trade in sensitive products for plant health and public health reasons or are imposing quantitative restrictions.

### **Gist of the Committee Opinion (CES 81/93)**

The Committee approves the Commission proposal.

*This Opinion, adopted by a large majority with 1 vote against and 1 abstention, was drawn up in the light of the paper produced by the Rapporteur-General Mr Hans-Jürgen Wick (Germany - Employers).*

## **15. EC/LATIN AMERICA (Information Report)**

### **The Community and the Countries of Central and South America**

#### **Background to the Information Report**

The Section for External Relations has been increasingly aware of the growing importance of the countries of Central and South America both in the world at large and for the Community in particular.

The Committee last drew up an Opinion in January 1990 on EC-Latin American Relations (Rapporteur: Mr Vasco Cal). Since then, apart from the Commission's view Guidelines, further new developments have been taking place; the *Andean pact* (embracing Colombia, Peru, Ecuador, and Bolivia) has been re-launched, and *MERCOSUR* (embracing Argentina, Brazil, Paraguay and Uruguay) has been initiated and has already embarked on an integration process, seeking practical advice from the Community in this respect. The Euro-Latin America political dialogue

has been chiefly embodied within the framework of contacts with the *Rio Group* (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay and Venezuela), and in the *San José* conferences, bringing together the countries of Central America. Both of these fora were originally inspired by the problems of the *Central American Isthmus*. In Central America, moves are afoot to re-launch the economic integration process, involving Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. In February 1991, the Council was able to endorse what had originally been submitted to it by the Commission as Guidelines for Community cooperation with Latin America and Asia.

The Section felt that an Information Report would not only bring the Committee up to date on EC-Latin American Relations, but possibly provide the basis for a dialogue with Members' counterparts in Latin America.

In a letter to the Committee in March 1992, following a meeting with the Section Chairman, Mr Zufiaur, Commissioner Matutes, then responsible within the Commission for North/South relations, said:

"... I am pleased to say that I feel it is an excellent idea for the Committee to organize a conference with representatives of the socio-economic interest groups of Central and South America. You can rely on our full support, and my office will communicate this decision to our delegations in Latin America and to the Commission services in Brussels. As regards financial support - as I told you during our discussion - I am confident that the Commission services will be able to find the right formula within the Community's complex finance mechanisms;"

### **Gist of the Information Report (CES 962/92 final)**

The report divides easily into four chapters - *the position of Latin America in the new international situation; the political and social trends in Latin America; economic development and the new trends towards integration in Latin America; and EC-Latin America Relations*.

The report looks at Latin America's place in the world now that the bipolar world of the post-war period has been replaced by a New International Order, with the rise of economic super blocs centring on the United States, the European Community and Japan.

As regards Latin American countries' place in the world, the European Community is the largest donor to Latin America in development cooperation. 35% of inward investment into Latin America comes from the

European Community. 20% of its exports go to the EC. By contrast, the EC would seem, outwardly, at least, to be less interested in furthering trade relations with Latin America: only 5 to 6% of the EC's trade, overall, is with Latin America, a mere half of what it was twenty years ago. For historical and cultural reasons, however, considerable importance is attached, in Europe, to links with Latin America. The Latin American countries have great expectations of what the EC can bring them. But the fear is widespread that their hopes will not be met, that they will not benefit from the Community's single market. The Community's "bananas" policy would seem only to reinforce these fears.

The *political situation* in Latin America is extremely fragile. In all these countries there are democratically-elected governments (except for Haiti and Cuba). The human rights situation has improved. There are, however, fundamental shortcomings in political structures, with corruption, abuse of power, etc. being widespread (viz: Venezuela). Violation of trade-union rights is common throughout Latin America. Trafficking in drugs is an enormous problem. Structural adjustment problems have undoubtedly caused social tensions.

As far as the EC is concerned, the *report suggests that the European Community give top priority to improving democracy and human rights in general*. This means not only improving formal democracy, stricto sensu, but fostering institutional structures in society in such a way as to have the population truly involved in decisions. In short, the role of social organizations such as Trade-Unions, Employers' organizations, NGOs, Farmers, Women's groups should be fostered. The setting up of tripartite consultation bodies needs to be promoted. Generally, the report states that more attention needs to be devoted to resolving social issues in Latin America.

*Economically*, there have been significant changes in Latin America for the first time in ten years - after the so-called "lost decade". Recession and slump are gradually turning into resurgence and growth. Mexico, Argentina and other Latin American countries have annual growth rates in excess of 5%. Debt/GDP ratios are falling. The accumulated debt burden is reduced. There is a net capital inflow, whereas 10 years ago there was a net outflow. Investment is increasing, with growth in Latin American stock-exchange activity.

Continued economic recovery is dependent on a whole series of factors which the report enumerates e.g. outlets on world markets, changes in the nature of investments, i.e. the need to have investment in *long-term* production, training and education, etc.

The report looks in some detail at the "integration" programmes that abound in Latin America - better called cooperation agreements e.g. MERCOSUR, CACM, Andean pact, NAFTA. They all aim to liberalize trade, increase productivity and improve competitiveness, as well as consolidating democracy in Latin America.

Most of these agreements, however, exist only on paper, having made little real impact so far on inter-state relations. Genuine integration - or even cooperation - has scarcely even begun between Brazil, Argentina, Uruguay and Paraguay. Other such programmes are impeded by the situation in individual countries e.g. the Andean pact and what is happening in Peru. NAFTA is the only regional bloc likely to make any real impact in the *near future* - and that involves the US and Canada with Mexico, only, for the present. The report suggests ways in which these integration programmes might stand a better chance of succeeding.

The report terminates by suggesting how *future relations between the EC and Latin America* might be further developed. The EC believes it, the Community, has something to say as regards the promotion of democracy and the improvement of human rights, the inclusion of human rights clauses in EC/LA cooperation agreements, the promotion of social consultative bodies so as to build up a real democracy, improved access to EC markets (via, for instance, tariff preferences), assistance in solving the drug problem, assistance in solving the environmental problem, and by better coordination of development cooperation measures of individual Member States (the Maastricht Treaty once ratified will provide for this).

*It was unanimously decided to forward the Report to the other Institutions.*





## II — Outside Presence and Influence of the ESC

### Activities of the Chairman and the Secretary General

8 January, Brussels: meeting with Mr Federico di Roberto, Italian Permanent Representative.

14 January, Brussels: meeting with Mrs Saida Benhabyles, Minister to the head of the Algerian government responsible for national solidarity.

15 January, Brussels: participation in meeting of the European Secretariat for liberal, intellectual and social professions (SEPLIS)

18 January, Brussels: meeting with Jacques Delors, President of the European Commission.

18 January, Brussels: meeting with Mr Pádraig Flynn, Commissioner responsible for relations with the ESC.

18 January, Brussels: meeting with Mrs de Vos van Steenwijk, representative of the ATD/Fourth World Association.

23 January, Paris: participation in IXth Congress of the UNAPL.

25 January, Brussels: meeting with Mr Philippe de Schoutheete de Terwarent, Permanent Representative of Belgium.

26 January, Royal Palace, Brussels: annual reception of King Baudouin.

27 January, Brussels: meeting with Mr Bénédict de Tscherner, Ambassador Extraordinary and Head of the Swiss Mission to the Communities.

27 January, Brussels: meeting with Prince Bodo zu Sayn-Wittgenstein, President of the German Red Cross, and Mr Johann Wilhelm Römer, Secretary General.

27 January, Palais d'Egmont, Brussels: reception given by the Economic and Social Committee to mark "1933: the single market".

28 January, Brussels: meeting with Mr Camilo Barcía García-Villamil, Permanent Representative of Spain.

**Other activities**

6 January, Brussels: Mr Ernesto Previdi, Advisor to Commission DG III, made a statement on *the operation of the Community's internal market after 1992: follow-up to the Sutherland Report* (to the Section for Industry, Commerce, Crafts and Services)

11 January, Brussels: the Study Group on Employment in Europe (Section for Social, Family, Educational and Cultural Affairs) heard a statement by Mr Ludwig Schubert, Commission Director, on the *Community action plan to promote growth and combat unemployment (promotion of economic recovery in Europe)* and a statement by Mr Andrew Chapman, Commission DG V, on *employment and the labour market*.

13 January, Brussels: the Section for Transport and Communications heard a statement by Mrs Dominique Pavard, Commission DG VII, on the *white paper on the common transport policy*.

15 January, Brussels: the Section for External Relations, Trade and Development Policy - following presentation of the information report on *the European Community and the countries of Latin America* by the Rapporteur, Mr Willy Wagenmans - heard a statement by Mr Hernández López, Commission DG I, on the thrust of the Commission's policy on Latin America.

20-22 January, Madrid and Lisbon: second meeting of the Study Group on the Cohesion Fund of the Section for Regional Development and Town and Country Planning. The Study Group met representatives of the Spanish and Portuguese Governments and of socioeconomic interest groups.

### III — Fact-finding Visits

Over the period in question, the Economic and Social Committee received visits from the following:

- 13 January 1993 ISOPLAN - Institut für Entwicklungsforschung, Wirtschafts- und Sozialplanung, Potsdam (Germany) (under EUROTRAIN Training Programme)
- 15 January 1993 Staffordshire University, Stoke-on-Trent (UK)
- 18 January 1993 University of Newcastle-upon-Tyne - Newcastle Law School (UK)
- 18 January 1993 Stockport College of Further & Higher Education (UK)
- 18 January 1993 Enfield College (UK)
- 19 January 1993 MARCOLES - Maison familiale rurale d'éducation et d'orientation, Marcoles (France)
- 19 January 1993 University of Reading - The Graduate School of European and International Studies (UK)
- 20 January 1993 ISOPLAN - Institute für Entwicklungsforschung, Wirtschafts- und Sozialplanung, Potsdam (Germany) (under EUROTRAIN programme)
- 21 January 1993 Académie européenne de l'Europe du Nord Ouest - Centre départemental d'échanges internationaux du Nord, Lille (France)
- 21 January 1993 KEY TO EUROPE - Rijkshogeschool Groningen
- 22 January 1993 Mutualité agricole - Fédération nationale de la mutualité agricole, Paris (France)
- 22 January 1993 DGB - Deutscher Gewerkschaftsbund, Düsseldorf (Germany)
- 25 January 1993 Linfield College, McMinnville, Oregon (USA)

- 26 January 1993 Freie Universität, Berlin (Germany)
- 28 January 1993 I.P.I.L. Institut de Pharmacie industrielle de Lyon  
(France)
- 29 January 1993 Lycée Jean Calvin, Noyon (France)

# Contents

I — 303rd PLENARY SESSION OF 24 AND 25 FEBRUARY 1993 .....	51
1. Timesharing .....	51
2. Novel foods .....	52
3. Bovine sperm .....	53
4. Tomatoes .....	54
5. Code of Conduct for Computerized Reservation Systems (CRS's) .....	55
6. Tax on carbon-dioxide emissions and energy .....	56
7. Foodstuffs/other additives .....	59
8. Annual economic report 1993 .....	60
9. Organisms harmful to plants .....	63
10. Control system - common fisheries policy .....	63
11. ACP bananas .....	65
12. Bananas/Third Countries (Own-initiative Opinion) ...	66
13. Potatoes .....	67
14. Recognition of national licences/telecommunications	68
15. Basic standards/radiation protection .....	70
16. Cohesion Fund .....	72
17. Matthaeus-tax .....	75
18. Fisheries/common customs tariff .....	76
II — OUTSIDE PRESENCE AND INFLUENCE OF THE ESC .....	77
III — FACT-FINDING VISITS .....	79



## **I — 303rd Plenary session of 24 and 25 February 1993**

The Economic and Social Committee of the European Communities held its 303rd Plenary Session in Brussels on 24/25 February 1993. The Chairman, Mrs Susanne Tiemann presided.

The Session was attended by Commission Vice-President Henning Christophersen on Wednesday, 24 February 1993. Mr Christophersen participated in the debate on the Annual Economic Report for 1993. Mr Pádraig Flynn, Commissioner responsible for Social Affairs and relations with the ESC came to the Committee on Thursday, 25 February 1993 and spoke on the Commission-ESC relations and social policy.

During this session the Committee adopted the following Opinions:

### **1. TIMESHARING**

#### **Proposal for a Council Directive concerning the protection of purchasers in contracts relating to the utilization of immovable property on a timeshare basis (COM(92) 220 final - SYN 419)**

#### **Gist of the Commission proposal**

''Timesharing'' may be popularly described as the sharing of a property, usually a holiday home, by different clients, each using it for a short period each year.

It has acquired a bad reputation because of abuses, lack of legislation, misleading publicity, etc., and this proposal is for Community legislation to protect consumers entering timeshare contracts.

The proposal covers two fundamental points:

- the need to provide the purchaser with correct information prior to signature of contract;
- the provision of a cooling-off period after signature of contract to enable purchasers to counter aggressive sales methods.

This proposal concerns all Member States, but particularly the UK (purchasers) and Spain (location).

### **Gist of the Committee Opinion (CES 206/93)**

The Committee approves the Commission's proposal subject to a large number of observations.

With reference to the two fundamental points mentioned above, the Committee

- made detailed suggestions regarding additional *information* to be included in the proposal, particularly in the Annex, and covering for example the following points:
  - the exclusion of rental contracts, and of non-tourist property;
  - the rights and obligations of purchaser and vendor;
  - deadlines for completion and/or reimbursement;
  - obligatory insurance;
  - promotional gifts and misleading advertising, etc. etc.;
- proposed a uniform *cooling-off period* of 28 days, instead of 14 to 28 days specified by the Commission.

*This Opinion, adopted by a majority vote with 1 abstention, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballos Herrero (Spain - Various Interests). The Rapporteur was Mr Manuel Cabeçadas Ataíde Ferreira (Portugal - Various Interests).*

## **2. NOVEL FOODS**

### **Proposal for a Council Regulation (EEC) on novel foods and novel food ingredients (COM(92) 295 final - SYN 426)**

#### **Gist of the Commission proposal**

The object of this proposal is to lay down provisions at EC level for the placing on the market of foods and food ingredients which have not hitherto been used for human consumption, and covering in particular food products which have been produced by the application of genetic technology.



### **Gist of the Committee Opinion (CES 207/93)**

The Committee approves the Commission's proposal but considers that it must be revised if its objectives are to be achieved.

Thus, the proposal might be re-examined under the following heads :

- possible duplication of existing legislation;
- the classification of novel foods into 4 categories in Annex I;
- assessment, authorization and notification procedures;
- criteria for the designation of experts;
- comitology.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballo Herrero (Spain - Various Interests). The Rapporteur was Mr Johannes M. Jaschick (Germany - Various Interests).*

### **3. BOVINE SPERM**

**Proposal for a Council Directive amending Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species and extending it to cover fresh bovine semen**  
(COM(92) 462 final)

#### **Gist of the Commission proposal**

The Commission proposal is designed to amend Directive 88/407/EEC so as to clear up a number of problems.

