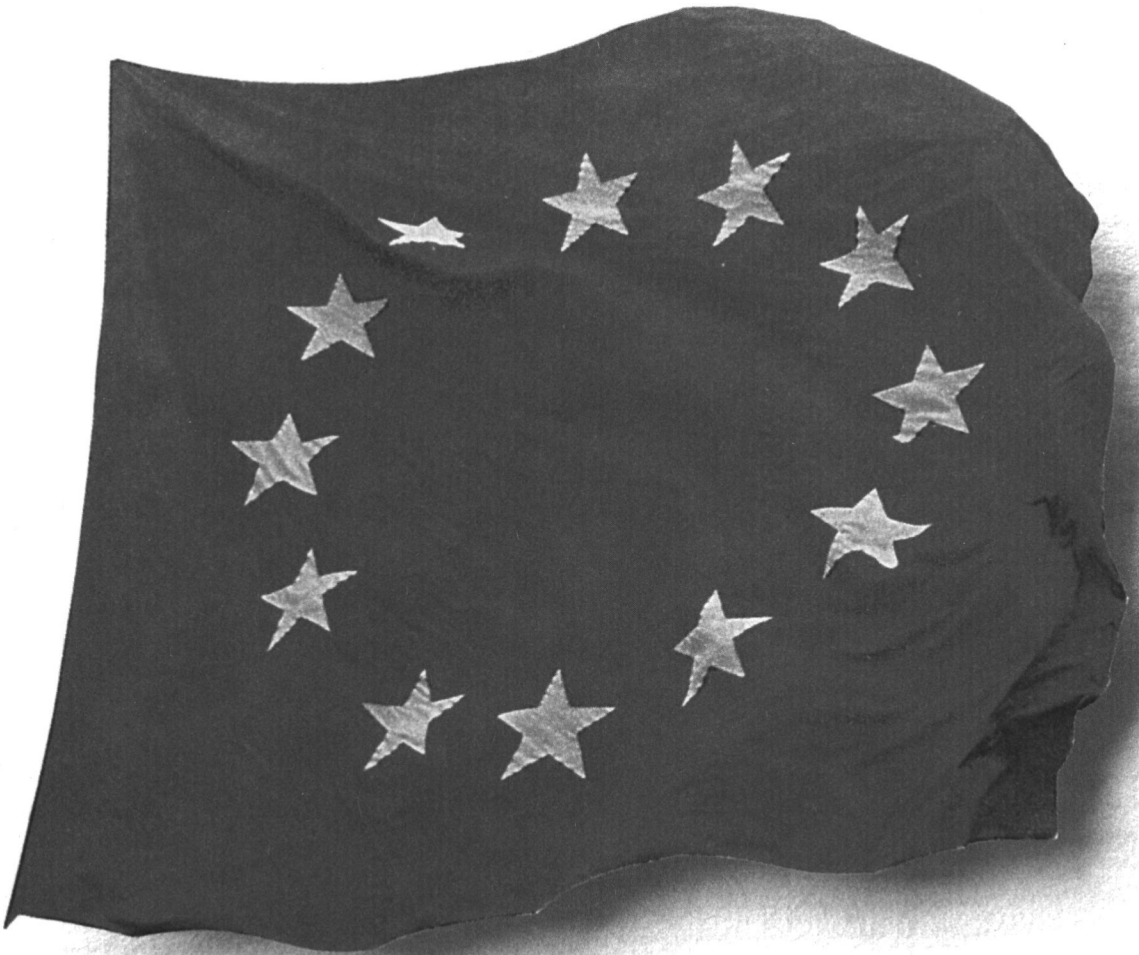


European Commission

# **Bulletin** **of the European Union**



**5 • 1995**

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European Commission  
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Editorial team: rue de la Loi 200 — B-1049 Brussels — Tel. 295 79 30

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European Commission

# **Bulletin of the European Union**

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

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



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# **PART ONE**

## **ACTIVITIES IN MAY 1995**

# News in brief

## **Human rights**

- The Commission adopts a communication and the Council adopts conclusions on the inclusion of a clause on respect for human rights in international agreements concluded by the Community (→ points 1.2.2 and 1.2.3).

## **Community economic and social area**

### *Economic and monetary policy*

- The Commission adopts a Green Paper on the practical arrangements for the introduction of the single currency and a recommendation for the broad guidelines of the economic policies of the Member States and the Community (→ points 1.3.7 and 1.3.9).

### *Research and technology*

- The Commission adopts a communication on prospects for cooperation in science and technology with the new independent States (→ point 1.3.46).

### *Energy*

- The Commission adopts a proposal for a Regulation adopting a multiannual programme to promote international cooperation in the energy sector (Synergy) (→ point 1.3.65).

### *Transport*

- The Commission adopts a communication, a proposal for a Directive, and two proposals for Regulations on a common policy on the organization of the inland waterway transport market (→ point 1.3.72).

### *Information society, telecommunications*

- The Commission approves the Info 2000 programme to stimulate the development of a European multimedia content industry in the emerging information society (→ point 1.3.84).
- The Commission adopts a communication on a methodology for the implementation of information society applications and a proposal for a Decision on a series of guidelines for trans-European telecommunications networks (→ point 1.3.78).

### *Environment*

- The Commission adopts an amended proposal for a Directive introducing a tax on carbon dioxide emissions and energy (→ point 1.3.85).

### *Agriculture*

- The Commission adopts a proposal for a Regulation regulating compensation for reductions in the agricultural conversion rates of certain national currencies (→ point 1.3.96).

### **Role of the Union in the world**

#### *Central and Eastern Europe, Baltic States*

- The Commission adopts a White Paper on preparing the associated countries of Central and Eastern Europe for integration into the internal market of the European Union (→ point 1.4.63).

#### *Independent States of the former Soviet Union, Mongolia*

- The Commission adopts two communications and two draft common positions on future relations with Russia and with the Transcaucasian Republics (→ points 1.4.78 and 1.4.79).

#### *United States, Japan and other industrialized countries*

- The Council adopts conclusions on the communication 'Europe and Japan: the next steps' (→ point 1.4.91).

#### *Latin America*

- The Commission adopts a communication on the strengthening of relations between the European Union and Chile (→ point 1.4.102).
- A solemn joint declaration is signed between the Council and the Commission and Mexico (→ point 1.4.104).

### **Institutional affairs**

- The institutions present their contributions for the reflection group set up to prepare for the 1996 Intergovernmental Conference: Commission report, Parliament resolution and Court of Justice and Court of First Instance reports (→ points 1.9.1 to 1.9.4).

# 1. Union citizenship

## **Freedom of movement and right of residence**

### *Non-Community nationals*

*1.1.1.* Council Regulation laying down a uniform format for visas.

**Commission proposal:** OJ C 238, 26.8.1994; COM(94) 287; Bull. 7/8-1994, point 1.1.1

**Parliament opinion:** OJ C 43, 20.2.1995; Bull. 1/2-1995, point 1.1.1

**Council agreement:** Bull. 3-1995, point 1.1.1

*Adopted on 29 May.* Under Article 100c(3) of the EC Treaty, the Council adopted measures for

the introduction of a uniform format for visas for non-Community nationals. This single, clearly identifiable visa will be issued by the Member States and will include all the necessary information; it will meet the highest technical standards, notably as regards safeguards against counterfeiting and falsification, and will guarantee protection of the personal data involved.

## **Right of petition and right of access to the Ombudsman**

*1.1.2.* Parliament decision amending Article 159 of its Rules of Procedure on appointment of the Ombudsman (→ point 1.10.1).

## 2. Human rights

### European Union countries

1.2.1. Parliament resolution on the kidnapping of Mr José Maria Aldaya by ETA (→ point 1.5.2).

### Actions outside the European Union

1.2.2. Commission communication on the inclusion of respect for democratic principles and human rights in agreements between the Community and third countries.

#### References:

Parliament resolution on human rights in the European Union's foreign policy: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.3.94

Parliament resolution on human rights in the world, 1993-94, and EU human rights policy: OJ C 126, 22.5.1995; Bull. 4-1995, point 1.2.3

*Adopted on 23 May.* One of the clearest ways in which the Community demonstrates its commitment to respect for fundamental rights and democratic principles is by including them in its contractual relations with non-member countries. To this end, the Commission adopted a communication with the aim of improving the consistency, transparency and visibility of the Community approach, and assessing the practices that have evolved.

The communication, addressed to the Council and Parliament, lends established practices formal recognition, while providing a comprehensive and reasoned approach to Community policy in this field. Reviewing the wordings used over the last two years, the communication confirms the importance of acknowledging human rights as a matter of common interest, part of the dialogue between the parties and an instrument for the implementation of positive measures to promote their observance.

Accordingly, the Commission intends to include in all new agreements concluded by the Community with non-member countries a reference

which would enable the parties, in cases of serious and persistent human rights violations, to react with immediate effect. This comprises the following:

□ in the preamble: pertinent references to respect for human rights in general and to universal and/or regional instruments;

□ in the body of the agreement: an Article X defining democratic principles and fundamental human rights as an 'essential element' of the agreement; an Article Y on non-execution, in cases of breach of an essential element of the agreement, which allows the parties to take appropriate measures after consulting the Association or Cooperation Council, except in cases of special urgency;

□ annexed to the agreement: two declarations interpreting Article Y, defining the terms 'cases of special urgency' and 'appropriate measures'.

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1.2.3. Council conclusions on human rights clauses in Community agreements with non-member countries.

**Reference:** Commission communication on the inclusion of respect for democratic principles and human rights in agreements between the Community and third countries: point 1.2.2 of this Bulletin

*Adopted on 29 May.* In response to the Commission communication of 23 May, the Council approved a suspension mechanism to be included in Community agreements with non-member countries to enable the Community to react immediately in the event of violation of essential aspects of those agreements, particularly human rights.

1.2.4. Mr José Ayala-Lasso, United Nations High Commissioner for Human Rights, paid a visit to the Commission on 22 and 23 May.

#### References:

Council Decision 94/697/CFSP concerning the common position on the objectives and priorities of the European Union *vis-à-vis* Rwanda: OJ L 283, 29.10.1994; Bull. 10-1994, point 1.3.4

Common position 95/91/CFSP defined by the Council with regard to Burundi: OJ L 72, 1.4.1995; Bull. 3-1995, point 1.4.94

Mr Ayala-Lasso saw Mr Santer, Mr Marín, Mr de Deus Pinheiro and Mr Van den Broek. The aim of the visit was to improve the coordination between UN and Union activities intended to uphold and promote human rights. He reiterated the need to extend the mission of the human rights observers in Rwanda, send observers to Burundi and launch joint initiatives to train human rights observers.

## *Algeria*

1.2.5. Parliament resolution on support for Algerian women.

### **References:**

Parliament resolution on the dangerous situation in Algeria: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.2.3

Parliament resolution on the situation in Algeria: OJ C 109, 1.5.1995; Bull. 4-1995, point 1.2.4

*Adopted on 18 May.* Noting the latest threats made by the GIA (Armed Islamic Group) against women, Parliament reiterated its condemnation of terrorist actions, rapes and murders perpetrated by terrorist groups and those behind them. It saluted the courage of the women of Algeria who were risking their lives to continue their struggle against fundamentalism and any model of society which excluded them from social, economic and political life and in favour of democracy and respect for basic human rights. Parliament called on all European citizens, associations, regional and local authorities, parliaments and governments to demonstrate their solidarity with Algerian women and called on the Commission and the Council to take steps to this effect.

OJ C 151, 19.6.1995

## *China*

1.2.6. Parliament resolution on Tibet.

*Adopted on 18 May.* Noting the objective of the Panam rural integrated project of increasing the food surplus produced by the region for distribution to other parts of Tibet, in particular those with a non-Tibetan population, Parliament called on the Commission to redeploy resources

from the Panam project to aid which would better serve the Tibetan people and to make the granting of aid to China conditional upon respect for fundamental human rights, particularly in Tibet. It called on the Chinese authorities to release all persons detained solely for exercising their right to freedom and to freedom of expression and urged the European Union to call for a substantive dialogue without preconditions to take place between the Tibetan government-in-exile and the Chinese government in order to find a constructive solution to the situation in Tibet. Lastly, Parliament called on the Chinese authorities to abandon policy and legislation aimed at forcing women to use birth control methods.

OJ C 151, 19.6.1995

1.2.7. Parliament resolution on the organization by the Chinese government of the Fourth World Conference on Women in Beijing.

*Adopted on 18 May.* Parliament urged the Chinese government to guarantee freedom of speech and the press and to lift any exclusion of categories of women because of their views, origin or sexual orientation. It called on the Chinese government to allow women from Taiwan and Tibet who are accredited to NGOs to attend the World Conference on Women to be held in Beijing in September 1995 and to relocate the NGO Forum at a site close enough to the official conference to allow easy communication between the two.

OJ C 151, 19.6.1995

## *Guinea*

1.2.8. Parliament resolution on the elections in Guinea.

*Adopted on 18 May.* Parliament hoped that the first pluralist legislative elections in Guinea scheduled for 11 June would pass off peacefully and in conditions of the strictest impartiality and called for the right to free expression and to information to be guaranteed. It resolved to send a team of observers from Parliament, at least 10 days before polling.

OJ C 151, 19.6.1995

## *Equatorial Guinea*

1.2.9. Parliament resolution on the human rights situation in Equatorial Guinea.



**Reference:** Parliament resolution on the situation in Equatorial Guinea: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.2.6

*Adopted on 18 May.* Parliament condemned the systematic violation of human rights, exemplified by the arrest and torture of members of the opposition on the eve of the municipal elections in May. It called for an end to the repression of democratic opposition party leaders and activists and for the granting of a general amnesty to all political prisoners prior to the holding of the elections. Lastly, Parliament considered that since no progress had been made, cooperation with Equatorial Guinea should be suspended.

OJ C 151, 19.6.1995

### *Pakistan*

*1.2.10.* Parliament resolution on the murder in Pakistan of Iqbal Masih, symbol of the fight against child slavery.

*Adopted on 18 May.* Profoundly shocked by the murder on 16 April in Murtque, near Lahore, of the young Pakistani Iqbal Masih, aged 12, who was leading the campaign against the forced labour of children in his country, Parliament condemned those responsible for the murder and urged the authorities to do all in their power to bring to justice those who instigated that crime and those who carried it out. It encouraged the government to pursue its campaign against child slavery and to implement existing legislation on this matter.

OJ C 151, 19.6.1995

### *Rwanda*

*1.2.11.* Parliament resolution on the situation in Rwanda.

*Adopted on 18 May.* Parliament condemned the slaughter of Hutu refugees in the Kibeho camp on 22 April and called upon the Rwandan government to cooperate fully with the independent international committee of inquiry set up to identify those responsible for the massacre, in order to bring them to justice as soon as possible. It called on the European Union to contribute to the speedy implementation of the UN Security Council decision to set up an international tribunal to try the perpetrators of the genocide, as an essential prerequisite for national reconciliation, and called on the countries harbouring Rwandan war criminals to hand them over to be tried by that court.

OJ C 151, 19.6.1995

### *Financing*

*1.2.12.* Financing for projects to promote democracy and human rights.

*Adopted on 2 May.* Decision to grant ECU 1 million towards the local and legislative elections to be held in Haiti in June.

### 3. The Community economic and social area

#### Implementation of the White Paper on growth, competitiveness and employment

##### Growth

1.3.1. Commission recommendation for the broad guidelines of the economic policies of the Member States and the Community (→ point 1.3.9).

##### Trans-European networks

1.3.2. Proposal for a Parliament and Council Decision laying down a series of guidelines on trans-European energy networks (→ point 1.3.59).

1.3.3. Proposal for a Council Decision laying down a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector (→ point 1.3.60).

1.3.4. Proposal for a Parliament and Council Decision on Community guidelines for the development of the trans-European transport network (→ point 1.3.61).

##### Information society

1.3.5. Commission communication to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions on a methodology for the implementation of information society applications and a proposal for a Parliament and Council Decision on a series of guidelines for trans-European telecommunications networks (→ point 1.3.78).

#### Economic growth and the environment

1.3.6. Proposal for a Council Directive introducing a tax on carbon dioxide emissions and energy (→ point 1.3.85).

#### Economic and monetary policy

##### Economic and monetary union

##### *Practical arrangements for the introduction of the single currency*

1.3.7. Commission Green Paper on the practical arrangements for the introduction of the single currency.

*Adopted on 31 May.* The Commission has three main objectives in presenting this Green Paper: to reduce the uncertainties surrounding the changeover to the single currency by presenting a reference scenario, to draw up an exhaustive list of the problems linked to the introduction of the single currency by proposing solutions that demonstrate the project's technical feasibility, and to define a communications strategy with a view to winning popular support for the idea of a single currency and explaining how it will be introduced.

The central element of this Green Paper is a three-phase scenario (see Table 1):

□ In phase A, the European Council will decide to launch the single currency and will designate the countries which meet the convergence criteria and thus may take part in this process in accordance with Article 109j(3) and (4) of the EC Treaty;

□ Phase B, which must begin no later than 12 months after phase A, is when economic and monetary union actually enters into force, with

the irrevocable fixing of parities. During this phase, a 'critical mass' of ecu-denominated financial transactions will have been built around a single monetary policy and the issue of new public debt;

□ Phase C, which will commence no later than three years after phase B, will see the completion of the transitional phase, with the rapid introduction of new banknotes and coins and the general changeover of means of payment.

Under the EC Treaty, the actual launch of EMU (phase B) could take place by the end of 1997 at the earliest but will happen automatically no later than 1 January 1999. The Commission proposes that the periods given in the reference scenario be viewed as maximum periods and that the dates fixed by the Council should be deadlines. It considers that the scenario offers various advantages since it takes account of citizens' interests by allowing enough time to introduce a comprehensive communications strategy; it is pragmatic and straightforward and limits costs for all economic operators; it rests on sound economic foundations since the economies of the Member States will have had to have achieved a lasting degree of convergence before EMU is launched and since the creation of a critical mass of transactions once parties have been irrevocably fixed will strengthen the credibility of the process and underline its irreversibility; it meets the needs of banking circles since it does not require the simultaneous circu-

lation of two sets of banknotes and coins over a prolonged period; finally, it is consistent with the democratic decisions of the Member States as enshrined in the Treaty on European Union.

The Commission also draws up an exhaustive list of the legal and technical problems posed by the introduction of the single currency for banks and other financial institutions, financial markets and payments systems, enterprises, administrations and consumers. It stresses that the main users will have to make the necessary changes without delay and points out that it will be necessary to guarantee by legislative means the legal continuity of contracts after the changeover to the single currency, proposing that consultations begin with a view to establishing a legal framework at Community level by 1996.

In addition, the Commission underscores the need for a communications strategy at both Community and national level aimed at convincing the public of the advantages of the single currency and explaining to individuals what the direct consequences will be for them of the changeover so as to allay their anxieties and give them a clear view of the entire process. It stresses that the private sector must also be involved in this communications strategy by educating consumers, training staff, and disseminating information through the intermediary of trade associations.

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Table 1 — *Introduction of a single currency: sequence of events*

Phase A — Launch of EMU	Phase B — Start of EMU	Phase C — Single currency fully introduced
<i>Start of the phase:</i>	<i>Start of the phase:</i>	<i>Start of the phase:</i>
List of participating Member States	Fixing of conversion rates	Ecu notes and coins introduced
Date of start of EMU announced (or confirmed)	The ecu becomes a currency in its own right	Banks have completed the changeover (retail business payment systems)
Deadline for the final changeover to the single currency	Monetary and exchange-rate policy in ecus	Notes and coins denominated in national currency are withdrawn
Setting-up of the ESCB and the ECB	Inter-bank, monetary, capital, and exchange markets in ecus	Public and private operators complete the changeover
Start of production of notes and coins	New government debt issued in ecus	Only the ecu is used
	Corresponding wholesale payment systems in ecus	

Phase A — Launch of EMU	Phase B — Start of EMU	Phase C — Single currency fully introduced
<p><i>Throughout the phase:</i></p> <p>Stepping-up of preparations and implementation of measures that will, if possible, have been adopted beforehand:</p> <ul style="list-style-type: none"> <li>• Legal framework</li> <li>• National steering structure</li> <li>• Banking and financial community changeover plan</li> </ul>	<p><i>Throughout the phase:</i></p> <p>Banks and financial institutions continue the changeover</p> <p>Public and private operators other than banks proceed with the changeover, circumstances permitting</p>	
1 year maximum	3 years maximum	several weeks

1.3.8. Parliament resolution on the introduction of the ecu as legal tender (Maas Group report).

*Adopted on 19 May.* Parliament considers that the third stage of EMU should be introduced at the earliest opportunity but notes that 1 January 1997 is becoming increasingly unrealistic as the date on which to take this decision, bearing in mind the small number of Member States that are likely to comply with the convergence criteria by that date. Nevertheless, it calls on the Member States to announce by 30 June 1996 whether they will be willing to participate in EMU. It also accepts the European Monetary Institute's position that there must be one year between the Council's decision to embark on the third stage of EMU and its actual start. It calls for plans for pegging the ecu or for a new-style EMS to be devised as a matter of urgency so that those Member States which cannot join EMU at the first possible date may be given opportunities to benefit from monetary integration under predetermined conditions. It notes that the name of the common currency is of the utmost importance as regards acceptance of the changeover by individuals, but that it is in any case already established in the Treaty (in Article 109l(4) and (5)). It considers that, in accordance with the Treaty (Article 109l(4)), the period from the start of EMU to the introduction of the ecu should be as short as possible and, consequently, calls for an early decision on the design of notes and coins and other essential technical and technological measures, stressing in particular the need for rapid clarification of the provisions of contracts relating to the ecu. It thus also takes

the view that the ecu should be introduced to the general public by no later than 1 July 1999. To this end, it insists that a comprehensive information campaign on EMU, jointly sponsored by Parliament and the Commission, be launched in the Member States.

OJ C 151, 19.6.1995

### *Coordination of economic policies*

#### **Broad guidelines of economic policies**

1.3.9. Commission recommendation to the Council for the broad guidelines of the economic policies of the Member States and the Community.

##### **References:**

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

Conclusions of the Essen European Council: Bull. 12-1994, point 1.3

##### **Previous recommendations:**

Council Recommendation 94/7/EC on the broad guidelines of the economic policies of the Member States and of the Community: OJ L 7, 11.1.1994; Bull. 12-1993, points 1.2.45 and 2.2.1

Council Recommendation 94/480/EC on the broad guidelines of the economic policies of the Member States and of the Community drawn up in accordance with Article 103(2) of the Treaty establishing the European Community: OJ L 200, 3.8.1994; Bull. 7/8-1994, points 1.2.2 and 2.2.1

*Adopted by the Commission on 31 May.* In this recommendation, the Commission confirms the objectives defined in the broad guidelines of

economic policies adopted by the Council in December 1993 and July 1994, considering that their full implementation will make possible a strengthening of convergence and a realization of the good growth prospects, thus achieving significant reductions in the rate of unemployment. This new recommendation is based on the economic forecasts for 1995 and 1996 released by the Commission on 17 May, according to which the general prospects for the European Union are for sound and stable growth of around 3% in both 1995 and 1996 following the recovery in 1994, the scale of which was unexpected (2.75%).

The recommendation is therefore crucial to the translation of the cyclical recovery into a process of sustainable and job-creating growth, which is the only means of overcoming unemployment and ensuring the convergence necessary for achieving EMU. The Commission stresses that the short- and medium-term macroeconomic framework should, to that end, be characterized by stable monetary conditions which are not undermined by inappropriate budgetary or wage developments, by sustained efforts to consolidate public finances in most Member States consistent with the objectives of their convergence programmes and by wage trends incorporating the price-stability objective and taking account of the need to strengthen the profitability of employment-creating investment. It also stresses that these macroeconomic policy guidelines must be complemented by structural policies aimed at promoting the competitiveness of the Member States' economies and improving the functioning of their labour-markets in line with the approach mapped out in its White Paper on growth, competitiveness and employment and indicated by the priorities set at the Essen European Council.

These measures will have to be implemented alongside those advocated in previous recommendations on the broad guidelines of the economic policies of the Member States, which placed the emphasis on price and exchange-rate stability, the need for sound public finances, the strengthening of competitiveness and measures aimed at restructuring the labour-market.

COM(95) 228

### Public deficits

#### References:

Council Decisions on the existence of excessive deficits in Belgium, Denmark, Germany,

Greece, Spain, France, Italy, the Netherlands, Portugal and the United Kingdom pursuant to Article 104c(6) of the EC Treaty: Bull. 9-1994, point 1.2.11

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

*1.3.10. Recommendation for a Council Decision abrogating the Decision on the existence of an excessive deficit in Germany.*

**Decision abrogated:** Council Decision on the existence of an excessive deficit in Germany pursuant to Article 104c(6) of the EC Treaty: Bull. 9-1994, point 1.2.11

*Adopted by the Commission on 31 May.* This recommendation is the first time that Article 104c(12) of the EC Treaty has been applied. This provision lays down that, to the extent that the excessive deficit in the Member State concerned has been corrected, the Council is to abrogate some of its decisions, including those taken pursuant to Article 104c(6) of the Treaty concerning the existence of an excessive deficit in a Member State.

*1.3.11. Commission opinion on the existence of excessive deficits in Austria, Finland and Sweden; recommendations for Council Decisions on the existence of excessive deficits in Austria, Finland and Sweden.*

*Adopted on 31 May.*

## Internal market

### General

*1.3.12. Commission communication to the Council and Parliament on the role of penalties in implementing Community internal market legislation.*

#### References:

Commission communication entitled 'Making the most of the internal market: strategic pro-

gramme': COM(93) 632; Bull. 12-1993, point 1.2.1

Proposal for a Decision adopting an action programme for Community customs ('Customs 2000'): COM(95) 119; Bull. 4-1995, point 1.4.30

*Adopted on 3 May.* In this communication, which constitutes an initial stage of a more comprehensive framework for discussions, the Commission calls on Parliament and the Council, on the basis of the guidelines it describes, to support the work being done to improve the transparency and effectiveness of penalties for failure to comply with the obligations arising out of Community law in the internal market field.

It points out that the coexistence of different national systems of penalties for breaches of Community law is compatible with the proper functioning of the internal market only if the penalties concerned are effective, proportionate and dissuasive, in accordance with the obligations arising out of the Treaty and the case-law of the Court of Justice, so that fair competition can be ensured under fair trading conditions and those aspects of the general good covered by common rules can be protected.

An analysis of the measures adopted by Member States to transpose Community internal market legislation reveals differences which are sometimes significant, particularly as far as public procurement is concerned. To remedy this situation, the Commission will include appropriate measures in any new proposals it makes for legislation concerning the internal market so as to ensure that the penalties applicable form part of the measures which Member States are explicitly required to notify under Community legislation. This transparency requirement will also cover existing legislation, in respect of which Member States will be called on to communicate any useful information on the system of penalties they apply. On this basis, the Commission will check on a sector-by-sector basis, starting with public procurement and customs law, whether excessive differences give rise to problems in specific areas. Where this is the case, the Commission will, within the limitations of its powers under the Treaty, take measures or make sectoral proposals to ensure that the penalties applied for breach of Community internal market legislation are effective, proportionate and dissuasive.

COM(95) 162

## Free movement of goods

### *Technical aspects*

#### Motor vehicles

*1.3.13.* Proposal for a Parliament and Council Directive on certain components or characteristics of two- or three-wheel motor vehicles.

**Commission proposal:** OJ C 177, 29.6.1994; COM(93) 449; Bull. 11-1993, point 1.2.2

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.14

*Endorsed by Parliament (first reading) on 18 May,* subject to certain amendments, including an increase in the sound level limits of motor cycles and the deletion of anti-tampering measures for motor cycles with a medium or large cylinder capacity.

OJ C 151, 19.6.1995

#### Industrial products

*1.3.14.* Proposal for a Parliament and Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to lifts.

**Commission proposal:** OJ C 62, 11.3.1992; COM(92) 35; Bull. 1/2-1992, point 1.3.19

**Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. 7/8-1992, point 1.3.22

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.29

**Amended Commission proposal:** OJ C 180, 2.7.1993; COM(93) 240; Bull. 6-1993, point 1.2.9

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council common position:** OJ C 232, 20.8.1994; Bull. 6-1994, point 1.2.18

**Parliament amendments (second reading):** OJ C 305, 31.10.1994; Bull. 9-1994, point 1.2.16

**Commission opinion incorporating an amended proposal:** COM(94) 540; Bull. 12-1994, point 1.2.14

**Conciliation Committee meeting:** Bull. 3-1995, point 1.3.9

*Joint text approved by the Conciliation Committee on 16 May.* The points agreed on concern the compliance of lifts already installed, access by disabled persons to a maximum number of lift cars, and the possibility of persons inside a lift car being in permanent contact with a rescue service.

## Dangerous substances

*1.3.14a.* Proposal for a Parliament and Council Directive amending Directive 76/769/EEC for the 16th time.

**Commission proposal:** OJ C 382, 31.12.1994; COM(94) 570; Bull. 12-1994, point 1.2.17

*Endorsed by the Economic and Social Committee on 31 May.*

## Foodstuffs

*1.3.15.* Proposal for a Parliament and Council Directive amending Directive 95/2/EC on food additives other than colours and sweeteners.

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

**Directive to be amended:** Parliament and Council Directive 95/2/EC: OJ L 61, 18.3.1995; Bull. 1/2-1995, point 1.3.8

*Adopted by the Commission on 16 May.* This amendment sets out to authorize the use of 'alternatively refined carrageenan' in foodstuffs, the Scientific Committee for Food having shown that there is no concern for public health in so doing and that there is a demonstrated technological need.

OJ C 163, 29.6.1995; COM(95) 177

## Freedom to provide services

### *Financial services*

*1.3.16.* Proposal for a Parliament and Council Directive on investor compensation schemes.

**Reference:** Parliament and Council Directive 94/19/EC on deposit-guarantee schemes: OJ L 135, 31.5.1994; Bull. 5-1994, point 1.2.16

**Commission proposal:** OJ C 321, 27.11.1993; COM(93) 381; Bull. 9-1993, point 1.2.17

**Proposal subject to the co-decision procedure since 1 November 1993**

**Economic and Social Committee opinion:** OJ C 127, 7.5.1994; Bull. 1/2-1994, point 1.2.27

**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.36

**Amended Commission proposal:** OJ C 382, 31.12.1994; COM(94) 585; Bull. 12-1994, point 1.2.32

*Common position agreed by the Council on 22 May.* The aim of this Directive is to complete the single market in investment services by providing for minimum compensation for investors throughout the Community in the event of the failure of an investment firm authorized to provide services throughout the Community where that firm is unable to honour its debts and by making investor compensation mechanisms subject to the supervisory arrangements of the home country. The minimum level of cover should not be less than ECU 20 000 for each investor. It may, however, be as low as ECU 15 000 until 31 December 1999 in those Member States that at present apply cover of less than ECU 20 000.

The proposed Directive is aligned on Directive 94/19/EC on deposit-guarantee schemes, which introduced a system to protect credit institutions' depositors in the event of a financial crisis.

*1.3.17.* Proposal for a Parliament and Council Directive on cross-border transfers.

**Commission proposal:** OJ C 360, 17.12.1994; COM(94) 436; Bull. 11-1994, point 1.2.21

*Endorsed by Parliament (first reading) on 19 May,* subject to amendments relating chiefly to the scope of the Directive, which Parliament considered should apply solely to transfers in Community currencies or in ecus of an amount not exceeding ECU 50 000, an increase from ECU 10 000 to ECU 50 000 in the threshold below which banks are required to make a refund in the case of the non-completion of a transfer, and the introduction of an obligation on Member States to introduce procedures for dealing with complaints from customers.

OJ C 151, 19.6.1995

*Endorsed by the Economic and Social Committee on 1 June,* although the Committee stressed the inconsistency between the proposal's objective, which is to facilitate the achievement of economic and monetary union, and its scope, which extends to third-country currencies. The Committee therefore wishes to limit the proposal's scope to EU currencies, including the ecu.

*1.3.18.* Proposal for a Parliament and Council Directive amending Directives 77/780/EEC and

89/646/EEC in the field of credit institutions, Directives 73/239/EEC and 92/49/EEC in the field of non-life insurance, Directives 79/267/EEC and 92/96/EEC in the field of life assurance, Directive 93/22/EEC in the field of investment firms and Directive 85/611/EEC in the field of undertakings for collective investment in transferable securities (UCITS), with a view to reinforcing prudential supervision.