The aim is to extend animal health requirements to cover fresh bovine sperm. Account should be taken of changes in technical knowledge for the treatment of bulls against leptospirosis, and in order to align rules on brucellosis, tuberculosis and leucosis.

Article 4 is to be amended so as to stress the need for phasing out bulls which were seropositive or of unknown status prior to vaccination at the centre by 1998, and to maintain the possibility of vaccination at a centre in the future.

The Directive should also take into consideration the fact that routine foot and mouth disease vaccination was discontinued in 1991. Trade in fresh bovine semen can also be carried out under harmonized rules.

### **Gist of the Committee Opinion (CES 208/93)**

The Committee endorses the Commission proposal.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Georges Proumens (Belgium - Employers).*

## **4. TOMATOES**

### **Proposal for a Council Regulation (EEC) on the introduction of a limit to the granting of aid for processed tomato products (COM(92) 474 final)**

### **Gist of the Commission document**

In accordance with the undertaking made during discussions at the Council on the 1992/93 price package, the Commission proposes to reintroduce the quota system.

### **Gist of the Committee Opinion (CES 209/83)**

The Committee approves the Commission's proposal. It hopes, however, that (i) careful thought will be given as to who should be responsible for managing the quotas, and (ii) the division of production between the three sub-categories ('tomato concentrate', 'tinned whole peeled tomatoes' and 'other tomato products') will be revised, at least for Italy.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Guiseppe Pricolo (Italy - Employers).*

## 5. CODE OF CONDUCT FOR COMPUTERIZED RESERVATION SYSTEMS (CRS's)

**Proposal for a Council Regulation (EEC) amending Regulation (EEC) No. 2299/89 on a code of conduct for computerized reservation systems**  
(COM(92) 404 final)

### **Gist of the Commission Proposal**

A code of conduct for computerized reservation systems of air tickets has existed since 1989. The aim is to avoid discrimination (system access, display of information, charges, etc.) between airlines in the use of computer systems.

On the basis of experience gathered since the adoption of this code, the Commission now puts additional proposals forward, amending the above-mentioned code of conduct and introducing new elements therein.

The aim of the proposal is to adapt the current code of conduct so as to improve competition between air carriers and to provide users with better information by taking measures which will ensure that:

- companies belonging to one CRS communicate the information requested by another CRS;
- airlines owning CRS's do not exploit their privileged position in a discriminatory way to the detriment of other airlines using their CRS's;
- airlines owning CRS's comply with the requirements of non-discrimination against other companies as regards information displays on their computer system.

In addition the Proposal removes the distinction between charter and scheduled flights, in conformity with the provisions in the third air package. It also gives travel agents the possibility of obtaining software programmes other than those offered by the CRS.

### **Gist of the Committee Opinion (CES 210/93)**

The Committee fully supports the Commission's proposal, subject to some specific comments.

It repeats its point put forward earlier that the Commission should report annually how many complaints it has received and how many of them have been upheld. It should also report on their nature and on what action has been taken.

The Committee thinks that if the problem of accessing confidential information in a computer reservation system other than that which has provided the information is not covered in the Council Decision on the draft Data Protection Directive, the Commission should make a proposal to cover the subject.

Furthermore, while agreeing with the Commission's approach to "de-hosting", the Committee suggests that a more detailed examination should be made with a view to further changes to the Regulation and/or agreement with the United States on a policy on this subject.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr Eike Eulen (Germany - Workers). The Rapporteur was Mr Robert J. Moreland (United Kingdom - Various Interests).*

## 6. TAX ON CARBON-DIOXIDE EMISSIONS AND ENERGY

**Proposal for a Council Directive introducing a tax on  
carbon-dioxide emissions and energy**  
(COM(92) 226 final)

### **Gist of the Commission document**

As part of the Community strategy for limiting CO<sub>2</sub> emissions and improving energy efficiency, the Commission is proposing to introduce a Community CO<sub>2</sub>/energy tax, accompanied by tax incentives for investment in energy savings and CO<sub>2</sub> abatement. The tax will be devised and established at Community level, but the arrangements for charging and collecting it will be left to the Member States, with the receipts accruing to them.

#### a) *Characteristics of the tax*

The tax will apply to all sources of energy except renewables and feedstocks for industry.

The tax base will be a composite one with 50% being accounted for by the carbon content of the energy source and 50% by its energy content.

The characteristics of the new tax are similar to those of excise duties, as primary energy sources will be taxed at the consumption stage.

Electricity - a secondary form of energy - will receive special treatment.

The tax will be phased in gradually, starting at \$3 a barrel of oil equivalent on 1 January 1993 and rising by \$1 a barrel per year. The rate is a minimum one, and Member States are free to adopt higher rates.

b) *Taking account of the situation of firms*

It is essential to maintain the international competitiveness of Community firms and to take account of the tax's impact on industry.

To keep Community industry competitive, application of the tax is conditional on the introduction by other OECD member countries of a similar tax or of measures having an equivalent financial impact.

Member States may grant graduated tax reductions or refunds to energy-intensive firms placed at disadvantage as a result of increased imports from third countries which have not introduced a similar tax. A firm will be able to deduct the amount of new expenditure on investment in energy saving or CO<sub>2</sub> abatement from its tax bill.

c) *Tax neutrality*

The Commission believes it is essential for economic growth and the fight against inflation that the new tax should not involve any increase in the total tax burden.

### **Gist of the Committee Opinion (CES 211/93)**

The Committee endorses the Draft Directive's aim, namely to limit the emission of greenhouse gases and to promote rational use of energy. The Section considers that taxes and levies, tax incentives and state aid can be an important adjunct to regulatory measures.

Greenhouse gases are a worldwide phenomenon and the EC should take effective action in its dealings with other OECD states, Eastern European nations, the Commonwealth of Independent States (CIS), the major newly industrialized countries and the developing countries.

The introduction of a strategy to curtail greenhouse gas emissions and promote the rational use of energy must not jeopardize the ability of EC industry to compete with its rivals in non-EC countries.

The necessary investment should therefore be initiated voluntarily and as swiftly as possible; targeted aid measures are necessary.

Considering that the main aim of the CO<sub>2</sub> component of the tax proposed by the Commission is to change the structure of fuel consumption and that its long-term effect will be to change the order in which fuels are

consumed and not to improve atmospheric conditions, the Section has doubts about the carbon-dioxide component of the tax, as proposed by the Commission. It calls for a tax on emissions of the relevant greenhouse gases, carbon dioxide emissions and methane releases in energy production in particular.

Consultations should be held with the other OECD countries and the leading newly industrialized countries *before the greenhouse gas tax proposed by the Committee is introduced* in the EC.

In order to ensure that such negotiations are successful, the Community should decide what form the greenhouse gas tax should take before the talks get under way. The tax should be lower than that levied on the carbon dioxide component of the Commission's proposed carbon dioxide/energy tax.

The Community should undertake to use part of the greenhouse gas tax revenue to help the developing countries to make the necessary changes.

The Committee rejects the imposition of an energy *tax* that will be used to cover general budget shortfalls. It proposes that an energy *levy*, imposed at national level, be introduced, and that the proceeds be used for the specific purpose of promoting investments in energy-savings, insofar as the energy consumption results obtained are better than the statutory requirements, for promoting investments in renewable sources of energy and for preventing social hardship amongst private and small business consumers.

Tax neutrality is left to the Member States; the Commission will ensure that the competition rules are respected as far as State aid is concerned.

The Committee recommends that Member States should pay the revenue into special funds. The EC should make appropriate arrangements which should however be flexible enough to allow effective measures to be taken, in line with national and regional conditions, to bring about energy savings and promote the use of renewable sources of energy without inflicting social hardship on private or small business consumers.

The Committee therefore recommends selective regional policy measures financed from the EC Funds.

However, the Committee feels that the introduction of a tax on greenhouse gas emissions and a levy on the energy content, should be postponed until the economic situation is more favourable.

The Committee endorses the phased increase in the rate of the levy; it should, however, be possible to suspend these increases in the event of

sharp price rises triggered by conditions on the world market. Reductions in the levy rate should be for a limited period only. Partial or complete exemption should be possible only on certain conditions, and tax cuts and tax refunds should be conditional on the statutory energy consumption requirements being improved upon.

*This Opinion, adopted by 92 votes for, 37 votes against and 6 abstentions, was drawn up in light of the paper produced by the Section for Economic, Financial and Monetary Questions, chaired by Mr Jean Pardon (Belgium - Employers). The Rapporteur was Mr Klaus Schmitz (Germany - Workers).*

## 7. FOODSTUFFS/OTHER ADDITIVES

### **Proposal for a Council Directive on food additives other than colours and sweeteners** (COM(92) 255 final - SYN 424))

#### **Gist of the Commission proposal**

Commission document COM(92) 255 final contains three related proposals on food additives. This proposal (SYN 424), within the framework of Directive 89/107/EEC, sets out the common rules for the use of food additives other than sweeteners and colours, for example preservatives, antioxidants and carrier solvents.

#### **Gist of the Committee Opinion** (CES 212/93)

The Committee agrees the Commission's proposal, but makes comments on a number of matters of which the principal are the following:

- the principle of "quantum satis" (additives should be used at a level not higher than is necessary);
- the function and responsibilities of the Scientific Committee for Food;
- the mention of a number of named foodstuffs in the proposal;
- authorization policy, with specific reference to the problem of national differences, and to the proposed transitional period.

*This Opinion, adopted by a majority with 13 votes against and 4 abstentions, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballos Herrero (Spain - Various Interests). The Rapporteur was Mr G.H.E. Hilken (Netherlands - Various Interests).*

## 8. ANNUAL ECONOMIC REPORT 1993

### **Annual Economic Report for 1993** (COM(93) 44 final)

#### **Gist of the Commission document**

The economic outlook for the Community has deteriorated dramatically over recent months. Instead of the hoped-for recovery, 1993 will bring a third year of slow growth with a return to slightly healthier rates of expansion expected for 1994 at the earliest. As a result of this poor growth performance, unemployment is increasing and cannot be expected to stabilize until well into 1994 while budget deficits have swollen and are now higher than at the beginning of the 1980s.

Recovery from the cyclical slowdown which started towards the end of 1990, in line with a generalized world economic slowdown, is held back by a severe lack of confidence and continuing tight monetary policy. The unification of the two German states resulted in an extraordinary demand boost accompanied by a tightening of monetary conditions to control the accompanying inflationary pressures. The persistence of inflationary pressures in Germany, notwithstanding a marked weakening in economic activity, led to a situation where monetary conditions in many member countries became tighter than domestic conditions warranted.

In the second half of 1992, the continuing weakness of economic activity contributed to the difficulties encountered in the process of ratification of the Treaty on European Union and was one of the factors which ignited the foreign exchange crisis. In addition, the continued deadlock in the Uruguay Round negotiations, the mixed signals on the prospects for a recovery in the United States, the weakening of the Japanese economy, the difficulties of the reform process in Central and Eastern Europe and the ethnic conflict in the former Yugoslavia, all combined to create a very negative business environment. In the closing months of 1992, all business and consumer confidence survey indicators deteriorated sharply.

However, the scope for economic policy to sustain growth in the short term is limited. Budgetary policy is severely constrained in most countries.

A significant loosening of monetary policy is conditional on a reduction in inflationary pressures in Germany and on greater policy credibility in the countries linked to it by the ERM. The Edinburgh growth initiative represents an attempt to exploit any room which is still available



without departing from the necessary medium-term stability orientation of economic policy.

However, on the basis of present policies, a return to rates of growth between two and three percent, possible within say two years, will not be enough to improve significantly the unemployment situation which is likely to remain very difficult for some considerable time. The Community must, therefore, implement medium-term policies which will result in an increase in the sustainable rate of growth so as to be able to put unemployment on a significant downward trend.

The effectiveness of economic policies depends crucially on their credibility. At the Community level, governments must re-affirm, through appropriate actions, their commitment to the EMU process and show their determination by coordinating their policies more effectively.

In practice this means:

- a) in the *short term*, implementing measures designed to support growth to the extent possible, without endangering the necessary medium-term budgetary consolidation perspectives (in all countries), or the necessary reduction in inflationary pressures (in some countries);
- b) in the *medium term*, following policies aimed at increasing the dynamism and competitiveness of the economies through the removal of impediments to faster growth, at fostering a healthier climate against which new investment can take place, and at creating the conditions for environmentally sustainable growth.

### **Gist of the Committee Opinion (CES 213/93)**

The nominal convergence criteria laid down in the Maastricht Treaty must be flanked by a stronger real growth target, without which the deterioration in the economic situation and unemployment could jeopardize economic and social cohesion and a steady improvement in living standards.

Although the growth and employment initiative decided by the Heads of State and Government is to be welcomed, the seriousness of the economic situation might have led one to expect swifter and more effective decisions which would have a greater impact on public opinion.

The growth and employment strategy must not be put at risk by restrictive budgetary policies which could hamper economic growth. Inflation rates have to be reduced if the EC is to withstand world competition and regain its competitiveness worldwide.

Community coordination must be stepped up. The economic measures to be taken by the Member States under the growth and employment initiative must be coordinated and announced at Community level.

The Committee recommends that there should be a renewed commitment to common, coordinated and timely action by all Member States in relation to exchange rates.

A cut in interest rates - and in particular short-term rates - is the way to create the conditions for a rise in investment and private consumption, and for reducing public debt burdens.

In tandem with a drop in interest rates, measures are also needed to make more efficient and productive use of capital, so that lending is channelled into productive investment rather than speculative projects in the property sector, for example.

Preparatory work on infrastructure investment projects, notably the Trans-European Networks, should be speeded up.

The annual economic report makes no mention of the macroeconomic effects of the decisions taken at the Edinburgh Summit concerning the Community's financial perspective up to the year 1999, including the increase in the Structural Funds, but these should be included among the factors likely to encourage recovery.

The Committee draws attention to the statement adopted on 3 July 1992 under the Community Social Dialogue procedure, particularly as regards the need for a more dynamic economic policy, a cut in interest rates, an increase in investment and monetary stability and the creation of lasting jobs.

Greater worker participation in corporate decisions (for example regarding the improvement of working methods, the introduction of new technologies and innovations in production processes), is vital if the European economy's competitiveness is to be restored and reinforced over the long term.

*This Opinion, adopted by a majority vote with one abstention, was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary Questions, chaired by Mr Jean Pardon (Belgium - Employers). The Rapporteur was Mr Vasco Cal (Portugal - Workers).*

## 9. ORGANISMS HARMFUL TO PLANTS

**Proposal for a Council Directive amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community, and Directive 91/683/EEC amending Directive 77/93/EEC**  
(COM(92) 559 final)

### **Gist of the Commission proposal**

The proposal specifies the precise date of implementation of Directive 91/683/EEC at the earliest possible time and makes it possible to adopt appropriate conservatory measures; these are necessary to apply the previous Community plant health regime during the transitional period starting with the coming into force of the provisions ensuring an area without internal frontiers on 1 January 1993, and expiring on the date of implementation of the other provisions.

### **Gist of the Committee Opinion (CES 214/93)**

The Committee approves the Commission proposal.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Rapporteur-General Mr Kenneth J. Gardner (United Kingdom - Employers).*

## 10. CONTROL SYSTEM - COMMON FISHERIES POLICY

**Proposal for a Council Regulation (EEC) establishing a control system applicable to the Common Fisheries Policy**  
(COM(92) 392 final)

### **Gist of the Commission proposal**

This Regulation provides a legal framework for the guidelines contained in the Commission's report on monitoring implementation of the Common Fisheries Policy (SEC(92) 394 final - Committee Opinion CES 1170/92).

The Commission considers that the new monitoring system, which is designed to ensure compliance with the Community system for fisheries and aquaculture, must achieve the following:

- overall monitoring of the CFP, with closer interlinking of measures relating to resources, structures and markets;
- integrated monitoring, covering the entire industry from producer to consumer;
- definition of the most appropriate levels at which monitoring tasks should be accomplished;
- mobilization of the necessary Community resources to ensure the effectiveness and transparency of monitoring by national departments;
- inclusion of a system of equivalent, progressive, deterrent sanctions into national legislation;
- use of new technologies, especially computerized systems and satellite techniques.

The proposal leaves the direct responsibilities and operational tasks of monitoring to the national services. The Commission's role will simply be to ensure that Member States' monitoring and sanctions are applied efficiently and equitably.

### **Gist of the Committee Opinion (CES 215/93)**

The Committee supports the objectives of the Commission's proposals. However, it feels that a much greater degree of community involvement than is envisaged will be required if overall compliance with control of the Common Fisheries Policy is to be achieved.

Monitoring the CFP depends on adequate inspectorate services. The present services are woefully inadequate in relation to their monitoring role. The size of national inspection services bear no relation to the size of fishing fleet or areas that have to be patrolled.

The Commission should determine an operational ratio of inspectors to vessels and have power to ensure that the ratio is attained, where necessary with the aid of Community funds. Both at-sea and on-shore control should be eligible for such aid.

Inspection of catches at sea and of landings at ports can only cover a proportion of fish taken from EC waters. The Committee would therefore support the proposals which would enable the authorities to check the origin of catches while being transported after first landing.

*This Opinion, adopted by 67 votes for, 5 votes against and 5 abstentions, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Michael P. Strauss (United Kingdom - Various Interests).*

## 11. ACP BANANAS

### **Proposal for a Council Regulation (EEC) establishing a special system of assistance to traditional ACP suppliers of bananas (COM(92) 465 final)**

#### **Gist of the Commission proposal**

The proposal seeks to ensure that traditional ACP suppliers of bananas continue to enjoy advantages on the EC market, in line with the Community's commitment on this.

The Commission proposes that financial assistance additional to that already provided for in the Lomé Convention be made available to ACP States which submit programmes for helping their banana producers adapt to the new market conditions. Special attention will be given to programmes to improve quality, marketing methods and competitiveness.

Further, to ensure that any disturbances of the marketing of ACP bananas do not have a lasting effect, ACP producers are to receive support to offset any loss of income directly related to the situation on the EC market following the establishment of the common market organization. Such assistance is to be temporary and last only until market mechanisms are able to restore market balance.

Income losses will be calculated in the same way as for EC producers.

It is proposed that income support should supplement Stabex transfers, and that it should only be granted in cases where Stabex does not fully offset the effect of price falls on producers' incomes.

#### **Gist of the Committee Opinion (CES 216/93)**

The Committee endorses the Commission proposal, although it calls for certain clarifications on the question of income support.

It also suggests that, contrary to the Commission proposal, advances should be paid regularly and beyond the first year of application of the Regulation.

*This Opinion, adopted by a majority, with 19 votes against and 8 abstentions, was drawn up in the light of the paper produced by the Rapporteur-General Mr Guy Ovide Etienne (France - Various Interests).*

## 12. BANANAS/THIRD COUNTRIES

(Own-initiative Opinion)

**Proposal for a Council Regulation (EEC) introducing a diversification and development programme for certain banana-producing countries of Latin America (COM(92) 496 final)**

### **Gist of the Commission proposal**

Through this proposal the Commission is meeting its commitment to accompany the implementation of the common market organization (CMO) in bananas with the creation of a diversification and development fund to benefit the Latin American banana-producing countries.

The idea of *diversification* refers to the search for new products, but also for new markets or new investors.

The idea of *development*, closely linked to the preceding idea, refers to the need to arrive at a definition of a form of assistance likely to achieve rapid results both in employment of urban and rural populations and, more generally, in energizing the national economy.

In implementing the programme, the Commission can consult both the relevant authorities of the states concerned and the regional associations of producers, as well as international financial bodies and the Community operators in the region.

The programme is intended to benefit the following countries: Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, Colombia, Venezuela, Ecuador, Peru and Bolivia.

### **Gist of the Committee Own-initiative Opinion (CES 217/93)**

The Committee endorses the Commission proposal.

However, it takes the view that the eligible measures at the marketing stage should be supplemented and specified, and that financial support for the programme should be at the rate of 100%.

*This Opinion, adopted by a majority with 8 abstentions, was drawn up in the light of the paper produced by the Rapporteur-General Mr Guy Ovide Etienne (France - Various Interests).*

## 13. POTATOES

### **Proposal for a Council Regulation (EEC) on the common organization of the market in potatoes** (COM(92) 185 final)

#### **Gist of the Commission proposal**

It is proposed that the Council adopt a regulation establishing a common market organization for potatoes, based on the following principles:

- The common market organization should not interfere with market forces.
- The market position of potato growers should be improved.
- There should be a common approach to trade with third countries.
- Imports from third countries should be subject to no restrictions other than the Common Customs Tariff.

The cost of the proposal, to be borne by the EAGGF Guidance Section, is estimated at ECU 1.5 million.

#### **Gist of the Committee Opinion (CES 218/93)**

The Committee agrees that a common market organization for potatoes is desirable.

The Committee endorses in principle the objectives of the draft Regulation but has serious reservations about the minimalist approach.

The draft Regulation takes no account of:

- a) the instability of potato supplies;
- b) the link between potato growing and the new CAP rules;
- c) the fact that various market regulation measures applied by certain Member States will have to be discontinued.

The Committee therefore urges the need:

- a) to lay down additional quality standards for the marketing of potatoes;
- b) to lay down Community arrangements for promoting the sale of potatoes;
- c) for import licences to be made mandatory if the state of the market requires;
- d) for the Commission to evaluate the market regulation measures applied in the Member States and retain, under the new common organization of the market, those which do not conflict with the principles and objectives of the Community market.

*This Opinion, adopted by a majority with 3 votes against, was drawn up in the light of the paper produced by the Rapporteur-General Mr Antoon Stokkers (Netherlands - Various Interests).*

#### 14. RECOGNITION OF NATIONAL LICENCES/ TELECOMMUNICATIONS

**Proposal for a Council Directive on the mutual recognition of licences and other National Authorizations to operate Telecommunications Services, including the establishment of a Single Community Telecommunications Licence and the setting up of a Community Telecommunications Committee (CTC)**  
(COM(92) 254 final - SYN 438)

##### **Gist of the Commission proposal**

At present, services providers wanting to operate telecommunications services in more than one Member State generally must apply for licenses or declare their intent to operate the relevant service in each Member State in which they wish to operate before they can start operation.

This procedure contributes to the division of the Community telecommunications services market into twelve national markets.

This proposal aims to implement the provisions of Article 7 of the ONP Framework Directive (90/387/EEC) by establishing balanced and efficient procedures for *mutual recognition* of licenses and other authorizations for the provision of telecommunications services. It provides the principle that any service provider authorized and supervised by the competent authorities of any Member State may operate the services covered



by the authorization in all other Member States without the need to wait for complete harmonization of the licensing conditions.

Because of the existing differences between Member States, the proposed directive provides for a specific procedure for assessing compatibility between Member States' requirements, and grants the right to each Member State to oppose the mutual recognition of authorizations granted by other Member States, whenever this would encroach on special or exclusive rights compatible with Community Law.

The proposed directive sets up a Community Telecommunications Committee (CTC) which shall assist the Commission in establishing a Community regulatory framework in the field of telecommunications. The Committee should be composed of representatives of the National Regulatory Authorities and have a much broader scope than the other two regulatory committees in this sector, the ONP-committee and the ACTE-committee that both have specific competences.

### **Gist of the Committee Opinion (CES 219/93)**

The Mutual Recognition Proposal deserves the Committee's support, subject to the following comments:

Most important, the Committee suggests that the CTC should be a regulatory committee within procedure III(b), under the guidelines set out in the Council Decision on "Comitology" of 13 July 1987. The present proposal foresees the CTC in a purely advisory role, and this may not be appropriate in all cases. If the CTC were of a regulatory nature, the Council could review the decisions of the Committee where appropriate.

The provisions for the procedure to be followed in applying for licences and the consideration of such applications should also be worded more clearly.

Furthermore, the Committee has a number of specific comments to the individual Articles of the proposal, mainly Articles 2, 5, 7, 9, 12, 13, 15, 16 and 22.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr Eike Eulen (Germany - Workers). The Rapporteur was Dame Jocelyn Barrow (United Kingdom - Various Interests).*

## 15. BASIC STANDARDS/RADIATION PROTECTION

**Draft Proposal for a Council Directive laying down the basic standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation**  
(SEC(92) 1322 final)

### **Gist of the Commission document**

The Commission's proposal revises Directives 76/579/EURATOM<sup>1</sup> and 80/836/EURATOM<sup>2</sup>, currently in force.

The purpose is:

- to provide radiation protection based on the most up-to-date scientific knowledge, drawn from the most recent recommendations of the ICRP and from recent experience, which should be utilized to the benefit of workers and the general public;
- to provide a sound technical and scientific basis and a uniform approach to radiation protection, and to ensure technical consistency with the recommendations of other international organizations (IAEA, NEA-OECD, WHO and ILO);
- to update the provisions of the existing Directive, bearing in mind the basic structure on which the regulations in the Member States are modelled;
- with a view to the completion of the Single Market, to preserve a high degree of harmonization in the radiation protection measures provided for under the Euratom Treaty;
- to strengthen the provisions on control of radioactive materials in accordance with the undertaking made to the Council in 1992, at the time of the adoption of Directive 92/3/EURATOM<sup>3</sup> on the supervision and control of shipment of radioactive waste between Member States and into and out of the Community.

---

<sup>1</sup> OJ No. L 187 of 12 July 1976.

<sup>2</sup> OJ No. L 246 of 17 September 1980, page 1.

<sup>3</sup> OJ No. L 35 of 12 February 1992.

To this end:

- the scope of the proposed Directive is widened to cover the placing on the market and the export of radioactive substances, the operation of radiation-emitting electrical equipment with components operating at a potential difference of more than 5 kV, and exposure to natural radiation sources at work;
- the system of reporting and prior authorization of practices is modified;
- new limits on effective dose are set both for workers and for members of the public, with special protection for pregnant women and nursing mothers;
- Member States must consider the development of radiological emergencies before, during and after the event. Account shall be taken of potential, accidental and emergency exposure. Accordingly, Member States must establish relations with one another and third countries in order to optimize possible action in the event of an emergency.

Since Member States are responsible for taking the appropriate measures, they must report to the Commission every two years on implementation of the Directive. The Commission will prepare reports on the basis of this data for the European Parliament, the Council and the Economic and Social Committee.

In its Opinion of 7 July 1983 (OJ No. C 286 of 24 October 1993) on the proposal for Commission Directive 80/836/EURATOM, the Committee partly reiterated its views as expressed in its Opinion of 12 July 1978 on the proposal for Directive 76/579/EURATOM.

In these Opinions, the Committee urged that standards be brought rapidly into line with the latest recommendations of the ICRP (International Commission on Radiological Protection) and other international bodies, that these be rigorously applied by the Member States within the deadlines set, and that definitions be made clearer in the texts concerned.

The legal basis of the proposal comprises Articles 30, 31, 32 and 33 of the EURATOM Treaty and Article 232 of the EEC Treaty.

The proposed Directive would come into force on 30 June 1994.

### **Gist of the Committee Opinion (CES 220/93)**

The Committee starts off by identifying the effective enforcement of existing EC legislation as the Community's first priority, since it has not yet been fully implemented in certain Member States.

The Opinion recommends that research into radiation safety standards should be continuous.

For installations unable to comply with the new dose limits, two solutions are suggested: capital investment to provide better protection, or employing more people for shorter shifts. At the same time, the Opinion acknowledges the competitive disadvantage at which Community industries could be put, in comparison with other countries, by implementation of the new levels.

The Committee also highlights the international dimension of the radiation problem, quoting the example of Chernobyl, and welcomes the proposed provisions for cooperation between States.

A minimum limit for the definition of an accident is required, although it is recognized that this presents difficulties.

More precise definition is also called for, particularly regarding Category B workers. A reasonable delay to permit progressive reductions in current annual dose limits is recommended for uranium mines.

It is pointed out that the values given in Annex I are not backed up by any technical data.

The Committee takes a favourable view of the extension of the "radiation passport" to all exposed workers, and advocates the inclusion in the Directive of an Annex defining the interventions "established by Community legislation" for potential, accidental and emergency exposures.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Energy, Nuclear Questions and Research, chaired by Mr Aldo Romoli (Italy - Employers). The Rapporteur was Mr Neville Beale (United Kingdom - Employers).*

## 16. COHESION FUND

**Proposal for a Council Regulation (EEC) establishing a cohesion financial instrument and Revised Draft Proposal for a Council Regulation (EEC) establishing a Cohesion Fund**  
(COM(92) 599 final)

### **Gist of the Commission Document**

Article 130d of the Treaty establishing the European Community - in the version approved at Maastricht - obliges the Council to establish a

Cohesion Fund by 31 December 1993. The aim of this Fund is to provide a financial contribution to environmental projects and projects relating to trans-European transport infrastructure networks. Under the terms of the protocol on economic and social cohesion, the projects are to be confined to Member States with a per capita GNP of less than 90% of the Community average. Another condition attached to the aid is that Member States are to present programmes for fulfilling the economic convergence criteria set out in Treaty Article 104 c. The Lisbon meeting of the European Council decided that the Cohesion Fund was to come into operation at the start of 1993. The Commission then submitted the proposal for an interim cohesion financial instrument together with a revised proposal establishing a Cohesion Fund.

The Commission presented its initial ideas on the Cohesion Fund in "From the Single Act to Maastricht and beyond - the means to match our ambitions" (COM(92) 2000) and "Community structural policies - review and outlook" (COM(92) 84). The purpose of the present Communication and Draft Regulation is to facilitate the swift adoption of a Regulation establishing the Cohesion Fund.