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

**Proposal subject to the co-decision procedure since 1 November 1993**

**Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.2.36

**Parliament opinion (first reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.29

**Amended Commission proposal:** COM(94) 170; Bull. 5-1994, point 1.2.18

**Council common position:** OJ C 213, 3.8.1994; Bull. 6-1994, point 1.2.36

**Parliament amendments (second reading):** OJ C 323, 21.11.1994; Bull. 10-1994, point 1.2.12

**Commission opinion incorporating an amended proposal:** COM(94) 549; Bull. 11-1994, point 1.2.22

**Joint text:** Bull. 3-1995, point 1.3.14

*Joint text approved by Parliament on 18 May.*

OJ C 151, 19.6.1995

*1.3.19. Proposal for a Parliament and Council Directive amending Directive 89/647/EEC with respect to the supervisory recognition of contracts for novation and netting agreements.*

**Commission proposal:** OJ C 142, 25.5.1994; COM(94) 105; Bull. 4-1994, point 1.2.38

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.28

**Parliament opinion (first reading):** OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.3.15

*Amended proposal adopted on 10 May.*

COM(95) 170

## Taxation

### *Indirect taxation*

*1.3.20. Proposal for a Council Directive amending Directive 77/388/EEC on the common system of value-added tax (taxation of agricultural outputs).*

**Commission proposal:** OJ C 389, 31.12.1994; COM(94) 584; Bull. 12-1994, point 1.2.37

*Endorsed by the Economic and Social Committee on 31 May.* The Committee considered that this proposal is necessary for the smooth functioning of the single market.

## Intellectual property

*1.3.21. European Convention relating to questions on copyright law and neighbouring rights in the framework of transfrontier broadcasting by satellite.*

**Reference:** Council Directive 93/83/EEC on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission: OJ L 248, 6.10.1993; Bull. 9-1993, point 1.2.20

*Proposal for a Council Decision approving the Convention adopted by the Commission on 3 May.* This Convention, which was adopted by the Council of Europe on 16 February 1994, supplements with regard to copyright and neighbouring rights (rights of performers, producers of phonograms and broadcasting organizations) the European Convention on Transfrontier Television adopted by the Council of Europe on 5 May 1989, which did not contain any provisions on this matter. The new Convention in fact embodies for all member countries of the Council of Europe the principles laid down in Council Directive 93/83/EEC.

It is intended to protect the rights of authors of the works referred to in the Berne Convention for the Protection of Literary and Artistic Works (Paris Act of 24 July 1971) and of other contributors of protected works, taking account of the need not to hamper the development of new technology for the media or the free movement of information and ideas.

COM(95) 154

## Public procurement

*1.3.22. Agreement in the form of an exchange of letters between the European Community and the United States of America on government procurement.*

**Reference:** Council Decision concerning the conclusion of the results of the Uruguay Round



of multilateral trade negotiations: OJ L 336, 23.12.1994; Bull.12-1994, point 1.3.98  
**Commission proposal:** OJ C 291, 19.10.1994; COM(94) 251; Bull. 6-1994, point 1.2.42  
**Amended Commission proposal:** OJ C 48, 25.2.1995; COM(95) 18; Bull. 1/2-1995, point 1.3.21

*Assent given by Parliament on 19 May.*

OJ C 151, 19.6.1995

*Decision 95/215/EC on the conclusion of the Agreement adopted by the Council on 29 May.* The purpose of this Agreement is to give effect in the area of government procurement to the commitments made in the Uruguay Round of multilateral negotiations and to the results of the bilateral negotiations conducted in this area between the Community and the United States.

OJ L 134, 20.6.1995

## Competition

### Rules applying to businesses

#### *Mergers*

#### **Commission decisions under the Merger Control Regulation**

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

#### *Kirch/Richemont/MultiChoice/Telepiù*

*1.3.23. Adopted on 5 May.* The decision authorizes the joint takeover of Telepiù Srl by Compagnie Financière Richemont AG (Richemont), MultiChoice Limited and Ptb Pay-TV Beteiligung, which belongs to the Kirch group.

**Previous decision:** Bull. 7/8-1994, point 1.2.35

In August 1994, the Commission had authorized the joint takeover of Telepiù by Richemont and Kirch. Richemont and Multichoice are now

merging their pay-TV activities worldwide by setting up a joint venture (PayCo). Richemont will transfer to PayCo the holding which it has in Telepiù. The latter will then be controlled by Richemont, Kirch and Multichoice.

MultiChoice and Richemont are already associated in the pay-TV sector in Europe. Since it is mainly an internal restructuring that is involved, the transaction has only a slight impact on Telepiù's position on the Italian market. The Commission has concluded that the proposed merger does not create or strengthen a dominant position and has declared it compatible with the common market.

#### *EDS/Lufthansa*

*1.3.24. Adopted on 11 May.* The decision authorizes EDS to acquire shares in Lufthansa Systems GmbH, a subsidiary of Deutsche Lufthansa AG.

The Commission authorized the purchase by EDS Holding GmbH (EDS), a member of General Motors Corp., of 25% of the shares of Lufthansa Systems GmbH, a subsidiary recently set up by Deutsche Lufthansa AG (Lufthansa).

The joint venture, which will be controlled jointly by EDS and Lufthansa, will supply information technology services tailored to the requirements of airlines and other travel industries. While Lufthansa will remain its main customer for some years, it is expected that Lufthansa Systems will play an active role in the new developing market for information technology services.

Since the information technology services market in Europe is currently fragmented with a number of actual and potential players and since the new entity's market share will not exceed 10% however the product market is defined, there are no serious doubts about the transaction's compatibility with the common market. The Commission therefore decided to raise no objection.

#### *Ingersoll-Rand/Clark Equipment*

*1.3.25. Adopted on 15 May.* The decision finds that the acquisition of Clark Equipment by Ingersoll-Rand through the purchase of shares is not caught by the Merger Control Regulation.

Ingersoll-Rand, an American firm which manufactures and sells machinery for the construction industry and other sectors, is acquiring control of Clark Equipment, another American firm active in the construction equipment sector.

The transaction does not have a Community dimension since Clark Equipment recently sold its 50% holding in the Dutch firm VME: consequently, the Community turnover threshold of ECU 250 million provided for by Article 1(2)(b) of the Merger Control Regulation is not attained.

#### *CLT/Disney/Super RTL*

*1.3.26. Adopted on 17 May.* The decision authorizes the acquisition by Walt Disney of 50% of the German channel Super RTL.

The Commission authorized the purchase by Disney Television (Germany) Inc., a subsidiary of The Walt Disney Corporation (TWDC), of 50% of the shares of RTL Club GmbH & Co. KG (RTL Club), a subsidiary indirectly owned by the Compagnie Luxembourgeoise de Télédiffusion (CLT).

RTL Club heads the new German family channel, Super RTL. CLT has holdings in the German channels RTL plus and RTL 2, while, so far, TWDC is not present on the German television market. TWDC produces television programmes and films and has issued licences to other German channels, such as ARD.

As regards advertising on free-access television in Germany, it is likely that Super RTL will have only a very limited market share, given the stagnation of the market and the presence of large commercial channels such as RTL plus and SAT 1. In view of the competitive market structure of German television advertising, the transaction does not raise any serious doubts as to its compatibility with the common market, even taking into account the other television channels in which CLT has holdings (RTL plus, RTL 2). TWDC also owns a significant programme library, but other powerful suppliers, such as the Kirch group, are present on the German market. The Commission therefore declared the transaction compatible with the common market.

#### *RTL/Veronica/Endemol*

*1.3.27. Adopted on 22 May.* The decision opens the second phase of the investigation.

The Commission decided to conduct an in-depth examination, under the Merger Control Regulation, of a proposed joint venture to be known as HMG. The joint venture, which will operate in the television broadcasting field in the Netherlands, consists of RTL4 SA (RTL), Vereniging Veronica Omroeporganisatie (Veronica) and Endemol Entertainment Holding BV (Endemol). RTL is transferring to HMG its television activities in the Netherlands, especially the two commercial channels RTL4 and RTL5. A third channel will be introduced through Veronica, which is leaving the public television system in the Netherlands in order to participate in HMG. The other parent company, Endemol, is the largest independent producer of television programmes in the Netherlands. It is planned that HMG will start its activities on 1 September 1995.

The Commission started to look into this case in response to a request from the Dutch Government to examine the transaction pursuant to Article 22 of the Regulation, which authorizes the Commission to appraise a concentration which does not have a Community dimension within the meaning of the Regulation. Since this type of procedure does not involve suspension of the transaction, the parties may implement it without the prior authorization of the Commission.

The Commission decided to carry out a thorough examination of the proposed joint venture, since the cumulative share of the television broadcasting market in the Netherlands (and in particular of television advertising) is potentially high and since Endemol's position on the independent television production market in the Netherlands could be strengthened.

The decision to examine the proposed joint venture in detail is without prejudice to the final outcome of the Commission's investigation.

#### *Saudi Aramco/MOH*

*1.3.28. Adopted on 23 May.* The decision authorizes Saudi Aramco to take joint control of the Greek oil refining company Motor Oil Corinth Refineries SA (MOH) and of Avinoil Industrial and Maritime Oil Company SA (Avin).

Under the transaction, Saudi Aramco acquires 50% of the capital of both MOH and Avin and,

consequently, joint control of these companies with the Vardinoyannis family, which previously held all the shares in MOH and Avin. The concentration also involves the conclusion of a long-term contract for the supply of crude oil by Saudi Aramco to MOH, covering most of the latter's crude-oil supply requirements.

Since Saudi Aramco is not present on the European market for refining petroleum products and marketing the refined products, the transaction has no horizontal effects which need to be taken into account. The Commission also found that the transaction is not likely to obstruct other refiners' access to supplies or significantly to affect the conditions of competition among European refiners. The transaction is therefore compatible with the common market.

#### *Orkla/Volvo*

*1.3.29. Adopted on 23 May.* The decision opens the second phase of the investigation.

The transaction concerns the setting-up of a joint venture, BCP-JV, by Orkla, a Norwegian company, and the Swedish group, Volvo. Orkla will contribute its subsidiary, Ringnes, which is active in Norway, to the joint venture, while Volvo will transfer Hansa and Pripps, the first of which operates in Norway and the second in Sweden. The three companies make beer, soft drinks and mineral water.

The Commission found that in 1994, in Norway, Ringnes and Hansa had a very large share of the market in the beverages concerned, a market where there are high barriers to entry. The Commission also took into account the effect of the transaction on the competition in Sweden, since the creation of the joint venture removes a potential competitor on the Swedish market.

The Commission has serious doubts, therefore, about the transaction's compatibility with the common market and the EEA Agreement and has decided to carry out a thorough investigation.

#### *Seagram/MCA*

*1.3.30. Adopted on 29 May.* The decision authorizes the acquisition by Seagram Company Ltd (Seagram) of 80% of the shares of Home Holding II Inc., previously controlled by Matsushita Electric Industrial Co. Ltd (Matsushita).

The transaction will have the effect of giving Seagram sole control of MCA Inc., a subsidiary of Home Holding II.

Seagram is a Canadian firm whose main business is the production and sale of wines, spirits, fruit juices and fizzy drinks. Seagram also holds a minority interest in Time Warner Inc., a firm engaged in entertainment activities. This interest is purely financial and gives Seagram no control over Time Warner. MCA is active in the following sectors: cinema, music, publishing and other entertainment activities.

Given that there is no overlap between the activities of Seagram and MCA, the Commission decided to declare the transaction compatible with the common market.

#### *Dominant positions*

##### **Decisions pursuant to Article 86 of the EC Treaty**

#### *ICG/CCI Morlaix*

*1.3.31. Adopted on 16 May.* The Irish shipping company Irish Continental Group (ICG), which operates ferry transport services for passengers and vehicles, filed an application for access to the port of Roscoff with CCI Morlaix in November 1994, so as to start a ferry service between Ireland and Brittany during the summer of 1995. Following negotiations, the parties reached an agreement in principle concerning access by ICG to the port of Roscoff for the season, starting on 27 May 1995, the parties agreeing on the schedule of dockings and on a number of technical questions. ICG announced the start of its Roscoff service and began to take bookings. In January 1995, however, CCI Morlaix said it wanted to suspend the negotiations.

ICG complained to the Commission, which found on first examination that the Chamber of Commerce had abused its dominant position as operator of the port of Roscoff by refusing access to ICG in breach of Article 86 of the EC Treaty and that CCI Morlaix's behaviour amounted to an unjustified refusal to sell its services. Interim measures were imposed requiring CCI Morlaix to take the necessary steps to ensure that ICG can gain access to the port of Roscoff from 10 June 1995, since it is the only

body which has the installations essential to this kind of transport, pending the Commission's final decision on this matter.

## State aid

### *General rules*

*1.3.32.* Decision concerning the measures to be taken to counteract the failure to notify State aid.

#### **References:**

Judgment of the Court of Justice of 14 February 1990 in Case C-301/87 *France v Commission*: Bull. 1/2-1990, point 1.6.28

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

*Adopted on 10 May.* The Commission decided to send a letter to the Member States concerning the procedures applicable when aid is granted in breach of the rules of Article 93(3) of the EC Treaty, which requires the prior notification of any plans to grant or alter aid. Aid granted in breach of this provision is unlawful.

The Court of Justice, in its judgment of 14 February 1990, held that the Commission could take measures to counteract any infringement of Article 93(3) of the Treaty. On the basis of this judgment, the Commission informed the Member States in 1991 that where aid had been granted unlawfully it reserved the right to adopt a provisional decision requiring the Member State to suspend the aid forthwith. Such an order, however, may sometimes prove insufficient. In such a case, having given the Member State concerned an opportunity to express its views and consider rescue aid as an alternative, as laid down in the Community guidelines, the Commission now reserves the right to take a provisional decision requiring that Member State to recover the aid or the part of it paid unlawfully, the sum repayable carrying interest running from the time the aid was paid out.

*1.3.33.* The decisions and measures adopted by the Commission with regard to State aid in the transport sphere are reported under the appropriate subject heading (→ point 1.3.77).

## *Decisions to raise no objection*

### **Steel**

**Reference:** Commission Decision 3855/91/ECSC concerning Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-1991, point 1.2.26

### *Italy*

*1.3.34.* Decision concerning the acquisition of a public shareholding in Ferriere Nord SpA, Friuli-Venezia Giulia.

*Adopted on 3 May.* The Commission examined the acquisition of a minority interest (23%) by the Friuli region in the private company Ferriere Nord SpA, a steel firm manufacturing rolled products, electrically welded structures and general steel and metal products. It considered that, in view of the company's sound economic and financial situation and the prospect of a higher-than-average return on the capital invested, this was a transaction which had been carried out in accordance with the criteria that a private investor operating under normal market economy conditions would have applied. The Commission therefore decided that the acquisition of a shareholding did not constitute State aid.

### **Textiles**

### *France*

*1.3.35.* Decision on aid to Fabertex SA, Issenheim, Alsace.

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

*Adopted on 23 May.* The Commission decided to raise no objection to the FF 10 million capital grant to Fabertex SA. The latter, a subsidiary of the German company Baumwolle Spinnerei Calw GmbH, was set up to take over some of the spinning activities of the Cernay textile group within the Société Alsacienne de Filatures (SAF).

Fabertex has been set up as part of the restructuring of SAF and the refocusing of its production on markets for products with higher profit

margins. The total cost of the restructuring programme, which includes certain modernization investment, is FF 47.5 million, of which Fabertex is putting up nearly 80%. In reaching its decision, the Commission took account of the small size of the company within the spinning industry and of the fact that there will be no increase in Fabertex's total production capacity, which has been reduced by half as a result of the closure of the Cernay plant. In addition, 106 jobs have been safeguarded.

## Environment

**Reference:** Guidelines on State aid for environmental protection: OJ C 72, 10.3.1994; Bull. 12-93, point 1.2.73

### Netherlands

1.3.36. Decision relating to the amendment of environmental tax legislation (Wet belastingen op milieugrondslag).

**Previous decisions:** Bull. 4-1992, point 1.3.47; Bull. 3-1994, point 1.2.50

*Adopted on 23 May.* Since 1 January 1995, the Dutch authorities have been applying two new environmental protection taxes. One is on waste, and the other on the use of groundwater. The new rules also provide for certain exemptions from payment of the taxes. Although it considered that the exemptions amounted to State aid, the Commission decided not to object to them, since it found them to be consistent with the Community's policies on environment and taxation.

## Regional aid

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

### Germany

1.3.37. Decisions concerning the consolidation funds of Saxony-Anhalt and Mecklenburg-Western Pomerania.

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

**Previous decision:** Bull. 4-1995, point 1.3.44

*Adopted on 10 and 23 May.* The German Government has provided the new *länder* with funds amounting to DM 500 million (ECU 250 million) for granting aid for the rescue and restructuring of privatized firms. The resources are managed individually by the *länder*, which are setting up their own funds for the purpose.

Saxony-Anhalt's consolidation fund, which has been given a total budget of DM 120 million, and Mecklenburg-Western Pomerania's, with a total budget of DM 130 million, both provide for the grant of aid in the form of loans up to a maximum of DM 5 million. The Commission approved the funds after finding that their implementing procedures and conditions were consistent with the Community guidelines on State aid for rescuing and restructuring firms in difficulty and that aid to large firms or firms belonging to sensitive sectors would be notified individually.

### Greece

1.3.38. Decision on the Greek regional aid scheme.

*Adopted on 3 May.* The Commission approved certain amendments to the Greek regional aid scheme which it authorized in September 1994. The changes consist essentially in raising the level of grants and interest rate subsidies, and in setting up a new development area which will receive grants of up to 40% of the investment aided and which will consist of the prefectures of Dodecanese, Samos, Khios and Lesbos, the island of Samothrace and certain municipalities less than 20 km from the border.

## Research and development

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

### Germany

1.3.39. Decision on the renewal of research and development aid for SMEs in Berlin.

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

*Adopted on 23 May.* The Commission decided to approve the renewal of the scheme for encou-

raging SMEs in Berlin to carry out applied research and development projects aimed at developing or improving products, processes and services which have a beneficial effect on the environment. The total budget for 1994 to 1996 amounts to DM 29.52 million (ECU 15.50 million). The aid, which is limited to DM 400 000 per project, complies with the conditions and procedures laid down in the framework for State aid for research and development.

### *Denmark*

*1.3.40.* Decision on aid for the Danish Energy 2000 programme.

*Adopted on 23 May.* The Energy 2000 programme provides for grants and loans to promote research and development in energy technologies and the application of the results obtained at both national and international level. It is mainly SMEs which are sponsoring the projects qualifying for aid, as the programme seeks to promote projects involving research institutes and cross-border projects. The Commission authorized the application of the scheme after finding that the procedures and conditions for granting the aid complied with the framework for State aid for research and development.

### *Italy*

*1.3.41.* Decisions on aid for four firms participating in the Eureka project JESSI and for four firms participating in the Eureka project Prometheus (second phase).

*Adopted on 10 May.* The JESSI programme is designed to boost microelectronics and was set up to develop the technology of highly integrated circuits at European level. With a view to their participation in the programme, SGS Thomson Microelectronics sarl, Finmeccanica (Alenia) SpA, Bull HN and Italtel SpA will be able to receive aid up to a maximum of 35% of the eligible costs of the projects concerned.

The Prometheus programme, a research programme headed by car manufacturers from six European countries, is intended to define the

possible future of road traffic and, accordingly, seeks to establish electronically-aided general traffic systems. The Italian firms taking part in the programme are STET-Societa Finanziaria Telefonica p.A, Fiat-CIEI SpA, Zeltron SpA and Centro Ricerche Fiat SCpA (CRF). The aid, in the form of non-repayable grants, allocated by Italy to the second phase of the programme, amounts to a total of LIT 7 287.7 million (ECU 3.19 million), or 34% of the total eligible cost of the projects.

In both cases, the aid will be granted on the basis of Italian Laws 46/82 and 22/87, which were approved by the Commission in 1989. The Commission, having examined the Community interest of the projects, considered that the aid qualifies for exemption under Article 92(3)(b) of the EC Treaty.

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

#### **Germany**

*1.3.42.* Decision on aid to Aircraft Services Lemwerder ASL, an aircraft maintenance company in Lemwerder, Lower Saxony.

*Adopted on 23 May.* When DASA, the German aircraft manufacturer, decided in 1993 to close its maintenance centre in Lemwerder, the Lower Saxony authorities resolved to set up a new company, ASL, with the object of taking over the civil side of the centre, granting it a capital contribution of DM 10 million (ECU 5.4 million) for the purpose, of which DM 3.25 million have already been disbursed, and a State guarantee of DM 60 million (ECU 32.4 million). The Commission believes that these measures constitute State aid, since a private investor would not have backed ASL under the same conditions. It decided to initiate proceedings with regard to the company, since it doubts whether the aid is compatible with the common market, given the excess capacity in the sector and the poor prospect of the company returning to viability; it also believes that the aid may unjustifiably distort intra-Community competition.

#### **Italy**

*1.3.43.* Decision on aid to firms manufacturing polyethylene-based plastic film.

*Adopted on 23 May.* Italy has introduced a scheme for helping to recycle polyethylene, consisting of a 10% turnover tax on unadulterated polyethylene used in the production of plastic film for the domestic market and on imported polyethylene and plastic film, including that from other Member States. Exported products, however, are exempt. The purpose of the tax is to finance the selective collection and recycling of polyethylene waste and to develop markets for the recycled products. As the scheme contains aid whose compatibility with the common market does not seem to be demonstrated, the Commission decided to initiate proceedings with regard to that aid. The reasons underlying that decision are as follows:

- the activities financed principally benefit Italian firms, whereas the tax is also levied on products imported from other Member States;
- the Italian manufacturers of plastic film gain, since they pay tax on the raw material (polyethylene) only, whereas firms selling to Italy have to pay on the value of the finished or semi-finished products they export;
- the financing of selective collection and recycling constitutes a State aid to the specific firms carrying out such operations;
- lastly, the exemption from tax of the Italian products exported constitutes an export aid.

### *Decision to initiate proceedings under Article 6(4) of the steel aid code*

**Reference:** Commission Decision 3855/91/ECSC concerning Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-91 point 1.2.26.

### **Greece**

*1.3.44.* Decision on regional investment aid to the steel firm Halyvourgia Thessalias.

*Adopted on 23 May.* Under the steel aid code, steel firms may not receive investment aid under general schemes after 31 December 1994. The Commission therefore decided to initiate proceedings to examine the compatibility with the

common market of the aid which the Greek Government is planning to grant to Halyvourgia Thessalias under Law No 1892/90 on regional aid.

## Enterprise policy

### Small and medium-sized businesses

*1.3.45.* Commission Recommendation to the Member States on payment periods in commercial transactions

**Commission approval:** Bull. 11-1994, point 1.2.60

*Formally adopted by the Commission on 12 May.*

OJ C 144 and OJ L 127, 10.6.1995

## Research and technology

### International cooperation

#### *Independent States of the former Soviet Union*

*1.3.46.* Commission communication to the Council and Parliament on prospects for cooperation in science and technology with the new independent States (NIS).

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

*Adopted on 16 May.* In this communication, the Commission proposes that thought should be given to refocusing scientific and technological cooperation between the European Union and the new independent States of the former Soviet Union and to concentrate the resources available

on a smaller number of projects whose impact is more in line with the needs of those countries. To this end, it considers that thematic priorities should be set, that the countries in question should be helped to prepare their projects more efficiently and to find partners, that closer cooperation and coordination with projects funded by the TACIS programme should be ensured, and that there should be closer coordination with the EBRD, the World Bank, and the European Union Member States.

The Commission identifies several priority areas: environmental protection, nuclear safety and technology, the global information society, energy production, transport/transmission and distribution, space technology, and economics and social sciences.

Where project preparation and selection is concerned, closer dialogue with the parties concerned, modelled on the 'round tables', should be established in order to define selection criteria making it possible to promote projects which are closer to industrial production. The project preparation phase would be facilitated by setting up workshops and information networks between researchers.

Research and technological development activities should be carried out in cooperation with the TACIS programme, by closely linking the establishment of information systems and assistance for the preparatory phase of projects to the latter's activities. Exchanges of information between the Member States on their own individual activities should also be improved.

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## Japan

1.3.47. Visit by Mrs Cresson from 24 to 27 May.

During her visit, Mrs Cresson met the Prime Minister Tomiichi Muramaya, the Minister for Foreign Affairs Yohei Kono, the Minister for International Trade and Industry Ryutaro Hashimoto, the Minister for Science and Technology Makiko Tanaka, the Minister for Construction Kouken Nosaka, the Minister for Education

Kaoru Yosano, the Minister for Post and Telecommunications Shun Oide and other leading political and industrial figures. Talks focused on the development of cooperation and Euro-Japanese dialogue in the field of science and technology, and the strengthening of cooperation between the European Union and Japan in the field of seismic research.

## Education, vocational training and youth

### Youth

1.3.48. Commission report on the Youth for Europe programme – 1993.

**Reference:** Council Decision 91/395/EEC adopting the Youth for Europe programme (second phase): OJ L 217, 6.8.1991; Bull. 7/8-1991, point 1.2.146

**Previous report:** Bull. 10-1993, point 1.2.73

*Adopted by the Commission on 11 May.* After taking stock of action in 1993 in relation to the second phase of the programme, which is designed to underpin youth exchange projects in the European Community, the Commission proceeds to analyse future perspectives with special reference to the consolidation of the existing framework and the emergence of new networks in the field of youth mobility and exchanges, assessment of an increase in demand for Community financial aid, and participation of the EFTA/EEA countries.

COM(95) 159

## Economic and social cohesion

### General

1.3.49. Opinion of the Economic and Social Committee on the Commission's fifth periodic report on the social and economic situation and development of the regions of the Community.



**Reference:** Commission report: COM(94) 322; Bull. 7/8-1994, point 1.2.103

*Adopted on 31 May.* The Committee took the view that the report suffered from an excess of description and insufficient analysis of the trends identified. It felt that the contribution of the Structural Funds must be set in both a national and an external context. The Committee hoped the next report would contain a more detailed analysis of the regional consequences of monetary union and enlargement.

## Structural action, regional policy

### *Planning and orientation*

#### **Structural action under Objective 5a (adjustment of agricultural structures)**

##### *Single programming documents*

*1.3.50.* Draft Commission Decision approving a single programming document for Community structural funding for improving the processing and marketing conditions for agricultural products in Germany (Hamburg), under Objective 5a, for the period 1994-99.

*Approved on 23 May.* The single programming document lists the priorities for joint action under Objective 5a as meat, fruit and vegetables and flowers and plants. Community assistance is set at ECU 4.298 million.

*1.3.51.* Commission Decisions 95/199/EC and 95/200/EC approving single programming documents for Community structural measures for improving the processing and marketing conditions for agricultural products in Germany (Bavaria and Hesse), under Objective 5a, for the period 1994-99.

**Commission approval:** Bull. 3-1995, point 1.3.80

*Formally adopted on 31 May.*

OJ L 127, 10.6.1995

#### **Structural action under Objective 5a (adjustment of fishery structures)**

##### *Legislative aspects*

*1.3.52.* Proposal for a Council Regulation amending Regulation (EC) No 3699/93 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products.

**Commission proposal:** OJ C 389, 31.12.1994; COM(94) 568; Bull. 12-1994, point 1.2.138

*Endorsed by Parliament on 19 May.*

OJ C 151, 19.6.1995

*Endorsed by the Economic and Social Committee on 31 May.* The Committee stressed that during the harmonization phase, economic operators would be able to choose between the two methods of measuring vessel tonnage.

*1.3.53.* Proposal for a Council Regulation amending Regulation (EC) No 3699/93, laying down the criteria and arrangements regarding structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products.

**Commission proposal:** OJ C 85, 7.4.1995; COM(95) 55; Bull. 3-1995, point 1.3.82

*Endorsed by the Economic and Social Committee on 31 May.* The Committee took the view, however, that the early retirement scheme should be extended to all fishermen. It stressed that the financial support for the proposed measures would require increased FIFG allocations.

#### **Community initiatives**

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

*1.3.54.* Commission notice to the Member States laying down guidelines for an initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland.

**Commission approval:** Bull. 1/2-1995, point 1.3.75

*Formally adopted on 16 May.*

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

*Adopted on 31 May.* The Committee welcomed this Community initiative, taking the view that it should help to consolidate the economic and social foundations of the peace process and pro-

mote reconciliation and tolerance between the communities. To that end it recommended that strict neutrality be observed in the implementation of the special aid programme, to avoid conflict.

## Financing

### Community initiatives

1.3.56. Commission Decisions. Purpose: see Table 2.

Table 2 — *Financing of Community initiatives*

<i>(million ECU)</i>			
Initiative	Country/region	Fund	Total assistance
ADAPT	Belgium		
	• Flanders	ESF	14.96
	• Wallonia	ESF	16.24
	Denmark	ESF	29.50
	Germany	ESF	228.80
	Greece	ESF	30.10
	Spain	ESF	256.40
	France	ESF	226.37
	Ireland	ESF	21.2
	Italy	ESF	190
	Luxembourg	ESF	0.30
	Netherlands	ESF	57.55
	Portugal	ESF	21
	United Kingdom	ESF	283.50
United Kingdom (Northern Ireland)	ESF	3.10	
PESCA	Italy	ESF	34.17

## Less-developed regions

1.3.57. Commission Decisions. Purpose: see Table 3.

Table 3 — *Financing under Objective 1*

<i>(million ECU)</i>		
Country/region	Fund	Total assistance
Italy • Apulia	ERDF-EAGGF-ESF	1 148.4

## Declining industrial areas

1.3.58. Commission Decisions. Purpose: see Table 4.

Table 4 — *Financing under Objective 2*

<i>(million ECU)</i>		
Country/region	Fund	Total assistance
Spain • La Rioja	ERDF-ESF	11.867

## Trans-European networks

### Energy

1.3.59. Proposal for a Parliament and Council Decision laying down a series of guidelines on trans-European energy networks.

**Reference:** European Energy Charter Treaty: OJ L 380, 31.12.1994; Bull. 12-1994, point 1.2.110

**Commission proposal:** OJ C 72, 10.3.1994; COM(93) 685; Bull. 1/2-1994, point 1.2.88

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.74

**Committee of the Regions opinion:** OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.70

*Endorsed by Parliament (first reading), on 18 May* subject to various amendments aimed in particular at ensuring the rational use of energy resources, making greater use of renewable resources, and ensuring closer relations with non-Community countries in the energy field, while adhering to the Energy Charter Treaty.

OJ C 151, 19.6.1995

*Amended proposal adopted by the Commission on 30 May.*

COM(95) 226

1.3.60. Proposal for a Council Decision laying down a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector.

**Commission proposal:** OJ C 72, 10.3.1994; COM(93) 685; Bull. 1/2-1994, point 1.2.88

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.74

**Committee of the Regions opinion:** OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.70

*Endorsed by Parliament (first reading) on 18 May.* However, Parliament did propose some amendments aimed at giving priority to trans-European energy networks which help to reduce energy supply costs, and to promote growth, employment and competitiveness and the development of economic and social cohesion.

OJ C 151, 19.6.1995

*Amended proposal adopted by the Commission on 30 May.*

COM(95) 226

## Transport

*1.3.61. Proposal for a Parliament and Council Decision on Community guidelines for the development of the trans-European network.*

**Commission proposal:** OJ C 220, 8.8.1994; COM(94) 106; Bull. 4-1994, point 1.2.76

**Committee of the Regions opinion:** Bull. 9-1994, point 1.2.101

**Economic and Social Committee opinion:** OJ C 397, 31.12.1994; Bull. 11-1994, point 1.2.84

**Amended Commission proposal:** OJ C 97, 20.4.1995; COM(95) 48; Bull. 1/2-1995, point 1.3.83

*Endorsed by Parliament (first reading) on 18 May* subject to various amendments advocating in particular greater consideration for environmental protection and compliance with the principle of interoperability, and ensuring the coherence of the trans-European transport network. Parliament also proposed numerous amendments aimed at altering the list of projects selected and the various maps concerned.

OJ C 151, 19.6.1995

## Telematics and telecommunications

*1.3.62. Commission communication to Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on a methodology for the implementation of information society applications, and a proposal for a Parliament and Council Decision on a series of guidelines for trans-European telecommunications networks (→ point 1.3.78).*

## Energy

### Community energy strategy

#### *Promotion of energy efficiency*

*1.3.63. Proposal for a Council Decision concerning the promotion of energy efficiency in the European Union (SAVE II).*

#### **References:**

Council Decision 89/364/EEC on a Community action programme for improving the efficiency of electricity use (PACE): OJ L 157, 9.6.1989; Bull. 6-1989, point 2.1.190

Council Decision 91/565/EEC concerning the promotion of energy efficiency (SAVE I): OJ L 307, 8.11.1991; Bull. 10-1991, point 1.2.62

*Adopted by the Commission on 31 May.* The Commission is proposing to continue and expand the activities established under the SAVE I programme, which comes to an end on 31 December 1995, as part of a new programme with a budget of ECU 150 million for the period 1996-2000. The proposal provides for the establishment of an overall framework incorporating the electricity end-use efficiency programme (PACE) and the pilot projects under the regional and urban energy management scheme. The main objectives are as follows:

- reinforcement of activities in progress concerning the labelling and standardization of energy-using equipment, pilot energy-efficiency initiatives, and the dissemination of information;
- new activities concerning the monitoring of progress made with energy efficiency, and greater cohesion between Member States with regard to energy management strategies.

COM(95) 225

## Internal energy market

### *Natural gas and electricity*

*1.3.64. Commission working paper on small and very small electricity systems in the internal electricity market.*

**Reference:** Commission working paper on the organization of the internal electricity market: Bull. 3-1995, point 1.3.90

*Adopted on 10 May.* In this working paper, which supplements the working paper it adopted on 27 March, the Commission considers that small and very small electricity systems should be treated in the same way as all the other electricity systems in the context of the liberalization of the Community electricity market.