With regard to the stipulation that the eligible Member States have to present programmes for fulfilling the economic convergence requirements, the Commission recognizes that projects receiving aid should not be suspended in mid-stream. According to Article 6 of the Draft Regulation, decisions to suspend aid as a result of the non-fulfilment of these requirements should not be possible before the third year of the Regulation's implementation.

It states that the Cohesion Fund differs from the existing Structural Funds in concept, but by its nature it is also part of structural policy. The projects co-financed by the Cohesion Fund should help to attain the Community's objectives in the field of the environment and trans-European transport infrastructure networks. The Commission considers that the Cohesion Fund will make it easier to apply the guidelines of the Fifth Environmental Action Programme and the guidelines for transport infrastructure networks, where they exist. The absence of such guidelines for transport infrastructure networks should, however, not stand in the way of project funding. The Commission proposes that the projects for funding should be selected jointly by the Commission and the relevant Member States. There should be a reasonable balance between the funding of projects in the environmental and transport infrastructure fields.

The Commission is proposing that the commitment appropriations rise from ECU 1,500 million in 1993 to ECU 2,500 million in 1997 (at 1992

prices). So that Member States can plan their projects in advance, the European Council in Edinburgh proposed an indicative allocation. Community aid is to be in the 80-85 % range and can be raised to 90% from other resources (excluding the Structural Funds). Projects receiving aid from the Cohesion Fund are not eligible for Structural Fund aid at the same time. Since these Funds' fields of activity overlap at least in part, the Commission thinks that there must be some practical coordination of measures.

### **Gist of the Committee Opinion (CES 221/93)**

The Committee supports the Commission's proposals. The Committee:

- welcomes the stress placed on the objective of cohesion;
- welcomes the early introduction of an interim financial instrument;
- underlines the greater need for coordination;
- points to the connection between the assisted transport networks and other networks;
- calls for a clearer definition of multi-stage projects in cases where aid is stopped;
- welcomes the requirement for beneficiary countries to at least maintain their own efforts;
- amplifies the criteria laid down in Edinburgh for eligible projects;
- proposes a financial reserve for environmental projects;
- advocates a degree of flexibility with regard to the balance between the two fields of intervention;
- proposes a clear division of work in the decision-making procedure;
- recommends that the regions and the social interest groups be consulted at an early stage;
- points to the importance of precise supporting documents for projects;
- proposes an earlier review date for the Regulation establishing a Cohesion Fund.

*This Opinion, adopted by a majority with 1 vote against and 3 abstentions, was drawn up in the light of the paper produced by the Section for Regional Development, Town and Country Planning, chaired by Mr Robert J. Moreland (United Kingdom - Various Interests). The Rapporteur was Mr Helmut Giesecke (Germany - Employers).*

## 17. MATTHAEUS-TAX

**Proposal for a Council Decision on the adoption of a programme of Community action on the subject of the vocational training of indirect taxation officials (MATTHAEUS-TAX)**  
(COM(92) 550 final - SYN 446)

### Gist of the Commission proposal

The lessons drawn from an earlier action, and especially from the MATTHAEUS programme, have led the Commission to propose that the Council adopt the present Draft Decision establishing an action programme for the vocational training of officials responsible for indirect taxation, the MATTHAEUS-TAX programme.

The objectives of the programme are:

- to prepare the officials of Member States' administrations responsible for indirect taxation for the implications flowing from the establishment of the Internal Market and also to ensure a better application of the new Community rules on the subject, applicable from 1 January 1993;
- to allow the national officials concerned a better understanding of the administrative procedures of other Member States;
- to increase the awareness by the officials of the Community dimension of their work;
- to allow a fruitful exchange of ideas between the officials of the administrations of the different Member States on the best way to implement the Community legislation and, at the same time, to facilitate a form of collaboration which will intensify in the context of the Internal Market.

The programme applies to all the officials responsible for indirect taxation in the fiscal administrations of the Member States, in the area of VAT and harmonized excises, and more particularly to those which will be involved in mutual assistance and administrative cooperation.

It comprises the following elements:

- *exchanges* of officials between national administrations in order to develop a reciprocal knowledge of procedures, structures and personnel;

- *seminars* which comprise, in the manner of the seminars in the MATTHAEUS programme, a suitable meeting place for the exchange of ideas and experiences between those responsible in national legislation, for tax control, and the procedures intended for the proper functioning of the Internal Market, as well as for training;
- *common training programmes*, the objective of which will be to encourage common practices and the diffusion of teaching methods developed in Member States or training modules on subjects of common interest, defined in close liaison with the training centres of the Member States;
- *language courses*.

### **Gist of the Committee Opinion (CES 222/93)**

The Commission Proposal is endorsed.

*This Opinion, adopted by a majority with one abstention, was drawn up in the light of the paper produced by the Rapporteur-General Mr Richard Müller (Germany - Various Interests).*

## **18. FISHERIES/COMMON CUSTOMS TARIFF**

**Proposal for a Council Regulation (EEC) amending Regulation (EEC) No. 3687/91 on the common organization of the market in fishery products and amending Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (COM(92) 529 final)**

### **Gist of the Commission proposal**

To avoid any confusion between trout and, in particular, Pacific salmon - separately classified in the Common Customs Tariff and with different duty rates - it is necessary to introduce the new scientific names for trout in the relevant parts of Regulation (EEC) No. 2658/87 and Regulation (EEC) No. 3687/91.

### **Gist of the Committee Opinion (CES 224/93)**

The Committee endorses the Commission proposal.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Rapporteur-General Mr James McGarry (Ireland - Employers).*



## II — Outside Presence and Influence of the ESC

### Meetings attended by the Chairman and the Secretary-General

2 February, Paris: meeting of the Cercle Richelieu-Senghor.

3 February, Brussels: meeting with Mrs Kitty Harlin, President of the Confederation of Family Organizations in the EC (COFACE).

3 February, Brussels: meetings with Mr Terwey and Mr von der Heiden, Social Security Liaison Bureau.

3 February, Brussels: meeting with Ms Claire Miskin and Mr Deakin, of the National Committee of the Bar of England and Wales.

8 February, Brussels: meeting with Mr François Scheer, French Permanent Representative.

12 February: EFTA/ESC Contact Group. Discussion centred on the future of the European Economic Area and prospects for speedy ratification of the EEA Treaty.

16 February, Brussels: talks with Mr Vasco da Gama, Chairman of the Portuguese Trade Association.

16 February, Brussels: attendance at a meeting of the "Gesellschaft für Versicherungswissenschaft" (Actuarial Studies - Insurance Sector).

16 February, Brussels: meeting with Mr Jacques Blanc, Chairman of the Ad Hoc "Committee of the Regions" Group, Assembly of the Regions.

24 February, Brussels: talks with Mr Jean Matteoli, Chairman of the French Economic and Social Council.

**Other activities**

5 February, Brussels: Mr Rolf Möhler, Deputy Director General, DG VI, spoke to the Section for Agriculture and Fisheries on the latest developments in the agricultural aspects of the GATT - Uruguay Round.

12 February, Brussels: Mr Roelof Plijter, DG VII, outlined the Commission's 1993 Work Programme to the Section for Transport and Communications.

On 16 February, Commissioner Peter Schmidhuber, whose brief includes the Cohesion Fund addressed the Section for Regional Development and Town and Country Planning. The debate focussed on the political background to the establishment of the Cohesion Fund under the Maastricht Treaty and on the decisions taken at the Lisbon and Edinburgh Summits. The Regional Section was then addressed by Mr Subirats, senior member of the Court of Auditors on the "Regional Aspects of the Court of Auditors' Annual Report".

On 23 February, Mr Juan José de la Camara Martinez, MEP and Rapporteur for the Parliamentary Resolution on the follow-up to the 1992 Internal Market Programme, addressed the ESC Bureau. Mr de la Camara Martinez also outlined his proposal that the ESC should become a forum for the Internal Market.

### III — Fact-finding visits

The following groups visited the ESC in February:

- 2 February 1993 "LO-Skolen" Brussels (Danish Group)
- 3 February 1993 "ISOPLAN Eurotrain"
- 5 February 1993 University of Central Lancashire (UK)
- 8 February 1993 University of Leiden (Netherlands)
- 8 February 1993 Uxbridge College (UK)
- 9 February 1993 "Coleg Normal", Bangor (UK)
- 9 February 1993 "Breiz-Europe" Association, Brussels
- 10 February 1993 "Morsø Gymnasium", Nykøbing (Denmark)
- 10 February 1993 KEY TO EUROPE, Brussels
- 12 February 1993 "Katholische Landvolkshochschule St. Ulrich", Bollschweil (Germany)
- 15 February 1993 Oldham College (UK)
- 15 February 1993 York College of Further and Higher Education (UK)
- 16 February 1993 "Institut Rural de Lesneven" (France)
- 18 February 1993 The American University, Washington (USA)
- 19 February 1993 "Sprachschule Eilert", Osnabrück (Germany)
- 22 February 1993 York College of Further and Higher Education (UK)
- 23 February 1993 Quaker Council for European Affairs, Brussels
- 23 February 1993 Association of International Law Students, Le Havre University (France)
- 23 February 1993 FTF (Confederation of Danish Public Servants Associations) Copenhagen (Denmark)
- 26 February 1993 LEA Junior Association, Nantes University (France).



# Contents

I — 304th PLENARY SESSION OF 24 AND 25 MARCH 1993 .....	83
1. Personal protective equipment .....	83
2. Affixing and use of the CE mark of conformity .....	85
3. CMO/eggs and poultrymeat .....	88
4. Aquaculture animals and products .....	89
5. Marine biotoxins .....	90
6. Cephalopods .....	91
7. Minimum reserves (Own-initiative Opinion) .....	91
8. Packaging waste .....	94
9. Farm prices 1993/1994 .....	99
10. EC relations with the Baltic States (Own-initiative Opinion) .....	103
11. Green Paper, postal services .....	107
12. Access to continuing vocational training .....	111
II — OUTSIDE PRESENCE AND INFLUENCE OF THE ESC .....	117
III — FACT-FINDING VISITS .....	119



## I — 304th Plenary Session of 24 and 25 March 1993

The Economic and Social Committee of the European Communities held its 304th Plenary Session in Brussels on 24/25 March 1993. The Chairman, Mrs Susanne Tiemann presided.

During the discussions on the Opinion on Packaging and Packaging Waste, the Commissioner responsible for the Environment, Mr Ioannis D. Paleokrassas, spoke about the Conclusions of the Environment Council of 22 and 23 March 1993 and the Commission's environment policy.

During this session the Committee adopted the following Opinions:

### 1. PERSONAL PROTECTIVE EQUIPMENT

**Proposal for a Council Directive amending Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (COM(92) 421 final - SYN 443)**

#### **Gist of the Commission proposal**

The Commission proposal for a Council Directive amends Directive 89/686/EEC<sup>1</sup> on the approximation of the laws of the Member States relating to personal protective equipment (PPE).

Directive 89/686/EEC lays down the conditions governing the placing on the market and free movement within the Community of PPE and the basic safety requirements which PPE must satisfy in order to ensure the health protection and safety of users.

It stipulates that PPE bearing the EC mark attesting to its conformity to the harmonized standards satisfies the basic requirements set out in the Directive.

---

<sup>1</sup> OJ No. L 399 of 30 December 1989, p. 18.

ESC Opinion of 27 October 1989, OJ No. C 337 of 31 December 1989, p. 37.

However, the Commission notes that a number of these harmonized standards made necessary by the vast scope of the Directive were not drawn up before the end of the transitional period (31 December 1992). Furthermore, Directive 89/686/EEC contains no provisions for the disposal of stocks of certain PPE manufactured in accordance with national regulations up to the date of the Directive's entry into force.

The above leads the Commission to propose an amendment of this Directive to lay down a transitional period expiring on 31 December 1994.

### **Gist of the Committee Opinion (CES 338/93)**

As the date of the termination of the transitional period has already passed, the Committee accepts that an extension has to be made - there is no other choice. However, it believes that the Council should agree to an extension of twelve months only (to 31 December 1993) and calls for a report to be made available on the position at that time. The matter is of such wide ranging importance, well beyond only those involved in the work place, that progress requires to be constantly monitored. A twelve month extension should enable this to be done.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mr Manuel Cavaleiro Brandão (Portugal - Employers). The Rapporteur was Mr Gordon Pearson (Ireland - Employers).*



## 2. AFFIXING AND USE OF THE CE MARK OF CONFORMITY

**Modification of the proposal for a Council Regulation (EEC) concerning the affixing and use of the CE mark of conformity on industrial products**

**Proposal for a Council Directive amending Council Directives 87/404/EEC (simple pressure vessels), 88/378/EEC (safety of toys), 89/106/EEC (construction products), 89/336/EEC (electromagnetic compatibility), 89/392/EEC (machinery), 89/686/EEC (personal protective equipment), 90/384/EEC (non-automatic weighing instruments), 90/385/EEC (active implantable medical devices), 90/396/EEC (appliances burning gaseous fuels), 91/263/EEC (telecommunications terminal equipment), 92/42/EEC (new hot-water boilers fired with liquid or gaseous fuels), and 73/23/EEC (electrical equipment designed for use within certain voltage limits) and into a**

**Proposal for a Council Decision amending the Council Decision of 13 December 1990 concerning the modules for the various phases of the conformity assessment procedures (90/683/EEC), supplementing it with provisions relating to the arrangements for affixing and using the CE conformity marking (COM(92) 499 final - SYN 336 A-B)**

### **Background information**

The Commission proposals complement and amend the proposal concerning the affixing and use of the CE mark of conformity on industrial products tabled in May 1991 (COM(92) 293 final - SYN 336). The Committee delivered its Opinion on this proposal in October 1991 (Rapporteur: Mr Proumens)<sup>1</sup>.

### **Gist of the Commission proposal of May 1991**

The aim is to make EC legislation clearer.

---

<sup>1</sup> OJ No. C 14, 20.1.1992, p. 15.

Since the adoption of the Resolution of 7 May 1985 concerning a new approach to technical harmonization and standardization, the Council has adopted nine Directives based on the new approach:

- simple pressure vessels (OJ No. L 220, 8.8.1987)
- toy safety (OJ No. L 187, 16.7.1988)
- construction products (OJ No. L 40, 11.2.1989)
- electromagnetic compatibility (OJ No. L 139, 23.5.1989)
- safety of machinery (OJ No. L 188, 12.7.1991)
- personal protective equipment (OJ No. L 399, 30.12.1989)
- gas appliances (OJ No. L 196, 26.7.1990)
- non-automatic weighing instruments (OJ No. L 189, 20.7.1990)
- active implantable medical devices (OJ No. L 189, 20.7.1990).

Examination of the Directives adopted reveals differences as regards affixing the CE mark:

- the meaning of the mark varies from one Directive to another;
- responsibility for affixing the mark may vary from one Directive to another;
- the mark is not reproduced identically in all the Directives.

The Opinions delivered by the ESC and the European Parliament laid the foundations for the Council's common position.

The Council adopted a twin-track approach:

- a) the instrument it adopts will have to spell out the detailed amendments to the Directives affected by it;
- b) the instrument it adopts should shed as much light as possible on marking arrangements and thus enable Member States to adopt transparent national legislation.

### **Gist of the new, December 1992 Commission proposal**

The Commission therefore decided to present this latest proposal.

This proposal takes on board some of the ESC's main suggestions, including the proposed amendment to Art. 4(1). Under the original proposal, the reference year was to be indicated next to the CE mark. This requirement has been dropped, as it might give consumers the impression that the product was old or even obsolete.

The proposal to pay compensation under Article 6 was not taken on board, but was catered for partially in the new Article 6(2); this should strengthen the rights of registered trade mark holders.

In accordance with the first part of the Council's approach referred to above, the first Commission proposal (COM(92) 499 final - SYN 336 A) contains the precise amendments to the nine Directives listed above needed to align their provisions for the CE mark.

These are backed up by the Directives on telecommunications terminal equipment<sup>1</sup>, hot-water boilers<sup>2</sup> and low-voltage electrical equipment<sup>3</sup>.

Uniform CE marking rules are thereby to be applied to existing EC provisions.

The second part of the Council's approach requires an amendment to the Council Decision of 13 December 1990 concerning the modules for the various phases of the conformity assessment procedures<sup>4</sup>. This is contained in the second Commission proposal (COM(92) 499 final- SYN 336 B). The aim is to ensure uniform application of CE marks in respect of the design, manufacture, marketing, installation and/or use of industrial products.

### **Gist of the Committee Opinion (CES 339/93)**

The Committee broadly welcomes the proposed instruments which are to replace the draft Council Regulation (EEC) concerning the affixing and use of the CE mark of conformity on industrial products.

The reference year designed to follow the CE symbol is to be dropped.

Moreover, the Commission is planning, on legal grounds, to amend the present draft and to provide for the withdrawal of trade marks similar to the EC symbol, if such trade marks are used for the purpose of misleading the consumer or professional user.

It should be noted that earlier ESC and European Parliament Opinions regarding each of the individual Directives have been taken on board to a considerable extent.

---

<sup>1</sup> OJ No. L 128, 23.4.1991.

<sup>2</sup> OJ No. L 167, 22.6.1992.

<sup>3</sup> OJ No. L 77, 26.3.1973.

<sup>4</sup> OJ No L 380, 31.12.1990.

The Committee reiterates its concern about safety problems. It therefore urges the Commission to impress upon Member States the need to exercise maximum vigilance regarding safety matters, bearing in mind the fact that the safety of professional users and consumers is at stake.

Finally, the Committee is concerned about infringements, particularly the misuse of CE marking. Nevertheless the Commission is clearly unable to intervene in the penal or civil procedures of the Member States which must themselves provide adequate national sanctions. In addition to the standard infringement procedure, the Commission should, however, certainly urge Member States to be rigorous in rooting out and pursuing infringements and, where an infringement has been detected, to inform the Commission and/or the competent authorities of the other Member States, bearing in mind the principle of the free movement of goods.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mr Manuel Cavaleiro Brandão (Portugal -Employers). The Rapporteur was Mr Georges Proumens (Belgium - Employers).*

### 3. CMO/EGGS AND POULTRYMEAT

**Proposal for a Council Regulation amending Regulations (EEC) No. 2771/75 on the common organization of the market in eggs, No. 2777/75 on the common organization of the market in poultrymeat, No. 827/68 on the common organization of the market in certain products listed in Annex II to the Treaty and No. 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**  
(COM(92) 428 final)

#### **Gist of the Commission proposal**

The Commission proposal covers the measures needed to ensure the uniform application of the Community's external trade regime to eggs and poultrymeat. To that end, a common organization of the markets in these sectors, similar to that for pigmeat, is proposed.

In order to ensure harmonized information for consumers and fair competition, it is also considered necessary to lay down certain common standards for a number of preparations of fresh duck and goose livers and to integrate them in the common organization of the poultrymeat market.

### **Gist of the Committee Opinion (CES 340/93)**

The proposed measures are a response to marketing requirements and fill certain gaps in existing Community legislation. The Committee therefore endorses the objective and content of the Commission proposal.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Antoon Stokkers (Netherlands - Various Interests).*

## **4. AQUACULTURE ANIMALS AND PRODUCTS**

### **Proposal for a Council Directive amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products (COM(92) 458 final)**

#### **Gist of the Commission proposal**

The proposal seeks to clarify certain requirements laid down in Directive 91/67/EEC, in particular those concerning the procedure for the approval of zones and the conditions governing the placing on the market of aquaculture animals not belonging to susceptible species.

According to the opinion of the Scientific Veterinary Committee, the list of diseases and pathogens of fish, molluscs and crustacea set out in Annex A to the Directive must be amended to take account of new epidemiological findings and experiences gained.

Article 14 is to be revised because its correct application may have some undesired effects, imposing unnecessary restrictions on trade. The revision concerns the transfers from a non-approved to an approved zone of aquaculture animals not belonging to susceptible species where practical experience and/or scientific evidence has shown that such passive transfers do not or are not likely to occur.

#### **Gist of the Committee Opinion (CES 341/93)**

The Committee welcomes the proposed amendment of Directive 91/67/EEC. Outbreaks of the diseases dealt with in the Directive can cause heavy losses in the fisheries sector. The risk of contamination is increased during the transport of aquaculture animals and products. It

notes the risks involved in importing specimens, for the main seats of infection are to be found outside the Community. Finally, the Committee still firmly believes that there should be no restrictions on intra-Community trade in aquaculture animals and products, provided these meet the requisite animal health conditions.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Augusto Gil Bensabat Ferraz da Silva (Portugal - Workers).*

## 5. MARINE BIOTOXINS

### **Proposal for a Council Decision on reference laboratories for the monitoring of marine biotoxins (COM(92) 551 final)**

#### **Gist of the Commission proposal**

It is necessary to designate a Community reference laboratory capable of ensuring the effectiveness of the systems for monitoring marine biotoxins implemented in each Member State; this laboratory will also coordinate the activities of the national reference laboratories.

The laboratory proposed is the "Laboratorio de Sanidad" in Vigo.

#### **Gist of the Committee Opinion (CES 342/93)**

The Committee notes that the Commission has worked out a very consistent, systematic approach in the field of the various veterinary diseases which can contaminate agricultural and aquacultural holdings. It is clear from the statistical data concerning the monitoring of marine biotoxins in the Community that the choice of the Vigo laboratory is fully justified.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Georges Proumens (Belgium - Employers).*

## 6. CEPHALOPODS

### **Proposal for a Council Regulation (EEC) setting up specific measures in favour of cephalopods producers permanently based in the Canary Islands (COM(92) 567 final)**

#### **Gist of the Commission proposal**

As the Council Decision setting up Poseican establishes specific measures for fisheries, it would be appropriate to implement a specific measure in order to maintain the competitiveness and improve the distribution system for cephalopods in the Canary Islands.

#### **Gist of the Committee Opinion (CES 343/93)**

The original reasons for including support measures for cephalopods producers in the POSEICAN Programme are still entirely valid. The delay in organizing and implementing these support measures in 1992 is doing considerable harm to the sector: hence the Committee would like to see them in place as soon as possible and welcomes the Commission's initiative.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr José Luis Mayayo Bello (Spain - Various Interests).*

## 7. MINIMUM RESERVES (Own-initiative Opinion)

### **Minimum Reserves in the Context of the Internal Market**

#### **Gist of the Committee Opinion (CES 344/93)**

##### **General comments**

In an enlarged Community the role of minimum reserves policy varies. There is a marked alignment between the Member States in the use of monetary policy instruments, although the central banks continue to use their monetary policy instruments in different ways in accordance with their own traditions, due to differences in the structure of their banking systems and the particular preferences of central bank directors.

Since the beginning of the 1980s the so-called open-market policy - i.e. the purchase and sale of securities and certificates of deposit by the

central banks - has played an ever greater role. The open-market transactions of the central banks have had far more impact on bank liquidity and the money supply than minimum reserves policy.

The role alignment and future of minimum reserves policy is important for the national central banks, which are to form part of a European System of Central Banks. In a monetary union with a common EC monetary policy, national differences in minimum reserves policy will be unthinkable.

The alignment of minimum reserve requirements is important to banks even before monetary union, i.e. in the Single Market (as of January 1993) and in the European Financial Area.

Differing national minimum reserve requirements are a cost factor which influences inter-bank competition. Certain deposits (on which they must pay interest to their customers) are not available to the banks concerned. This means a loss of revenue and a constraint on trading policy.

High minimum reserves in the Member States affect competition between EC banks and banks in non-EC countries, particularly the USA and Japan.

### **Different ways of applying minimum reserves policy**

In the European Community credit institutions must respect certain liquidity and solvency ratios irrespective of central bank monetary policy.

In four of the twelve EC Member States monetary policy is not used as an argument for minimum reserves.

In the eight Member States where minimum reserves are justified on grounds of monetary policy, the trend over recent years has been to reduce the minimum reserves ratios.

As the Single Market comes into operation at the beginning of 1993 there are still considerable differences in minimum reserves policy within the Community which affect competition between the banks of the individual Member States.

The differences in minimum reserves policy also involve methods of assessment, varying minimum reserves ratios according to type of deposit and the frequency with which the minimum reserves ratios are changed.

Some central banks change minimum reserve ratios very often, some only seldom.

The reference period for minimum reserves also varies from one country to another.



In some Member States the central bank obliges banks to invest in securities and certificates of deposit; this is similar to a minimum reserve requirement.

As a rule the banks' minimum reserves with the central bank do not receive interest.

In some countries minimum reserves with the central bank receive interest.

The loss of income suffered by the banks from non- or low-interest-bearing minimum reserves puts them at a disadvantage in this respect vis-à-vis non-banks and near-banks.

Banks subject to minimum reserve requirements suffer a loss of income which tends to make borrowing from them more expensive and the interest paid on deposits with them lower.

### **Assessment**

The Committee considers that the basis for minimum reserves should be aligned and the minimum reserve ratios reduced to 1 to 2% of deposits, in all Member States. This should be done as soon as possible without waiting for a common monetary policy in the third stage of monetary union. An alignment of minimum reserves systems and a reduction in the minimum reserve ratios to a uniformly low level of 1 to 2% are recommended so that EC banks are not at a disadvantage in competition with banks from other countries.

If one or more central banks opt to retain higher minimum reserve ratios, interest should be payable at the discount rate on that portion of the minimum reserves in excess of the banks' working balances of 1 or 2% with the central bank.

As a monetary policy instrument, minimum reserves can be a last resort, especially during the completion of economic and monetary union and thereafter for the common monetary policy of the ESCB against a background of convergent national economic policies. Completion abolition of minimum reserves as a monetary policy instrument would not therefore appear desirable.

With regard to the post-1994 ban on the financing of budget deficits by the central banks, consideration should be given to a phased dismantlement of compulsory bank investments in securities.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary Questions, chaired by Mr Jean Pardon (Belgium - Employers). The Rapporteur was Mr Klaus Meyer-Horn (Germany - Employers).*

## 8. PACKAGING WASTE

### **Proposal for a Council Directive on Packaging and Packaging Waste**

(COM(92) 278 final - SYN 436)

#### **Gist of the Commission proposal**

This proposal defines the essential requirements with which packaging must comply as regards composition and characteristics governing re-use and recovery.

A range of practical measures is envisaged to achieve the desired results. They relate mainly to:

- implementation by the Member States of systems for collecting used packaging;
- the drawing-up of management plans by the Member States;
- information for consumers.

The proposal forms part of the Community waste management policy, and follows from the Council request of 7 May 1990.

It is designed to reduce the negative effects of packaging waste on the environment (by recovering or recycling most of it), while contributing to the completion and proper functioning of the Single Market (by ensuring the free movement of packaging which meets the essential requirements of the Directive).

The interest of this draft Directive lies in the precise obligations which would be incumbent on Member States in the ten years after it comes into force:

- recovery (recycling, composting, regeneration, energy recovery etc.) of 90% of packaging waste;
- recycling (including composting and regeneration) of 60% of each material found in packaging waste. By allowing the reintroduction of materials into a new production cycle, this technique has the advantage of reducing the consumption of energy and raw materials.

It should be noted that the target of 60% has already been reached in some Member States for certain materials.

To assess how far these objectives are achieved, the Member States will have to equip themselves with management systems which indicate the intermediate stages. They will also have to set up a system of compatible data bases.

To make the objectives easier to achieve, the draft Directive envisages:

- information measures aimed at:
  - consumers, to show them what to do with used packaging (thus, any packaging would be required to carry a harmonized mark indicating whether it can be re-used or recovered);
  - collectors of packaging waste, to show them the nature of the materials used in order to facilitate collection, sorting and recycling activities;
- systems for taking back and collecting re-usable packaging and packaging waste;
- compliance with essential requirements on the composition and nature of re-usable and recoverable packaging, with which the national provisions on production and marketing of packaging, and on management of packaging waste, must conform.

## **Gist of the Committee Opinion (CES 345/93)**

### **Necessity and urgency of Community legislation**

This Directive is a first step in the right direction. It sets precise objectives and provides a Community instrument which can gradually be tightened up while leaving the Member States some flexibility as regards application.

Such an instrument would seem of the utmost urgency as delays in the formulation of EC legislation in this sector have already generated a proliferation of differing national strategies. The longer it takes to establish Community guidelines, the more difficult it will be to overcome the practical obstacles inherent in these differing strategies and remedy the environmental damage caused by inaction.

### **Objectives**

The Committee is aware that packaging only accounts for part of total waste output (25 %-35 % by weight of domestic waste), and there is clearly

no denying its socio-economic contribution (safe transport - hygiene - consumer information). However, it does cause significant environmental problems, and so action is needed to reduce it. The following order of priority should therefore be considered:

- elimination/reduction of superfluous packaging;
- prevention/reduction of the volume of one-way packaging and organization of separate collection and processing systems, keeping waste transport to an absolute minimum;
- re-use of packaging (multi-use system);
- recycling of packaging waste (with material and chemical recycling taking priority over incineration);
- only in the last resort, final disposal.

In pursuing this order of priority, the effectiveness of recovery systems as well as the socio-economic impact of the measures must be considered, and appropriate corrective action taken. An analysis of the lifecycle of materials is urgently needed, in order to gear targets more closely to the recycling potential and environmental impact of the different materials.

### **Legal basis, scope for national initiative, subsidiarity**

Though the proposal's aim is to protect the environment, the Commission has chosen Article 100a as legal basis since completion of the Internal Market and free movement of goods are clearly impeded by diverging strategies, which create new barriers.

It cannot be argued that use of this legal basis relegates protection of the environment to second place and stands in the way of more stringent rules, since Article 100a(3) states that harmonization is to be based on a high level of protection and, above all, Article 100a(4), states that a Member State may notify the Commission of national provisions deemed necessary on grounds of major needs relating to protection of the environment, provided that they do not constitute disguised restrictions on trade.