## International cooperation

### *General*

*1.3.65. Proposal for a Council Regulation adopting a multiannual programme to promote international cooperation in the energy sector (Synergie programme).*

*Adopted by the Commission on 23 May.* The aim of this proposal is to provide the European Community with a five-year international cooperation programme (1996-2000), which would subsume the activities carried out hitherto on an annual basis, and would consist of cooperation and assistance to non-Community countries in the definition, formulation and implementation of energy policy. The objectives of the programme are to promote sustainable development, notably by reducing emissions of greenhouse gases and of pollutants linked to energy consumption, to enhance security of supply, and to improve energy efficiency. To achieve these objectives, activities are proposed concerning technical assistance and training, energy planning, the organization of conferences and seminars, and the establishment of institutions such as energy centres. The proposed budget for the programme is ECU 50 million.

COM(95) 197

### United States

*1.3.66.* Draft cooperation Agreement between the European Atomic Energy Community and the United States in the nuclear field.

**Negotiating directives:** Bull. 12-1991, point 1.2.126

*Proposal for a Council Decision approving the conclusion of the Agreement by the Commission adopted by the Commission on 10 May.* The new Agreement, which will replace the existing Agreement which dates back to 1960 and expires on 31 December 1995, provides for the maintenance, improvement and extension of cooperation with the United States in fields such as the transfer of nuclear materials and equipment, research and development, and industrial and commercial activities.

**Parliament opinion (first reading):** OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.81

**Amended Commission proposal:** OJ C 225, 13.8.1994; COM(94) 316; Bull. 7/8-1994, point 1.2.88

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.110

**Council agreement on a common position:** Bull. 9-1994, point 1.2.110

**Council common position:** OJ C 354, 13.12.1994; Bull. 11-1994, point 1.2.97

**Parliament opinion (second reading):** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.95

*Re-examined proposal adopted by the Commission on 5 May.* The Commission accepted all the amendments adopted by Parliament.

COM(95) 151

*1.3.68.* Proposal for a Council Directive on the allocation of railway infrastructure and the charging of infrastructure fees.

**Commission proposal:** OJ C 24, 28.1.1994; COM(93) 678; Bull. 12-1993, point 1.2.130

**Parliament opinion (first reading):** OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.81

**Amended Commission proposal:** OJ C 225, 13.8.1994; COM(94) 316; Bull. 7/8-1994, point 1.2.87

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.110

**Council agreement on a common position:** Bull. 9-1994, point 1.2.110

**Council common position:** OJ C 354, 13.12.1994; Bull. 11-1994, point 1.2.98

**Parliament opinion (first reading):** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.96

*Re-examined proposal adopted by the Commission on 5 May.* The Commission accepted some of Parliament's amendments, in particular those designed to clarify the procedures for submitting and examining applications for infrastructure capacity.

COM(95) 151

*1.3.69.* Proposal for a Council Directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail.

**Commission proposal:** OJ C 389, 31.12.1994; COM(94) 573; Bull. 12-1994, point 1.2.118

*Endorsed by the Economic and Social Committee on 31 May* subject to certain comments calling for a monitoring system for private and regional rail transport and the application to mil-

## Transport

### Inland transport

#### Rail transport

*1.3.67.* Proposal for a Council Directive on the licensing of railway undertakings.

**Commission proposal:** OJ C 24, 28.1.1994; COM(93) 678; Bull. 12-1993, point 1.2.130

itary transport operations of safety standards identical to those applicable to civil transport operations.

### Road transport

1.3.70. Proposal for a Council Directive amending Directive 91/439/EEC on driving licences.

**Directive to be amended:** Council Directive 91/439/EEC: OJ L 237, 24.8.1991; Bull. 7/8-1991, point 1.2.287 as last amended by Directive 94/72/EC: OJ L 337, 24.12.1994; Bull. 12-1994, point 1.2.120

*Adopted by the Commission on 10 May.* Purpose: to introduce from 1 July 1996 an optional Community model driving licence in credit card format as an alternative to the paper model introduced in 1991.

COM(95) 166

1.3.71. Proposal for a Council Directive on the use of vehicles hired without drivers for the carriage of goods by road.

**Commission proposal:** OJ C 80, 1.4.1995; COM (95) 2; Bull. 1/2-1995, point 1.3.89

*Endorsed by the Economic and Social Committee on 31 May.* The Committee stressed the importance of verification by the Member States of compliance with the provisions whereby a hired vehicle must be driven by the lessee or by a driver employed by the lessee.

### Inland waterway transport

1.3.72. Commission communication on a common policy on the organization of the inland waterway transport market and supporting measures, proposal for a Council Directive on the systems of chartering and pricing in national and international inland waterway transport, proposal for a Council Regulation amending Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport, and proposal for a Council Regulation amending Regulation (EEC) No 1107/70 on the granting of aids for transport by rail, road and inland waterway.

#### References:

Commission report on the organization of the inland waterway transport market and systems of chartering by rotation.

Council resolution on structural improvements in inland waterway transport: OJ C 309, 5.11.1994; Bull. 10-1994, point 1.2.65

#### Regulations to be amended:

Council Regulation (EEC) No 1107/70: OJ L 130, 15.6.1970, as last amended by Regulation (EEC) No 3578/92: OJ L 364, 12.12.1992; Bull. 12-1992, point 1.3.121

Council Regulation (EEC) No 1101/89: OJ L 116, 28.4.1989; Bull. 4-1989, point 2.1.175 as last amended by Regulation (EC) No 3314/94: OJ L 350, 31.12.1994; Bull. 12-1994, point 1.2.121

*Adopted on 23 May.* Having come to the conclusion that the development of inland waterway transport has been hampered because of restrictive practices in certain markets, structural over-capacity, and the high cost of trans-shipment, the Commission feels that this situation should be rectified by gradually liberalizing the inland waterway transport market, improving the structure of the sector, and promoting inland waterway transport. To this end, it proposes the following measures:

□ abolition by 1 January 2000 of the 'chartering by rotation' system (*tour de rôle*) whereby cargoes are allocated on the basis of a waiting list of vessels operating at fixed rates. The idea is that gradually it should be possible for contracts to be concluded freely between the parties concerned and for rates to be freely negotiated;

□ further large-scale structural improvements over a three-year period, by amending Regulation (EEC) No 1101/89 so as to reduce capacity by 15% over the period 1996-98;

□ revise the State aid rules provided for in Council Regulation (EEC) No 1107/89, so as to enable Member States to cofinance investment in inland waterway terminals and fixed and mobile equipment needed for loading and unloading.

COM(95) 199

1.3.73. Proposal for a Council Regulation amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport.

**Regulation to be amended:** Council Regulation (EEC) No 1101/89: OJ L 116, 28.4.1989; Bull. 4-1989, point 2.1.175; as last amended by Regulation (EC) No 3314/94: OJ L 350, 31.12.1994; Bull. 12-1994, point 1.2.121

*Adopted by the Commission on 23 May.* Purpose: to create an appropriate legal basis for a

Community financial contribution to the national scrapping funds of the Member States concerned.

COM(95) 200

*1.3.74.* Proposal for a Council Regulation on common rules applicable to the transport of goods or passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services.

**Reference:** Court of Justice judgment in Case 13/83 *Parliament v Council*: OJ C 144, 13.6.1985

*Adopted by the Commission on 10 May.* Purpose: to propose, in accordance with the judgment of the Court of Justice of 22 May 1985, Community rules governing access to the market in the transport of goods and passengers by inland waterway between Member States with a view to establishing freedom to provide such transport services.

OJ C 164, 30.6.1995; COM(95) 167

## Sea transport

*1.3.75.* Proposal for a Council Directive concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions.

**Commission proposal:** OJ C 107, 15.4.1994; COM(94) 73; Bull. 3-1994, point 1.2.91

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.118

**Parliament opinion (first reading):** OJ C 323, 21.11.1994; Bull. 10-1994, point 1.2.66

**Amended Commission proposal:** OJ C 347, 8.12.1994; COM(94) 501; Bull. 11-1994, point 1.2.106

**Council agreement on a common position:** Bull. 11-1994, point 1.2.106

**Council common position:** OJ C 93, 13.4.1995; Bull. 3-1995, point 1.3.100

*Endorsed by Parliament (second reading) on 18 May,* subject to two amendments designed to extend the scope of the Directive to cover ships sailing in the waters under a Member State's jurisdiction.

OJ C 151, 19.6.1995

*1.3.76.* Proposal for a Council Regulation on the safety management of RO-RO passenger vessels.

**Commission proposal:** COM(95) 28; Bull. 1/2-1995, point 1.3.92

*Endorsed by the Economic and Social Committee on 31 May.* The Committee welcomed this proposal which seeks to make mandatory the ISM code (international management code for the safe operation of ships and for pollution prevention). It felt that any derogations should be strictly limited to small companies operating domestic services, and stressed the importance of compliance with Part 6 of the ISM code concerning the qualifications of the master and crew.

## State aid

### *Decision to raise no objections*

#### Germany

*1.3.77.* Commission Decision concerning the privatization of Lufthansa.

*Adopted on 10 May.* The measures planned by the German government mainly concern the granting of a DM 1.55 billion contribution to supplementary pension funds for Lufthansa employees. These measures are linked to Lufthansa's withdrawal, as part of the airline's privatization programme, from the supplementary pension fund managed by the Versorgungsanstalt des Bundes und der Länder (VBL), to which, as a public company, it had been obliged to pay contributions.

The Commission took the view that a private investor in the same position as the German State, i.e. obliged to relinquish its control of Lufthansa, would very probably have acted in the same way. It therefore decided to raise no objections to the State's financial contribution to the pension fund.

## The information society, telecommunications

### General

*1.3.78.* Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Com-

mittee of the Regions on a methodology for the implementation of information society applications, accompanied by a proposal for a European Parliament and Council Decision on a series of guidelines for trans-European telecommunications networks.

**References:**

European Parliament and Council Decision No 1101/94/EC, concerning the fourth framework programme of European Community activities in the field of research, technological development and demonstration (1994-98): OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

Council conclusions on the information society: Bull. 9-1994, point 1.2.125

Proposal for a Council Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks: OJ C 115, 9.5.1995; COM(95) 32; Bull. 3-1995, point 1.3.89

*Adopted by the Commission on 31 May.* In this communication, transmitted in response to a request from the Council of 28 September 1994, the Commission sets out guidelines for coordinated action to make optimum use of Community financial instruments and resources in the development of new information society services and applications. Due to uncertainties about the commercial viability of certain projects, it considers that the European Union can help to stimulate certain initiatives by fulfilling three roles:

- an information and awareness role *vis-à-vis* actors in the public and private sectors, particularly by maintaining an updated inventory of projects that are planned or under way at national, European and international levels;
- a brokerage role, in bringing together actors from different sectors who may have a common interest in certain initiatives;
- a guidance role, in orienting interested partners towards the financial instruments and resources at the disposal of the European Union, especially in connection with the proposed trans-European networks support mechanism, the R & TD framework programme, the Structural Funds, the Cohesion Fund and the EIB.

The proposal for a decision, as part of this approach, aims to establish a series of guidelines for trans-European telecommunications networks on the basis of Article 129c of the EC Treaty. The proposal has the particular objec-

tives of facilitating the transition to the information society, improving the competitiveness of European industry, strengthening economic and social cohesion, and accelerating the development of activities in growth areas such as multimedia and electronic information services which lead to job creation. It particularly sets out a list of projects of common interest in the following fields:

- applications enabling users to interact with generic services and basic networks for meeting their professional needs (networks for universities and research centres, services for SMEs and private citizens, telematic systems for health, transport, the environment, and distance training and working);
- generic services such as electronic mail, multimedia and services incorporating digital signatures;
- basic networks offering trans-European interconnection of integrated services digital networks (ISDN) and integrated broadband communication (IBC).

COM(95) 224

## Telecommunications

*1.3.79.* Communication from the Commission to the Council and the European Parliament on the consultation on the Green Paper on the liberalization of telecommunications infrastructure and cable television networks.

**References:**

Commission Green Paper on the liberalization of telecommunications infrastructures and cable television networks Part I: principle and timetable: COM(94) 440; Bull. 10-1994, point 1.2.71; Part II: a common approach to the provision of telecommunications infrastructure in the European Union: COM(94) 682; Bull. 1/2-1995, point 1.3.101

Council resolution on the principles and timetable for the liberalization of telecommunications infrastructures: OJ C 379, 31.12.1994; Bull. 12-1994, point 1.2.127

*Adopted by the Commission on 3 May.* In this communication, transmitted further to a Council resolution of November 1994, the Commission presents the results of the consultations undertaken following the adoption of Part I of the Green Paper on the liberalization of telecommu-



nications infrastructure and cable television networks. It stresses that these consultations elicited a multitude of reactions, particularly from companies, associations and trade unions, users and consumers. It was thus possible to arrive at a general agreement on the need for a clear and consistent regulatory framework throughout the territory of the Union governing in particular the following fields:

- licensing: transparent measures and procedures for awarding licences or authorizations must be set up by 1998;
- interconnection of networks: there is widespread support for a common regulatory framework to facilitate the negotiation of arrangements on the interconnection of networks;
- universal services: most operators, service providers and users' organizations consider that basic voice telephony represents an adequate starting point;
- the international dimension: there is agreement on the need for the European Union to seek to obtain effective access to third country markets.

COM(95) 158

*1.3.80. Parliament Resolution on the Green Paper on the liberalization of telecommunications infrastructure and cable television networks — Part II: a common approach to the provision of infrastructure for telecommunications in the European Union*'.

**Reference:** Commission Green Paper: COM(94) 682; Bull. 1/2-1995, point 1.3.101

*Adopted by Parliament on 19 May.* Parliament, stressing the need to define universal service, calls for the establishment of national universal service funds to finance the expenditure occasioned by the supply of services in this field. It suggests that a European Regulatory Authority be set up to supervise the granting of licences in order to avoid any use of the networks for criminal or anti-social activities. Parliament also recommends that more attention be paid to the social and environmental aspects of liberalization. In addition, it calls for the establishment of a regulatory framework to preserve cultural diversity, plurality and a European identity, with separate rules in the fields of radio and television.

OJ C 151, 19.6.1995

*1.3.81. Economic and Social Committee opinion on the draft Commission Directive amend-*

ing Directive 90/388/EEC regarding the abolition of the restrictions on the use of cable television networks for the provision of telecommunications services.

**Reference:** Draft Commission Directive: OJ C 76, 28.3.1995; Bull. 12-1994, point 1.2.41

*Adopted by the Economic and Social Committee on 1 June.* The Committee welcomed this draft Directive while considering that the restrictions on the use of cable networks could not be lifted without clearly defining a regulatory framework for universal service and particularly the conditions for a contribution by mobile communications providers towards financing universal service. It also stressed the disparities in the development of cable networks in the Member States, which could lead to cases of unfair competition.

*1.3.82. Parliament Resolution on the Commission communication 'Towards the personal communications environment: Green Paper on a common approach in the field of mobile and personal communications in the European Union' and on the Commission communication on the consultation on the Green Paper on mobile and personal communications.*

**References:**

Commission communication 'Towards the personal communications environment: Green Paper on a common approach in the field of mobile and personal communications': OJ C 276, 3.10.1994; COM(94) 145; Bull. 4-1994, point 1.2.98

Commission communication on the consultation on the Green Paper on mobile and personal communications, accompanied by a proposal for a Council resolution on the further development of mobile and personal communications in the European Union: COM(94) 492; Bull. 11-1994, point 1.2.115

*Adopted by Parliament on 19 May.* Parliament approves the Commission's proposals for measures while calling, however for the provision of public mobile communications services to take account of universal service requirements and consumers' interests. Parliament suggests setting 1 January 1996 as the deadline for establishing a harmonized licensing approach for satellite-based mobile communications, considering the environmental, defence and public-order aspects, and undertaking negotiations within the World Trade Organization (WTO) or on a bilateral basis with a view to lifting the restrictions on European firms.

OJ C 151, 19.6.1995

1.3.83. Proposal for a European Parliament and Council Directive on the application of open network provision (ONP) to voice telephony.

**Commission proposal:** OJ C 122, 18.5.1995; COM(94) 689; Bull. 1/2-1995, point 1.3.102

*Endorsed by Parliament (first reading) on 16 May.*

OJ C 151, 19.6.1995

*Endorsed by the Economic and Social Committee on 31 May*, subject to a number of observations stressing that the implementation of the measures should take account of the necessary costs, the economic and social viability and the technical feasibility of the plans.

## Development of an information services market

1.3.84. Commission communication to the European Parliament and to the Council concerning a multi-annual Community programme to stimulate the development of a European multimedia content industry and to encourage the use of multimedia content in the emerging information society ('Info 2000'), accompanied by a proposal for a Council Decision adopting this programme.

*Approved by the Commission on 3 May.* The Commission proposes, in a programme covering the period 1996-99, to expand and intensify the European Union's policy in the field of the 'information content' industry, which covers firms involved in the production, development, packaging and distribution of information. It emphasizes the need to encourage the emergence of the multimedia industry and lays particular stress on the transition from the printed page to electronic media. To this end and to complement the actions undertaken to bring about the information society, the Commission proposes three strategic objectives:

- to facilitate the development of the European 'information content' industry;
- to optimize the contribution of new information services to growth, competitiveness and employment in Europe;
- to maximize the contribution of advanced information services to the professional, social

and cultural development of the citizens of Europe.

In pursuit of these objectives, it envisages certain actions aimed at mobilizing European users, exploiting the information potential of the public sector in Europe and seizing opportunities in the 'information content' field.

COM(95) 149

## Environment

### Economic, fiscal and legal instruments

1.3.85. Proposal for a Council Directive introducing a tax on carbon dioxide emissions and energy.

**Reference:** Essen European Council conclusions: Bull. 12-1994, point I.5

**Commission proposal:** OJ C 196, 3.8.1992; COM (92) 226; Bull. 5-1992, point 1.1.114

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. 1/2-1993, point 1.2.162

*Amended proposal adopted by the Commission on 10 May.* This amendment to the proposal for a Directive introducing a tax on carbon dioxide emissions and energy stems from the commitment given by the Commission at the Essen European Council to submit guidelines to enable every Member State to apply a CO<sub>2</sub>/energy tax on the basis of common parameters if it so desires. In order to honour this commitment and overcome the obstacles preventing the Council from adopting the proposal, the Commission has made it more flexible. The main change is the introduction of a transitional period until 1 January 2000 during which the Member States will have a degree of latitude in determining the tax rates. However, after 1 January 1996, Member States wishing to apply the tax must do so within a harmonized structure, respecting common parameters. The Commission is now proposing that the rates per product fixed in the original proposal should be target rates towards which Member States will endeavour to make their domestic rates converge in the medium term. The other characteristics of the tax (tax

base, chargeable event, and chargeability) and the objectives of the tax (rational use of energy, reduction in greenhouse gas emissions) remain unchanged and its fiscal neutrality is maintained, while certain safeguard clauses (conditionality and temporary suspension of the tax) are no longer required and have been deleted. Before the end of the transitional period, the Commission will present a report on the operation of the transitional arrangements and proposals concerning the rules for the application of harmonized rates, which remain the medium-term objective.

COM(95) 172

## Financial instruments

*1.3.86.* Commission Decision granting financial support to projects for the protection of habitats and nature.

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

*Adopted on 5 May.* Purpose: to grant financial support totalling ECU 10 610 000 to 15 projects.

## Industry and environment

### *Emissions from industrial plants and products*

*1.3.87.* Proposal for a Council Directive concerning integrated pollution prevention and control.

**Commission proposal:** OJ C 311, 17.11.1993; COM(93) 423; Bull. 9-1993, point 1.2.103

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.146

**Parliament opinion (first reading):** OJ C 18, 23.1.1995; Bull. 12-1994, point 1.2.201

*Amended proposal adopted by the Commission on 15 May.* The amendments made to the original proposal, in the light of the European Parliament's opinion, are aimed at introducing the concept of 'basic obligations of the operators' and making various technical clarifications.

COM(95) 88

## Waste management

*1.3.88.* Proposal for a Council Directive on the landfill of waste.

**Commission proposal:** OJ C 190, 22.7.1991; COM(91) 102; Bull. 4-1991, point 1.2.134

**Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. 11-1991, point 1.2.182

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.103

**Amended Commission proposal:** OJ C 212, 5.8.1993; COM(93) 275; Bull. 6-1993, point 1.2.161

**Council agreement on a common position:** Bull. 6-1994, point 1.2.176

*Parliament opinion on the legal basis delivered on 19 May.* Parliament accepted the modified legal basis proposed by the Council (Article 130s(1) of the EC Treaty).

OJ C 151, 19.6.1995

## Civil protection

*1.3.89.* Proposal for a Council Decision establishing a Community action programme in the field of civil protection.

**Reference:** Council resolution on strengthening Community cooperation on civil protection: OJ C 313, 10.11.1994; Bull. 10-1994, point 1.2.107

*Adopted on 4 May.* The aim of the proposed programme is to strengthen Community cooperation on civil protection, as called for by the Council, by supporting, backing up and supplementing the Member States' efforts in this field. It provides for the implementation and funding of specific measures (training, exchanges of experts, simulation exercises, pilot projects, and information) designed in particular to help:

- increase the degree of preparedness of those involved in civil protection in the Member States;
- improve response methods and techniques;
- enhance public information, education and awareness, so as to help citizens to protect themselves more effectively.

OJ C 142, 8.6.1995; COM(95) 155

## Environmental quality and natural resources

### *Protection of nature, flora and fauna, and coastal zones*

*1.3.90.* Commission communication on wise use and conservation of wetlands.

**References:**

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

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

*Adopted on 29 May.* In this communication to the Council and Parliament, as part of the implementation of the Community's fifth environment programme, the Commission stressed the ecological importance of wetlands (coastal wetlands, estuaries and deltas, flood plains, lakes, peatlands, etc.) and indicated that the loss and degradation of wetlands in recent years in Europe is widespread, even though there are already various Community instruments and policies available to encourage their wise use and conservation. The Commission therefore takes the view that there is a need for a specific Community policy on wetlands in order to prevent them disappearing and encourage their wise use by integrating the abovementioned instruments and policies in a coherent fashion, in particular as a result of:

- incorporation in the Natura 2000 network provided for by the 1992 Directive on the conservation of natural habitats of all wetlands of Community importance, and compliance with the corresponding preservation obligations;
- integrated management of water resources;
- implementation of a Community spatial planning strategy;
- granting of financial support to integrated programmes and the implementation of coordinated multisectoral policies aimed specifically at promoting the wise use and conservation of wetlands.

COM(95) 189

*1.3.91.* Revision of the Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention) and the Protocols to that Convention concerning the prevention of pollution by dumping from ships and aircraft and concerning specially protected areas.

**Reference:** Council Decision 77/585/EEC concluding the Barcelona Convention: OJ L 240, 19.9.1977

*Recommendation for a Decision concerning negotiations adopted by the Commission on*

*17 May and proposal for a Decision concerning signature adopted by the Commission on 29 May* Purpose: to authorize the Commission to negotiate and, where appropriate, sign the revised Convention and Protocols.

COM(95) 202

*1.3.92.* Parliament resolution on whale hunting and the next International Whaling Commission meeting.

**Reference:** Parliament resolution on whaling in Norway: OJ C 241, 21.9.1992; Bull. 7/8-1992, point 1.3.224

*Adopted on 18 May.* Parliament restated its opposition to the commercial killing of any species of whales that is seen as an endangered species by the Scientific Committee of the International Whaling Commission, called for a conservation area for whales in the Southern Ocean and called upon the Commission to express to the International Whaling Commission the European Union's support for the continuation of the moratorium on commercial whaling.

It also opposed the scheduled dumping of offshore installations in the Atlantic Ocean and the deliberate pollution of the marine environment that would result.

OJ C 151, 19.6.1995

*1.3.93.* Commission communication on the evaluation of the biological impact of fishing (→ *point 1.3.122*).

*Urban environment, air quality, transport and energy, noise*

*1.3.94.* Proposal for a Parliament and Council Directive amending Council Directive 86/662/EEC on the limitation of noise emitted by earth-moving machinery.

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

**Parliament opinion (first reading):** OJ C 255, 20.9.1993; Bull. 7/8-1993, point 1.2.145

**Economic and Social Committee opinion:** OJ C 304, 10.11.1993; Bull. 9-1993, point 1.2.108

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council agreement on a common position:** Bull. 3-1994, point 1.2.155

**Council common position:** OJ C 213, 3.8.1994; Bull. 6-1994, point 1.2.186

**Parliament amendments (second reading):** OJ C 341, 5.12.1994; Bull. 11-1994, point 1.2.192

**Commission opinion:** COM(94) 655; Bull. 1/2-1995, point 1.3.115

**Joint text:** Bull. 3-1995, point 1.3.109

*Joint text approved by Parliament on 18 May.*

OJ C 151, 19.6.1995

## Agriculture

### Orientation of CAP

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

**Commission proposal:** OJ C 117, 12.5.1995; COM(95) 144; Bull. 4-1995, point 1.3.104

*Endorsed by the Economic and Social Committee on 1 June.* The Committee wished the Council to adopt a final decision as soon as possible on the seat of the Community Plant Variety Office.

### Agrimonetary system

1.3.96. Proposal for a Council Regulation regulating compensation for reductions in the agricultural conversion rates of certain national currencies.

#### References:

Council Regulation (EEC) No 3813/92 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy (OJ L 387, 31.12.1992; Bull. 12-1992, point 1.3.209), as last amended by Regulation (EC) No 150/95: OJ L 22, 31.1.1995; Bull. 1/2-1995, point 1.3.121

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

*Approved by the Commission on 10 May. Formally adopted by the Commission on 16 May.* This proposal is based on the possibility intro-

duced by Council Regulation (EC) No 150/95 of derogating, in order to comply with the obligations emerging from the Uruguay Round and budgetary discipline, from the agrimonetary provisions in force, and in particular the two mechanisms regarding compensatory measures in the event of a major revaluation: on the one hand, payment of aid 12 months after the revaluation, on a temporary (three years) and degressive basis, part-financed by the European Union, by way of compensation for income losses suffered by producers as a result of the impact of the revaluation on prices and, on the other hand, an increase in terms of ecus in direct aids to prevent any fall in the value of such aids in national currencies.

Taking the view that application of these provisions in the current monetary situation could lead to additional agricultural expenditure of over ECU 1 billion in 1996, the Commission proposes a derogation from the present arrangements up to the end of 1995, on the basis of three principles whereby the compensatory measures:

- must correspond to actual income losses in the light of price movements over the past few years;
- must not increase resource requirements for the CAP beyond the possibilities laid down by budgetary discipline;
- must not lead to overcompensation and must therefore be applied degressively and as a temporary measure to take account of the natural erosion of income loss.

The main proposal is that aid be paid to compensate for loss of income immediately after the revaluation. The general level of compensation granted would be subject, for each percentage point of revaluation, to a ceiling determined on the basis of an analysis carried out by the Commission concerning the impact of the revaluation of the agricultural conversion rate (ACT) on farm income.

The aid would be eligible for part-financing and decrease over three years, but that part which could not be reduced would be financed fully by the European Union to enable those Member States which so wished to maintain the level in national currency of certain amounts they considered to be of particular importance.

A review clause would enable the aid to be granted for five years instead of three, if necessary.

It is also proposed that the structural or environmental aids not be reduced from their current level in national currencies in the event of revaluation of the ACTs where these are covered by work programmes under way.

On the basis of the monetary gaps as at 25 April, the impact of this proposal for the 1996 budget would be ECU 11 million.

COM(95) 173

## Prices and related measures

*1.3.97.* Proposals for Council Regulations fixing agricultural prices and certain related measures.

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

**Economic and Social Committee opinion:** Bull. 4-1995, point 1.3.105

*Endorsed by Parliament on 18 May*, subject to various amendments. Parliament requested in particular that the starting date for intervention not be put back. Nor did it wish to see the monthly increases for cereals reduced or the intervention price for butter cut. It also asked the Commission to propose permanent measures to take account of persistent drought in some regions of the European Union.

OJ C 151, 19.6.1995

*1.3.98.* Council Regulation (EC) No 1225/95 fixing the basic and buying-in prices for cauliflowers, peaches, nectarines, apricots, lemons and tomatoes for June 1995.

**Reference:** Council Regulation (EEC) No 1035/72 on the common organization of the market in fresh fruit and vegetables (OJ L 118, 20.5.1972), as last amended by the Act of Accession of Austria, Finland and Sweden: OJ C 241, 29.8.1994; Bull. 6-1994, point 1.3.15; OJ L 1, 1.1.1995, and by Regulation (EC) No 3290/94: OJ L 349, 31.12.1994; Bull. 12-1994, point 1.3.99

*Proposal adopted by the Commission on 24 May.*

COM(95) 220

*Adopted by the Council on 29 May.* The purpose of this Regulation is to avoid a legal vacuum, pending the fixing of the 1995/96 agricultural prices.

OJ L 120, 31.5.1995

## Market organization

### *Arable crops*

*1.3.99.* Proposal for a Council Regulation amending for the eighth time Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops.

**Commission proposal:** OJ C 48, 25.2.1995; COM(94) 636; Bull. 1/2-1995, point 1.3.122

*Endorsed by Parliament opinion on 19 May* subject to amendments concerning in particular the priority to be given to less-favoured regions in counting arable land taken out of production for environmental or forestry purposes and the possibility of granting national aid for the production of medicinal plants or for recreational activities relating to agriculture and rural tourism.

OJ C 151, 19.6.1995

*1.3.100.* Proposal for a Council Regulation amending Regulation (EEC) No 1766/92 on the common organization of the market in cereals and Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch.

**Commission proposal:** COM(95) 24; Bull. 3-1995, point 1.3.116

*Endorsed by the Economic and Social Committee on 31 May* subject to a few technical observations.

### *Oils and fats*

*1.3.101.* Council Regulation (EC) No 1267/95 amending Regulation (EEC) No 1332/92 introducing specific measures for table olives.

**Regulation amended:** Council Regulation (EEC) No 1332/92 (OJ L 145, 27.5.1995; Bull. 5-1992, point 1.1.159), as last amended by Regulation (EEC) No 587/93; OJ L 61, 13.3.1993

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

**Parliament opinion:** OJ C 126, 22.5.1995; Bull. 4-1995, point 1.3.108

*Adopted by the Council on 29 May.* Extends the three-year time limit established by Council Regulation (EC) No 1332/92 by a further year to enable cooperatives and associations thereof in the Member States to complete their transforma-

tion into table olive producer groups and associations thereof meeting the conditions laid down in that Regulation.

OJ L 123, 3.6.1995

### *Dried fodder*

1.3.102. Proposal for a Council Regulation amending Regulation (EEC) No 603/95 on the common organization of the market in dried fodder.

**Commission proposal:** OJ C 79, 31.3.1995; COM(95) 96; Bull. 3-1995, point 1.3.119

*Endorsed by Parliament on 19 May* subject to an amendment increasing the quotas in Greece.

OJ C 151, 19.6.1995

*Endorsed by the Economic and Social Committee on 31 May.* The Committee, while basically approving the Commission proposal, requested that the maximum guaranteed quantities for Finland and Sweden be revised.

### *Fresh fruit and vegetables*

1.3.103. Council Regulation (EC) No 1327/95 amending Regulations (EEC) Nos 1035/72, 2240/88 and 1121/89 as regards the intervention threshold mechanism in the fresh fruit and vegetable sector. Adjusts the intervention threshold mechanism for fresh fruit and vegetables.

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

**Regulations amended:**

Council Regulation (EEC) No 1035/72 on the common organization of the market in fresh fruit and vegetables (OJ L 118, 20.5.1972), as last amended by Regulation (EC) No 3290/94: OJ L 349, 31.12.1994; Bull. 12-1994, point 1.3.99

Council Regulation (EEC) No 2240/88 fixing, for peaches, lemons and oranges, the rules for applying Article 16b of Regulation (EEC) No 1035/72 (OJ L 198, 26.7.1988; Bull. 7/8-1988, point 2.1.146), as last amended by Regulation (EEC) No 1411/92: OJ L 146, 28.5.1992

Council Regulation (EEC) No 1121/89 on the introduction of an intervention threshold for apples and cauliflowers (OJ L 118, 29.4.1989; Bull. 4-1989, point 2.1.124), as last amended by Regulation (EEC) No 1754/92: OJ L 180, 1.7.1992

**Commission proposal:** OJ C 117, 12.5.1995; COM(95) 83; Bull. 3-1995, point 1.3.120

*Endorsed by Parliament on 19 May.*

OJ C 151, 19.6.1995

*Endorsed by the Economic and Social Committee on 31 May.*

*Adopted by the Council on 29 May.* Adjusts the intervention threshold mechanism for tomatoes, apples, cauliflowers and peaches to take account of the production of the three new Member States.

OJ L 128, 13.6.1995

### *Bananas*

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

**Commission proposal:** OJ C 136, 3.6.1995; COM(95) 115; Bull. 4-1995, point 1.3.109

*Endorsed by the Economic and Social Committee on 31 May.*

### *Cotton*

1.3.105. Proposal for a Council Regulation laying down the general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81.