### **Co-responsibility of economic operators, relevant authorities and consumers**

To achieve the proposal's aims, the various interests concerned (including the competent authorities and particularly consumers) must be actively involved so that the financial burden and responsibilities can be spread fairly.

The Committee has reiterated this principle for many years, highlighting the need for ongoing dialogue and ad hoc structures. It has offered to make available its own experience and contacts with the organizations represented within its forum.

### **Environmental measures, competitiveness and employment**

When considering the planned ten-year reorganization of collection and treatment of packaging waste with a view to environmental protection, attention must also be paid to the implications for employment, in terms both of job losses and of the emergence of new sectors and specializations that can generate new jobs. Employment considerations must not act as a deterrent to the provisions, but they do imply a study of the requisite accompanying measures.

In a period of economic difficulty, recovery cannot be divorced from sustainable development; indeed, such development can encourage it.

### **Quantified targets and the global approach to waste (Article 4)**

The Committee notes that the Commission has abandoned the stand-still provision laying down a specific quantified limit for packaging waste and has opted to keep final waste disposal to a minimum and put the emphasis on recovery, including recycling.

This approach may seem inconsistent with the priority which the waste management strategy accords to prevention at source, but it takes account of the redeployment needs implicit in achievement of the targets. Moreover, the drastic change in habits which the proposal is instigating should bring an indirect reduction in packaging per se, as experience has shown in some Member States which have favoured reuse and recycling.

The ten-years' end-target laid down in Articles 4(1)(a) and 4(1)(b) should be considered binding; the intermediate targets, which are left for the Member States to determine, should be based on the order of priority indicated above.

Another highly controversial issue is that the Commission makes no distinction between materials. Different materials have different ecological impact, and not all are equally suitable for recovery or recycling.

There should be more technological and scientific research so as to provide a clearer picture of the "lifecycle" of materials; greater emphasis should be placed on re-use and recycling.

In the Committee's view, the changes imposed by the new provisions need to be backed by specific EC research programmes on the recovery of

resources achievable by separation of materials and the alternative use of the materials thus obtained. Markets must also be created for the recycled materials by encouraging technological innovation.

### **Return and management systems (Articles 5 and 10)**

Under the principle of subsidiarity, the proposal allows Member States a fairly free hand in implementing return systems and framing management plans.

To prevent excessive divergencies in either timescale or costs, steps should be taken now to assess current schemes and circulate information on them, so as to draw on successful results and avoid repeating mistakes. Though subsidiarity is intended to boost regional and local projects, this does not mean there should be no horizontal coordination of information and experiences.

### **Information systems and databases (Article 8)**

The databases provided for in Article 8 are a key component of the Community legislation. To be effective, they must be specially tailored to the needs of the Directive. Once again the Committee expresses its regrets over the delay in setting up the European Environmental Agency, which was assigned a major role in the 1990 Council Resolution on waste policy.

Specific action is needed to assist SMEs, which have difficulties in compiling data.

### **Economic instruments (Article 11)**

Earlier ESC Opinions, in particular that on the new Community environment programme, have stressed the need for market instruments to guide production and consumption along lines of "sustainable" development.

However, recourse to these instruments must be well-grounded and they must not result in distortion of competition, new barriers or unjustified constraints on consumers. Their aims must be incorporated into the proposed Directive's provisions and be consistent with the latter's objectives.

It therefore seems clear that the notification provided for in Article 13 also relates to the adoption of such instruments.

### **Adaptation procedures (Articles 16 and 17)**

In view of the proposal's open approach, allowing for even major changes after the initial stage of implementation, the Committee considers that

the advisory committee procedure gives the Commission excessive freedom of action and is only acceptable in the case of technical amendments. The European Parliament and the Economic and Social Committee must be consulted on any substantive changes, to be determined after extensive consultations in the spirit of dialogue advocated above.

*This Opinion, adopted by a majority with 2 votes against and 1 abstention, was drawn up in the light of the paper produced by the Section for the Protection of the Environment, Public Health and Consumer Affairs, chaired by Mr Francisco Ceballo Herrero (Spain - Various Interests). The Rapporteur was Mr Sergio Colombo (Italy - Workers).*

## 9. FARM PRICES 1993/1994

### **Commission proposals on the prices for agricultural products and on related measures (1993/1994)** (COM(93) 36 final)

#### **Gist of the Commission proposals**

The Commission proposes a price package which is essentially a roll-over of existing legislation, except in the case of some small policy adjustments felt necessary at this time.

The general approach underlying the price proposals this year is thus to ensure stability on the basis of the reform decisions already taken. In some sectors such as *oilseeds*, *protein crops* and *tobacco* the new schemes under the reform are so comprehensive that price proposals are unnecessary. In the case of *cereals*, *milk* and *beef*, the main decisions on prices and support measures have been taken and only a small number of relatively minor matters need to be dealt with in the price package.

*For the sectors not covered by the reform, this price package basically carries over the current prices and support measures, except in certain cases where changes are made to the legislation as a result of decisions already adopted or announced.*

The main changes proposed are as follows:

#### *Rice*

In line with the policy of encouraging a switch from the japonica variety, which is in surplus, to the indica variety, it is proposed that conversion aid be granted one more time, at a reduced rate, and that the intervention price for japonica rice be cut by 4%.

*Olive oil*

It is proposed to make a further switch from consumption aid to production aid, as was done last year.

*Linseed*

As provided for in last year's price proposals, it is proposed that this product be included in the arable crops regime. There would be a transitional scheme in 1993/1994 and full inclusion the following year. No fundamental change is proposed for fibre flax, but a technical adjustment is required to offset the effect of the change proposed for linseed.

*Cotton*

Last year restrictions were placed on application of the cotton stabilizer; these were intended to give growers a better producer price guarantee for the marketing year concerned without prejudicing the long-term effectiveness of the system. The review of production statistics carried out following last year's decision indicates that the restrictions applied to the stabilizer were incompatible with the desired objective so it has been decided to relax them, without, however, returning to the system of having no buffer at all.

*Pigmeat*

The cereal price reductions carried out under the reform necessitate a review of the basic price for pigmeat. The price will be entirely recalculated using the parameters set out in the basic Regulation, and this would mean a 25% reduction. However, the Commission stresses that this does not mean any reduction in aid to the sector or to market prices. By giving producers more realistic indications of the likely equilibrium price, the system will reduce the risk of overproduction; to date, this has provoked drastic price reductions.

*Agrimonetary measures*

The decision taken by the Council in December 1992 on future agrimonetary arrangements makes it unnecessary to include in the price package any proposals to change the green rates. However, the legislation adopted by the Council obliges the Commission to adjust prices and related amounts at the start of each marketing year to compensate for 25% of the increase which can be attributed to the largest revaluations recorded during the previous marketing year. The adjustment does not apply to aid paid as compensation for price reductions agreed under the reform.



### *Financial impact*

In order to give the fullest possible picture of the financial impact of the proposals and to indicate the foreseeable trend in expenditure, the Commission is also presenting a new forecast of expenditure for the 1993 budget year, taking into account market trends as assessed in January 1993.

The 1993 budget, adopted on 17 December 1992, increased appropriations for the EAGGF Guarantee Section to *ECU 34,052 million*, leaving a margin of ECU 2,605 million compared to the agricultural guideline (ECU 36,657 million).

The estimate of appropriation requirements which can be made at this juncture (mid-January) gives a sum of ECU 35,013 million; this is an increase of ECU 961 million by comparison with the budgetary appropriations.

This increase in requirements due to market conditions means that 1993 will see an increase of about ECU 3.9 billion over 1992, following the virtual stability of expenditure in 1992 compared to 1991.

Moreover, if the financial impact of this proposal on EAGGF Guarantee Section expenditure for 1993 is taken into account (+ ECU 78 million), the appropriation requirements for this financial year amount to *ECU 35,091 million*, which brings the margin compared to the guideline to *ECU 1,556 million*.

### **Gist of the Committee Opinion (CES 346/93)**

The farm sector is obviously hit by the general economic recession, which is aggravating the problems facing it as a result of the reform of the CAP. Any further reduction in farm incomes is therefore unacceptable.

Thus, while hoping that the reform can still be implemented in accordance with the principles that originally inspired it, the Committee considers it vital to devise instruments to cushion the social effects.

The Committee points out that the price package proposed by the Commission will trigger a further widespread fall in real farm prices, and:

- A. In the case of the *sectors covered by the reform*, the Committee notes that the proposals flow automatically from the decisions taken on 21 May 1992.

However, it also draws attention to some adjustments which it deems important if the reform is to be implemented to the best possible effect. These concern:

a) *Cereals*

- a review of the reductions in the monthly increases;
- adjustments, before the 1995 sowing season, to extend the areas under durum wheat.

b) *Milk*

- cancellation of the co-responsibility levy as of 1 April 1993;
- measures to help promote dairy products;
- a policy to reduce the cost of skimmed-milk powder to industry.

c) *Beef and veal*

- adjustment to the staggering of premiums in line with the age and weight of the animals.

d) *Pigmeat*

- reduction of the cut in the basic price.

B. For the *sectors not covered by the reform*, the Committee recommends:

e) *Rice*

- keeping the buying-in price for japonica at 94 % of the intervention price;
- keeping the price for growers who switch to indica at its present level;
- the establishment of national quotas in hectares.

f) *Olive oil*

- a slight increase in the target price, and a further shift from consumption aid to production aid.

g) *Silkworms*

- a 2 % increase in aid per box of silkworm eggs.

h) For *Mediterranean products (wine, fruit and vegetables)*, the Committee calls for a price adjustment based on the actual trend for each product. It must be remembered that these are very labour-intensive crops and that this has implications for the distribution

of the resulting farm-income between the various categories of employment; employment is thus a key factor in the price policy and common market organization for these products.

- C. Turning to the *financial implications* of the proposals, the Committee considers that the sum needed to cover any losses caused by monetary realignments should not be charged to the EAGGF budget because such costs are non-agricultural in nature; it should be met from other EC budget chapters.

*This Opinion, adopted with 83 votes for, 27 votes against and 6 abstentions, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France - Various Interests). The Rapporteur was Mr Giovanni Mantovani (Italy - Various Interests).*

## 10. EC RELATIONS WITH THE BALTIC STATES (Own-initiative Opinion)

### **EC Relations between the European Community and the Baltic States**

#### **Reasons for the Own-initiative Opinion**

In its Programme for 1992, the Commission dwells at some length on the strengthening of cooperation with the States of Central and Eastern Europe through aid programmes, and on consolidation of the Community's relations with these countries through various individually tailored agreements.

The sheer scale and heterogeneity of the economic and social upheavals in Central and Eastern Europe make it impossible to cover the whole process in a Committee Own-initiative Opinion. It was therefore decided, as a follow-up to the Information Reports and Own-initiative Opinions on Central and Eastern Europe already drawn up by the Committee, to concentrate on an area which offers the ESC's constituent groups an opportunity to help shape the further development of relations.

As the Committee had considered Poland, Hungary and Czechoslovakia in one of its last Own-initiative Opinions on the Community's relations with Central and Eastern Europe, the Baltic States - Estonia, Latvia and Lithuania - seemed a suitable subject for the next Opinion, as their

historical links with Western and Northern Europe make them predestined to play a pivotal role in East-West economic relations. This also meshes with the efforts of the EFTA countries' social partners to strengthen contacts with the Baltic states.

The trade and cooperation agreements form the basis of cooperation with the Baltic States. The development of relations, including political dialogue, is envisaged.

Two Community Members (Denmark and Germany) belong to the Baltic Council, set up in March 1992, which comprises the ten riparian States of the Baltic Sea. In addition to the two EC Members and the Baltic States, these are Poland, Russia, Finland, Sweden and Norway. The EC Commission is also included.

The relatively small economies of the Baltic States do not, it is true, offer the same market potential as the large successor states of the Soviet Union. But the transformation from a planned to a market economy is taking place there in a relatively comprehensible way at the same time as existing economic and political links within the framework of the Soviet Union are breaking down. The political reaction to the close-knit arrangements of the past has meant emphasis on national autonomy and a tendency to set up economic barriers. This is counterproductive and will impede economic recovery.

The Committee's economic and social expertise could be usefully exploited in explaining market economy mechanisms, the requirements for positive integration into the international division of labour and the advantages for the Baltic States of regional integration. Thus, the Committee could play an advisory role in the development of the Community's Eastern Europe policy and in the new republics' development towards economic viability.

### **Gist of the Committee Opinion (CES 348/93)**

Whilst the relatively small economies of Estonia, Latvia and Lithuania do not have the market potential of most of the former Soviet Republics, they nevertheless play an important role, particularly in view of their geographical position, as a bridge between East and West. The development and consolidation of democratic structures and the reciprocal opening-up of markets are fundamental requirements for closer cooperation with the Community's eastern neighbours.

The Committee considers that there is a considerable need to eliminate economic and social imbalances between Eastern and Western Europe.

The new Baltic States are far from being able to master these challenges by themselves; only if they receive effective outside assistance will they succeed.

The three Baltic economies are currently going through the most difficult phase of the process of transformation from a centrally-planned to a market economy. Although the old system has largely collapsed, the new system can only come into effect gradually. As a consequence the Baltic States are experiencing downturns in economic growth to an extent which could scarcely have been foreseen, persistent rapidly rising inflation, growing unemployment and declining levels of real income.

The Committee underlines the need to include a "social dimension" in the switch-over to a market economy. Economic, financial and social policies cannot be conducted in isolation from each other; market-orientated and social-orientated measures must always be pursued in tandem.

The earliest possible conclusion of *Europe Agreements* with the Baltic States was first advocated by the Committee some months ago. For both political and economic reasons, the Community must form closer links with these Republics and embed them in pan-European structures. The Committee firmly supports the intention of the Danish Presidency not only to implement the trade and cooperation agreements without delay but also to expand relations with the Baltic States on the basis of agreements as soon as possible. This is, of course, conditional upon these States (a) reaching the "point of no return" on the road towards democracy and the market economy and (b) pressing on successfully with the processes of political, social and economic renewal.

In the Committee's view, *political dialogue* is the key element in the Europe Agreements. The Committee firmly believes that the dialogue with the Baltic States has not progressed as well as the difficult political and economic situation in these States demands. The Committee reiterates its proposal that provision be made in an additional article of the Treaty - and not just in a joint declaration by the contracting parties to the Treaty - for participation by the social groups in the dialogue in the Association Council; the Committee also reiterates its proposal that an "*Advisory Committee for the Association*" be established following a transitional period.

New provisions in the most recent Europe Agreements stipulate that respect for democratic principles and human rights and the continued implementation of market economy reforms are *fundamental to the Association*. The Committee unreservedly welcomes this addition to the

Association Agreements but calls for inclusion in future of the further stipulation that the *safeguarding of basic social rights and respect for the rights of minorities* should also be regarded as fundamental to Association. Members of minority groups should also be given specifically targeted assistance, e.g. financial assistance in respect of conferences, language courses and teaching material.

The Europe Agreements provide for the phased establishment of a *free trade zone* within ten years. Under the provisions of the Agreements, the European Community agrees to introduce free trade earlier than with the Associated States of eastern Europe. The Committee endorses this asymmetrical approach, but also calls upon the European Community to grant extensive access to its market for industrial products as soon as the Association Agreement comes into effect.

The Committee is critical of the (very restrictive) *rules of origin* set out in the trade provisions of the Europe Agreements. In the light of the division of labour in Europe, it is essential to have a uniform set of rules of origin which will apply to the EFTA states as well as associated central and eastern Europe states. The Committee therefore urges that the European Economic Area (EEA) provisions, together with an alternative percentage-based criterion, be incorporated in all the Europe Agreements ('pan-European' cumulation).

The Committee endorses the integration in the EC of legally employed *workers from eastern Europe* but, in view of the continuing difficult employment situation in the Community, it expresses concern about easing cross-frontier access to jobs too quickly. It is also necessary to address the problem of undeclared workers which - despite the criticism of the Committee - is not mentioned by any of the current Europe Agreements. In the final analysis, what is needed is a convincing concept of the cross-frontier labour market which opens up realistic prospects for the central and eastern European parties to the Agreements.

As regards *economic cooperation*, the Committee has well-founded doubts as to whether the EC bodies will be in a position to initiate convincing measures in all the listed fields in the course of a given period of time. The Committee therefore calls for priorities to be established in this field, too. An important prerequisite for the realization of the structural adjustment processes is the establishment and development of infrastructure which matches demand. The Committee also proposes that consideration be given to how tasks are to be allocated between the EC Member States and the EC Commission. The wide variety of advisory assistance provided by the EC Member States, the Nordic States and the

EC Commission should be collated, as soon as possible, at EC level and a coordinating committee should be set up to coordinate the assistance.

Turning to the field of *financial cooperation*, the Committee would draw attention, once again, to the need to ensure that all aid is continuously monitored - both when it is allocated and while it is being spent - and coordinated. The aid should be monitored on the basis of binding criteria. When aid is granted attention must also be paid to ensuring that (a) civil rights are respected in the beneficiary state in accordance with international practice, and (b) that minorities are afforded a status which reflects the need for political and social stability and "good neighbourly relations".

*This Opinion adopted by a majority vote with 2 abstentions was drawn up in the light of the paper produced by the Section for External Relations, Trade and Development Policy chaired by Mr John F. Carroll (Ireland - Workers). The Rapporteur was Mr Jens-Peter Petersen (Germany - Employers).*

## 11. GREEN PAPER, POSTAL SERVICES

### **Green Paper on the Development of the Single Market for Postal Services** (COM(92) 476 final)

#### **Gist of the Commission's Green Paper**

The Green Paper is a discussion document with the following two objectives:

- to provide a status report of the present situation, identifying problems and challenges that already exist and those that are likely to arise in the future;
- to discuss possible solutions and responses, and to lay out detailed options for the future.

Consultations with the governments of the Member States have taken place and will now - after the presentation of the Green Paper - be followed by wider consultations. After the consultation process, the Commission may draw up draft directives.

The central guiding principle for these will be the fundamental policy of continuing the universal service, thus ensuring that the postal administrations' public service mission is carried out in good economic and

financial conditions. The basic meaning of this universal service requirement is that there should continue to be a postal service available throughout the Community, both for national services within a Member State and between Member States. This universal service must be offered at an affordable price, have a good quality of service and be accessible to everyone.

Then, provided that the universal service is secured, there should be as much freedom of choice as possible, as far as it respects, in accordance with the principle of subsidiarity, the pursuit of the public service mission.

After discussing the problems of the present system of postal services in the Community and their implications for the Single Market (lack of harmonization, market distortions, differences in performance) and discussing the options "complete liberalization", "complete harmonization", and "status quo", the Green Paper proposes a fourth option: *Equilibrium: further opening of market; strengthening of universal service*. This option is a combination of liberalization and harmonization.

The following segments would be liberalized gradually: express services, publications, cross-border letters, and direct mail.

The Green Paper thus deals with three main policy objectives and ten resulting options of a more detailed nature:

### **General regulatory issues**

To ensure provision of universal postal service throughout the Community at prices affordable to all through the establishment (inasmuch as it was needed in Member States individually) of a set of reserved services which would confer some special and exclusive rights, in order to maintain the resources necessary for the undertaking of the public service mission in good conditions; at the same time, consistent with this objective, to have the largest possible part of the sector operating in free competition.

- a. Establish a set of universal services.
- b. Develop the definition of universal and reserved services.
- c. Ensure compatibility of other Member State commitments with Community legislation and policies.
- d. Separate regulatory and operational functions.



### **Obligations on universal service providers**

To have common obligations for the universal service operators of the Community in respect of the special and exclusive rights granted to them by the reserved services in order to enable them to provide universal services, in particular with regard to the quality of service provided.

- a. Access conditions to universal services to be the same for all.
- b. Tariffs to be related to average costs.
- c. Inter-administration compensation to reflect delivery costs.
- d. Service standards for universal services to be set and performance monitored.

### **Harmonization and Cohesion**

To make any necessary efforts towards Community cohesion through appropriate harmonization measures.

- a. Harmonization appropriate where beneficial to customers.
- b. Cohesion aspects to be taken into account.

### **Gist of the Committee Opinion (CES 349/93)**

The Committee endorses the idea put forward in the Green Paper that all Community citizens and businesses should be guaranteed access to certain basic postal services. These basic services are provided through a public postal network offering a regular, reliable service at affordable prices. All users in the same circumstances should receive the same treatment.

The Committee agrees that the national postal administrations in the Member States should be obliged to provide these universal basic services. To enable them to meet this obligation, the volume of mail handled by the national administrations must be sufficient ("economy of scale") to ensure the continuance of the universal postal service throughout the Member State's national territory.

The question has been asked as to whether the obligation to provide a universal postal service should always entail an exclusive legal right to provide certain services.

The Committee is of the view that reserved services must be on a scale that enables national postal administrations to provide a universal service of high quality, at generally affordable prices and under precisely

defined conditions of access. The postal network infrastructure also involves investment and operating costs. Financial balance is therefore required for the whole range of services.

In this connection the reserved sector must, with a view to guaranteeing a universal service on the basis of clear and reliable criteria allowing of easy control, be regulated in such a way that postal service segments cannot be switched for short periods to the competition-oriented sector.

The reserved services can be defined as a monopoly which gives national postal administrations the exclusive right to collect, forward and deliver postal articles in written, printed or other form to natural and legal persons in return for payment.

The Committee is therefore of the view that addressed direct mail also falls within the reserved area; the same is true of intra-Community and international letter mail. New services should not automatically be excluded from the reserved area.

Express deliveries should fall within the non-reserved area.

The weight and price criteria which determine the monopoly must be realistic. A minimum weight limit of 1 kg should always apply in order to avoid any abrupt loss of income which would threaten the funding of the universal service. The tariff limit should be at least twice the price equivalent of the weight limit to allow such simple services as registered mail and acknowledgement of receipt to be included in the reserved sector.

In order to improve economic and social cohesion, a high-quality universal service must be provided in all Community regions. To this end, technical, organizational and financial assistance should be made available to public market participants who provide a universal service that is still substandard.

The Committee thinks that the social implications should be examined in advance. It would be unacceptable if the growth prospects for postal traffic, which the Green Paper puts at 5 to 6% per annum, were to be accompanied by staff reductions and a deterioration in general employment conditions. The Commission should therefore bring the Joint Committee for Postal Services into operation without delay.

*This Opinion, adopted with 90 votes for, 47 votes against and 1 abstention, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr Eike Eulen (Germany - Workers). The Rapporteur was Mr Bernardus Pompen (Netherlands - Various Interests).*

## 12. ACCESS TO CONTINUING VOCATIONAL TRAINING

### **Proposal for a Council Recommendation on access to continuing vocational training (COM(92) 486 final)**

#### **Gist of the Commission proposal**

Access to continuing vocational training is a priority objective for the Community. It is an investment in human resources and it is a key issue for the Community.

A qualified and motivated workforce is the cornerstone of a competitive European economy in a context of increasing competition at world level. It also conditions the future stages of the development of the Community. The current and likely demographic trends in the Community countries mean that the growth of available skills will increasingly depend on the level of skills possessed and acquired by workers already in employment and their access to training during their working lives.

The competitiveness, productivity and product/service quality of firms depend on the skill levels of their workforces. Employees in all sectors must have solid initial education and training on the basis of which they can pursue training throughout their working lives. Continuing training is now acknowledged as a priority for action and joint investment by public authorities and undertakings in conjunction with the two sides of industry.

As regards firms, too few have training plans geared to developing their human resources. Good practice and collective agreements have not caught on to a sufficient extent, whereas these agreements are becoming increasingly common in big companies and occupational sectors. Small- and medium-sized enterprises are experiencing specific difficulties in setting-up appropriate training policies.

The action programme implementing the Social Charter adopted by the Commission on 29 November 1989 (COM(89) 568 final) provides for the setting before the Council of a Community instrument on access to vocational training. Under this programme the instrument would be presented in the light of outcome of the social dialogue on the right to access to vocational training.

Against this background, the Commission put before the Council a draft Recommendation which will help to boost the steps taken nationally and

to incorporate them in an overall consistent framework. This is in keeping with the aim of generalizing access to continuing training in the Community so that every worker can gain access to continuing vocational training and take advantage of it throughout his working life in accordance with Article 15 of the Social Charter and point 20 of the joint opinion adopted by the two sides of industry under the social dialogue on 21 September 1991.

The proposed instrument takes the form of a Council Recommendation based on Article 128, thereby complying with the aim of using the lightest possible form of legislation at Community level, in accordance with the principle of subsidiarity as defined by the European Council in Birmingham.

In order to make access effective and as broad as possible, the Council recommends that the Member States introduce or strengthen different measures focusing on:

- undertakings' training plans and programmes;
- specific assistance to SMEs;
- assistance to undertakings faced with industrial change;
- continuing vocational training as a factor of regional development;
- individual training of workers;
- assessment of skills and requirements of workers;
- consultation of workers' representatives;
- design of continuing training activities;
- vulnerable groups (unemployed women, ethnic minorities).

The proposal is primarily designed to have a qualitative impact, geared to increasing access to continuing training and at the same time fostering new forms of work organization.

The draft Recommendation has been prepared to dovetail with and supplement Community action already under way in the field of continuing training, e.g. FORCE, COMETT, EUROTECNET and PETRA.

### **Gist of the Committee Opinion (CES 350/93)**

Subject to the following comments, the Committee approves the Commission proposal and emphasizes the importance of developing and expanding continuing training and improving its accessibility, in the interests of:

- workers, for whom continuing training plays an increasingly important role in ensuring job security, career advancement, retraining for a new job and reintegration into working life;
- employers, for whom the expansion of continuing in-firm training is needed because of the role played by the human factor in keeping firms competitive, and finally
- the competitiveness of national economies, and thus the competitiveness of the European economic area worldwide.

Whilst use of a Directive as legal instrument would have provided many more concrete opportunities for action and would have been more effective in further developing and improving access to vocational training, the choice of a Recommendation in this particular instance must, for all the above-mentioned reasons, be regarded as the only feasible solution for the time being, even though there is in principle broad agreement throughout the Community on the objectives to be achieved.

There are many different systems of continuing vocational training in the Member States, just as there are many different regulations governing them. Because of this and because access to continuing training still varies very widely from one Member State to another, the social partners at national and Community level have a particularly important responsibility.

The Committee therefore strongly supports the Commission's appeal to union and management groupings at both EC and Member State level to press on resolutely with the task of promoting the development and expansion of continuing training, and of ensuring wide access thereto. To this extent the social partners are clearly the appropriate addressee for the proposed Council Recommendation.

The Committee notes that the Commission proposal still largely sees continuing training as an activity organized and financed solely by firms. The existence and further development of in-firm continuing training is of course of paramount importance, if only because of its scale, but there are limits to what it can do and it needs to be complemented by an effective system of public and private - and privately funded - training establishments.

Public and private training establishments, including those run by trade unions and employers' associations in some Member States, are an effective addition to the system of continuing vocational training; they therefore also need to be further expanded.

The Committee believes that access to continuing vocational training is in many cases severely hampered by the lack of transparency and non-coordination of information regarding the possibilities available. Not only is it hard to compare in-firm schemes but it is even harder to make sense of the bewildering variety of courses offered by public and private training establishments.

Funding plays a crucial role when it comes to open access to continuing training. The Committee believes that different solutions must be applied, depending on the target groups and their capabilities and interests. Generally speaking, in-firm continuing training is also financed by the firm itself if it serves the firm's interests. But this means that workers in smaller firms frequently do not have the same access to in-firm continuing training as workers in larger firms.

Those wishing to attend continuing vocational training courses in public or private establishments must not be debarred from doing so just because they are unable to bear the costs. State subsidies, tax concessions or funds co-financed by workers and employers must ensure that places on courses are available to every candidate.

Although the Committee generally shares the Commission's view that existing training-leave and work release schemes need to be further developed, it nevertheless regrets that this thinking has not found its way into the Recommendation; such schemes are, after all, essential to the fulfilment of workers' personal training plans, even if they are unable by themselves to solve the problem of restricted access to continuing training.

The Commission proposal unfortunately fails to mention all the major objectives of continuing vocational training which we have to try harder to attain both now and in the future. Nor does it deal with the essential content of training courses.

However, the following objectives will acquire increasing importance:

- increase in sectoral, vertical and regional mobility;
- elimination of gaps in personal education and training (elementary and secondary schooling, initial vocational training);
- greater motivation to acquire vocational skills, partly through the offer of rewards for participating in continuing training;
- development of personal skills (social skills, learning and working methods, skills in key areas, etc.) for the purpose, inter alia, of improving the quality of life.

Finally, the Committee regrets the shortage of national and EC data on continuing vocational training. Problems of definition and demarcation, not to speak of the fact that the economic importance of highly-skilled workers is only now being slowly recognized, perhaps explain this lack of transparency. Despite considerable methodological obstacles, however, it is vital to forge ahead with the compilation of national and ultimately European vocational training statistics.

*This Opinion, adopted by a majority with 1 vote against and 1 abstention, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, chaired by Mrs Giacomina Cassina (Italy - Workers). The Rapporteur was Mr Herbert Nierhaus (Germany - Workers).*





## **II — Outside Presence and Influence of the Economic and Social Committee**

### **Activities of the Chairman and Secretary-General**

2 March 1993, Brussels: Mrs Susanne Tiemann, ESC Chairman addressed the European Fiscal Confederation Forum on "Taxation in a Border-free Europe".

2 March 1993, Brussels: talks with Commissioner Peter Schmidhuber.

2 March 1993, Brussels: meeting with Mr Jagvaralin Hanibal, Ambassador Plenipotentiary and Head of the Mongolian Mission to the EC.