**Commission proposal:** OJ C 94, 14.4.1995; COM(95) 35; Bull. 3-1995, point 1.3.122

*Endorsed by Parliament on 19 May* subject to amendments whereby, in particular, the maximum guaranteed quantities would be increased, the ceiling on penalties would be maintained and there would be a smaller reduction in the guide price.

OJ C 151, 19.6.1995

*Economic and Social Committee opinion delivered on 31 May.* The Committee approved the Commission's intention of keeping the present system of aid for cotton production but felt that the maximum guaranteed quantity should be increased to encourage cotton growing in the south of the European Union and that financial aid should be granted to producers who had switched to organic cultivation.

### *Milk and milk products*

1.3.106. Proposal for a Council Regulation amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector.

**Commission proposal:** COM(95) 147; Bull. 4-1995, point 1.3.113

*Endorsed by Parliament on 19 May.*

OJ C 151, 19.6.1995

*1.3.107.* Council Regulation (EC) No 1288/95 extending to the periods 1991/92 and 1992/93 the increase decided for the periods 1993/94 and 1994/95 of the global quantities fixed for Greece, Spain and Italy within the framework of the additional levy system in the milk and milk products sector.

**References:**

Council agreement: Bull. 5-1992, point 1.1.141

Council conclusions on Italian milk quotas: Bull. 12-1992, point 1.3.240

Joint Council and Commission conclusions on milk quotas: Bull. 10-1994, point 1.2.88

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

**Amended Commission proposal:** COM(95) 146; Bull. 4-1995, point 1.3.112

*Endorsed by Parliament on 18 May.*

OJ C 151, 19.6.1995

*Adopted by the Council on 29 May.* This Regulation implements the joint Council and Commission conclusions of 21 October 1994 by extending retroactively to the periods 1991/92 and 1992/93 the increases in the global quantities decided for these three Member States from 1 April 1993. It also makes provision, in accordance with the agreements reached in 1992, for Community financing of the programmes for repurchasing milk quotas implemented by Italy and Spain during the 1993/94 milk year.

OJ L 125, 29.5.1995

*Cereals, beef/veal, sheepmeat/goatmeat*

*1.3.108.* Proposal for a Council Regulation amending Council Regulation (EC) No 1017/94 concerning the conversion of land currently under arable crops to extensive livestock farming in Portugal.

**Reference:** Council Regulation (EEC) No 1765/92 on the common organization of the market in cereals (OJ L 181, 1.7.1992; Bull. 6-1992, point 1.3.141), as last amended by Regulation (EC) No 3116/94: OJ L 330, 21.12.1994; Bull. 12-1994, point 1.2.154

**Regulation to be amended:** Council Regulation (EC) No 1017/94: OJ L 112, 3.5.1994; Bull. 4-1994, point 1.2.123

*Adopted by the Commission on 10 May.* Would enable Portuguese farmers to benefit from the system of support for certain arable crops by classifying land which they have not reallocated to those crops within the time limit specified as land qualifying for such support.

OJ C 163, 29.6.1995; COM(95) 168

*1.3.109.* Council Regulations (EC) Nos 1265/95 and 1266/95 amending, respectively, Council Regulations (EEC) Nos 3013/89 on the common organization of the market in sheepmeat and goatmeat and 3901/89 defining lambs fattened as heavy carcasses.

**Reference:** 1994/95 agricultural prices: OJ L 197, 30.7.1994; Bull. 7/8-1994, point 1.2.134

**Regulations amended:**

Council Regulation (EEC) No 3013/89 (OJ L 289, 7.10.1989; Bull. 9-1989, point 2.1.104), as last amended by Regulation (EEC) No 1886/94: OJ L 197, 30.7.1994; Bull. 7/8-1994, point 1.2.134

Council Regulation (EEC) No 3901/89: OJ L 375, 23.12.1989; Bull. 12-1989, point 2.1.189

**Commission proposals:** OJ C 382, 31.12.1994; COM(94) 643; Bull. 12-1994, point 1.2.163

**Economic and Social Committee opinion:** Bull. 3-1995, point 1.3.124

**Parliament opinion:** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.124

*Adopted on 29 May.* These Regulations put into practice commitments made when the 1994/95 agricultural prices were adopted.

□ Regulation (EC) No 1265/95 increases the number of ewe and goat premiums in Italy and Greece from the 1995 marketing year in order to compensate for non-establishment of producers' rights on the occasion of the 1991 premium adjustment arrangements and establishes the prerequisites for simplifying the arrangements to help producer groups.

OJ L 123, 3.6.1995

□ Regulation (EC) No 1266/95 relaxes the present derogations for the payment of the ewe premium as regards fattening of light lambs as heavy carcasses.

OJ L 123, 3.6.1995

## EAGGF Guarantee Section

*1.3.110.* Council Regulation (EC) No 1287/95 amending Regulation (EEC) No 729/70 on the financing of the common agricultural policy.



**Regulation amended:** Council Regulation (EEC) No 729/70 (OJ L 94, 28.4.1970), as last amended by Regulation (EEC) No 2048/88: OJ L 185, 15.7.1988; Bull. 6-1988, point 2.3.15

**Commission proposal:** OJ C 284, 12.10.1994; COM(94) 240; Bull. 7/8-1994, point 1.2.138

**Opinion of the Court of Auditors:** OJ C 383, 31.12.1994; Bull. 12-1994, point 1.7.26

**Own-initiative opinion of the Committee of the Regions:** Bull. 1/2-1995, point 1.3.138

**Parliament opinion:** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.125

*Amended proposal adopted by the Commission on 2 May, incorporating Parliament's changes.*

OJ C 150, 17.6.1995; COM(95) 161

*Adopted on 22 May.* Rationalizes the clearance of accounts by splitting it into two separate procedures: a purely accounting clearance with a short deadline and an audit of compliance of Member States' expenditure with the Community rules, involving a conciliation procedure if necessary.

OJ L 125, 8.6.1995

**1.3.111.** Proposal for a Council Regulation amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

**Commission proposal:** OJ C 377, 31.12.1994; COM(94) 240; Bull. 7/8-1994, point 1.2.138

**Opinion of the Court of Auditors:** OJ C 383, 31.12.1994; Bull. 12-1994, point 1.7.26

**Own-initiative opinion of the Committee of the Regions:** Bull. 1/2-1995, point 1.3.138

**Parliament opinion:** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.125

*Amended proposal adopted by the Commission on 2 May, incorporating Parliament's changes.*

OJ C 150, 17.6.1995; COM(95) 161

**1.3.112.** Proposal for a Council Regulation on measures to be taken in dealing with certain beneficiaries of operations financed by the EAGGF Guidance Section.

**Commission proposal:** OJ C 151, 2.6.1994; COM(94) 122; Bull. 4-1994, point 1.2.124

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.143

**Parliament opinion:** OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.3.137

*Amended proposal adopted by the Commission on 24 May, incorporating Parliament's changes.*

COM(95) 194

## International cooperation

**1.3.113.** Draft International Cereals Agreement.

**Reference:** Council Decision 86/304/EEC on the signing of the Wheat Trade Convention, 1986, and the Food Aid Convention, 1986, constituting the International Wheat Agreement, 1986, and the deposit of a declaration of provisional application of these Conventions: OJ L 195, 17.7.1986; Bull. 6-1986, point 2.2.46

*Proposal for a Council Decision concerning the approval by the European Union of the Cereals Trade Convention and the Food Aid Convention, constituting the International Cereals Agreement of 1995 adopted by the Commission on 18 May.* The 1986 International Wheat Agreement, consisting of the Wheat Trade Convention and the Food Aid Convention, expiring on 30 June 1995, is to be replaced by an International Cereals Agreement.

The new Agreement extends the wheat convention to all cereals, provides for the periodic adjustment and revision of the basis for calculating votes and for setting budget contributions, taking account of the structure of trade in cereals, and updates the rules of procedure.

COM(95) 183

## Fisheries

### Orientation of common fisheries policy

**1.3.114.** Proposal for a Council Decision concerning the objectives and detailed rules for restructuring the fisheries sector in Sweden and Finland over the period 1 January 1995 to 31 December 1996 with a view to achieving a lasting balance between resources and their exploitation.

**Reference:** Council Decision 94/15/EC relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1995 to 31 December 1996 with a view to achieving a lasting balance between re-

sources and their exploitation: OJ L 10, 14.1.1994; Bull. 12-1993, point 1.2.232

*Adopted by the Commission on 23 May.* Would apply the general regime to contain fishing effort in the framework of the multiannual guidance programmes established by Decision 94/15/EC to the Swedish and Finnish fleets, subject to the requisite adjustments.

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## Conservation and management of resources

### Internal aspects

#### Technical measures

**Reference:** Council Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources (OJ L 288, 11.10.1986), as last amended by Regulation (EC) No 1796/94: OJ L 187, 22.7.1994; Bull. 7/8-1994, point 1.2.153

*1.3.115.* Council Regulation (EC) No 1173/95 amending for the 16th time Regulation (EEC) No 3094/86.

**Commission proposal:** OJ C 348, 9.12.1994; COM(94) 481; Bull. 11-1994, point 1.2.164

**Parliament opinion:** OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.3.145

*Adopted on 22 May.* This Regulation prohibits the use of vessels with an engine power exceeding 221 kW in the flatfish protection zone.

OJ L 118, 25.5.1995

*1.3.116.* Proposal for a Regulation amending for the 18th time Regulation (EEC) No 3094/86.

*Adopted by the Commission on 30 May.* Would ban the use of driftnets for catching tuna in certain waters under the sovereignty or jurisdiction of Spain or Portugal and the use of purse seines for catching tropical tuna in certain waters under the sovereignty or jurisdiction of Portugal.

COM(95) 212

### External aspects

#### Senegal

*1.3.117.* Draft Protocol establishing the fishing possibilities and financial compensation provided for in the Agreement between the Com-

munity and Senegal on fishing off the coast of Senegal for the period 2 October 1994 to October 1996.

**Commission proposal on conclusion of the Protocol:** COM(94) 514; Bull. 11-1994, point 1.2.172

*Endorsed by Parliament on 19 May* subject to amendments whereby the allocation of aid to non-industrial fishing would be specified; notification and consultation of Parliament on implementation of the Protocol would be improved and expenditure on the Protocol would be regarded as non-expenditure.

OJ C 151, 19.6.1995

#### North-West Atlantic Fisheries Organization (NAFO)

*1.3.118.* Commission communication on fisheries in the NAFO Regulatory Area.

**Reference:** draft Agreement between the Community and Canada on fisheries in the context of the NAFO Convention: Bull. 4-1995, point 1.3.121

*Adopted by the Commission on 5 May.* Informs the Member States and masters of Community fishing vessels of the provisions of the EC-Canada Agreement on fisheries in the NAFO Regulatory Area which are directly applicable to them without the need for amendments to Community legislation.

OJ C 118, 13.5.1995

*1.3.119.* Proposal for a Council Regulation amending Regulation (EEC) No 3928/92 establishing a NAFO pilot observer scheme applicable to Community vessels operating in the Regulatory Area of the North-West Atlantic Fisheries Organization.

**Commission proposal:** OJ C 128, 24.5.1995; COM(94) 630; Bull. 12-1994, point 1.2.191

**Economic and Social Committee opinion:** OJ C 133, 31.5.1995; Bull. 3-1995, point 1.3.140

*Endorsed by Parliament on 19 May* subject to amendments concerning improving notification of Parliament and the Council on implementation of the pilot observer scheme.

OJ C 151, 19.6.1995

#### International Baltic Sea Fishery Commission

*1.3.120.* Proposal for a Council Regulation amending for the fifth time Regulation (EEC) No 1866/86 laying down certain technical mea-

asures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound.

**Commission proposal:** OJ C 91, 12.4.1995; COM(95) 70; Bull. 3-1995, point 1.3.137

*Amended proposal adopted by the Commission on 30 May.* The purpose of the amended proposal is to correct a number of typographical errors found in the initial proposal.

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*Endorsed by the Economic and Social Committee on 31 May.* The Committee stressed, however, that the European Union should have more votes in the International Baltic Sea Fishery Commission.

## Market organization

*1.3.121.* Proposal for a Council Regulation establishing a system of compensation for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location.

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

**Economic and Social Committee opinion:** OJ C 102, 24.4.1995; Bull. 1/2-1995, point 1.3.152

**Parliament opinion:** OJ C 109, 1.5.1995; Bull. 4-1995, point 1.3.125

*Amended proposal adopted by the Commission on 15 May.*

OJ C 163, 29.6.1995; COM(95) 178

## Fisheries and environment

*1.3.122.* Commission communication on evaluation of the biological impact of fisheries.

*Adopted on 5 May.* This communication summarizes the report by the expert group of marine ecologists and fishery biologists set up by the Commission at the request of the Council to define ways and means to improve scientific data on the impact of fisheries on the marine environment. The Commission, by way of a conclusion, stresses how much work needs to be done to provide the scientific community with

the means by which it can respond to all questions relating to that impact and advocates concentration of the research effort on certain priorities, and in particular quantitative investigation of the following topics:

- the effects of fishing on cetaceans, seals, reptiles and birds;
- the direct and indirect effects of industrial fishing on birds and top-level predator fish species;
- the direct and indirect effects of fishing on benthic communities.

COM(95) 40

## Employment and social policy

### General

*1.3.123.* Fourth Commission report on the Community Charter of the Fundamental Social Rights of Workers and on the Protocol on social policy annexed to the EC Treaty.

#### References:

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

Commission communication concerning the application of the Agreement on social policy: COM(93) 600; Bull. 12-1993, point 1.2.163

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

**Previous report:** COM(93) 668; Bull. 12-1993, point 1.2.164

*Adopted by the Commission on 24 May.* The report takes stock of the implementation, in 1994, of the Community Charter of the Fundamental Social Rights of Workers and of the Protocol on social policy. In a third section, the Commission addresses questions relating to the future of European social policy, focusing on the key strategic elements developed in the White Paper on European social policy.

COM(95) 184

## Social security

1.3.124. Proposal for a Council Directive amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes (→ point 1.3.125).

## Equal opportunities

1.3.125. Proposal for a Council Directive amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes.

**Reference:** Court of Justice judgment of 17 May 1990 in Case C-262/88, *Barber v Guardian Royal Exchange Assurance Group*: OJ L 146, 15. 6.1990; Bull. 5-1990, point 1.7.40

**Directive to be amended:** Directive 86/378/EEC: OJ L 225, 12.8.1986, as amended by the Agreement establishing the European Economic Area: OJ L 1, 3.1.1994; Bull. 1/2-1994, point 1.3.27

*Adopted by the Commission on 16 May.* For reasons of legal certainty, the proposal seeks to bring Directive 86/378/EEC into line with Article 119 of the EC Treaty as interpreted by the Court of Justice in the *Barber* judgment of 17 May 1990 and subsequent judgments. The thrust of these judgments is that all forms of occupational pension, and hence all forms of benefit deriving from employees' social security schemes, constitute an element of pay within the meaning of Article 119 of the EC Treaty, which provides for equal pay for men and women. Consequently, certain provisions of Directive 86/378/EEC, relating to implementation of the principle of equal treatment for men and women in occupational social security schemes, which authorize derogations from this principle (more particularly concerning the age of retirement and survivors' benefits), have now become invalid as far as employed persons are concerned.

COM(95) 186

1.3.126. Commission communication to the Council, the Parliament and the Economic and Social Committee on a new partnership between

men and women: equal sharing and participation — the European Community's priorities for the fourth UN World Conference on Women (Beijing, September 1995).

*Adopted by the Commission on 29 May.* The Commission's communication sets out the broad lines of a position to be adopted and defended by the European Union at the fourth UN World Conference on Women to be held in Beijing in September 1995. The ultimate objective is a new partnership between men and women, entailing equal sharing of power and responsibility in the public and private domains. To achieve this partnership, the Commission advances a number of approaches:

- ensure respect for human rights, more particularly by way of eliminating all forms of discrimination against women and strengthening legislation concerning violence, sexual harassment and the sexual exploitation of women;
- regard women as 'dynamic actors' in terms of development, with a gender perspective being integrated into all policies and programmes to ensure that they do not discriminate against women;
- involve women in decision-making in all public and private bodies, underlining women's role in the consolidation of democracy, with special reference to the development of civil society, of which women form an integral part;
- recognize the role of women in the economy, even where their work is unpaid;
- step up measures to combat poverty and exclusion by involving women in the design of programmes.

COM(95) 221

## Solidarity

### Measures to help older people

1.3.127. Proposal for a Council Decision on Community support for actions in favour of older people.

**Commission proposal:** COM(95) 53; Bull. 3-1995, point 1.3.149

*Endorsed by the Economic and Social Committee on 31 May.* The Committee called for the drafting of a Community Charter of the fundamental rights of older people encompassing the training and retraining of older workers, the participation of older people in society, care and an environment suited to older people, and the special needs of certain older people.

## Measures to help disaster victims

### Greece

*1.3.128.* Parliament resolution on damage to crops in the department of Elide caused by hail, windstorms and frost.

*Adopted on 18 May.* Parliament called on the Commission and the European Investment Bank to grant exceptional financial aid to the farmers involved.

OJ C 151, 19.6.1995

*1.3.129.* Parliament resolution on the disastrous earthquake in western Macedonia in Greece.

*Adopted on 18 May.* Parliament called on the Commission to provide emergency aid for the disaster victims, to take measures to repair the damage, and to examine the possibilities of using the Structural Fund to finance the restoration of economic life in the region.

OJ C 151, 19.6.1995

*1.3.130.* Commission decision to grant emergency aid to victims of the earthquake in western Macedonia in Greece.

*Adopted on 23 May.* The Commission decided to grant a total in aid of ECU 1 million to meet the most immediate requirements of those worst affected by the earthquake in western Macedonia in Greece.

### Portugal

*1.3.131.* Parliament resolution on the disastrous situation and frost damage in certain areas of Portugal.

*Adopted on 18 May.* Parliament called for emergency aid to be provided for farmers affected by

the unusual weather conditions (drought and frost) in certain areas of Portugal and for a system of crop insurance to be created at Union level.

OJ C 151, 19.6.1995

## Public health

### General

*1.3.132.* Commission report on the integration of health protection requirements in Community policies.

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

*Adopted by the Commission on 29 May.* This is the first annual report drawn up by virtue of the third subparagraph of Article 129 of the EC Treaty, which states that health protection requirements must form a constituent part of the Community's other policies. It also has to be viewed in the context of the framework for action in the field of public health adopted by the Commission in November 1993. In its associated communication, the Commission describes the health-related aspects of the various Community policies and stresses that the Community already tackles the issue of health protection in different contexts.

COM(95) 196

### AIDS

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

**Commission proposal:** OJ C 333, 29.11.1994; COM(94) 413; Bull. 10-1994, point 1.2.117; Bull. 11-1994, point 1.2.213

**Economic and Social Committee opinion:** OJ C 133, 31.5.1995; Bull. 3-1995, point 1.3.154

**Committee of the Regions opinion:** Bull. 4-1995, point 1.3.130

**Parliament opinion (first reading):** OJ C 126, 22.5.1995; Bull. 4-1995, point 1.3.130

*Amended proposal adopted by the Commission on 30 May.*

COM(95) 209

## Consumer policy

### Consumer information and education

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

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

**Economic and Social Committee opinion:** Bull. 4-1995, point 1.3.131

*Endorsed by Parliament (first reading) on 19 May,* subject to amendments concerned essentially with cutting the extended transitional period from four to two years.

OJ C 151, 19.6.1995

### Protection of consumers' health and safety

*1.3.135.* Council Decision 95/184/EC amending Decision 94/3092/EC introducing a Community system of information on home and leisure accidents (Ehlass).

**Decision amended:** Council Decision 94/3092/EC: OJ L 331, 21.12.1994; Bull. 12-1994, point 1.2.240

**Commission proposal:** COM(95) 5; Bull. 1/2-1995, point 1.3.168

*Adopted by the Council on 22 May.* The Decision adapts the Community system of informa-

tion on home and leisure accidents to take account of the accession of the three new Member States. The Community funds for implementation of the system were increased to ECU 2.8 million a year for the period 1995-97. The total number of hospitals taking part in the information system was fixed at 65, including four Austrian, three Finnish and four Swedish ones.

OJ L 120, 31.5.1995

### Protection of consumers' economic and legal interests

*1.3.136.* Report on the operation of Directive 87/102/EEC for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit.

**Reference:** Council Directive 87/102/EEC: OJ L 42, 12.2.1987

*Adopted by the Commission on 11 May.* The report takes stock of the application of the Directive five years after its entry into force, with the Commission highlighting certain problems in the way the consumer credit market operates and analysing potential solutions. The Commission advocates certain changes with a view to adapting the Directive to advances in the credit market and placing it at the level of the average of the Member States.

COM(95) 117

## Culture

### 1995 Kaleidoscope programme

*1.3.137.* Support for European cultural cooperation projects — Kaleidoscope programme.

**Call for applications:** OJ C 227, 17.8.1994; Bull. 9-1994, point 1.2.194

*Projects to receive Community financial aid in 1995 selected by the Commission.* The Kaleidoscope programme was set up in 1990 to increase public awareness of the culture and history of

Europe and to promote artistic and cultural cooperation. This is one of the ways in which the Commission hopes to 'contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore' (Article 128 EC). The programme supports three types of action:

- cultural events with a European dimension involving partners from at least three Member States in the planning and participation;
- encouragement for artistic and cultural creation through projects supporting the mobility and further training of creative and performing artists and others active in the cultural field;
- cooperation through networks supporting transnational cooperation between cultural bodies actively involved on an equal footing.

From the 1 159 proposals received following a call for applications, 132 projects have been selected to receive Community aid totalling around ECU 3.747 million.

The breakdown is as follows: cultural events: 85; artistic and cultural creation: 23; cooperation through networks: 24.

Projects from the new Member States will be selected at a later date, as the deadline for applications was extended to 1 March 1995.

## Information, communication and audiovisual media

### Information and communication

*1.3.138.* Jean Monnet Project 1995.

**Jean Monnet programme 1994:** Bull. 4-1994, point 1.2.178

*New Jean Monnet 'chairs' created.* As part of the Jean Monnet Project 1995, the Commission has decided to grant support to 227 new initiatives aimed at introducing new university courses on European integration from the start of the 1995/96 academic year. These initiatives, costing a total of ECU 1 228 million, will lead to the setting-up of 56 new Jean Monnet 'chairs', 64 new permanent study courses, 71 European modules, 18 research grants and 18 complementary initiatives linked to the chairs. This operation, which is designed to encourage teaching on European integration in all disciplines in which Community developments constitute a growing proportion of the curriculum, brings the number of initiatives supported by the Commission since 1990 to 1 113, including 246 Jean Monnet 'chairs'

### Audiovisual policy

#### *Television without frontiers*

*1.3.139.* Proposal for a Parliament and Council Directive amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities.

**Commission approval:** Bull. 3-1995, point 1.3.158

*Adopted by the Commission on 31 May.*

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## 4. Role of the Union in the world

### Common foreign and security policy

#### General

*1.4.1.* Parliament resolution on progress in implementing the common foreign and security policy (November 1993-December 1994).

**Reference:** Parliament recommendation to the Council on the outcome of the Pact on Stability in Europe and action to be taken: point 1.4.3 of this Bulletin

*Adopted on 18 May.* Taking the view that progress in implementing the common foreign and security policy (CFSP) fell short of expectations and that the potential available under the Treaty on European Union had not been sufficiently exploited, notwithstanding the advances made by comparison with the previous European political cooperation arrangements, Parliament made a number of comments and suggestions. On the procedural side, it called on the Council to keep it better informed and consult it more closely on the choices to be made, and hoped that an interinstitutional agreement would be concluded on the application of Article J.7 of the Treaty — concerning consultation of Parliament on CFSP matters — and on the financing of the CFSP. It urged the Commission to make more intensive use of its powers to present proposals to the Council, pursuant to Article J.8(3). It considered that the shortcomings which had become apparent in the operation of the CFSP were due largely to its intergovernmental nature, the need to reach a unanimous decision before action was taken and to there being little or no common perception of the European Union's own interests as distinct from the Member States' individual interests. It therefore believed that the European Union must establish an analysis and assessment centre to evaluate risks and threats which could affect the interests and values of the Union and urged the Council to pursue a foreign policy aimed at establishing a stable interna-

tional legal order and gradually to develop the 'security interest of the European Union' concept. Parliament maintained that the CFSP must help to promote the peaceful settlement of disputes, if necessary through preventive diplomacy measures, taking in this connection a favourable view of experience with the Pact for Stability in Europe. It called for a mutual assistance clause to be incorporated in the Treaty on European Union, when the Treaty was revised, to be applied if Member States' frontiers were violated, urging the Council to use the instruments provided by the Treaty within the framework of the United Nations and the Organization for Security and Cooperation in Europe (OSCE). Parliament considered that the Council should make less use of declarations and greater use of common positions, and should be bolder in its use of joint actions. It called for the 1996 Intergovernmental Conference to consider the unanimity rule, and to draw up accordingly a typology of decisions for which either a majority (qualified or double qualified) or unanimity was required.

JO C 151, 19.6.1995

#### Common security policy

##### *Anti-personnel mines*

*1.4.2.* Council Decision 95/170/CFSP concerning the joint action adopted on the basis of Article J.3 of the Treaty on European Union on anti-personnel mines.

**Council agreement:** Bull. 4-1995, point 1.4.5

*Adopted on 12 May.*

JO L 115, 22.5.1995

##### *Stability Pact*

*1.4.3.* Parliament recommendation to the Council on the outcome of the Pact for Stability in Europe and action to be taken.



**Reference:** Final Conference on the Pact for Stability in Europe: Bull. 3-1995, points 1.4.4 and 2.2.1

*Adopted on 19 May.* Recognizing that the Stability Pact process had created a momentum enabling a positive dialogue to develop, Parliament took a generally positive view of this exercise in preventive diplomacy, welcomed the role played by the Commission and urged the Council to exert its influence to bring about the removal of the last differences standing in the way of full achievement of the Pact's objectives. It further recommended that the Council: monitor implementation of the Pact and make use to that end of the political dialogue provided for both in the existing Europe Agreements and in partnership and cooperation Agreements, as part of the structured dialogue arrangements established with the countries of Central and Eastern Europe; work within the OSCE to ensure the continuation of the regional round tables; continue the monitoring of the Stability Pact within the Council of Europe; consider extending the Stability Pact method to regions vital for the security and stability of Europe, such as the Balkans and the Caucasus; and, lastly, see whether this method, as a European Union joint action, could also be applied in the Mediterranean.

JO C 151, 19.6.1995

### *Non-Proliferation Treaty*

**1.4.4.** Conference on the Treaty on the non-proliferation of nuclear weapons.

#### **References:**

Council Decision 94/509/CFSP concerning the joint action adopted on the basis of Article J.3 of the Treaty on European Union regarding preparation for the 1995 Conference of States party to the Treaty on the non-proliferation of nuclear weapons: OJ L 205, 8.8.1994; Bull. 7/8-1994, point 1.3.4

Parliament resolution on the Conference on the extension of the Non-Proliferation Treaty (NPT) in New York (17 April to 12 May 1995): OJ C 109, 1.5.1995; Bull. 4-1995, point 1.4.6

Council conclusions on nuclear non-proliferation and preparation for the Conference on the NPT: Bull. 4-1995, point 1.4.7

Commission communication to the Council and Parliament on a Memorandum on the activities of the European Atomic Energy Community relevant to the objectives of Articles III and IV of the NPT drafted for the 1995 Review and Extension Conference: COM(95) 127; Bull. 4-1995, point 1.4.8

Presidency statement on behalf of the European Union on the indefinite extension of the Treaty on the non-proliferation of nuclear weapons: point 1.4.14 of this Bulletin

*Meeting held in New York from 17 April to 12 May.* The Conference was held in accordance with Article X.2 of the Non-Proliferation Treaty. The NPT entered into force in 1970 and the relevant provision stipulated that a conference was to be held after 25 years in order to decide whether the Treaty should continue in force indefinitely or be extended for an additional fixed period or periods. The Commission was present as an observer at the Conference, at the end of which the participants decided to extend the NPT for an unlimited period.

### **Presidency statements on behalf of the European Union**

#### *Angola*

**1.4.5.** The following presidency statement on behalf of the European Union was published in Brussels and Paris on 10 May:

'The European Union welcomes the fact that the long-awaited meeting between President Dos Santos and Mr Savimbi finally took place smoothly in Lusaka on 6 May 1995. It pays tribute to all who worked for the holding of that meeting.

It considers that this meeting represents an important development making possible the swift deployment of the Unavem III forces and contingents; it hopes that the climate prevailing at those talks will impart fresh impetus to the application of the peace agreements on the ground and will serve to strengthen in practice the essential process of national reconciliation in Angola.'

#### *Bosnia-Herzegovina*

**1.4.6.** The following European Union statement on the situation in Bosnia-Herzegovina was adopted at the Council meeting on 29 May and published in Brussels and Paris:

'The European Union expresses its very grave concern at the worsening of the situation in Bosnia-Herzegovina and profoundly regrets its victims.

It voices its indignation at the deliberate shelling of the civilian population and at the odious hostage-taking of United Nations soldiers and observers. The European Union firmly condemns the attitude of the

Bosnian Serbs and warns them of the consequences they might face.

The European Union expresses its full support for Unprofor. It calls for the Bosnian Serbs to cease the shelling and for the immediate and unconditional release of the United Nations soldiers and observers detained and threatened by them. It holds the Bosnian Serb leaders responsible for the fate of the hostages. It will provide its support for the reinforcement measures which are essential for Unprofor to be able to recover its freedom of movement, to ensure its improved security and effectively to fulfil its task, notably the protection of the safe areas.

The European Union reiterates the importance it attaches to the conclusion of an overall settlement to the conflict in the former Yugoslavia, guaranteeing the sovereignty and territorial integrity of all the States within their internationally recognized frontiers and respect for human rights.

To this end, and as a first stage, the European Union supports the diplomatic efforts under way to bring about the mutual recognition of Bosnia-Herzegovina and the FRY (Serbia-Montenegro).'

## *Croatia*

### **References:**

Council conclusions on the former Yugoslavia: Bull. 4-1995, point 1.4.73

Proposed economic and trade cooperation agreement with Croatia, including provisions on ECSC products: Bull. 4-1995, point 1.4.75

*1.4.7.* The following presidency statement on behalf of the European Union was published in Brussels and Paris on 4 May:

'The European Union expresses its deep concern at the resumption of hostilities in Croatia, and in particular action against civilian populations anywhere.

It calls on the parties to cease all military operations immediately and to seek forthwith ways and means of de-escalating the situation.

In this connection the Union lends its unreserved support to the efforts of the special representative of the United Nations Secretary-General.

The European Union deplors the initiative taken by the Croatian authorities, in violation of the cease-fire agreement of 29 March 1994, to launch a large-scale operation in Western Slovenia, thereby compromising the efforts currently being made under the auspices of the international community to promote a peaceful solution in Krajina, at the very time when the new United Nations force is being deployed to restore confidence in Croatia.

It points out that the terms of the decision of the General Affairs Council of 10 April 1995 authorize the

opening of negotiations for a trade and cooperation Agreement with Croatia, but that the Council reserves the right to take account at any time, up to and including the conclusion of the Agreement, of the attitude of Croatia in the implementation of the United Nations resolutions and the peace process.

The Union will draw the necessary conclusions from the attitude of the Croatian Government.

The Union condemns the reprisals by Serbian forces against certain urban areas of Croatia, including Zagreb, and the taking of United Nations personnel as hostages.

It calls for an immediate cessation of these bombardments and for the release of the United Nations personnel.

It reiterates its commitment to promoting a solution which preserves Croatian sovereignty throughout its territory in the context of internationally recognized borders, while taking account of the rights of minorities.'

*1.4.8.* The following presidency statement on behalf of the European Union concerning the situation in Croatia was published in Brussels and Paris on 6 May:

'The European Union is concerned that considerable tensions persist in Croatia despite the conclusion of a cease-fire agreement on 3 May.

It calls on the parties to show the greatest restraint and to do everything possible to avoid the risks of further escalation which would yet again involve suffering for the civilian population.

It reiterates its support for the efforts of UNCRO and the European monitoring mission to promote implementation and observance of the cease-fire and the re-establishment of normal life in the western sector.

The European Union calls on the parties to engage in peace negotiations without delay under the aegis of the Conference on the former Yugoslavia.'

## *Niger*

*1.4.9.* The following presidency statement on behalf of the European Union concerning the signing of a peace agreement between the Niger government and the Tuareg rebels was published in Brussels and Paris on 10 May:

**Reference:** Presidency press statement: Bull. 10-1994, point 1.3.14

'The European Union welcomes the signing of the peace agreement between the Government of the Republic of Niger and the Armed Resistance Organiza-

tion (ORA). It is heartened by this decisive step towards national reconciliation, which offers hope to the population of Niger and the region as a whole, urges the signatories to do their utmost to consolidate the peace and will in future direct its cooperation with Niger towards attainment of that objective.'