2 March 1993, Brussels: interview with Mrs Leena Häryigen, Journalist from "Suomen Kuvalehti" (Finland).

2 March 1993, Brussels: meeting with Mr Leiss, Head of the European Office of the Federation of Bavarian Local Authorities.

4 March 1993, Brussels: talks with Commissioner Pádraig Flynn.

16 March 1993, Bonn: Mrs Tiemann spoke on the "Influence of the Socio-economic interest groups on European Policy" at the Commission Press Office.

18/19 March 1993, Brussels: attendance at a meeting of the European Secretariat of Liberal Intellectual and Social Professions (SEPLIS).

19 March 1993, Brussels: Mrs Susanne Tiemann addressed the Centre for European Policy Studies (CEPS).

19 March 1993 the Chairman attended a conference on the role of the ESC after Maastricht and after Edinburgh.

22 March 1993, Brussels: talks with Mr Jos Chabert, Minister for External Relations of the Brussels/Capital Region.

23 March 1993, Brussels: talks with Mr Thomas Goppel, Bavarian Minister of State for Federal and European Affairs.

24 March 1993, Brussels: meeting with Mrs Pasqualina Napoletano, MEP.

24 March 1993: attendance at a hearing of the European Affairs Committee of the Belgian Parliament.

24 March 1993, Brussels: talks with Mr Jean-Jacques Kasel, Luxembourg Permanent Representative to the EC.

### **Various activities**

2 March 1993: Mr Goffredo del Bino, Deputy Director, DG XI addressed the Environment Section on the relationship between industrial competitiveness and environmental protection.

3 March 1993: Mr Ulf Brühann, Head of Division, DG III addressed the Section for Industry, Commerce, Crafts and Services on the Green Paper on Pluralism and media concentration.

4 March 1993: Mr René Steichen, Commissioner for Agriculture and Rural Development addressed the Agriculture and Fisheries Section on the Commission proposals for farm prices for 1993/1994.

9 March 1993: a DG II Spokesman addressed the Section for Economic, Financial and Monetary Questions on the White Paper on removing obstacles to the use of the ECU.

11 March 1993: Mr Gianluigi Giola, Deputy Director-General, DG I, addressed the Section for External Relations, Trade and Development Policy on the growing role of the Community in the world, and in particular, the priorities the Commission gives in its 1993 programme to the Community's relations with specific regions.

### III — Fact-finding visits

During the reference period the following groups visited the Economic and Social Committee:

- 2 March 1993 School of European Studies - University of Wales, Cardiff (UK)
- 2 March 1993 Salisbury College (UK)
- 2 March 1993 Mid-Warwickshire College, Leamington Spa (UK)
- 2 March 1993 Roskilde Højskole (Denmark)
- 3 March 1993 European Consortium of Management Consultants, Manchester (UK)
- 4 March 1993 Austrian Trade Union Confederation (ÖGB)
- 4 March 1993 KEY TO EUROPE - Boston University, Paris and Brussels
- 4 March 1993 Magistrature for Law on Business, Taxation and Accounting, University of Aix-Marseille III, Aix-en-Provence (France)
- 5 March 1993 Sorbonne University, Paris (France)
- 8 March 1993 European Movement - Paris (France)
- 9 March 1993 The University of Hull - MBA Europe (UK)
- 9 March 1993 University of Panthéon-Assas Paris II - Department of Foreign Relations - Centre for International Relations (France)
- 10 March 1993 Trade Union Magazine Journalists (SAFT) (Danish Journalists)
- 11 March 1993 Federation of German Customs Officials
- 12 March 1993 Higher National College of Applied Agronomic Science, Dijon (France)

- 
- 12 March 1993 European Institute for International Higher Studies - International Centre for European Training, Nice (France)
- 16 March 1993 University of Leicester (UK)
- 16 March 1993 Logistic support unit for training and development in the integrated mediterranean programme, Montpellier (France)
- 17 March 1993 "Maison de l'Europe", Dunkerque (France)
- 18 March 1993 IG Metall, Frankfurt-am-Main Region (Germany)
- 19 March 1993 Boston University - British Programmes, London (UK)
- 22 March 1993 The London School of Economics and Political Science (UK)
- 23 March 1993 The Central European University - European Studies Department, Prague
- 24 March 1993 Zevenkerken Academy, Brugge (Belgium)
- 25 March 1993 Department of Town and Regional Planning, Sheffield University (UK)
- 25 March 1993 Association of German Training Institutes, Bonn (Germany)
- 26 March 1993 St. Philip Howard High School, Bognor Regis (UK)
- 26 March 1993 Centre for Diplomatic and Strategic Research and Studies, Paris (France)
- 26 March 1993 Centre for European Legal Studies, University of Exeter (UK)
- 29 March 1993 The American University, Washington (United States)
- 30 March 1993 SME-Committee of the Dutch Liberal Party
- 30 March 1993 German Civil Service Employees Union - Berlin and Brandenburg Branch (Germany)

- 
- 30 March 1993 Oxford Brookes University (UK)
  - 30 March 1993 Quaker Council for European Affairs, Brussels
  - 31 March 1993 Hungarian National Conciliation Council
  - 31 March 1993 Citizens' Europe, Finland - The Finnish Federation for Social Welfare
  - 31 March 1993 Group from Sachsen-Anhalt (Germany)
  - 31 March 1993 The Hinksey Centre, Oxford (UK)
  - 31 March 1993 St. Patrick's College - Maynooth, Co. Kildare, Ireland.













**Venta y suscripciones • Salg og abonnement • Verkauf und Abonnement • Πωλήσεις και συνδρομές  
Sales and subscriptions • Vente et abonnements • Vendita e abbonamenti  
Verkoop en abonnementen • Venda e assinaturas**

**BELGIQUE / BELGIË**

**Moniteur belge /**  
**Belgisch Staatsblad**  
Rue de Louvain 42 / Louvenseweg 42  
B-1000 Bruxelles / B-1000 Brussel  
Tel. (02) 512 00 26  
Fax (02) 511 01 84  
Autres distributeurs /  
Cverige verkooppunten  
**Librairie européenne/**  
**Europees boekhandel**  
Rue de la Loi 214/Wetstraat 244  
B-1040 Bruxelles / B-1040 Brussel  
Tel. (02) 231 04 35  
Fax (02) 735 08 60

**Jean De Lannoy**  
Avenue du Roi 202 / Koningslaan 202  
B-1060 Bruxelles / B-1060 Brussel  
Tel. (02) 538 51 63  
Télex 63220 UNBOOK B  
Fax (02) 538 08 41

**Document delivery:**  
**Crédac**  
Rue de la Montagne 34 / Bergstraat 34  
Bte 11 / Bus 11  
B-1000 Bruxelles / B-1000 Brussel  
Tel. (02) 511 69 41  
Fax (02) 513 31 95

**DANMARK**

**J. H. Schultz Information A/S**  
Hersødvang 10-12  
DK-2620 Albertslund  
Tlf. 43 63 23 00  
Fax (Sales) 43 63 19 69  
Fax (Management) 43 63 19 49

**DEUTSCHLAND**

**Bundesanzeiger Verlag**  
Breite Straße 78-80  
Postfach 10 80 06  
D-W-5000 Köln 1  
Tel. (02 21) 20 29-0  
Telex ANZEIGER BONN 8 882 595  
Fax 2 02 92 78

**GREECE/ΕΛΛΑΔΑ**

**G.C. Eleftheroudakis SA**  
International Bookstore  
Nikis Street 4  
GR-10563 Athens  
Tel. (01) 322 62 23  
Telex 219410 ELEF  
Fax 323 98 21

**ESPAÑA**

**Boletín Oficial del Estado**  
Tratador 23  
E-28071 Madrid  
Tel. (91) 538 22 95  
Fax (91) 538 23 49  
**Mundi-Prensa Libros, SA**  
Castelló, 37  
E-28001 Madrid  
Tel. (91) 431 33 99 (Libros)  
431 32 22 (Suscripciones)  
435 36 37 (Dirección)  
Télex 49370-MPLI-E  
Fax (91) 575 39 98  
Sucursal:  
**Librería Internacional AEDOS**  
Consejo de Ciento, 391  
E-08009 Barcelona  
Tel. (93) 488 34 92  
Fax (93) 487 76 59  
**Librería de la Generalitat**  
**de Catalunya**  
Rambla dels Estudis, 118 (Palau Moja)  
E-08002 Barcelona  
Tel. (93) 302 68 35  
302 64 62  
Fax (93) 302 12 99

**FRANCE**

**Journal officiel**  
**Service des publications**  
**des Communautés européennes**  
26, rue Desaix  
F-75277 Paris Cedex 15  
Tél. (1) 40 58 75 00  
Fax (1) 40 58 77 00

**IRELAND**

**Government Supplies Agency**  
4-5 Harcourt Road  
Dublin 2  
Tel. (1) 61 31 11  
Fax (1) 78 06 45

**ITALIA**

**Licosa SpA**  
Via Duca di Calabria 1/1  
Casella postale 552  
I-50125 Firenze  
Tel. (055) 64 54 15  
Fax 64 12 57  
Telex 570466 LICOSA I

**GRAND-DUCHÉ DE LUXEMBOURG**

**Messageries du livre**  
5, rue Raiffaen  
L-2411 Luxembourg  
Tél. 40 10 20  
Fax 40 10 24 01

**NETHERLAND**

**SDU Overheidsinformatie**  
Externe Fondsen  
Postbus 20014  
2500 EA 's-Gravenhage  
Tel. (070) 37 89 11  
Fax (070) 34 75 778

**PORTUGAL**

**Imprensa Nacional**  
Casa da Moeda, EP  
Rua D. Francisco Manuel de Melo, 5  
P-1092 Lisboa Codex  
Tel. (01) 69 34 14  
**Distribuidora de Livros**  
**Bertrand, Ld.\***  
**Grupo Bertrand, SA**  
Rua das Terras dos Vales, 4-A  
Apartado 37  
P-2700 Amadora Codex  
Tel. (01) 49 59 050  
Telex 15798 BERDIS  
Fax 49 60 255

**UNITED KINGDOM**

**HMSO Books (Agency section)**  
HMSO Publications Centre  
51 Nine Elms Lane  
London SW8 5DR  
Tel. (071) 873 9090  
Fax 873 8463  
Telex 29 71 138

**ÖSTERREICH**

**Manz'sche Verlags-**  
**und Universitätsbuchhandlung**  
Kohlmarkt 16  
A-1014 Wien  
Tel. (0222) 531 61-0  
Telex 112 500 BOX A  
Fax (0222) 531 61-39

**SUOMI/FINLAND**

**Akateeminen Kirjakauppa**  
Keskuskatu 1  
PO Box 126  
SF-00101 Helsinki  
Tel. (0) 121 41  
Fax (0) 121 44 41

**NORGE**

**Narvesen Info Center**  
Bertrand Narvesens vei 2  
PO Box 6125 Etterstad  
N-0602 Oslo 6  
Tel. (22) 57 33 00  
Telex 79668 NIC N  
Fax (22) 68 19 01

**SVERIGE**

**BTJ**  
Tryck Traktorvägen 13  
S-222 60 Lund  
Tel. (046) 18 00 00  
Fax (046) 18 01 25  
30 79 47

**SCHWEIZ / SUISSE / SVIZZERA**

**OSEC**  
Stampfenbachstraße 85  
CH-8035 Zurich  
Tel. (01) 365 54 49  
Fax (01) 365 54 11

**ČESKÁ REPUBLIKA**

**NIS ČR**  
Havělkova 22  
130 00 Praha 3  
Tel. (2) 235 84 46  
Fax (2) 235 97 88

**MAGYARORSZÁG**

**Euro-Info-Service**  
Club Sziget  
Margitsziget  
1138 Budapest  
Tel./Fax 1 111 60 61  
1 111 62 16

**POLSKA**

**Business Foundation**  
ul. Krucza 38/42  
00-512 Warszawa  
Tel. (22) 21 99 93, 628-28-62  
International Fax&Phone  
(0-39) 12-00-77

**ROMÂNIA**

**Euromedia**  
65, Strada Dionisie Lupu  
70184 Bucuresti  
Tel./Fax 0 12 96 46

**BÄLGARIJA**

**Europress Klasična BK Ltd**  
66, bd Vitosha  
1463 Sofia  
Tel./Fax 2 52 74 75

**RUSSIA**

**Europe Press**  
20 Sadovaya-Spasskaja Street  
107078 Moscow  
Tel. 095 208 28 60  
975 30 09  
Fax 095 200 22 04

**CYPRUS**

**Cyprus Chamber of Commerce and Industry**  
Chamber Building  
38 Grivas Digenis Ave  
3 Delgiorgis Street  
PO Box 1455  
Nicosia  
Tel. (2) 449500/462312  
Fax (2) 458630

**TURKIYE**

**Pres Gazete Kitap Dergi**  
**Pazarlama Dagitim Ticaret ve sanayi**  
**AS**  
Naribahçe Sokak N 15  
Istanbul-Cağaloğlu  
Tel. (1) 520 92 96 - 528 55 66  
Fax 520 64 57  
Telex 23822 DSVO-TR

**ISRAEL**

**ROY International**  
PO Box 13056  
41 Mishmar Hayarden Street  
Tel Aviv 61130  
Tel. 3 496 108  
Fax 3 544 50 39

**UNITED STATES OF AMERICA / CANADA**

**UNIPUB**  
4611-F Assembly Drive  
Lanham, MD 20706-4391  
Tel. Toll Free (800) 274 4888  
Fax (301) 459 0056

**CANADA**

Subscriptions only  
Uniquement abonnements  
**Ranout Publishing Co. Ltd**  
1294 Algoma Road  
Ottawa, Ontario K1B 3W8  
Tel. (613) 741 43 33  
Fax (613) 741 54 39  
Telex 0534783

**AUSTRALIA**

**Hunter Publications**  
58A Gipps Street  
Collingwood  
Victoria 3066  
Tel. (31) 417 5361  
Fax (3) 419 7154

**JAPAN**

**Kinokuniya Company Ltd**  
17-7 Shinjuku 3-Chome  
Shinjuku-ku  
Tokyo 160-91  
Tel. (03) 3439-0121  
**Journal Department**  
PO Box 55 Chitose  
Tokyo 156  
Tel. (03) 3439-0124

**SOUTH-EAST ASIA**

**Legal Library Services Ltd**  
STK Agency  
Robinson Road  
PO Box 1817  
Singapore 9036

**AUTRES PAYS  
OTHER COUNTRIES  
ANDERE LANDER**

**Office des publications officielles**  
**des Communautés européennes**  
2, rue Mercier  
L-2985 Luxembourg  
Tél. 499 28-1  
Telex PUBOF LU 1324 b  
Fax 48 85 73/48 68 17

Single copy ECU 16.00

Annual subscription ECU 43.00



OFFICE FOR OFFICIAL PUBLICATIONS  
OF THE EUROPEAN COMMUNITIES

L-2985 Luxembourg



EX-AB-93-001-EN-C