### *Middle East peace process*

1.4.10. The following presidency statement on behalf of the European Union concerning the expropriation of land in East Jerusalem was published in Brussels and Paris on 15 May:

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

'The European Union recalls the commitment of Israel and the Palestine Liberation Organization to respect the Declaration of Principles of 13 September 1993 and to pursue negotiations.

The European Union expresses its deep anxiety at the decision of the Israeli authorities to authorize the expropriation of 53 hectares of land in East Jerusalem which would be used for the construction of new housing for the benefit of the settlements of Ramot and Gilo.

The European Union believes that this measure, contrary to the spirit of the Declaration of Principles and the maintenance of the *status quo* in the city of Jerusalem, could put the peace process at risk.

Believing that a total halt to work linked to the settlements is indispensable to progress in the peace process, the European Union calls on the Israeli authorities to renounce their intention of authorizing the expropriation of these 53 hectares of land in East Jerusalem.'

### *Russian Federation*

1.4.11. The following presidency statement on the earthquake in Sakhalin was published in Brussels and Paris on 29 May:

'The European Union was deeply shocked to learn of the catastrophe which has struck the people of Sakhalin with such severity.

It offers its deepest sympathy to the Russian authorities and to the families of the victims.

The European Union is ready to assist the Russian authorities, in these painful circumstances, to overcome this crisis.'

### *Sierra Leone*

1.4.12. The following presidency statement on behalf of the European Union was published in Brussels and Paris on 18 May:

**Reference:** Presidency statement: Bull. 1/2-1995, point 1.4.17

'The European Union welcomes the release of the 10 European hostages abducted in Sierra Leone and pays tribute to all those who played a role in securing their release.

The European Union notes that the continuation of the conflict has led to the death, displacement or disappearance of many innocent Sierra Leoneans and calls on all parties to seek an end to the hostilities and to work towards national reconciliation. It welcomes the statement made by the Sierra Leonean Government proposing a cease-fire and unconditional peace talks and announcing the lifting of the ban on political activity. It counts on all Sierra Leoneans to participate wholeheartedly in the peace process.

The European Union strongly supports the efforts made by the United Nations Secretary-General and his special representative to promote peace in Sierra Leone. It also welcomes the active commitment of the Commonwealth Secretary-General, the Chairman of the Economic Community of West African States and other States in the region.'

### *Sri Lanka*

1.4.13. The following presidency statement on behalf of the European Union was published in Brussels and Paris on 29 May:

**Reference:** Presidency statement: Bull. 4-1995, point 1.4.13

'The European Union resolutely condemns the attack carried out on 26 May against a Sinhalese village and camp by the LTTE killing 42 people among the civilian population, of whom 24 were men, 12 women and six children. This was the first deliberate LTTE attack on a village of civilians since October 1992.

The European Union also condemns with the utmost firmness the assassination of a Buddhist monk the same day.

The European Union urgently asks the LTTE to enter into political negotiations with the Sri Lankan authorities as quickly as possible.'

### *Non-Proliferation Treaty*

1.4.14. The following presidency statement on behalf of the European Union concerning the indefinite extension of the Treaty on the non-proliferation of nuclear weapons was published in Brussels and Paris on 15 May:

**Reference:** Conference on the NPT: point 1.4.4 of this Bulletin

'The European Union welcomes the decision adopted on 11 May 1995 in New York to extend indefinitely the Treaty on the non-proliferation of nuclear weapons.

This outcome is all the more satisfying in that it was achieved by consensus. It is the consequence of the active participation of all the Treaty's Member States and their willingness to take account of the constraints and aspirations of each one to arrive at compromise solutions.

Since July 1994, the European Union has worked resolutely towards such an objective through a joint action. In the Review and Extension Conference it has made its contribution to this joint achievement.

The European Union applauds this decision, which strengthens the international norm of non-proliferation and from now on constitutes one of the bases of international security in the next century. The two decisions taken concerning the process for reviewing the Treaty and the principles and objectives for non-proliferation and nuclear disarmament will also contribute to better implementation of the Treaty.

In helping to strengthen trust between States, the decision to extend the NPT is the guarantee of achievement of the Treaty's three essential objectives: combating the proliferation of nuclear weapons, access to the peaceful use of atomic energy and continuation of the disarmament process.

The six Central and East European countries associated with the European Union align themselves with this declaration.'

## Turkey

1.4.15. The following presidency statement on behalf of the European Union concerning the withdrawal of Turkish troops from northern Iraq was published in Brussels and Paris on 9 May:

### References:

EC-Turkey Association Council: Bull. 3-1995, point 1.4.65

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

European Union statement concerning the Turkish intervention in northern Iraq: Bull. 4-1995, point 1.4.17

'The European Union, which regards the stability and territorial integrity of the States of the region as a matter of importance, has noted with satisfaction the announcement of the total withdrawal of Turkish troops from northern Iraq, in accordance with the undertakings given by Turkey to the troika on 23 March. It hopes that Ankara will deal similarly with the other concerns voiced by the European Union in recent months concerning democracy and human rights, thus

creating more favourable conditions for the bringing about of the desired rapprochement between the European Union and Turkey, with a view in particular to the implementation of the agreement on customs union.'

## International organizations and conferences

### World Trade Organization

1.4.16. Proposal for a code of conduct for the Commission and the Member States in the World Trade Organization (WTO).

**Reference:** Opinion 1/94 of the Court of Justice on the powers of the European Community to conclude the agreements resulting from the Uruguay Round: Bull. 12-1994, point 1.7.23

*Adopted by the Commission on 16 May.* The proposed code of conduct sets out the arrangements for the participation of the Community and its Member States in the WTO in areas of shared powers with a view to defending their respective commercial policy interests as effectively as possible. It is based primarily on Opinion 1/94 of the Court of Justice, and more specifically on the legal obligation for the Community to present a united front on the international stage.

1.4.17. Proposal for a Council Regulation laying down the rates of duty to be applied to newspaper in rolls or sheets following the accession of Austria, Finland and Sweden.

### References:

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

Council Decision authorizing the opening of negotiations under Article XXIV.6 of the General Agreement on Tariffs and Trade (GATT): Bull. 1/2-1995, point 1.4.28

*Adopted by the Commission on 10 May.* The purpose of the Regulation is to accelerate, under Article XXIV.6 of the GATT, the implementation of the phased reduction negotiated in the

Uruguay Round of duties on newsprint to compensate Canada for the increase in certain rates of duty owing to the accession of the new Member States.

COM(95)169

## Organization for Economic Cooperation and Development

1.4.18. Annual ministerial meeting.

**Previous meeting:** Bull. 6-1993, point 1.3.72

*Meeting held in Paris on 23 and 24 May.* The meeting was chaired by Spain; the Commission was represented by Sir Leon Brittan and Mr de Silguy. The main economic issues discussed were unemployment, particularly among young people, the unskilled and the long-term unemployed. The ministers cited studies setting out a strategy for each country rooted in the reduction of non-wage costs, improvements to the working of the labour-market and the removal of obstacles and structural inflexibility. On the issue of the multilateral trade system, the ministers reaffirmed the need to strengthen the credibility of the newly created World Trade Organization. They also decided to ensure that negotiations were held for a multilateral agreement on international investment. In view of economic globalization and the growing number of countries seeking increased cooperation with the OECD, those at the meeting planned to establish a flexible system for cooperation and dialogue with the world regions.

1.4.19. Council decision on the Community's participation in negotiations at the OECD for a multilateral agreement on investment.

**Reference:** Council conclusions on trade and investment: Bull. 4-1995, point 1.4.22

*Adopted on a recommendation from the Commission on 22 May.* The decision authorizes the Commission to take part, in those areas for which the Community is competent, in negotiations at the OECD for a multilateral agreement on investment. The arrangements for the participation of the Community and the Member States and the negotiating directives would be established at a later date.

## European Bank for Reconstruction and Development

### Financing

#### Estonia

*AS Hansapank — interim assistance facility*

1.4.20. The Bank granted AS Hansapank, a commercial bank incorporated as a limited company in Estonia, an interim assistance facility of ECU 3.8 million. This facility, which is to be financed from the Bank's ordinary capital, will help AS Hansapank expand its commercial, financial and treasury operations for private-sector customers in Estonia.

#### Russian Federation

*Lower Volga regional risk capital fund*

1.4.21. The Bank granted the Lower Volga regional risk capital fund, an unincorporated venture capital fund, a facility equivalent to ECU 22.5 million from the Bank's own resources for investment in Russian businesses. The proposed fund is to seek a return proportional to the risk of an investment and provide an inflow of fresh capital and technical cooperation to assist the modernization, expansion and/or development of the region's economy as a whole. The fund will invest in medium-sized businesses with good growth prospects in the districts of Volgograd, Saratov and Samara. Initially the Bank will be fund's sole investor, apart from an investment of USD 3 million by the fund's administrators, but there are plans for other Russian and foreign investors to become involved at a later stage. The fund's operating costs and the pre- and post-investment assistance costs are estimated at USD 20 million, which will be covered by US government funds for technical cooperation channelled through USAID, the United States Agency for International Development.

*Emergency measures to clean up and control oil leaks*

1.4.22. The Bank granted the Russian Federation a loan equivalent to ECU 18.8 million to

help finance an emergency project to clean up and control oil leaks. The project is to help the company Komineft and the Russian authorities:

□ stabilize the oil slick in the area of the spill before the spring thaw in order to reduce the amount of oil escaping with the meltwater and avoid an environmental disaster in the Pechora river basin;

□ continue the clean-up in an environmentally appropriate manner and reduce damage to the areas and people concerned as much as the limited time available and the difficult conditions on the site permit;

□ replace key sections of the seriously corroded and dangerous oil pipeline between Kharyaga and Usinsk and, in the short term, help restore it to operational safety and, in the longer term, assess the need for an investment project to replace the pipeline;

□ identify and implement other measures aimed at reducing oil leaks in the future, which calls for the reinforcement of Komineft's ability to handle emergencies and its management and commercial practices through the enforcement of the commercial conditions attached to the Bank's loan.

#### *Russia Life Investments/Principal AOOT*

1.4.23. The Bank invested the equivalent of ECU 1.13 million in Russia Life Investments Ltd, an investment company incorporated in the United Kingdom specially to invest in Principal AOOT, a company registered in the Russian Federation. This investment will enable Principal AOOT to operate in Russia's life insurance sector.

#### **Kazakhstan**

##### *JV household electrical appliances*

1.4.24. The Bank granted Kramds-Simtel Industry, a company based in Kazakhstan, a loan equivalent to ECU 10.5 million to help it build and operate two factories producing electric motors, vacuum cleaners, refrigerators and washing machines in Almaty.

#### **Kyrgyzstan**

##### *Project to improve the grid*

1.4.25. The Bank granted Kyrgyzstan's State electricity holding company a loan of ECU

28.6 million to finance the economic development of the Kumtor Gold project for the private sector and improvements to the grid in Kyrgyzstan's Issyk Kul region, while helping the borrower put its operations on a business footing. The Bank is also performing a crucial role in raising loans on advantageous terms for other improvements to the borrower's network.

#### **Moldova**

##### *Project to increase energy efficiency*

1.4.26. The Bank granted SA Termocom, the Chisinau district heating company, a loan of ECU 18.2 million, which will be guaranteed by the Moldovan government. This project is Moldova's first attempt to remedy the problem of inefficient energy use. It will lead to a reduction in the heat lost in transfer in the district heating system and so help reduce Moldova's overall fuel consumption and the harmful environmental effects of obsolete heating installations. The project will not increase local heat production capacities. It will help adjust energy prices so that they increasingly come to reflect costs, including that of fuel imports, and bring financial discipline to billing, without losing sight of the consumers' means. The loan will enable SA Termocom to launch reforms and put its operations on a business footing, bringing them more into line with free market conditions and making district heating systems economically viable. The project will have a beneficial effect on the country's balance of payments in that it reduces the bill for fuel imports by ECU 2 million in 1996 and ECU 3 million in 2000. It will also considerably improve the quality and reliability of district heating, thereby improving quality of life for the people.

#### **Romania**

##### *Leventis Timisoara bottling plant*

1.4.27. The Bank granted the Compania de Imbuteliat Coca-Cola Timis SA, a Romanian limited company owned by Molino Holdings SA, a member of the Leventis group, a loan equivalent to ECU 7 million for the construction and fitting-out of a bottling plant for soft drinks and juices in Timisoara.

#### **Slovenia**

##### *Special restructuring project*

1.4.28. The Bank invested the equivalent of ECU 34 million in Slovenia's special restructur-

ing programme. This is the second in a series of special restructuring programmes set up by the Bank in its countries of operation. The investment will be used to stabilize, restructure and privatize about 15 medium-sized enterprises in Slovenia.

## Ukraine

### *Integrated services to agriculture and processing*

1.4.29. The Bank granted Kiev-Atlantic Ukraine (KAU), a Ukrainian company, a loan equivalent to ECU 3 million to enable it to set up and operate a centre which will distribute inputs and services to farms in exchange for seeds for processing into edible oils and animal feedingstuffs.

## Common commercial policy

### General matters

#### *Operation of the customs union*

1.4.30. Proposal for a Council Regulation laying down transitional customs measures following the accession of Finland and Sweden.

**Commission proposal:** COM(95) 4; Bull. 1/2-1995, point 1.4.39

*Amended proposal adopted by the Commission on 2 May.* The amendment is designed to change the legal basis of the proposal by replacing Article 169 of the Act of Accession of Finland and Sweden by Article 113 of the EC Treaty and to extend the application period of the proposed Regulation.

COM(95) 152

1.4.31. Proposal for a Council Regulation laying down the duties applicable to newsprint in rolls or sheets following the accession of Austria, Finland and Sweden (→ point 1.4.17).

#### *Commercial policy instruments*

##### General

1.4.32. Council Regulations (EC) Nos 1251/95 and 1252/95, amending respectively Regulation (EC) No 3283/94 on protection against dumped

imports from countries not members of the European Community and Regulation (EC) No 3284/94 on protection against subsidized imports from countries not members of the European Community.

**Regulations amended:** Council Regulations (EC) No 3283/94 and No 3284/94: OJ L 349, 31.12.1994; Bull. 12-1994, point 1.3.99

**Commission proposals:** COM(95) 63 and 61; Bull. 3-1995, point 1.4.25

*Adopted by the Council on 29 May* to bring the time limits laid down in the two Regulations for complaints, imposition of provisional duties and investigations into force on 1 September.

OJ L 122, 2.6.1995

### Council anti-dumping measures

1.4.33. Council Regulation (EC) No 1171/95 amending Regulation (EC) No 3359/93 imposing amended anti-dumping measures on imports of ferro-silicon originating in Russia, Kazakhstan, Ukraine, Iceland, Norway, Sweden, Venezuela and Brazil.

**Commission proposal:** COM(95) 128; Bull. 4-1995, point 1.4.35

*Adopted by the Council on 22 May.*

OJ L 118, 25.5.1995

1.4.34. Council Regulation (EC) No 1006/95 amending Regulation (EEC) No 3433/91 in so far as it imposes a definitive anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in the People's Republic of China.

**Commission proposal:** COM(95) 141; Bull. 4-1995, point 1.4.36

*Adopted by the Council on 3 May.*

OJ L 101, 4.5.1995

1.4.35. Council Regulation (EC) No 1170/95 amending Regulation (EC) No 2819/94 imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China.

**Commission proposal:** COM(95) 129; Bull. 4-1995, point 1.4.37

*Adopted by the Council on 22 May.*

OJ L 118, 25.5.1995

1.4.36. Council Regulation (EC) No 1168/95 amending Regulation (EEC) No 830/92 impos-

ing a definitive anti-dumping duty on imports of certain polyester yarns (man-made staple fibres) originating in Indonesia.

**Commission proposal:** COM(95) 148; Bull. 4-1995, point 1.4.38

*Adopted by the Council on 22 May.*

OJ L 118, 25.5.1995

### Commission anti-dumping measures

1.4.37. Notice of initiation of anti-dumping proceedings concerning imports of hydraulic excavators weighing more than six tonnes originating in the Republic of Korea.

*Published on 12 May.*

OJ C 117, 12.5.1995

1.4.38. Notice of expiry of anti-dumping measures concerning certain photo albums originating in the Republic of Korea and Hong Kong.

#### References:

Undertakings: OJ L 138, 31.5.1990; Bull. 5-1990, point 1.3.64

Notice of impending expiry: OJ C 338, 2.12.1994; Bull. 12-1994, point 1.3.139

*Published on 20 May.*

OJ C 124, 20.5.1995

1.4.39. Commission Decision 95/187/EC terminating the anti-dumping proceeding concerning imports of certain watch movements originating in Malaysia and Thailand.

#### References:

Provisional duty: OJ L 120, 11.5.1994; Bull. 5-1994, point 1.3.80

Extension of provisional duty: OJ L 236, 10.9.1994; Bull. 9-1994, point 1.3.45

*Adopted by the Commission on 31 May.*

OJ L 121, 1.6.1995

### Anti-subsidy measures

1.4.40. Council Regulation (EC) No 1169/95 amending Regulation (EC) No 2271/94 imposing a definitive countervailing duty on imports of ball bearings with a greatest external diameter not exceeding 30 mm, originating in Thailand but exported to the Community from another country.

**Commission proposal:** COM(95) 140; Bull. 4-1995, point 1.4.49

*Adopted by the Council on 22 May.*

OJ L 118, 25.5.1995

1.4.41. Commission Decision 95/180/EC accepting a modified undertaking offered by the Royal Thai Government in connection with the countervailing duty proceeding concerning imports of ball bearings with a greatest external diameter not exceeding 30 mm originating in Thailand.

#### References:

Undertaking: OJ L 152, 16.6.1990; Bull. 6-1990, point 1.4.60

Previous modifications of the undertaking: OJ L 163, 6.7.1993; Bull. 7/8-1993, point 1.3.95; OJ L 247, 22.9.1994; Bull. 7/8-1994, point 1.3.104

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

*Adopted by the Commission on 2 May.*

OJ L 118, 25.5.1995

## Individual sectors

### Textiles

1.4.42. Council Regulation (EC) No 1209/95 amending Council Regulation (EC) No 3313/94 establishing a transitional regime applicable to the importation into Austria, Finland and Sweden of certain textile products falling under Regulations (EEC) No 3951/92, (EEC) No 3030/93 and (EC) No 517/94.

**Regulation amended:** Council Regulation (EC) No 3313/94; OJ L 350, 31.12.1994, Bull. 12-1994, point 1.3.146

*Proposal adopted by the Commission on 2 May.*

COM(95) 153

*Adopted by the Council on 29 May.* The purpose is to extend from 31 March 1995 to 31 May 1995 the deadline for the importation and release for free circulation into Austria, Finland or Sweden of products dispatched before 1 January 1995 which could fall under Regulation (EC) No 3313/94.

OJ L 120, 31.5.1995

1.4.43. Draft textiles Agreement between the Community and Croatia.

**Reference:** Draft economic and trade cooperation Agreement between the Community and Croatia: Bull. 4-1995, point 1.4.75



*Recommendation for a decision adopted by the Commission on 2 May.* The aim is to negotiate a separate bilateral Agreement alongside the cooperation Agreement, for textile products subject to quantitative quotas.

## Development policy

### General

#### *Policy coordination*

1.4.44. Communication from the Commission to the Council and the European Parliament on complementarity between the Community's development cooperation policy and the policies of the Member States.

#### **References:**

Declaration of the Council and of representatives of governments of Member States meeting within the Council on aspects of development cooperation policy in the run-up to 2000: Bull. 11-1992, point 1.4.47

Council resolution on procedures for coordination between the Community and the Member States: Bull. 12-1993, point 1.3.59

Council conclusions on the coordination of development policies: Bull. 5-1994, point 1.3.87

Council Decision on the list of countries in which Community coordination could be stepped up: Bull. 5-1994, point 1.3.88

*Adopted by the Commission on 3 May.* In its communication the Commission refers to the provisions of the EC Treaty on the complementarity and coordination of Community policy and policies pursued by the Member States (Articles 130u and 130x), and evaluates the state of play. Since complementarity cannot be achieved unless Community and national policies are guided by common objectives, and since these objectives are translated at sectoral and operational level into common approaches — the effectiveness of both national and Community aid being evaluated jointly — it proposes that a structured approach be adopted with a view to increasing complementarity and argues that more coordination is needed in forward planning.

COM(95) 160

## Commodities and world agreements

### *Tropical timber*

1.4.45. Meeting of the International Tropical Timber Council.

**Reference:** Draft new International Agreement on Tropical Timber: Bull. 5-1993, point 1.3.44

*Eighteenth meeting, held in Accra (Ghana) from 15 to 18 May.* Discussions at the meeting centred on the negotiations for a new International Tropical Timber Agreement (ITTA II) and the mid-term review of Objective 2000, the international organization's main policy platform. The European Union signalled that its accession to ITTA II would be very much dependent on the level of international cooperation established in the tropical timber trade and the management of productive forests.

### *Coffee*

1.4.46. International Coffee Council.

**Reference:** International Coffee Agreement 1994: OJ L 222, 26.8.1994; Bull. 7/8-1994, point 1.3.113

**Previous meeting:** Bull. 1/2-1995, point 1.4.65

*Second meeting, held in London from 15 to 19 May.* At this meeting the Council decided unanimously that the 1994 Agreement should enter into force. Other business concerned the organization's programme of work in coming years and budgetary matters.

### *Cereals*

1.4.47. Draft International Cereals Agreement (→ point 1.3.113).

## Activities within international forums

1.4.48. Visit to the Commission by Mr Jacques Diouf, Director-General of the UN Food and Agriculture Organization (FAO), on 15 May.

Mr Diouf had talks with Mr Santer, Mr Marín and Mr Fischler on the subject of cooperation between the Commission and the FAO, and

pressed the case for a greater international commitment to food security. He also informed them of a special programme set up by the FAO to raise food production in low-income countries with a food deficit, about which the Commission side expressed interest.

## EC Investment Partners

*1.4.49.* Proposal for a Council Regulation on the implementation of the European Communities Investment Partners (ECIP) financial instrument for the countries of Latin America, Asia, the Mediterranean region and South Africa.

**Commission proposal:** OJ C 287, 15.10.1994; COM(94) 358; Bull. 7/8-1994, point 1.3.114

**Parliament opinion:** OJ C 323, 21.11.1994; Bull. 10-1994, point 1.3.98

*Council common position (EC) No 6/95 adopted on 22 May.* The Regulation would renew and expand the ECIP financial instrument for the period 1995-99. The main purpose of the instrument is to promote joint ventures of mutual interest to Community firms and local firms in the eligible countries, including South Africa. The Council approved a financial reference amount of ECU 250 million to implement the programme over five years.

OJ C 160, 26.6.1995

## Cooperation via non-governmental organizations

*1.4.50.* Projects in developing countries.

*Commission cofinancing:* commitment of ECU 3 956 822 for 17 operations.

*1.4.51.* Campaigns to raise public awareness.

*Commission contribution:* ECU 1 339 648 for 11 operations.

## Rehabilitation aid

*1.4.52.* Financing decision.

*Adopted by the Commission on 23 May.* ECU 3 658 580 for rehabilitation operations in southern

Africa, particularly in Angola, Mozambique and Zimbabwe.

*1.4.53.* Proposal for a Council Regulation on aid for rehabilitation programmes in southern Africa (→ point 1.4.110).

## Aid for refugees

*1.4.54.* Visit to the Commission by Ms Sadako Ogata, the UN High Commissioner for Refugees, on 22 May.

Ms Ogata had talks with Mr de Deus Pinheiro. Both underlined the complexity of the situation in Rwanda and acknowledged that there had to be close cooperation between the European Union and UN agencies such as the UNHCR. The situation in Mozambique was also broached, the two sides confirming their agreement to implement a joint programme for the reintegration of displaced persons.

## Humanitarian aid

*1.4.55.* Proposal for a Council Regulation concerning humanitarian aid.

**Reference:** Commission communication to the budgetary authority on legal bases and maximum amounts: Bull. 7/8-1994, point 1.4.1

*Adopted by the Commission on 31 May.* In accordance with the Commission communication of July 1994 on legal bases and maximum amounts, the Regulation lays down a common legal basis for the Community's humanitarian aid, which is financed under various budget headings and administered by the European Community Humanitarian Office, the aim being to adapt it to requirements and recent developments. The proposed Regulation sets out the objectives and general guidelines for humanitarian aid and lays down implementation procedures.

COM(95) 201

*1.4.56.* Visit by Ms Bonino to Cuba from 17 to 20 May (→ point 1.4.103).

1.4.57. Visit by Ms Bonino to Haiti from 21 to 22 May.

Ms Bonino met the country's President, Mr Jean-Bertrand Aristide, the Economic Affairs and Finance Minister, Ms Marie-Michelle Rey, the Health Minister, Mr Jean-Joseph Molière, the Planning Minister, Mr Jean-Marie Cherestal, and the Agriculture Minister, Mr François Sevrin. Talks focused on the Community's aid for Haiti. Ms Bonino stressed that the European Union was ready to help Haiti's recovery and that the Commission was giving priority to structural aid. She also said that USD 400 million of the USD 1 billion pledged by the international community would come from the EU.

1.4.58. Visit by Ms Bonino to UN headquarters in New York on 22 May.

Ms Bonino met Mr Boutros Boutros-Ghali, the UN Secretary-General, with whom she dis-

cussed the situation in Haiti and the best ways of coordinating humanitarian aid and long-term structural development. On the subject of Rwanda, they noted that there was no hope of a short-term political solution and that humanitarian aid in the region was costing some ECU 300 000 a day.

1.4.59. Parliament resolution on the volcanic eruption on the island of Fogo (Cape Verde).

*Adopted on 18 May.* Parliament asked the Commission to provide immediate aid and to act in close cooperation with the Government of Cape Verde and the local authorities to help victims of the April eruption and prevent a deterioration of their economic and social circumstances.

OJ C 151, 19.6.1995

1.4.60. Commission decisions: see Table 5.

Table 5 — *Humanitarian aid*

		<i>(million ECU)</i>
Country/region	Purpose	Amount
	Financing: EDF (ACP countries)	
Sierra Leone	Displaced persons	0.55
	Financing: 1995 ECHO budget	
Central and East Africa	Refugees and displaced persons	4.62
Angola	Civil war	7.0
Ecuador	Refugees and displaced persons following Ecuador/Peru fighting	0.45
Guatemala	Returnees and displaced persons	1.1
Haiti	Humanitarian aid for vulnerable sections of society	6.0
Northern Iraq	Refugees from Turkey	1.435
Kyrgyzstan	Humanitarian aid for vulnerable sections of society	2.0
Lebanon	Mission to assess situation in Palestinian refugee camps	0.025
Nicaragua	Cholera epidemics and malaria	0.45

		<i>(million ECU)</i>
Country/region	Purpose	Amount
Peru	Rabies and plague epidemics	0.75
Russian Federation	Food aid	3.0
	Fighting in northern Caucasus	7.0
	Earthquake on Sakhalin island	0.215
Somalia	Fighting	0.35
Tadjikistan	Internal difficulties and humanitarian aid for vulnerable sections of society	2.2
Former Yugoslavia	Fighting	93.89

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

### European Economic Area

#### 1.4.61. EEA Council

**Reference:** Essen European Council conclusions: Bull. 12-1994, point I.41

**Previous meeting:** Bull. 12-1994, point 1.3.14

*Third meeting held in Brussels on 30 May.* At this meeting, chaired by Mr Michel Barnier, the French Minister for European Union Affairs and President of the Council of the European Union, the EFTA-EEA delegation (Iceland, Norway, and Liechtenstein) was headed by Norway's Trade Minister, Ms Grete Knudsen, and the Commission was represented by Mr Van den Broek. It was the first EEA Council meeting since the accession of Austria, Finland and Sweden to the European Union and Liechtenstein's entry into the EEA.

The highlight of the meeting was the adoption of a Joint Declaration on Political Dialogue setting out practical arrangements for reinforcing cooperation. This was the prelude to a preliminary exchange of views on political issues including the Middle East peace process, the Euro-Mediterranean Conference, former Yugoslavia, Russia and the European security architecture. The meeting also discussed trade, particularly the

question of extending cumulation of the rules of origin both to the associated countries and the EFTA countries, in the light of the conclusions of the Essen European Council.

1.4.62. Council conclusions on EU policy towards the Baltic Sea region (→ point 1.4.70)

## Central and Eastern Europe, Baltic States

### Pre-accession strategy

#### *Preparation for integration in the internal market*

**References:**

Council Regulation (EEC) No 3906/89 on economic aid to certain countries of Central and Eastern Europe (PHARE programme) (OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25), as last amended by Regulation (EEC) No 1764/93: OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

Europe (association) Agreements between the European Communities and their Member States and Hungary and Poland respectively: OJ L 348, 31.12.1993; Bull. 12-1993, point 1.3.20

Draft Europe Agreement with Slovenia: Bull. 4-1994, point 1.3.33

Commission communications on preparing the Central and East European countries for acces-

sion: COM(94) 320; COM(94) 361; Bull. 7/8-1994, points 1.3.26 and 1.3.27

Conclusions of the Essen European Council: Bull. 12-1994, points 1.13 and 1.39

Europe Agreements establishing an association between the European Communities and their Member States and Bulgaria, Romania, the Czech Republic and Slovakia: OJ L 358, L 359 and L 360, 31.12.1994; Bull. 1/2-1995, points 1.4.73 to 1.4.77

Draft Europe (association) Agreements between the European Communities and their Member States and Estonia, Latvia and Lithuania: Bull. 4-1995, point 1.4.64

1.4.63. White Paper entitled 'Preparation of the associated countries of Central and Eastern Europe for integration into the internal market of the Union'.

*Adopted by the Commission on 3 May.* The Annex was adopted on 10 May. The White Paper is part of the pre-accession strategy adopted by the European Council in December 1994 for the six countries which have already concluded association agreements (Poland, Hungary, the Czech Republic, Slovakia, Bulgaria and Romania) and the countries which are negotiating Europe Agreements with the Union (at present the three Baltic States, which have initialled Europe Agreements, and Slovenia). It is designed as a general reference document of use to all potential Member States, and provides a guide to assist those countries in preparing their economies for operating under the requirements of the European Union's internal market. It does not therefore contain any binding measures and does not set any kind of timetable but plays a three-fold role, as follows:

□ in order to assist the Central and East European countries with their planning and programming, it presents the essential legislative measures in the sphere of the internal market and in other spheres such as competition and social and environmental policy, which are of vital importance for the operation of the market. The Annex accordingly sets out, in 23 different spheres of legislative activity, and on a deliberately selective basis, the Articles of the Treaty and secondary legislation which have a direct impact on the freedom of movement of goods, services, persons and capital. A logical order for the adoption of these measures is established, with the 'key' measures being separated from the whole body of measures applicable, it being understood that it is up to the associated countries

themselves to set their priorities in accordance with their own situation and strategies;

□ the White Paper also stresses the need to create the necessary administrative and organizational context to ensure that this legislation can be implemented effectively. As a guide for the Central and East European countries, the Annex contains a summary of the structures needed to ensure implementation of Community legislation and identifies the relevant national (or international) structures in the light of the experience acquired within the Union in this matter;

□ it explains how the assistance at present channelled to the associated countries through the PHARE programme for the approximation of laws can be stepped up and adapted in order to provide better support for the Central and East European countries' efforts. The Commission is therefore proposing the establishment by each country of a national framework programme for harmonizing national legislation with internal market legislation, so that all the PHARE programmes aimed at the objectives of the White Paper are complementary. Since, on the other hand, certain assistance requirements are common to all the associated countries, the Commission plans to set up a technical assistance information office supported by a multi-country PHARE programme. It will provide for the exchange of information and will facilitate the provision of the highest possible quality of assistance from a variety of public- and private-sector bodies covering Community legislation and implementing structures. Databases drawing on information from the Commission, the Member States, the associated countries and the private sector will be set up in order to achieve transparency and avoid duplication of effort. The Commission will make available through the databases all relevant information about the Central and East European countries' progress in implementing the White Paper.

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### *Structured relations*

1.4.64. Joint ministerial meeting between the European Union, the associated Central and East European countries and the Baltic States.

*Meeting held in Brussels on 22 May.* This was the first meeting of the economic affairs and finance ministers of the 15 Member States of the

European Union and their counterparts in the associated Central and East European countries and the Baltic States chaired by Mr Alain Madelin, French Economic Affairs and Finance Minister and President of the Council, with the participation of Mr Mario Monti and Mr Yves-Thibault de Silguy representing the Commission. Two main topics were discussed. The presentation of the White Paper on the approximation of legislation on the internal market (→ *point 1.4.63*) gave the Central and East European countries the opportunity to present their programme of reform and to stress the value of the technical assistance which will be developed by the European Union. The delegations also described their macroeconomic restructuring programmes.

## Bilateral relations

### Albania

*1.4.65.* Own-initiative opinion delivered by the Economic and Social Committee on relations between the European Union and Albania.

#### References:

Agreement between the European Economic Community and Albania on trade and commercial and economic cooperation: Bull. 10-1992, point 1.4.11

Council statement on the release of a second instalment of macro-financial assistance for Albania: Bull. 4-1995, point 1.4.69

*Adopted by the Economic and Social Committee on 31 May.* The Committee considered that, in view of the democratization process which was under way but was threatened by the structural fragility of the economy and strategic and security issues in the Balkans, the European Union should conduct a proper policy of aid for developing Albania, which, since it was both a Central European country and a Mediterranean non-member country, should also be covered by the Mediterranean policy. The Committee also wanted the European Union to implement a special programme for rebuilding the Albanian economy and to speed up the procedures for establishing an association with the country.

### Bulgaria

*1.4.66.* Visit by Mr Van den Broek on 4 and 5 May. During this visit Mr Van den Broek met Mr Zhelyu Zhelev, the country's President,

Mr Zhan Videnov, Prime Minister, Mr Georgi Pirinski, Foreign Minister, and other members of the Bulgarian Government. Mr Van den Broek stressed that the European Union had already provided, through the PHARE programme, aid of over ECU 400 million and planned to pay a sum of the same order over the coming five years; he stressed the need for more rapid and effective use to be made of these funds. Mr Van den Broek also mentioned the need to strengthen inter-regional cooperation as a necessary complement to the deepening of relations between the European Union and Bulgaria. The other subjects raised during this visit included the preparation of the Association Council meeting of 29 May in Brussels (→ *point 1.4.67*) and the visa problems faced by Bulgarian citizens wishing to visit the Member States of the European Union.

*1.4.67.* European Union/Bulgaria Association Council.

**Reference:** Final conference on the Stability Pact in Europe: Bull. 3-1995, points 1.4.4 and 2.2.1

*First meeting held in Brussels on 29 May.* The Bulgarian delegation was headed by Mr Georgi Pirinski, Foreign Minister, and the European Union was represented by Mr Michel Barnier, French Minister for European Union Affairs and President of the Council, and Sir Leon Brittan. The discussions covered two main subjects:

□ the Bulgarian delegation presented the main aspects of the 1995-98 government programme designed to prepare the country for accession to the European Union (harmonization of legislation, speeding-up of the privatization process, etc.). The Association Council welcomed the favourable economic trends in Bulgaria and stressed the importance of the White Paper on the internal market as a central element in the pre-accession strategy (→ *point 1.4.63*). On the subject of trade, the issue of Bulgarian accession to the World Trade Organization was also discussed;

□ in the context of regional cooperation and security issues, the Association Council stressed the stabilizing role of Bulgaria in the region and its contribution to the implementation of the UN sanctions related to the conflict in the former Yugoslavia; it also welcomed Bulgaria's constructive participation in the Stability Pact. The two sides also pointed to the importance of inte-

grating Bulgarian infrastructure in the trans-European network, largely through the PHARE programme.

## *Poland*

1.4.68. Visit by Mr Van den Broek on 18 and 19 May.

**Reference:** Europe (association) Agreement between the European Communities and their Member States and Poland: OJ L 348, 31.12.1993; Bull. 12-1993, point 1.3.20

During this visit, Mr Van den Broek met Mr Lech Walesa, the country's President, Mr Jozef Oleksy, Prime Minister, Mr Wladyslaw Bartoszewski, Foreign Minister, and other members of the government. He also met the members of the interministerial committee for integration policy and members of the national parliament.

During these discussions the present state of relations between Poland and the European Union was assessed and in particular the Europe Agreement, which entered into force on 1 February 1994. The discussions also covered the pre-accession strategy adopted at the Essen European Council in December 1994 and in particular the White Paper, which is intended to facilitate the integration of Central and Eastern Europe into the European Union's single market (→ point 1.4.63).

## *Slovak Republic*

1.4.69. European Union/Slovak Republic Association Council.

**Reference:** Final conference on the Stability Pact in Europe: Bull. 3-1995, points 1.4.4 and 2.2.1

*First meeting held in Brussels on 29 May.* The Slovak delegation was headed by Mr Juraj Schenk, Foreign Minister, and the European Union was represented by Mr Michel Barnier, French Minister for European Union Affairs and President of the Council, and Sir Leon Brittan.

The Slovak delegation expressed its country's wish to be a full member of the European Union and noted that the country's main difficulties concerned the internal market, approximation of legislation and unification of technical standards. The Community delegation welcomed the

efforts made by Slovakia, noting nevertheless the need to continue, in a transparent manner, the structural reforms, in particular privatization, reform of the banking sector and restructuring of firms, and to strengthen the democratic process. The two delegations also stressed the importance of the White Paper on the internal market (→ point 1.4.63) for guiding and supporting the Central and East European countries in their preparations for accession. The discussions also covered trade relations and regional cooperation, in particular the conclusion of the agreement between Hungary and Slovakia under the Stability Pact.

## **Relations with the Baltic States**

### **References:**

Europe (association) Agreement between the European Communities and their Member States and Poland: OJ L 348, 31.12.1993; Bull. 12-1993, point 1.3.20

Agreement establishing the European Economic Area: Bull. 1/2-1994, point 1.3.27

Commission communication to the Council on orientations for a Union approach towards the Baltic Sea region: Bull. 10-1994, point 1.3.21

Agreements on free trade and trade-related matters between the European Communities and Estonia, Latvia and Lithuania: Bull. 12-1994, points 1.3.37, 1.3.40 and 1.3.43

Conclusions of the Essen European Council: Bull. 12-1994, points 1.13 and 1.39

Draft Europe (association) Agreements between the European Communities and their Member States and Estonia, Latvia and Lithuania: Bull. 4-1995, point 1.4.64

Draft Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Russia, of the other part: Bull. 3-1995, point 1.4.74

1.4.70. Council conclusions on EU policy towards the Baltic Sea region.

*Adopted by the Council on 29 May.*

'1. The Council notes with satisfaction the Commission communication on guidelines for a European Union policy towards the Baltic Sea region.

It points out that the European Union has a genuine interest in contributing to the political stability and prosperity of the region, an interest recently reflected in the Stability Pact initiative.

2. The Baltic Sea region has taken on increasing importance for the European Union as a result of the accession of two new Member States with Baltic coasts, the entry into force of free-trade Agreements and the signing of association Agreements with the three Baltic States, to which the pre-accession strategy decided on by the European Council in Essen will thus be applicable. These new links between the Union and the Baltic Sea region come on top of those already arising from the presence of Member States with Baltic coasts, the relations entered into with Norway under the European Economic Area, the association Agreement with Poland and the signing in 1994 of the partnership and cooperation Agreement with the Russian Federation.

### *Political cooperation and dialogue*

3. The European Union is uniquely placed to contribute to the development and stability of this region on account of the ties it has built up with the Baltic Sea States, which result in the establishment of many channels for political dialogue.

4. The structured dialogue established with the associated States provides an important framework in this field. The Baltic States, with which a political dialogue has been conducted under the Joint Declaration of 11 May 1992, are in future to participate in that structured dialogue. The association Agreements and the partnership and cooperation Agreement with Russia provide for the establishment of a bilateral framework for political dialogue. A dialogue is also being engaged in with Norway under the European Economic Area. Consistent use will need to be made of these various channels with the aim of promoting stability and security in the region.

5. The adoption of the Stability Pact on 20 and 21 March 1995 at the Paris Conference and its transfer to the OSCE represent the successful culmination of joint action by the Union under the CFSP. This initiative should help encourage the putting into practice of the principles and undertakings laid down at the United Nations, the OSCE and the Council of Europe. The European Union, whose policy towards the Baltic Sea region will contribute to the achievement of the Stability Pact's objectives, in particular to the constructive development of Russian-Baltic relations, will continue to keep a close watch on the further progress of that process, which comes under the OSCE and which could give rise to the continuation of work carried out in the context of the regional round tables.

6. Permanent consultation between Baltic Sea States within the Council of the Baltic Sea States (CBSS) is also highly important, as borne out by initiatives such as the appointment of a Commissioner on Democratic Institutions and Human Rights. Besides some Union Member States, the CBSS includes a number of States with which the Union maintains close links: associ-

ated States, Norway and the Russian Federation. The Council calls on the Commission to submit to it proposals regarding the role which the Commission may come to play, within its sphere of competence, in the CBSS.

### *Economic cooperation*

7. Through strong economic growth and trade liberalization, the Baltic Sea region will offer fresh opportunities for trade and investment. The further integration of the region into the European and the global economy is in line with the Union's interests. It is with this in mind that the Union should contribute to the development of trade in the region and direct its assistance.

8. The Council reaffirms the European Union's wish to promote the development of trade in the region. The Union is contributing to this through its various Agreements with the Baltic Sea States, which make provision, each under its own particular procedures, for the reduction or elimination of trade barriers. The Union will also endeavour to encourage initiatives to expand trade between Baltic Sea States which are not members of the Union, by providing suitable assistance, e.g. in the customs field.

9. The Council notes that assistance to the region will achieve greater consistency if aid programmes are planned and developed in the light of the regional context and if a consensus can be found on certain priorities.

In this respect the Council highlights the importance of greater coordination of existing bilateral and multi-lateral assistance programmes, especially, bearing in mind their respective roles, under the G-24 and under the Council of the Baltic Sea States, a particularly appropriate forum for Baltic Sea regional cooperation.

In accordance with the Essen European Council conclusions, particularly those on intra-regional cooperation and trans-European networks, the European Union will ensure that its own action makes a complementary contribution to the implementation of regional cooperation and cross-border projects and projects to foster good neighbourliness in the Baltic Sea region.

Assistance provided should take due account, in accordance with the specific rules of each instrument, of the following priorities: trade, infrastructure, including transport, investment, the environment, energy and nuclear safety, education, and development of the activities of local communities and of the private sector.

10. The Council requests the Commission to submit to it in the second half of 1995 a report on the progress of and practical prospects for cooperation in the Baltic Sea region.'



# Mediterranean and Middle East

## Northern Mediterranean

### Croatia

1.4.71. Proposal for a Council Regulation amending Regulation (EEC) No 3906/89 with a view to extending economic assistance to Croatia.

**Commission proposal:** OJ C 360, 17.12.1994 and COM(94) 526; Bull. 11-1994, point 1.3.41

**Parliament opinion:** OJ C 126, 22.5.1995; Bull. 4-1995, point 1.4.76

*Agreed by the Council on 29 May.* The purpose of the Regulation is to include Croatia in the PHARE programme. The Council recommended that, until otherwise decided, PHARE programme measures in Croatia should be concentrated on projects to encourage reconciliation between the Croatian and Serbian communities in that country.

### Former Yugoslavia

1.4.72. Parliament resolution on the situation in former Yugoslavia.

*Adopted on 18 May.* Parliament denounced the renewed escalation of the fighting in the former Yugoslavia, condemning all attacks on the civilian population from whatever source and the readiness to solve the conflict by force of arms. It called on all the parties concerned to resume negotiations for a comprehensive and peaceful settlement on the basis of the decisions by the UN Security Council and the Contact Group for the former Yugoslavia. Noting that the presence of UN forces over the last four years had prevented the conflict spreading, it called for their mandate, resources and scope for action to be strengthened. It emphasized that closer cooperation between the European Union and the Republics of the former Yugoslavia would be possible only if those Republics were prepared to accept the decisions of the UN Security Council.

OJ C 151, 19.6.1995

1.4.73. Proposal for a Council Regulation amending Council Regulation (EEC) No 990/93

with a view to allowing the export of certain goods to the Federal Republic of Yugoslavia (Serbia and Montenegro).

**Regulation to be amended:** Council Regulation (EEC) No 990/93 concerning trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro) (OJ L 102, 28.4.1993; Bull. 4-1993, point 1.3.27), as last amended by Regulation (EC) No 2472/94: OJ L 266, 15.10.1994; Bull. 10-1994, point 1.3.36

*Adopted by the Commission on 29 May.* The purpose of the Regulation is to amend the terms of the embargo so as to allow the export of essential supplies needed for the repair of the iron locks on the right bank of the Danube.

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## Maghreb

### Tunisia

1.4.74. Draft Euro-Mediterranean association Agreement with Tunisia.

**Recommendation for a Decision:** Bull. 11-1993, point 1.3.26

**Negotiating directives:** Bull. 12-1993, point 1.3.38

**Initialled:** Bull. 4-1995, point 1.4.80

*The Commission adopted a proposal for a Decision (EC, ECSC) of the Council and the Commission on the conclusion of the agreement on 31 May.*

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## Mashreq

### Jordan

1.4.75. Draft Euro-Mediterranean association Agreement with Jordan.

**References:**

Draft association Agreement with Israel: Bull. 12-1993, point 1.3.31

New draft Agreement with Morocco: Bull. 12-1993, point 1.3.33

Conclusions of the Essen European Council: Bull. 12-1994, point I.14

Draft Euro-Mediterranean association Agreement with Egypt: Bull. 12-1994, point 1.3.67

Commission communication to the Council and the European Parliament on strengthening the Mediterranean policy of the European Union: proposals for implementing a Euro-Mediterranean partnership: COM(95) 72; Bull. 3-1995, point 1.4.57

Draft Euro-Mediterranean association Agreement with Tunisia: point 1.4.74 of this Bulletin

*The Commission adopted a recommendation for a Decision on 31 May.* The Commission proposed opening negotiations with Jordan with a view to concluding a Euro-Mediterranean association Agreement similar to those currently under negotiation with other countries in the region.

## Financial and technical cooperation

### 1.4.76. Project financing.

#### References:

Council Regulation (EC) No 1734/94 on financial and technical cooperation with the Occupied Territories: OJ L 182, 16.7.1994; Bull. 7/8-1994, point 1.3.50

Council Regulation (EEC) No 1763/92 on financial cooperation in respect of all Mediterranean non-Member countries (OJ L 181, 1.7.1992; Bull. 6-1992, point 1.4.17), as last amended by Regulation (EC) No 1735/94: OJ L 182, 16.7.1994; Bull. 7/8-1994, point 1.3.50

Commission financing decisions granting aid to the following projects (see Table 6).

Table 6 — *Cooperation with Mediterranean countries*

		<i>(million ECU)</i>
Country/region	Purpose	Amount
Financing: cooperation involving all Mediterranean non-member countries		
All countries	Global loan	10
Financing: financial and technical cooperation with the Occupied Territories		
West Bank and Gaza Strip	Aid to the community	5
West Bank, Gaza Strip and East Jerusalem	Aid to the community	2.5

## Support for the peace process

1.4.77. Parliament resolution on the Middle East peace process and the elections in the Occupied Territories.

#### References:

Israel-PLO Agreement: Bull. 9-1993, point 1.3.19

Israel-Palestine Agreement in Cairo: Bull. 5-1994, point 1.3.46

*Adopted on 19 May.* Parliament stressed the urgent need to implement the declaration of principle signed by Israel and the PLO on 13 September 1993 by means of actual, visible deeds and, in particular, to hold elections in the Gaza Strip and Jericho in accordance with the conditions laid down in the Cairo Agreements of 4 May 1994, insofar as such elections would

confer democratic legitimacy on the Palestinian Authority. It welcomed the aid already granted by the European Union to the Palestinian Authority during the preparatory stage of the elections and called for the Union to respond positively to the request for observers to be sent to monitor the electoral process. It pointed out that aid to create jobs and ensure that the Palestinian Authority operated satisfactorily continued to be essential if the peace process were to be brought to a successful conclusion. It further welcomed the decision by Israel to release a number of Palestinian prisoners and called for it to be extended to other Palestinian political prisoners. However, it also expressed concern at the decisions by the Israeli government to expropriate several dozen hectares of the land belonging to Palestinians in East Jerusalem in order to build housing as part of the settlements policy.

OJ C 151, 19.6.1995

# Independent States of the former Soviet Union; Mongolia

## General

1.4.78. Commission communication to the Council and Parliament entitled 'The European Union and Russia: the future relationship'; draft Council common position on the European Union's objectives and priorities for the Russian Federation.

### References:

Draft Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Russia, of the other part: Bull. 6-1994, point 1.3.30; Bull. 3-1995, point 1.4.74

Draft interim Agreement on trade and trade-related matters between the European Community and Russia: Bull. 12-1994, point 1.3.53

*Adopted by the Commission on 31 May.* In the light of the need to have a clear framework for coordinating and integrating the various political and economic instruments which will be used to implement European Union policy for Russia in the future, the Commission has proposed an overall strategy. Because Finland's accession to the European Union has made Russia an immediate neighbour, and because it believes that Russia's role in stability in Europe is a vital one and that the country's economic, commercial and scientific potential is considerable, the Commission suggests that the European Union work with Russia and partners from around the world (particularly those across the Atlantic) to achieve the following:

- greater political, social and economic stability in the Russian Federation and the countries of the region;
- sustained development leading to improved living standards;
- greater cooperation in addressing the most significant world and regional issues.

Accordingly the Commission, as with its communication entitled 'Towards a European Union strategy for relations with the Transcaucasian Republics' (→ point 1.4.79), has pressed into

use for the first time its right of initiative in common foreign and security policy matters under Article J.2 of the Treaty on European Union and has put to the Council a draft common position which takes the above objectives as a basis to set out the following priorities:

- to continue to involve the Russian Federation in establishing Europe's security architecture: the European Union will endeavour to bring greater dialogue between Russia and NATO and contribute to discussions on a special arrangement between the two to provide for regular *ad hoc* consultation and dialogue;
- to back the process of upholding democracy and human rights by promoting cooperation at all levels between opinion-formers, members of parliament and government and non-governmental organization representatives in Europe and Russia, in the capitals and in the regions, and by promoting compliance on the part of the Russian Federation with the conditions for membership of the Council of Europe;
- to pursue economic reform and economic interaction between the European Union and Russia, and to absorb Russia progressively into a wider European area of prosperity and into the world economic system. The European Union would accordingly help Russia to prepare and implement agreements with the International Monetary Fund and other international financial institutions, and would look again at involving Russia in international groupings such as the G7 in the light of its success with macroeconomic stabilization and economic reform. The European Union would also back Russia's applications to join entities like the World Trade Organization;
- to step up cooperation in other areas, including combating illegal activities and crisis prevention and management;
- to develop dialogue on all matters of common interest in a manner which would allow the two parties to set out their opinions in the appropriate forum and at the appropriate time.

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1.4.79. Commission communication to the Council and Parliament entitled 'Towards a European Union strategy for relations with the Transcaucasian republics'; draft Council common position on the objectives and priorities of the European Union towards the Transcaucasian republics.

**Reference:** European Energy Charter Treaty: OJ L 380, 31.12.1994; Bull. 12-1994, point 1.2.110

*Adopted by the Commission on 31 May.* The Commission noted that despite the cease-fires of 1994, the three republics of the Caucasus (Georgia, Armenia and Azerbaijan) continue to be affected by the fighting in Nagorno-Karabakh and Abkhazia, and are in a difficult economic position. Because the region is geopolitically important to the European Union, which has energy interests there, the Commission communication proposes an overall strategy including provision for partnership and cooperation Agreements with each of the three republics, food aid and humanitarian aid and technical assistance for rebuilding in the wake of the war. The Commission is also of the opinion that special IMF assistance could be considered (this would have the added effect of making loan repayments to the Community easier). It believes nevertheless that implementation of the strategy should be dependent on the progress made in achieving acceptance by all parties of the sovereignty, independence and territorial integrity of each of the republics, in settling the disputes, in promoting human rights and democratic institutions, in repatriating refugees and in carrying out economic reform. It emphasizes that bilateral and regional political dialogue between the partners and with Russia, Turkey and the Economic Cooperation Organization of which Azerbaijan is a member could help the rebuilding effort. In the light of these aims, as is the case with its communication entitled 'The European Union and Russia: the future relationship' (→ point 1.4.78), the Commission has pressed into use for the first time its right of initiative in common foreign and security policy matters under Article J.2 of the Treaty on European Union and has put to the Council a draft common position which sets out priorities for political cooperation, backing for democratic institutions and the other forms of aid referred to in the communication.

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*1.4.80.* Council conclusions regarding the European Union's policy towards the Baltic Sea region and the Baltic States (→ point 1.4.70).

*1.4.81.* Commission communication to the Council and Parliament entitled 'Prospects for cooperation in science and technology with the new independent States (NIS)' (→ point 1.3.46).

## Bilateral relations

*1.4.82.* Draft partnership and cooperation Agreements between the European Communities and their Member States and Belarus, Kazakhstan, Kyrgyzstan, Moldova and Ukraine.

**Reference:** Court of Justice Opinion 1/94, of 15 November 1994, on the competence of the Community to conclude agreements resulting from the Uruguay Round: Bull. 12-1994, point 1.7.23

In the wake of the Court of Justice's opinion regarding the competence of the Community to conclude agreements resulting from the Uruguay Round, the Commission is proposing to alter the legal bases originally cited in the proposals for Council Decisions (EC) on the conclusion of the partnership and cooperation Agreements, namely Articles 113 and 235 of the EC Treaty, by adding Articles 54(2), 57(2) and 73c(2), Article 75 and Article 84(2), in conjunction with Article 228(2) and (3) (→ points 1.4.83 to 1.4.87). The proposals for Council Decisions (EC) and the draft Commission Decisions (ECSC and Euratom) have furthermore been brought together in a single text for each country.

### Belarus

*1.4.83.* Draft partnership and cooperation Agreement between the European Communities and their Member States and Belarus.

**Recommendation for a Decision:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

**Amended Commission recommendation:** Bull. 10-1994, point 1.3.31

**Amended negotiating directives:** Bull. 11-1994, point 1.3.33

**Initialling of the Agreement:** Bull. 12-1994, point 1.3.48

**Proposal for a Council Decision (EC) on the conclusion of the Agreement:** COM(95) 44; Bull. 1/2-1995, point 1.4.96

**Draft Commission Decisions (ECSC and Euratom) on the conclusion of the Agreement:** COM(95) 44; Bull. 1/2-1995, point 1.4.96

**Decision regarding the signing of the Agreement:** Bull. 3-1995, point 1.4.70

**Agreement signed:** Bull. 3-1995, point 1.4.70

**Consultation of the ECSC Consultative Committee:** Bull. 3-1995, point 1.4.70

*Amended proposal for a Council and Commission Decision regarding conclusion of the Agreement adopted by the Commission on 8 May.*

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## *Kazakhstan*

*1.4.84. Draft partnership and cooperation Agreement between the European Communities and their Member States and Kazakhstan.*

**Commission recommendation:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

**Initialling of the Agreement:** Bull. 5-1994, point 1.3.35

**Proposal for a Council Decision (EC) on the conclusion of the Agreement:** OJ C 319, 16.11.1994; COM(94) 411; Bull. 10-1994, point 1.3.32

**Draft Commission Decisions (ECSC and Euratom) on the conclusion of the Agreement:** OJ C 319, 16.11.1994; COM(94) 411; Bull. 10-1994, point 1.3.32

**Council decision on the signing of the Agreement:** Bull. 12-1994, point 1.3.49

**Agreement signed:** Bull. 1/2-1995, point 1.4.97

**Consultation of the ECSC Consultative Committee:** Bull. 3-1995, point 1.4.71

*Amended proposal for a Council and Commission Decision regarding conclusion of the Agreement adopted by the Commission on 8 May.*

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## *Kyrgyzstan*

*1.4.85. Draft partnership and cooperation Agreement between the European Communities and their Member States and Kyrgyzstan.*

**Commission recommendation:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

**Initialling of the Agreement:** Bull. 5-1994, point 1.3.36

**Proposal for a Council Decision (EC) on the conclusion of the Agreement:** OJ C 326, 24.11.1994; COM(94) 412; Bull. 10-1994, point 1.3.33

**Draft Commission Decisions (ECSC and Euratom) on the conclusion of the Agreement:** OJ C 326, 24.11.1994; COM(94) 412; Bull. 10-1994, point 1.3.33

**Council decision on the signing of the Agreement:** Bull. 12-1994, point 1.3.51

**Agreement signed:** Bull. 1/2-1995, point 1.4.99

**Consultation of the ECSC Consultative Committee:** Bull. 3-1995, point 1.4.72

*Amended proposal for a Council and Commission Decision regarding conclusion of the Agreement adopted by the Commission on 8 May.*

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## *Moldova*

*1.4.86. Draft partnership and cooperation Agreement between the European Communities and their Member States and Moldova.*

**Commission recommendation:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

**Proposal for a decision amending the negotiating directives:** Bull. 6-1994, point 1.3.31

**Negotiating directives amended:** Bull. 7/8-1994, point 1.3.43

**Initialling of the Agreement:** Bull. 7/8-1994, point 1.3.43

**Proposal for a Council Decision (EC) on the conclusion of the Agreement:** COM(94) 477; Bull. 11-1994, point 1.3.35

**Draft Commission Decisions (ECSC and Euratom) on the conclusion of the Agreement:** COM(94) 477; Bull. 11-1994, point 1.3.35

**Council decision on the signing of the Agreement:** Bull. 11-1994, point 1.3.35

**Agreement signed:** Bull. 11-1994, point 1.3.35

**Consultation of the ECSC Consultative Committee:** Bull. 12-1994, point 1.3.52

*Amended proposal for a Council and Commission Decision regarding conclusion of the Agreement adopted by the Commission on 8 May.*

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## *Ukraine*

*1.4.87. Draft partnership and cooperation Agreement between the European Communities and their Member States and Ukraine.*

**Commission recommendation:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

**Proposal for a Council decision amending the negotiating directives:** Bull. 1/2-1994, point 1.3.52

**Council Decision amending the negotiating directives:** Bull. 3-1994, point 1.3.51

**Initialling of the Agreement:** Bull. 3-1994, point 1.3.51

**Proposal for a Council Decision (EC) on the conclusion of the Agreement:** COM(94) 226; Bull. 6-1994, point 1.3.34

**Draft Commission Decisions (ECSC and Euratom) on the conclusion of the Agreement:** COM(94) 226; Bull. 6-1994, point 1.3.34

**Decision on the signing of the Agreement:** Bull. 6-1994, point 1.3.34

**Agreement signed:** Bull. 6-1994, point 1.3.34

**Consultation of the ECSC Consultative Committee:** Bull. 3-1995, point 1.4.75

*Amended proposal for a Council and Commission Decision regarding conclusion of the Agreement adopted by the Commission on 8 May.*

COM(95) 137

## Assistance for the independent States of the former Soviet Union

### *Financial assistance*

#### **Ukraine**

1.4.88. Proposal for a Council Decision providing further macrofinancial assistance to Ukraine.

#### **References:**

Twentieth Western Economic Summit: Bull. 7/8-1994, point 1.3.52

Common position 94/779/CFSP on the European Union's objectives and priorities for Ukraine: OJ L 313, 6.12.1994; Bull. 11-1994, point 1.3.1

Council Decision 94/940/EC providing macrofinancial assistance for Ukraine: OJ L 366, 31.12.1994; Bull. 12-1994, point 1.3.46

*Adopted by the Commission on 16 May.* The Commission proposed that Ukraine be granted a balance of payments loan of a maximum of ECU 220 million for up to 10 years to allow it to consolidate the stabilization of its economy and continue structural reform. This would be on top of the ECU 85 million loan granted in December 1994, which the Commission now intends to pay out in the light of the fact that it considers the conditions attached to it (as set out by the Council in December 1994) to have been fulfilled.

This additional loan, which will be matched by similar sums loaned by the US and Japan, will be paid out in two tranches, subject to two conditions: that Ukraine fulfil its financial obligations to the European Union in full and on time, and that it adhere to the timetable agreed for the closure of Chernobyl (the details were agreed by the G7 and backed by the European Union).

OJ C 164, 30.6.1995; COM(95) 195

#### *Council conclusions adopted on 22 May.*

'The Council noted with satisfaction the continuing efforts towards macroeconomic adjustment and structural reforms in Ukraine under the standby arrangement agreed with the International Monetary Fund last April.

The Council also expressed satisfaction with the undertakings made by President Kuchma on closing the nuclear plant in Chernobyl before the year 2000 and noted the timetable published by the Ukrainian authorities on 19 May 1995.

The Commission therefore considered the conditions for the payment of the macrofinancial assistance of ECU 85 million which the Council decided last December had been met.

The Council agreed with the Commission.

The Council gave sympathetic consideration to a new macrofinancial loan, the amount of the two loans together being up to one third of the bilateral assistance announced and no more than one third, i.e. ECU 285 million, of the estimated financing requirement.

The new loan would be paid in two tranches.

The first tranche would be for an amount of ECU 100 million. The amount of the second tranche will be decided by the Council, provided a satisfactory sharing of the burden can be arranged.

Given the significance of the nuclear question for both the Union and Ukraine, implementation of the loan will be linked to the Council's establishing that progress has been made on this point. Following consultation with the Monetary Committee, the Council will take a decision on the payment of the two tranches of the operation.'

## United States, Japan and other industrialized countries

### **Relations between the European Union, the United States, Canada and Japan**

1.4.89. Quad meeting.

**Reference:** Final Act of the Uruguay Round trade negotiations: Bull. 4-1994, point 1.3.61

**Previous meeting:** Bull. 9-1994, point 1.3.14

*Meeting held in Whistler (Canada), on 4 and 5 May.* The meeting, attended by Mr Mickey Kantor, US Trade Representative, Mr Ryutaro Hashimoto, Japanese Minister for Trade and Industry, and Sir Leon Brittan, for the Commission, focused on the setting up of the World Trade Organization and prospects for reinforcing it; applications for membership from the People's Republic of China, Russia, Ukraine and Taiwan; and how to sustain the momentum behind trade liberalization built up by the conclusion of the Uruguay Round negotiations, particularly on investment, services and market access. Preparations for the next Western Economic Summit were also discussed.

## United States

*1.4.90.* Visit to the Commission by Mr Mickey Kantor, US Trade Representative, on 22 May.

Mr Kantor met Sir Leon Brittan and Mr Franz Fischler for talks on the opening of OECD and WTO-sponsored negotiations on direct investment (→ point 1.4.19); US sanctions policy against particular countries; US claims for compensation for the enlargement of the European Union; prospects for the conclusion of mutual recognition agreements; financial services; maritime transport; and Community legislation on specific products such as bananas and furs. The three also discussed Parliament's endorsement of the Agreement on government procurement (→ point 1.3.22).

## Japan

**Reference:** Commission communication 'Europe and Japan: the next steps': COM(95) 73; Bull. 3-1995, point 1.4.80

*1.4.91.* Council conclusions on the Commission communication 'Europe and Japan: the next steps'.

*Adopted by the Council on 29 May.* The Council praised the quality of the Commission communication. It expressed satisfaction with the inten-

sity of the dialogue between the EU and Japan, and stressed that relations with Japan were a priority and should be based on a consistent, long-term approach, backed up by regular assessment of the results achieved. The Council proposed deepening the dialogue on political issues, and welcomed Japan's desire to play a political role more in keeping with its economic weight. However, it could not accept proposals to enlarge the UN Security Council, on which there was no EU consensus. On economic policy, the Council reaffirmed the soundness of the current policy of combining dialogue and cooperation on matters of mutual interest with a pro-active approach to resolving clearly identified problems regarding market access and Community business presence. It underlined the need for decisions by the Japanese authorities on matters such as the removal of sectoral obstacles to market access, deregulation, foreign investment, the reduction of technical barriers, the application of competition rules, and the opening-up of government procurement markets. It approved the Commission's proposals on bilateral cooperation, with particular reference to research and development, industrial cooperation, information, development cooperation, the environment and export promotion.

So as to make effective use of all the means at the EU's disposal in its relations with Japan, the Council proposed that the Commission step up cooperation between its representatives in Tokyo and Member States' embassies there, hold regular meetings with the Japanese authorities and expand contacts with the business world; it also expressed interest in a Commission proposal to hold a conference on EU-Japan cooperation.

*1.4.92.* Council conclusions on the US-Japan trade dispute over motor vehicles.

*Adopted by the Council on 29 May.*

'With reference to the dispute between Japan and the United States in the motor vehicle sector, the Council would emphasize its attachment to proper operation of the multilateral system and condemns unilateral measures and recourse to quantitative export objectives which infringe both the spirit and the letter of the WTO Agreements.

The Council shares some of the concern expressed by the United States regarding structural obstacles to access to the Japanese market and the negative impact of certain rules and technical barriers. The Council

encourages the United States, before it withdraws any concessions, to make use, as it had expressed the intention of doing, of the WTO multilateral system for resolving disputes.

It also calls upon the Commission to keep a close eye, in conjunction with the Article 113 Committee, on developments in the dispute between the United States of America and Japan, and to ensure that the interests of European industry are not affected by any discrimination.'

*1.4.93.* Proposal for a Council Regulation on the implementation by the European Commission of actions to promote exports to Japan.

*Adopted by the Commission on 23 May.* This proposal is part of the follow-up to the Commission communication 'Europe and Japan: the next steps'. It calls for the Commission to set up a programme to promote exports to Japan aimed at providing support for European exporters at every step of the process of penetrating the Japanese market, in particular via seminars and conferences, networking, EU group participation in trade fairs and missions, and training programmes (especially language programmes).

COM(95) 188

## Canada

**Reference:** Draft Agreement between the Community and Canada on fisheries under the NAFO (North-West Atlantic Fisheries Organization) Convention: Bull. 4-1995, point 1.3.121

*1.4.94.* Visit by Sir Leon Brittan on 2 May.

Sir Leon Brittan held talks in Ottawa with Canada's Foreign Minister, Mr André Quellet, and International Trade Minister, Mr Roy MacLaren. They discussed ways of rebuilding and developing relations between the European Union and Canada. Sir Leon pointed out that the recent dispute over fishing in the NAFO Regulatory Area would inevitably affect the relationship and that it would take time and effort to bring relations back to normal.

*1.4.95.* Meeting between Canada's Prime Minister, Mr Jean Chrétien, and Mr Santer on 8 May in Paris.

Mr Santer and Mr Chrétien stressed their desire to rebuild bilateral relations between the EU and

Canada, Mr Santer pointing out that it was important that Canada enforce all elements of the agreement on fishing in the NAFO Regulatory Area. The two also discussed preparations for the next Western Economic Summit.

## Australia

*1.4.96.* Ministerial meeting.

**Previous meeting:** Bull. 1/2-1994, point 1.3.68

*Held in Brussels on 15 May.* At this, the 12th ministerial meeting, Mr Bob McMullan, the Australian Minister for Trade, met Sir Leon Brittan and Mr Franz Fischler; he also had a separate meeting with Mr Karel van Miert. They discussed prospects for enhanced bilateral cooperation in existing areas such as employment, science and technology, mutual recognition, industry, environment, and development cooperation, and extending cooperation to new areas such as competition, education and training, customs and the 'information society'. They also discussed agricultural issues, including arrangements for access to European markets for Australian products, concerns over specific products such as cheese, wheat starch and gluten and wine, and cooperation on veterinary matters. International and multilateral issues were also raised, in particular the future of the World Trade Organization and the EU's relations with the Asia-Pacific region. The meeting culminated in the publication of a joint communiqué in which the two sides stressed their mutual desire to develop a broader partnership.

## Asia

### Bilateral relations

#### *Sri Lanka*

*1.4.97.* Parliament resolution on the breakdown of peace negotiations in Sri Lanka.



*Adopted by Parliament on 18 May.* Parliament condemned the withdrawal of the LTTE ('Tamil Tigers') from the peace negotiations and their unilateral breaking of the cease-fire. It considered that the reasons put forward by the LTTE for breaking off the talks with the democratically elected government of Sri Lanka demonstrated their underlying reluctance to enter into a constructive dialogue. The resolution called on the European Union and its Member States to support the Sri Lankan Government's efforts to revive the peace process, and on the Commission to increase its cooperation with the Government. Parliament also called for pressure to be exerted on the LTTE to return to the negotiating table and for controls on arms sales to be tightened.

OJ C 151, 19.6.1995

## Viet Nam

*1.4.98.* Draft framework cooperation Agreement between the Community and Viet Nam.

**Commission recommendation:** Bull. 7/8-1993, point 1.3.47

**Negotiating directives:** Bull. 10-1993, point 1.3.41

*Agreement initialled on 31 May.* The draft Agreement covers trade cooperation, including market access, investment promotion, economic cooperation, sustainable development in Viet Nam, and environmental protection.

## Cooperation with Asia

*1.4.99.* Commission financing allocating ECU 500 000 to a project to combat rinderpest in Pakistan.

## Aid to refugees and displaced persons

*1.4.100.* Commission decisions: see Table 7.

Table 7 — *Aid to refugees and displaced persons*

Country	(million ECU)	
	Number of programmes	Total amount
Afghanistan	5	9.85
Cambodia	1	0.6
Hong Kong	1	0.3
India	1	1.0
Laos	1	2.0
Myanmar (Burma)	2	6.0
Nepal	2	3.1
Sri Lanka	1	2.21
Viet Nam	1	3.0

## Latin America

### Relations with regional bodies

*1.4.101.* Parliament resolution on the European Community and Mercosur: an enhanced policy.

#### References:

Commission communication on 'The European Community and Mercosur: an enhanced policy': COM(94) 428; Bull. 10-1994, point 1.3.51

Solemn joint declaration between the Council and the Commission, on the one hand, and the Mercosur Member States on the other: OJ C 377, 31.12.1994; Bull. 12-1994, point 1.3.80

*Adopted by Parliament on 16 May.* Parliament welcomed the solemn joint declaration between the European Union and Mercosur, particularly its strategy for achieving an interregional political and economic association. The resolution called for the institutionalization of regular political dialogue between the two parties and increased economic cooperation, and supported the Commission's initiatives to grant technical assistance for the implementation of the integration process between the two parties.

OJ C 151, 19.6.1995

## Bilateral relations

### Chile

1.4.102. Commission communication to the Council and Parliament on the strengthening of relations between the European Union and Chile.

#### References:

Framework cooperation Agreement between the Community and Chile: OJ L 79, 26.3.1991; Bull. 3-1991, point 1.3.31

Solemn joint declaration between the Council and the Commission, on the one hand, and the Mercosur Member States on the other: OJ C 377, 31.12.1994; Bull. 12-1994, point 1.3.80

Conclusions of the Essen European Council: Bull. 12-1994, point 1.19

*Adopted by the Commission on 31 May.* In response to a request from the Essen European Council, the Commission assessed the economic and external relations situation of Chile, and set out four strategic options for responding to Chile's desire for closer ties with the European Union. These options reflected the EU's commitment to encouraging the regional integration process in Latin America, notably through an association with Mercosur. The Commission's proposals were divided into two regional and two bilateral options:

#### □ regional options

- multiple-speed convergence based on Chile participating in independently conducted negotiations (political matters, trade, cooperation, investment, etc.) between European Union and Mercosur, full political cooperation (with Chile taking part in political meetings between European Union and Mercosur) starting immediately. This option would fit in with the EU's overall policy of supporting regional integration;
- joint negotiations: if Mercosur and Chile brought forward their timetable for integration, the negotiations between the European Union and Mercosur could be extended to Chile;

#### □ bilateral options

- using the future developments clause of the framework Agreement in force to extend economic, trade and political cooperation;

- conclusion of an Agreement on political consultation and economic partnership, providing for the progressive and reciprocal liberalization of trade, taking account of the sensitivity of certain products and of the European Union's international obligations, including its obligations to the WTO.

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### Cuba

1.4.103. Visit by Ms Bonino, 17-20 May.

Ms Bonino met Fidel Castro, President of the State Council and the Council of Ministers of the Republic of Cuba. Their talks focused on Cuba's economic reforms, EU humanitarian aid to Cuba (the importance of which Mr Castro stressed) and EU fisheries policy with regard to Cuba, with particular reference to the North-West Atlantic Fisheries Organization (NAFO).

### Mexico

1.4.104. Solemn joint declaration between the Council and the Commission, on the one hand, and Mexico, on the other.

**Reference:** Commission communication entitled 'Towards closer relations between the European Union and Mexico': COM(95) 3; Bull. 1/2-1995, point 1.4.107

**Council Decision on the signing of the declaration:** Bull. 4-1995, point 1.4.89

**Commission Decision on the signing of the declaration:** Bull. 4-1995, point 1.4.89

*Signed in Paris on 2 May.* The declaration covered the two parties' common objectives, the contents of a new political, commercial and economic Agreement and the preparation and negotiation of that Agreement. It was signed on behalf of the European Union by Mr A. Juppé, French Minister of Foreign Affairs and President of the Council, and Mr Marín, Commission Vice-President, and by Mr J.A. Gurria, Mexico's Minister of Foreign Affairs. The full text of the declaration was as follows:

'The parties, mindful of their historical ties and convinced that relations established by the framework Agreement for cooperation in force should be strengthened and extended by a new Agreement which will further contribute to development and stability, have decided to provide their mutual relations with a long-term perspective.

## 1. Common objectives

The parties solemnly reaffirm their determination to continue to strengthen their cooperation. In accordance with their common values and in strict observance of the objectives and principles of the United Nations Charter, they will work with a particular view to:

- supporting democracy, the rule of law and respect for human rights and individual freedoms,
- safeguarding peace and promoting international security, in particular by cooperating with other nations against aggression, all forms of coercion and violence, and contributing to the prevention and peaceful settlement of conflicts in the world by strengthening the role of the United Nations,
- implementing policies designed to lead to a healthy world economy characterized by sustained economic growth with reduced inflation, a high level of employment, equitable social conditions and a stable international financial system,
- promoting market principles, pushing back protectionism, implementing and consolidating multilateralism, in particular by applying the principles of the new World Trade Organization and the OECD.

## 2. New political, commercial and economic Agreement

Bearing in mind the conclusions adopted by the Council of the European Union on 10 April 1995, further to the communication entitled 'Towards closer relations between the European Union and Mexico', both parties are agreed that the conclusion of a new political, commercial and economic Agreement would be the means of bringing about closer relations between the European Union and Mexico that would be most in accordance with their common interests. Such an Agreement would include in particular:

- intensified political dialogue on matters of common interest and close consultation within international bodies. This concertation will take the form of meetings at various levels, including meetings at the highest levels, between Mexico and the European Union in accordance with procedures to be determined by those parties;
- a framework to encourage the development of trade in goods, services and investment, including progressive and reciprocal liberalization, taking account of the sensitive nature of certain products and in accordance with the relevant WTO rules.

- Both parties will in any case ensure that the conditions of real access to their respective markets are maintained;
- intensifying cooperation by means of:
  - strengthened programmes to support closer contacts between both parties' undertakings and the development of environmental, industrial (information and telecommunications technology) and scientific and technical cooperation;
  - the opportunity for Mexico to participate in certain European cooperation projects and programmes;
  - the conclusion of specific Agreements in various areas: the fight against fraud, administrative cooperation, rules of origin, etc.

In this context, the parties urge the EIB to intensify its activity in Mexico while complying with its procedures and financing criteria.

*In order to achieve these objectives, the parties undertake to complete the consultations and internal procedures required for the negotiation of the Agreement to begin.'*

## Cooperation with Latin America

1.4.105. Commission financing decision awarding ECU 460 000 to a cholera prevention project in Argentina.

## Aid to refugees and displaced persons

1.4.106. Commission decisions: see Table 8.

Table 8 — *Aid to refugees and displaced persons*

Country	Number of programmes	(million ECU)
		Total
El Salvador	2	0.6
Guatemala	1	0.7

## ACP countries, South Africa and OCTs

Presidency statement on behalf of the European Union concerning the events in Kibeho: Bull. 4-1995, point 1.4.12

### Relations with ACP countries

#### Protocols

##### Sugar Protocol

1.4.107. Council Decision 95/185/EC on the conclusion of the Agreement in the form of an exchange of letters between the European Union and Barbados, Belize, Congo, Côte d'Ivoire, Fiji, Guyana, Jamaica, Kenya, Madagascar, Malawi, Mauritius, Saint Christopher and Nevis, Suriname, Swaziland, Tanzania, Trinidad and Tobago, Uganda, Zambia and Zimbabwe on the accession of Zambia to Protocol No 8 on ACP Sugar annexed to the Fourth ACP-EEC Convention.

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

**Commission proposal:** COM(95) 41; Bull. 1/2-1995, point 1.4.112

Adopted on 22 May. Purpose: to allow Zambia to accede to the Protocol on sugar annexed to the fourth Lomé Convention.

JO L 120, 31.5.1995

#### Bilateral relations

##### Rwanda

1.4.108. Statement by the Council and the Commission on Rwanda.

**References:**

Council Decision 94/697/CFSP concerning the common position on the objectives and priorities of the European Union *vis-à-vis* Rwanda: OJ L 283, 29.10.1994; Bull. 10-1994, point 1.3.4

Council guidelines on a programme of immediate action to restore social and production structures in Rwanda: Bull. 11-1994, point 1.3.70

*Adopted on 12 May.*

'The events in Kibeho have led to the temporary suspension of the aid programmes for the Government of Rwanda implemented by the Community pursuant to the recommendations issued by the Development Council on 25 November 1994 in the light of the objectives and priorities defined in the common position of 24 October 1994.

Detailed consultations have established that the suspension is affecting the Community's development aid programmes but not humanitarian and emergency aid, aid to the health and education sectors or measures in support of human rights and the rule of law.

The gradual resumption of assistance will depend on the conclusions of the Committee of Inquiry — conclusions which must be reached entirely independently — and on the actual efforts of the Rwandan authorities to achieve the objectives and priorities of the common position.

The Commission will provide the Council with further information as necessary.'

##### Zaire

1.4.109. Parliament resolution on the outbreak of the Ebola virus in Zaire.

*Adopted on 18 May.* Parliament expressed its deep concern about the outbreak of the Ebola virus in Zaire. It called on the Commission and the Council to appeal, as a matter of the utmost urgency, to the Executive Board of the World Health Organization (WHO) to take emergency measures and convene an extraordinary general assembly as soon as possible in order to provide all member countries with the fullest information on the real possibility of a pandemic. It further called on the said European Union institutions to make representations to the United Nations to extend its AIDS programme to include all emergent viruses, on the Commission to launch a programme on pandemics with effect from the next financial year and on all the Member States of the Union to institute forthwith co-ordinated and stringent health control procedures at all ports and airports.

OJ C 151, 19.6.1995

## *Relations with the countries of southern Africa*

*1.4.110.* Proposal for a Council Regulation on support for rehabilitation programmes in southern Africa.

*Adopted on 10 May.* In its 1988 budget the Community introduced a special budget heading to support the people of the Southern Africa Development Community (SADC) countries affected by civil war and destabilization. In 1993, in view of developments on the ground in southern Africa, the policy behind the budget heading in question was revised to target rehabilitation programmes in the region, particularly in Angola and Mozambique. The purpose of this proposal is to lay down procedures for managing the financial resources the Community has allocated to rehabilitation programmes in southern Africa (Angola, Botswana, Lesotho, Malawi, Mozambique, Namibia, Swaziland, Tanzania, Zambia and Zimbabwe), to promote the proper functioning of the economy and help build up the capacity of the institutions needed to restore social and political stability and meet the needs of the people. The Commission proposes that the measures should focus on ensuring the material and operational rehabilitation of basic infrastructure, on relaunching production, on the social reintegration of refugees and demobilized troops, on training and on the after-effects of internal conflict and the policies of destabilization conducted in the region.

COM(95) 175

## **Relations with South Africa**

### **References:**

Commission communication to the Council proposing measures to be presented to the new Government of South Africa, and Council conclusions thereon: COM (94) 123; Bull. 4-1994, point 1.3.38

Council Decision 94/822/EC of 19 December 1994 concerning the conclusion of a cooperation Agreement between the European Community and the Republic of South Africa: OJ L 341, 30.12.1994; Bull. 12-1994, point 1.3.69

Draft Agreement on trade and cooperation with the Republic of South Africa; draft Protocol to the Lomé Convention covering the terms and

conditions of South Africa's accession to this Convention: Bull. 3-1995, point 1.4.97

*1.4.111.* Proposal for a Council Regulation on development cooperation with South Africa.

*Adopted by the Commission on 10 May.* The Commission proposes that, pending the conclusion of a trade and cooperation Agreement with South Africa, a 'European programme for reconstruction and development in South Africa' should be set up. Its aim should be to contribute towards sustainable economic and social development in the country and help consolidate the foundations of a democratic society. The Commission therefore proposes implementing measures in education, training, health and urban and rural development, support and cooperation measures for the private sector (particularly small and medium-sized businesses), measures to strengthen institutions and help local communities to organize themselves and measures to promote democratization and the protection of human rights.

COM(95) 174

*1.4.112.* Visit to South Africa by Mr João de Deus Pinheiro, 11 to 13 May.

M. Pinheiro met, amongst others, Mr Nelson Mandela, President of South Africa, Mr Thabo Mbeki, Vice-President, and Mr Trevor Manuel, Minister for Trade and Industry. They raised the question of the draft long-term Agreement between the European Community and South Africa which gave both sides an opportunity to state their position and declare themselves to be in favour of negotiations beginning as soon as possible.

## **Financial and technical cooperation**

*1.4.113.* Project financing

Commission Decisions allocating a total of ECU 89 590 000 from the seventh EDF for projects and programmes which it is running (see Table 9).

Table 9 — *Financing of operations under the seventh EDF*

		<i>(million ECU)</i>
Country	Project	Amount
Economic infrastructure		
Cape Verde	Roads	3.09
Social and cultural development		
CILSS <sup>1</sup>	Education	16
Guyana	Water supply system	6
Development of production		
Mauritania	Rural production	3
	Development of cooperatives	1
Trade promotion		
Caribbean	Development of commerce	14
	Development of tourism	12.8
Miscellaneous		
Benin	Multisectoral programme	6.5
Dominican Republic	Multisectoral programme	4.2
Haiti	Multisectoral programme	23
Total		89.59

<sup>1</sup> Permanent Inter-State Committee for Drought Control in the Sahel.

## Diplomatic relations

1.4.114. The following ambassadors, whose appointments took effect on the dates shown, presented their letters of credence to the President of the Council and the President of the Commission:

□ HE Mr Tudor Botnaru, Head of Mission of the Republic of Moldova to the European Communities, with effect on 3 May 1995;

□ HE Mr Riaz Mohammad Khan, Head of Mission of the Islamic Republic of Pakistan to the European Communities, with effect on 30 May 1995;

□ HE Mr Jaime Alvaro Moscoso Blanco, Head of Mission of the Republic of Bolivia to the European Communities, with effect on 30 May 1995;

□ HE Mr Hamid Aboutalebi, Head of Mission of the Islamic Republic of Iran to the European Communities, with effect on 30 May 1995;

□ HE Mr Albert Pintat Santolaria, Head of Mission of the Principality of Andorra to the European Communities, with effect on 30 May 1995.

1.4.115. The Head of Mission of the Principality of Andorra is the first ambassador from that country to be accredited to the Communities. This brings the number of diplomatic missions to 162.

## 5. Justice and home affairs cooperation

### Judicial, customs and police cooperation

1.5.1. Parliament resolution on the Europol Convention.

**References:**

Conclusions of the Essen European Council: Bull. 12-1994, point 1.26

Council Joint Action 95/73/JHA concerning the Europol Drugs Unit adopted on the basis of Article K.3 of the Treaty on European Union: OJ L 62, 20.3.1995; Bull. 3-1995, point 1.5.4

*Adopted on 19 May.* In view of the fact that the second paragraph of Article K.6 of the Treaty on European Union requires the Council to consult Parliament on the principal aspects of activities in the areas referred to in Title VI of the Treaty, including the Europol Convention, Parliament emphasized its right to be kept informed and consulted in good time on the draft Convention. It also felt that under the same Article, the

Council must take its views into consideration either by accepting them or by giving detailed reasons for their rejection.

OJ C 151, 19.6.1995

1.5.2. Parliament resolution on the kidnapping of José María Aldaya by ETA.

**References:**

Parliament resolution on terrorism and its effects on security in Europe: OJ C 91, 28.3.1994; Bull. 3-1994, point 1.4.1

Parliament resolution on the assassination of the Basque MP, Gregorio Ordóñez: OJ C 56, 6.3.1995; Bull. 1/2-1995, point 1.2.2

*Adopted on 18 May.* Parliament demanded the immediate release of Mr Aldaya, the industrialist kidnapped by the terrorist organization ETA on 8 May in Hondarribia (Guipúzcoa, Spain), and stressed the need for the institutions to be resolute in combating terrorism and to step up judicial and police cooperation.

OJ C 151, 19.6.1995

## 6. Financing Community activities

### Budgets

#### General budget

##### *Budgetary procedures*

##### **1996 financial year**

1.6.1. Parliament resolution on the estimates of revenue and expenditure of the European Parliament and the Ombudsman for the 1996 financial year.

*Adopted on 19 May.* The 1996 estimates total ECU 762 439 800 for expenditure and ECU 51 857 000 for own resources; the volume for re-use is estimated at ECU 1 701 000. The appropriations adopted for the Ombudsman in 1995 (ECU 1.2 million) are rolled over pending the decision on his appointment.

OJ C 151, 19.6.1995

#### ECSC operating budget

1.6.2. Draft budget amending ECSC operating budget for 1995.

**Reference:** ECSC operating budget for 1995: OJ L 335, 23.12.1994; Bull. 12-1994, point 1.5.4

*Approved by the Commission on 30 May.* Purpose: to take account of the increase in resources available for 1995 (+ ECU 40 million) in view of the increase in the levy yield following enlargement and the cancellation of commitments and unused resources from the previous year.

1.6.3. Draft ECSC operating budget for 1996.

*Approved by the Commission on 23 May.* This draft budget comes to ECU 241 million, much less than the ECU 331 million for 1995. The decline in resources is due to a further reduction of the ECSC levy rate from 0.21% to 0.19% in

anticipation of the expiry of the ECSC Treaty in 2002. Expenditure breaks down as follows:

- social aid: ECU 126 million, of which ECU 80 million for redeployment aid, ECU 20 million for measures in connection with the restructuring of the steel industry and ECU 26 million for measures in connection with the restructuring of the coal industry;
- research aid: ECU 60 million; this aid is to be used mainly for research into environmental protection, improving the competitiveness of coal and the rational use of resources;
- interest subsidies on loans to encourage job-creating investments in coal and steel areas: ECU 50 million.

### Financial operations

#### ECSC

##### *Loans raised*

1.6.4. In May, the Commission contracted a number of private placings in German marks and Italian lire on behalf of the ECSC for the equivalent of ECU 15.1 million.

##### *Loans granted*

1.6.5. Acting under the ECSC Treaty, the Commission granted loans totalling ECU 38.4 million.

##### **Conversion loans**

1.6.6. Conversion loans (Article 56 of the ECSC Treaty) totalling ECU 37 million were granted in Germany.

##### **Workers' housing**

1.6.7. Loans totalling ECU 1.4 million were granted for steelworkers and mineworkers in Germany.



## 7. Statistical system

### Policy aspects

*1.7.1.* Council Regulation (EC) No 1172/95 on the statistics relating to the trading of goods by the Community and its Member States with non-member countries.

**Commission proposal:** OJ C 5, 7.1.1994; COM (93) 476; Bull. 12-1993, point 1.2.56

*Adopted by the Council on 22 May.* The Regulation aims to update the regulations on the compilation of the statistics on the trading of goods with non-member countries, taking particular account of the amendments to customs legislation following the completion of the internal market.

OJ L 118, 25.5.1995

*1.7.2.* Proposal for a Council Regulation concerning harmonized consumer price indices.

**Commission proposal:** COM(94) 674; Bull. 1/2-1995, point 1.6.1

*Endorsed by the Economic and Social Committee on 31 May.* The Committee recommends including the greatest possible number of products in the baskets used to calculate the harmonized consumer price indices and the monetary union consumer price index.

*1.7.3.* Draft Council Regulation (Euratom, EC) concerning structural business statistics.

**Commission draft:** COM(95) 99; Bull. 3-1995, point 1.7.1

*Endorsed by the Economic and Social Committee on 31 May.*

*1.7.4.* Proposal for a Council Directive on statistical returns in respect of carriage of goods and passengers by sea.

**Commission proposal:** OJ C 214, 4.8.1994; COM(94) 275; Bull. 7/8-1994, point 1.5.1

**Economic and Social Committee opinion:** OJ C 397, 31.12.1994; Bull. 11-1994, point 1.6.5

*Endorsed by Parliament on 19 May,* subject to amendments concerning in particular the legal

basis of the proposal (Parliament asked for Article 75 to be added alongside Article 213 of the EC Treaty), reporting to the budgetary authority, the procedure for implementing and adapting the Directive, and various technicalities or points of wording.

OJ C 151, 19.6.1995

*1.7.5.* Proposal for a Council Directive on the collection of statistical information in the field of tourism.

**Commission proposal:** OJ C 35, 11.2.1995; COM(94) 582; Bull. 1/2-1995, point 1.6.2

*Endorsed by the Economic and Social Committee on 31 May.* The Committee feels that there may be a case for using more binding instruments in order to standardize definitions and provide common, consistent reference categories.

### Results

#### *Comparison in real terms of per capita gross domestic product for the OECD countries in 1993*

*1.7.6.* Table 10 shows, for each OECD country in 1993:

- the exchange rate expressed in ecus (1);
- the purchasing power parity expressed in terms of the purchasing power standard (PPS) (2), this being defined in such a way that the value of GDP of the Community of Twelve expressed in ecus is the same as the value expressed in PPS; purchasing power parities are calculated on the basis of the prices of a basket of goods and services which are both comparable from one country to another and representative;
- the index of price levels (3) = (2) ÷ (1);
- the value of per capita GDP, calculated from the exchange rates referred to the value of per capita GDP in the Community (index 100) (4);

□ the index of the volume of per capita GDP (5) = (4): (3).

In particular, this reveals that, on account of the significant differences in price levels between the countries of the OECD, comparison of per capita GDP figures yields significantly different

results according to whether value or volume is used. Thus, the two countries with the highest per capita GDP are Japan, followed by Switzerland in exchange-rate terms and Luxembourg and the United States in terms of purchasing power parities. (The complete article is available from sales offices in DE, EN and FR.)

Table 10 — *Comparison in real terms of per capita gross domestic product for OECD countries in 1993*

Country	(1) Exchange rate: ECU 1 = ... units of national currency	(2) Purchasing power parity 1 PPS = ... units of national currency	(3) Price level index EUR 12 = 100	(4) Value index of per capita GDP (on basis of values in ecu) EUR 12 = 100	(5) Volume index of per capita GDP (on basis of values in PPS) EUR 12 = 100
Belgium	40.47	40.25	99.5	112.8	113.2
Denmark	7.594	9.485	124.9	140.7	112.4
Germany	1.936	2.269	117.2	127.0	108.2
Greece	268.6	198.9	74.1	46.8	63.1
Spain	149.1	126.2	84.6	66.0	77.8
France	6.634	7.092	106.9	117.1	110.0
Ireland	0.8000	0.7066	88.3	71.6	81.0
Italy	1 841	1 655	89.9	92.2	102.4
Luxembourg	40.47	42.75	105.6	172.3	160.4
Portugal	188.4	126.2	67.0	47.1	69.0
United Kingdom	0.7800	0.6878	88.2	87.4	99.0
Austria	13.62	14.96	109.8	123.0	112.0
Finland	6.696	6.567	98.1	88.9	90.7
Sweden	9.122	10.61	116.3	114.2	98.2
Iceland	79.16	88.77	112.1	124.3	110.9
Norway	8.307	9.435	113.6	129.5	114.0
Switzerland	1.730	2.300	133.0	179.7	135.2
Turkey	12 861	6 416	49.9	15.8	31.7
Australia	1.722	1.482	86.0	86.2	100.1
Canada	1.511	1.373	90.9	102.6	112.9
Japan	130.2	197.7	151.8	182.0	120.6
New Zealand	2.167	1.628	75.1	68.2	90.7
United States of America	1.171	1.079	92.2	131.2	143.6

## 8. Community law

### Monitoring the application of Community law

#### Infringement proceedings

##### *Letters of formal notice*

##### **Failure to notify measures incorporating directives into national law**

*1.8.1.* In May, the Commission sent letters of formal notice in the following cases:

##### *Industry*

Directive 93/14/EEC (OJ L 121, 15.5.1993)  
Braking of two- or three-wheel motor vehicles  
Greece, France, Portugal, United Kingdom

Directive 93/29/EEC (OJ L 188, 29.7.1993)  
Identification of controls and indicators for two- or three-wheel motor vehicles  
Belgium, France, Portugal, United Kingdom

Directive 93/30/EEC (OJ L 10..88, 29.7.1993)  
Audible warning devices for two- or three-wheel motor vehicles  
Belgium, France, Greece, Portugal, United Kingdom

Directive 93/31/EEC (OJ L 188, 29.7.1993)  
Stands for two- or three-wheel motor vehicles  
Belgium, France, Greece, United Kingdom

Directive 93/32/EEC (OJ L 188, 29.7.1993)  
Passenger hand-holds on two-wheel motor vehicles  
Belgium, France, Portugal, United Kingdom

Directive 93/33/EEC (OJ L 188, 29.7.1993)  
Protective devices to prevent the unauthorized use of two- or three-wheel motor vehicles  
Belgium, France, Greece, Portugal, United Kingdom

Directive 93/34/EEC (OJ L 188, 29.7.1993)  
Statutory markings for two- or three-wheel motor vehicles  
Belgium, France, Greece, Portugal, United Kingdom

Directive 94/27/EC (OJ L 188, 22.7.1994)  
Restrictions on the marketing of certain dangerous substances  
Belgium, Denmark, France, Germany, Greece, Italy, Netherlands, Portugal, Spain, United Kingdom

##### *Employment, industrial relations and social affairs*

Directive 89/654/EEC (OJ L 393, 30.12.1989)  
Minimum safety and health requirements for the workplace  
Greece

Directive 92/29/EEC (OJ L 113, 30.4.1992)  
Minimum safety and health requirements for improved medical treatment aboard vessels  
Belgium, Denmark, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 92/85/EEC (OJ L 348, 28.11.1992)  
Improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding  
Belgium, France, Germany, Greece, Italy, Luxembourg, Portugal, Spain

Directive 92/91/EEC (OJ L 348, 28.11.1992)  
Safety and health protection of workers in the mineral-extracting industries through drilling  
Belgium, France, Germany, Greece, Ireland, Italy, Netherlands, Portugal, United Kingdom

Directive 92/104/EEC (OJ L 404, 31.12.1992)  
Safety and health protection of workers in surface and underground mineral-extracting industries  
Belgium, France, Germany, Greece, Ireland, Italy, Portugal, Spain, United Kingdom

##### *Agriculture*

Directive 92/102/EEC (OJ L 355, 5.12.1992)  
Identification and registration of animals  
Belgium, France, Germany, Greece, Ireland, Italy, Luxembourg, Spain, United Kingdom

Directive 93/107/EC (OJ L 299, 4.12.1993)  
Additives in feedingstuffs  
Greece, Netherlands, Spain, United Kingdom

Directive 93/117/EC (OJ L 329, 30.12.1993)  
Official control of feedingstuffs  
Greece, Italy, Luxembourg, Portugal, Spain, United Kingdom

Directive 93/118/EC (OJ L 340, 31.12.1993)  
Health inspections and controls of fresh meat and poultrymeat  
Belgium, Germany, Greece, Ireland, Italy, Luxembourg, Portugal, Spain, United Kingdom

Directive 94/17/EC (OJ L 105, 26.4.1994)  
Additives in feedingsuffs  
Greece, Ireland, Netherlands, Portugal

Directive 94/59/EC (OJ L 315, 8.12.1994)  
Examination for trichinae of imports of fresh meat derived from domestic swine  
Belgium, Denmark, France, Germany, Greece, Italy, Luxembourg, Portugal, Spain, United Kingdom

### *Transport*

Directive 93/89/EC (OJ L 279, 12.11.1993)  
Taxes on vehicles for the carriage of goods by road  
Belgium, France, Greece, Ireland, Italy, Luxembourg, Portugal, Spain

Directive 94/21/EC (OJ L 164, 30.6.1994)  
Summer time  
Belgium, Denmark, Ireland, Italy, Netherlands, Portugal, United Kingdom

### *Internal market and financial services*

Directive 93/83/EEC (OJ L 248, 6.10.1993)  
Copyright and related rights applicable to satellite broadcasting  
Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom

Directive 94/7/EC (OJ L 89, 6.4.1994)  
Solvency ratios for credit institutions as regards the technical definition of multilateral development banks  
Belgium, France, Denmark, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom

Directive 94/38/EC (OJ L 217, 23.8.1994)  
Second general system for the recognition of vocational training  
Belgium, Denmark, France, Germany, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom

### *Energy*

Directive 93/76/EEC (OJ L 237, 22.9.1993)  
Limiting of carbon dioxide emissions by improving energy efficiency  
Belgium, Denmark, Germany, Greece, Ireland, Italy, Luxembourg, Portugal, Spain

Directive 94/2/EC (OJ L 45, 17.2.1994)  
Energy labelling of household electric refrigerators and their combinations  
Belgium, Germany, France, Ireland, Italy, Luxembourg, Spain

### *Customs and indirect taxation*

Directive 94/4/EC (OJ L 60, 3.3.1994)  
Allowances for travellers from third countries and limits on tax-free purchases  
Portugal

Directive 94/5/EC (OJ L 60, 3.3.1994)  
VAT — Special arrangements applicable to second-hand goods, works of art, collectors' items and antiques  
Greece, Ireland, Portugal, United Kingdom

### *Consumers*

Directive 93/13/EEC (OJ L 95, 21.4.1993)  
Unfair terms in consumer contracts  
Germany, Italy, Luxembourg, Portugal, Spain, United Kingdom

### *Reasoned opinions*

#### **Failure to notify measures incorporating directives into national law**

1.8.2. In May, the Commission delivered reasoned opinions in the following cases:

#### *Industry*

Directive 92/61/EEC (OJ L 225, 10.8.1992)  
Type-approval of two- or three-wheel motor vehicles  
United Kingdom

#### *Environment, nuclear safety and civil protection*

Directive 93/86/EEC (OJ L 264, 23.10.1993)  
Batteries and accumulators containing certain dangerous substances  
Greece, Spain

Directive 92/72/EEC (OJ L 297, 13.10.1992)  
Air pollution by ozone  
Spain

#### *Internal market and financial services*

Directive 93/36/EEC (OJ L 199, 9.8.1993)  
Coordination of procedures for the award of public supply contracts  
France, Greece

Directive 92/30/EEC (OJ L 110, 28.4.1992)  
Supervision of credit institutions on a consolidated basis  
Germany

Directive 92/121/EEC (OJ L 29, 5.2.1993)  
Monitoring and control of large exposures of credit institutions  
Germany

Directive 89/584/EEC (OJ L 341, 23.11.1989)  
Recognition of diplomas (doctors, nurses, dental practitioners, veterinary surgeons and midwives)  
Portugal, Spain

### **Infringements of Treaties or regulations; incorrect application of directives**

1.8.3. In May, the Commission delivered reasoned opinions in the following cases:

#### *Economic and financial affairs*

Articles 52, 58 and 221 of the EC Treaty  
Discrimination against foreign investments in privatized companies  
Portugal

#### *Industry*

Directive 83/189/EEC (OJ L 109, 26.4.1983)  
Technical standards and regulations — ionizing radiations of packaging and consumer products  
Netherlands

#### *Competition*

Regulation (EEC) No 3975/87 (OJ L 374, 31.12.1987)  
Air transport — assisting the Commission in its investigations  
Italy

#### *Employment, industrial relations and social affairs*

Article 48 of the EC Treaty  
Periods of employment in other Member States — calculation of length of service  
Greece

Articles 48, 52, 59 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)  
Discrimination on grounds of nationality — large families  
Greece

Articles 5, 9, 234 of the EC Treaty and Directive 76/207/EEC (OJ L 39, 14.2.1976)  
Nightwork for women  
Greece

#### *Agriculture*

Article 30 of the EC Treaty  
Restrictions on imports of Spanish strawberries  
France

#### *Customs and indirect taxation*

Directives 77/388/EEC (OJ L 145, 13.6.1977) and 89/465/EEC (OJ L 226, 3.8.1989)  
Exemption for industrial waste  
Netherlands

### *Cases referred to the Court of Justice*

#### **Failure to notify measures incorporating directives into national law**

1.8.4. In May, the Commission referred the following cases to the Court of Justice:

#### *Environment, nuclear safety and civil protection*

Directive 90/313/EEC (OJ L 158, 23.6.1990)  
Freedom of access to information on the environment  
Greece

Directive 91/156/EEC (OJ L 78, 26.3.1991)  
Waste  
Greece

Directive 91/271/EEC (OJ L 135, 30.5.1991)  
Urban waste water treatment  
Greece

## **Decisions by the Court of Justice and the Court of First Instance**

1.8.5. Decisions given by the Community law-courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The operative part of the main decisions is reproduced; other decisions are simply listed by field and legal basis. Decisions in disputes between the Community and its staff are not reported.

### **Court of Justice**

#### *Main decisions*

#### **Free movement of goods**

##### *Article 177 of the EC Treaty*

1.8.6. 28.3.1995: Case C-324/93 *R. v Secretary of State for the Home Department, ex parte Evans Medical and Macfarlan Smith*

(1) Article 30 of the EC Treaty applies to a national practice prohibiting importation of narcotic drugs covered by the 1961 Single Convention on Narcotic Drugs and marketable under that Convention.

*kohlenbergbaus and Others v Commission and Germany v Commission.*

OJ C 119, 13.5.1995

(2) Article 30 of the EC Treaty is to be interpreted as requiring a Member State to ensure that this provision is fully effective by disapplying a national practice contrary to it unless that practice is necessary in order for the Member State concerned to comply with obligations towards non-member States laid down in an agreement concluded prior to entry into force of the Treaty or to accession by that Member State.

### Free movement of goods

*Article 177 of the EC Treaty*

1.8.9. 23.3.1995: Case C-458/93 *Saddik.*

OJ C 119, 13.5.1995

(3) A national practice of refusing licences for importation of drugs from another Member State is not covered by the derogation provided for in Article 36 of the EC Treaty if it is based on the need to safeguard an undertaking's survival but that derogation may apply to it if protection of the health and life of humans requires a reliable supply of drugs for essential medical purposes to be safeguarded and that objective cannot be achieved as effectively by measures less restrictive of intra-Community trade.

### Agriculture

*Article 173 of the EC Treaty*

1.8.10. 17.2.1995: Case C-455/93 *Italy v Commission.*

OJ C 119, 13.5.1995

(4) Council Directive 77/62/EEC of 21 December 1976 coordinating procedures for the award of public supply contracts, as amended by Directive 88/295/EEC of 22 March 1988, is to be interpreted as authorizing the bodies covered by that Directive which wish to obtain diamorphine to award the contract on the basis of the tendering undertakings' ability to provide reliable and continuous supplies to the Member State concerned.

OJ C 119, 13.5.1995

### External relations

*Article 173 of the EC Treaty*

1.8.7. 30.3.1995: Case C-65/93 *Parliament v Council.*

(1) The application is dismissed. (Application for annulment of Council Regulation (EEC) No 3917/92 of 21 December 1992 extending into 1993 the application of Regulations (EEC) No 3831/90, (EEC) No 3832/90, (EEC) No 3833/90, (EEC) No 3834/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences for 1991 in respect of certain products originating in developing countries, and adding to the list of beneficiaries of such preferences.)

(2) Parliament is ordered to pay the costs. The United Kingdom is ordered to pay its own costs.

OJ C 119, 13.5.1995

### Other decisions

#### ECSC

*Article 33 of the ECSC Treaty*

1.8.8. 21.2.1995: Joined Cases C-183/89 and C-138/90 *Gesamtverband des deutschen Stein-*

### Industrial policy

*Article 177 of the EC Treaty*

1.8.11. 17.2.1995: Case C-117/94 *Ratiopharm v Mundipharma.*

OJ C 119, 13.5.1995

### Infringements

*Article 169 of the EC Treaty*

1.8.12. 7.2.1995: Case C-183/94 *Commission v Italy.*

OJ C 119, 13.5.1995

1.8.13. 23.3.1995: Case C-365/93 *Commission v Greece.*

OJ C 119, 13.5.1995

**Court of First Instance**

**State aid**

*Article 35 of the ECSC Treaty*

*Other decisions*

1.8.15. 22.3.1995: Case T-359/94 *Schmidt and Clemens, and*

*Edelstahlwerke Kaiserau v Commission.*

**Agriculture**

OJ C 119, 13.5.1995

*Articles 173, 178 and 215 of the EC Treaty*

**Administration — Contracts**

*Article 175 of the EC Treaty*

1.8.14. 28.3.1995: Case T-518/93 *Anton Durbeck v Council and Commission.*

1.8.16. 17.3.1995: Case T-282/94 *Juope v Commission.*

OJ C 119, 13.5.1995

OJ C 119, 13.5.1995

## 9. Institutional affairs

### Preparations for the 1996 Intergovernmental Conference

#### References:

Conclusions of the Corfu European Council: Bull. 6-1994, point I.25

Council report on the functioning of the Treaty on European Union: Bull. 4-1995, point 1.9.1

Committee of the Regions own-initiative opinion on the revision of the Treaty on European Union: Bull. 4-1995, point 1.9.2

*1.9.1.* Commission report on the operation of the Treaty on European Union.

*Adopted on 10 May.* In response to the request from the Corfu European Council in June 1994 to assess the functioning of the Treaty on European Union, the Commission has presented its contribution to the Reflection Group set up to prepare for the 1996 Intergovernmental Conference. The Group, which is made up of representatives of the Member States and the Commission and two members of the European Parliament, is to hold its first meeting in Messina on 2 June.

The preface to the Commission report is reproduced in full below.

#### 'Preparing Europe for the 21st century

This report by the Commission is its response to the mandate of the Corfu European Council: that the Community institutions review the operation of the Treaty on European Union. It is the first stage in a long and delicate process. It takes stock of the operation of an instrument that has been in force for only 18 months. The fact that in the period before the 1996 Intergovernmental Conference the institutions are each reviewing their collective *modus operandi* is welcome. Practical proposals on amendments to the Treaty will follow in due course.

The 1996 deadline was set in 1991. At that time the Treaty was a bold response to a novel situation. Objective analysis shows that it is better than its reputation would suggest. It has the merit of setting out a comprehensive approach to European integration,

rather than a purely economic one. It has enhanced the European Parliament's powers, consolidated the Commission's legitimacy, launched economic and monetary union, and generally reinforced the Union's capacities. It has mapped out the path to a stronger Union presence on the world political scene.

Acknowledging the Treaty's strengths, however, also permits us to identify its weak points and the shortcomings in its implementation. This analysis will allow the Commission to outline the path it believes should be followed during the Intergovernmental Conference, in terms of both form and content: institutional questions, however important in a Community governed by the rule of law, should not blind us to the fundamental issues at stake.

#### *Two major challenges for Europe*

The 1996 Intergovernmental Conference will be a key encounter, for Europe and its future. The outcome will determine the shape of European matters as the 21st century dawns. Two factors make this deadline particularly important.

First, the Union's internal context has changed. The Maastricht Treaty ratification debate revealed that there was still a degree of scepticism about European integration. Europe is not easy for people to understand; many do not see what it is about. The same problem can also arise within an individual country where the citizen may not always realize what policies are being followed in his or her name, or why. The distance between the citizen and the place where decisions are made, however, means that the problem is more acute in the Union.

So the first challenge is obvious — to make Europe the business of every citizen. The emergence of open debate, covering all points of view on Europe, is in fact a real opportunity: Europe is no longer deciding its future behind closed doors.

That is why the Commission does not regard the Treaty's objective of a Community closer to the citizen as a mere empty formula, but as an overriding principle which guides its actions.

The Commission will be listening to the views of ordinary men and women, and focusing on ways in which Europe can combat unemployment, safeguard the environment and promote solidarity.

Here, as elsewhere, the Commission will try to speak for the general interest.



The Commission is convinced that the solution to today's problems needs firm action at European level. None of our Member States can really tackle the problems of unemployment and pollution on its own. Organized crime cannot be resisted by forces which are scattered and fragmented; above all, there can be no effective foreign policy without joint action at the Union level.

This does not mean that everything should be centralized. Subsidiarity involves working out the right level for the most effective action, whatever the question concerned. That level may be local, regional, national, European, or in some cases even worldwide.

The context has altered not only within the Union. The international context has changed even more radically. The historic shock waves of 1989 — on the Union's very doorstep — are still reverberating. The upheavals which followed the fall of the Berlin Wall have borne fruit. At tremendous cost, the new democracies in Central and Eastern Europe have confirmed their attachment to the values that are at the very basis of the Union. The Union, for its part, has committed itself to accepting these countries.

Herein lies the second challenge. How are these countries to be welcomed into the Union without striking at the foundations of all that has been achieved in 40 years of European integration? How, in other words, can we ensure that enlargement will not multiply our weaknesses but unite our strengths? How can we enhance our capacity to take decisions and to act, when our diversity becomes more pronounced? Enlargement must represent a new arrangement worked out with our eyes open. We have to be aware of its implications for the institutions and policies of the Union. The Commission is convinced that there is an answer to these questions. There is no compelling reason why an endeavour based on openness and solidarity should mean weakness and dilution: enlargement and deepening are perfectly compatible.

If these two challenges — making Europe the business of the citizen and making a success of future enlargement — are to be taken up, we must begin by reminding ourselves of the values and successes of European integration in the past.

### *The achievements of four decades of European integration*

In the 1950s, as the principles which were to lead to the Treaty of Rome were starting to take shape, the war was still in everyone's mind. The deep psychological scars it left behind helped create a consensus as to the fundamental objectives of European integration: the future would have to be different from the past.

The future has indeed turned out to be very different from the past. Europe has been at peace. Despite the

tragedy of unemployment, and the social exclusion which tears at the fabric of our societies today, Europe has since the 1950s been through a wholly unprecedented period of development; this should never be overlooked.

In setting up a Community designed to last indefinitely, equipped with its own institutions, enjoying legal personality, and internationally represented in its own name, the Member States have given their allegiance to an 'organization of States' which is governed by legal provisions particular to the treaties under which it was set up; this makes it fundamentally different from the organizations established by traditional international treaties. They have pooled their sovereign rights and created a new legal order, involving not just the Member States themselves but also their citizens, in the specific fields concerned.

Thus there has sprung up a Community based on law. The States of which it is composed, whether big or small, enjoy equal rights and dignity. The Union which brings them together respects their different identities and cultures. Those differences do not however stand in the way of their ability to take decisions and to act together. That is the fruit of an institutional system with many strengths: thanks to the principle of subsidiarity, it strikes the proper balance between the Union, the Member States and the regions; it adds a new source of legitimacy common to the peoples of Europe; and, lastly, it guarantees the effective application of Community law under the review of the Court of Justice. Within this system the Commission plays an indispensable role, acting as the driving force through its right of initiative and its position as guardian of the Treaty. This right of initiative has to be preserved, if the inevitable confusion and lack of overall direction which would result from multiple competing sources of initiative is to be avoided.

This Community is also a Community based on solidarity: solidarity between Member States, solidarity between regions, solidarity between different parts of society, and solidarity with future generations. The European model forges a fundamental link between the social dimension, human rights and civic rights.

This process of integration and the particular approach which it has followed have been keenly watched all over the world. Often, they have served as models for the regional groupings now coming into being in every corner of the globe. It can be said that Europe, the stage for the two greatest conflicts of the century, has — in creating the Community — invented a new form of government in the service of peace.

That is the Community's real achievement. Safeguarding it is vital for the States which form the European Union today and those which aspire to join it. However, the progress we have seen since the 1950s has been made only by dint of constant effort; and the lesson of history is that it takes less energy to demol-

ish than to construct, and that no achievement is ever final. Merely pointing to past achievements, then, is not enough.

As always in the successive stages of building Europe, what will be needed is determination from the Member States and — more and more — determination on the part of Europe's citizens: they must make their voices heard in the ongoing task of European integration which concerns them so directly.

### *A twofold objective: democracy and effectiveness*

As we look at the analysis in the Commission's report, two main elements emerge which will have to serve as guiding principles for the work of the forthcoming Intergovernmental Conference:

- the Union must act democratically, transparently and in a way people can understand;
- the Union must act effectively, consistently and in solidarity; this is obvious when we are talking about its internal workings, but it must also be true in its external dealings, where it will have to bring a genuine European identity to bear.

These, of course, were objectives of the original drafters of the Treaty on European Union, but a look at the way the Treaty works in practice shows that a great deal remains to be done. The prospect of a Union expanded to include 20 or more Member States further underlines that necessity.

Democracy comprises the very essence of the Union, while effectiveness is the precondition for its future. That is why those are the two criteria for assessing how the Treaty is working at the moment: and that assessment, in its turn, will produce the major guidelines the Commission will follow at the forthcoming Intergovernmental Conference.

One of the Treaty's basic innovations in terms of democracy is the concept of European citizenship. The object of this is not to replace national citizenship, but to give Europe's citizens an added benefit and strengthen their sense of belonging to the Union. The Treaty makes citizenship an evolving concept, and the Commission recommends developing it to the full. Moreover, although the task of building Europe is centred on democracy and human rights, citizens of the Union have at this stage no fundamental text which they can invoke as a summary of their rights and duties. The Commission thinks this gap should be filled, more especially since such an instrument would constitute a powerful means of promoting equal opportunities and combating racism and xenophobia.

The Commission is delighted that the Union's democratic legitimacy has been strengthened. Making the Commission's appointment subject to Parliament's approval has been an important step in the right direc-

tion. The increase in Parliament's legislative powers is another welcome development.

But as decision-making has become more democratic, it has also become complex to an almost unacceptable degree. The 20 or so procedures in use at present should be reduced to three — the assent procedure, a simplified codecision procedure, and consultation. We must put an end to the inconsistencies and ambiguities which have so often sparked conflicts over procedural matters.

In addition to democratic control at the level of the Union, we need to find a way to involve national parliaments more directly and visibly in controlling and guiding the national choices that apply to the Union.

More generally, we need to dispel the obscurity which has descended on the Treaties as a result of successive additions being superimposed one on another. The time has come to simplify matters, drafting the whole text anew to make it more comprehensible. This need for transparency is both a practical and a political necessity.

In the same spirit of openness, the principle of subsidiarity, which took pride of place in the Union Treaty, has begun to change the attitudes of the institutions. Debate on the distribution of powers and the grounds for introducing each new proposal is becoming more regular. But we must go even further. All too often the concept of subsidiarity is put forward for specific or short-term ends as a way of diluting the Union. Yet subsidiarity can also be applied positively, to justify measures which are better taken collectively than in isolation. The full political significance of subsidiarity, as a commitment by the Member States and the institutions to find the best way of serving the citizens of the Union, needs to be underlined.

The legitimacy of the institutions also needs to be strengthened. In this context, the Commission believes that Parliament should have the right to give its assent to any amendment to the Treaties.

Lastly, a particular effort should be focused on making our institutional machinery more effective. In the Commission's view, this means paying special attention to the common foreign and security policy and to justice and home affairs. Security at home and abroad are indeed legitimate priorities for every citizen.

The very fact that two different working methods — the Community approach and the intergovernmental approach — coexist in the same Treaty is a source of incoherence. Experience has confirmed the fears previously expressed on this subject. The single institutional framework which was supposed to ensure harmony between the various 'pillars' of the Treaty has not functioned satisfactorily. The proper lessons have to be drawn.

The experience of the common foreign and security policy has been disappointing so far, although we

should be wary of making final judgments after only 18 months of its existence. However, the fact is that the possibilities have not been used to best effect, owing to the weaknesses of the Treaty as well as over-restrictive interpretation of its provisions.

The Treaty sought to establish greater consistency between political and economic objectives of the Union, but this has not been fully achieved. Adjustments will have to be made so that overlap between different instruments does not lead to paralysis.

The Union must develop a genuine common foreign policy commensurate with its economic influence and equipped with effective decision-making machinery; this cannot be achieved through systematic recourse to unanimity.

The Treaty laid the foundation for such a policy, and the forthcoming Conference should be used to erect an adequate framework for a genuine common security and defence policy, by building up the capabilities of the Western European Union and linking it to the existing common institutions.

Cooperation in justice and home affairs has been ineffectual and not only because of the lack of coherence in the institutional framework. The instruments available are inappropriate, and the problem is compounded by the cumbersome decision-making process and a complete lack of openness. The Intergovernmental Conference will offer an opportunity to undertake a radical overhaul of these arrangements.

The reflections set out above show that the main issue during the Conference will not be an increase in the Union's powers. The Treaty of Maastricht added a number of powers which make the Union a much more ambitious undertaking than it was in the past. One example is economic and monetary union: here the path has been mapped out and there should be no renewed discussion on the provisions agreed. The recent turbulence on the currency markets merely serves to underline how vital this is.

The main focus will have to be on ways of improving decision-making mechanisms. The increase in the number of States and practical considerations ought naturally to lead to wider use of the majority rule; this will be even more necessary for future enlargements. However, it is absolutely vital that we preserve the nature of the Union as a true community of States and peoples where there is no inbuilt majority or minority.

Further enlargement will not only require the Union to strengthen its decision-making capacity, but will also force us to look more closely at the possibility of different speeds of integration. This concept already exists both in the context of economic and monetary union and in the system set up under the Schengen Agreement — although the latter regrettably remains outside the Community framework. There is nothing unusual in allowing some Member States a longer pe-

riod to adjust to certain policies. In the Commission's view, however, this must be done within a single institutional framework and must centre on a common objective. Those States concerned must play their part by not blocking any of their partners who wish to move ahead more quickly.

Permanent exemptions such as that now applying to social policy, which in the last analysis have had the regrettable effect of excluding the Social Charter from the Treaty, create a problem, as they raise the prospect of an *à la carte* Europe, to which the Commission is utterly opposed. Allowing each country the freedom to pick and choose the policies it takes part in would inevitably lead to a negation of Europe.

These, then, are the Commission's first thoughts on the forthcoming Intergovernmental Conference.

The Commission is proposing a Europe in which the different tiers of authority cooperate democratically and effectively to help solve the problems affecting ordinary Europeans.

We want to see a strong and independent Europe, taking up its rightful place in the world. Strength requires internal cohesion. Europe must be much more than the sum of its parts.

In the new international situation, Europe's role as a pole of stability is more important than ever. That is what is expected of us, but for the moment — as war continues to claim more victims on our continent — we are unable to provide it. Europe must speak with one voice, if major challenges are to be tackled effectively.

We want to see a Europe whose people recognize themselves and each other, precisely because of their conviction that an active community with shared values is the key to a peaceful and prosperous future, and to a more just society for all.

The Commission will make every effort to fulfil this ambition. It has set itself the task of demonstrating the importance and the potential of this goal for ordinary Europeans and ensuring that the Member States and the institutions are guided by a common interest. In doing so, it will be fulfilling its duty as "guardian of the Treaty".

In the body of the report, the Commission examines the operation of the Treaty in terms of democracy and transparency in the European Union, and the effectiveness and consistency of Union policies. Part One ('Democracy and transparency in the Union') deals with European citizenship, the institutional response to the demand for legitimacy, the complexity of the decision-making process, the review function (both judicial and budgetary), subsidiarity, and access to information and the clarity of Commu-

nity legislation. In Part Two ('Effectiveness and consistency of the Union's policies') the Commission examines internal and external policies, both in areas of Community activity and in areas of intergovernmental cooperation, with particular reference to the principal innovations (economic and monetary union, cooperation in the field of justice and home affairs) and to the strengthening of existing powers in certain policy areas (social policy, economic and social cohesion, research and technological development, the environment, trans-European networks, development cooperation, common commercial policy). The Commission looks at both effectiveness in each of the new policy areas and consistency between the areas governed by different working methods (Community and inter-governmental), particularly in the case of external action.

The conclusions of the report are reproduced in full below.

'a. The Treaty on European Union is composite in nature. It was initially intended to introduce economic and monetary union, as a complement to the single market. Consideration of further steps towards political union then became unavoidable, in response to the major upheavals that struck Europe at the turn of the decade. The Treaty undoubtedly shows signs of these mixed origins.

Notwithstanding the confusion and the fears that were created, together with a background of economic difficulties, the Treaty was endorsed by the peoples and parliaments of first 12 and then 15 different countries. This would suggest that it represents a suitable point of balance.

The Treaty on European Union is innovative: it lays the foundations for a real union and contains the essential components of a unique political edifice. The finding of this report is that the Treaty is good in parts.

b. On some essential points the Treaty has produced substantial benefits.

□ Economic and monetary union has entered the second stage on schedule. Here the Treaty is not just a series of statements of principle but a set of instructions for the introduction of a single currency by the turn of the century. The credibility of this grand venture is now established. The recent upheavals on the foreign exchanges, far from calling it into question, make it more necessary than ever. Economic and monetary union is also an example of individual Member States advancing at their own pace towards an agreed objective.

□ The Union has functioned more democratically, mainly because of the enhanced role played by the

European Parliament. Its approval of the Commission strengthens the Commission's legitimacy. The new codecision procedure has proved operational and effective, in conjunction with qualified-majority voting in the Council. It contains the principal ingredients of a balanced legislative regime.

c. The Treaty also has its shortcomings, which are of various kinds.

□ Some are probably not too serious because they may be the result of the unavoidable running-in period of a Treaty which has not long been in force. These would include certain shortcomings of the new, and indeed promising, concept of Union citizenship: implementation has been far from complete and contrasts sharply with the expectations generated.

Some of the limitations of the foreign and security policy can also be placed in the same category, this policy requiring more effective decision-making, and a more visible representation of the Union in the outside world, as well as the development of concerted practices, the ability to analyse situations jointly, and systematic searching for the common interest.

□ Other inadequacies are the result of the failure to apply the Treaty. These have nothing to do with the Treaty itself, which has potential that has not been exploited either by the Member States or by the institutions. For instance, the possibility which exists of taking decisions by qualified majority in areas covered by intergovernmental cooperation is unused.

The common foreign and security policy is the flagship area in which this regrettable phenomenon has developed. The loss in terms of impact and identity on the international scene is considerable and the cost in public opinion far too high.

The conclusion this suggests is disturbing: minimalist interpretation or the refusal to make use of all the possibilities of effective action is subverting the true spirit of the Treaty.

□ The Treaty also has some real structural weaknesses.

The many different types of procedure which exist — the result of successive compromises — detract from the effectiveness of decision-making, make the Treaty difficult to understand, and make it unclear who is responsible for what. The complexity of the Treaty's structure and of its decision-making systems, together with the general lack of transparency, are obvious handicaps.

The agreement on social policy between 14 Member States is a dangerous precedent for the operation and cohesion of the Union in that all the Member States do not share the same objective.

The serious inadequacies of the provisions on justice and home affairs also belong to this category: neither the legal instruments provided nor the administrative

structures set up appear capable of satisfying the need for coordination in this area.

d. The Commission therefore has to express two concerns:

□ first, the less than convincing experience with inter-governmental cooperation under the second and third pillars suggests that there can be no question of trying to accommodate further enlargements with the present arrangements for their operation;

□ moreover, it is not certain that the Treaty has actually brought the Union closer to the general public: the subsidiarity principle has in some instances been used for other than its intended purpose, and there is still a shortage of openness in the fields of justice and home affairs.

e. The 1996 Intergovernmental Conference will be the opportunity to make the necessary adjustments. But until the Treaty has been amended, its provisions will continue to apply and the Commission will remain its guardian.

For the moment, it has to be applied to the best possible effect. Each Member State, and each institution, can help to improve the operation of the existing system by rediscovering the will and the imagination that constructive collaboration implies.

This is the spirit which the Commission would like to see prevail, both in the application of the Treaty provisions and in the preparation of the 1996 Intergovernmental Conference.'

SEC(95) 731

*1.9.2. Parliament resolution on the functioning of the Treaty on European Union with a view to the 1996 Intergovernmental Conference — implementation and development of the Union.*

**Reference:** Parliament resolution on progress in implementing the common foreign and security policy: point 1.4.1 of this Bulletin

*Adopted on 17 May.* In response to the request from the Corfu European Council Parliament reports on the functioning of the Treaty on European Union. With European integration facing new challenges, which call for new initiatives from the European Union, Parliament stresses the threefold institutional challenge facing the Union at the Intergovernmental Conference: tackling a democratic deficit, redefining the decision-making process and preparing the Union for future enlargement, without slowing down the progress already made. Among the principal deficiencies of the Treaty, Parliament cites the lack of openness and full democratic accountability of the Council, the lack of and failure to

implement effective and cohesive common foreign and security and justice and home affairs policies, and institutional mechanisms designed for a Europe of six which have not been properly adapted since.

In the first part of its resolution, which deals with the Union's policies and objectives, Parliament advocates the strengthening of the Union's existing policy framework to respond to economic and political change and to enhance the Union's credibility in the eyes of its citizens, conceivable only if the three pillars are merged within a single institutional framework. Parliament would also like a unified and simplified Treaty with a clearer and more logical structure.

Parliament considers that there should be a more effective European Union foreign policy within the framework of the Community pillar, integrating the common commercial policy, development cooperation, humanitarian aid and CFSP matters. The common defence policy should guarantee that the borders of the Union and its Member States are safeguarded and enable the Union, which in the scheme of things would inherit the Western European Union's powers, to carry through its responsibilities. It should be possible for a qualified majority of Member States to undertake humanitarian, diplomatic or military action, which would qualify as a 'joint action', with guarantees that no Member State could be forced to take part if it does not wish to do so, nor should it be able to prevent the majority from taking such action. Parliament would also like the Commission to be fully involved in the definition of the CFSP, with a right of initiative and implementing power, and democratic accountability for the CFSP to be shared between the European Parliament and the national parliaments. Finally, Parliament proposes the establishment of a European Civil Peace Corps to contribute to conflict prevention.

In the fields of justice and home affairs, Parliament would like decisions on asylum and immigration policy, the crossing of the Member States' external frontiers and action against drug abuse to be brought progressively within the Community domain.

As regards economic and monetary union (EMU), it feels that the timetable should be maintained and the convergence criteria should not be modified. However, monetary policy pro-

visions should have their counterweight in reinforced economic policy coordination. In the case of Member States which, while not fulfilling the convergence criteria, have nevertheless pursued economic policies in line with them and have shown genuine willingness to move towards the third stage of EMU, the Union should give its political backing to their efforts and provide all the necessary aid to enable them to achieve those objectives. Parliament also calls for the setting-up of an Employment Committee, with the same powers as the Monetary Committee, to work towards full employment.

Greater substance should be provided for the concept of EU citizenship through the development of special rights (right to information, economic rights, equal treatment, protection of traditional national minorities). Furthermore, the Treaty should contain a clear rejection of racism and xenophobia. The Union should also strengthen its existing policies, such as the common agricultural policy and its policies on the environment and economic and social cohesion. Finally, Parliament stresses the need to preserve Europe's cultural and linguistic diversity.

In the second part of its resolution, which deals with the institutions of the Union, Parliament emphasizes the importance of maintaining the single institutional framework, unifying the existing Treaties (by incorporating the relevant features of the ECSC and Euratom Treaties, the CFSP and cooperation in the fields of justice and home affairs into the unified treaty, subject to certain transitional measures) and giving the Union legal personality. If it proves impossible to reach a positive conclusion at the Intergovernmental Conference owing to failure to reach a unanimous decision, consideration should be given to the possibility of proceeding without the minority, and possibly providing instruments to enable a Member State to leave the European Union subject to meeting certain criteria. The Intergovernmental Conference should concentrate not on transferring new powers to the institutions but on clarifying their respective roles and achieving an appropriate interinstitutional balance. With regard to reviewing the composition of the institutions in the interests of efficiency, Parliament stresses the need to take account of the interests of both small and large Member States. It then looks at each of the institutions in turn. It emphasizes the importance of reasserting the role and independence of the

Commission and proposes that there should continue to be at least one Commissioner per Member State, that Parliament itself should elect the President of the Commission from a list of names put forward by the European Council, and that it should also be able to request the compulsory retirement of individual Commissioners. Turning to the Council, Parliament calls for greater transparency, improved public access to documents and further extension of qualified majority voting. In the case of Parliament itself, Parliament would like the number of Members not to exceed 700, a common statute to be established for MEPs, and partnership between the European Parliament and national parliaments to be strengthened. It wants equal status with the Council in all fields of EU legislative and budgetary competence, and increased control over matters relating to the CFSP, justice and home affairs, and EMU. In the case of the Court of Justice, Parliament calls for its powers to be extended to the areas covered by Titles V and VI of the Treaty on European Union and to the Schengen Agreement. It also advocates more flexible internal operating arrangements to cope with the increase in workload and the prospect of enlargement. Finally, Parliament would like the role of the Committee of the Regions in drawing up policies within its remit to be strengthened.

In the third part of its resolution, Parliament examines the Union's decision-making process. As regards the legislative function, Parliament would like only three decision-making procedures (codecision, assent and consultation): the assent procedure should be restricted to Treaty revision, international agreements, enlargement and adjustments to own resources; the consultation procedure should be restricted to decisions in the field of the common foreign and security policy; and the codecision procedure should apply in all other areas. Parliament would also like the codecision procedure to be simplified and proposes various ways in which this could be achieved. It calls for the introduction of a hierarchy of norms to reduce the volume of draft legislation submitted to Parliament and to the Council, for the simplification of existing committee procedures, and for consolidation of the articles of the Treaty dealing with international agreements. Parliament also proposes several amendments to the budgetary legislation and calls for reinforcement of the function of control, particularly the introduction of tougher

measures to combat fraud and other infringements of Union law.

In the fourth part of its resolution, which deals with the prospects for enlargement, Parliament reserves the right to put forward any proposals which may prove necessary in order to take better account of the implications of enlargement and not to undermine the principles of competition, cooperation and solidarity, which have always been fundamental to European integration.

Finally, in the fifth part of its resolution, which covers follow-up measures, Parliament calls for as open a debate as possible during the Reflection Group phase and during the negotiations and for the strengthening of the roles of both the national parliaments and the European Parliament.

OJ C 151, 19.6.1995

#### 1.9.3. Court of Justice report on the operation of the Treaty on European Union.

*Adopted on 17 May.* The Court of Justice concentrates on the European Union's judicial system. It first describes the role of national and Community courts, and then assesses the effects of the application of the Union Treaty. Finally, it comments on the possible revision of Treaty provisions relating to the judicial system (particularly access to the preliminary-ruling procedure and the number of judges and their term of office) and on the repercussions of certain amendments envisaged, such as changes in the nomenclature of acts and the introduction of a hierarchy of norms and a bill of fundamental human rights.

#### 1.9.4. Court of First Instance report on the operation of the Treaty on European Union.

*Adopted on 17 May.* The Court of First Instance starts off its report with observations on the progressive extension of its role and jurisdiction since it was set up in 1989, and goes on to stress the need for measures to ensure the proper administration of justice and to enable it to perform the task for which it was set up — to improve judicial protection for the individual and to alleviate the caseload of the Court of Justice. The Court proposes a number of options which might resolve the problems arising out of the increasing volume of Community litigation, such as the appointment of assistant rapporteurs,

the hearing of cases by a single judge, the setting-up of specialized chambers and an increase in the number of judges. It also mentions the rules for appointing judges and calls for the Treaty to be amended to include an appropriate reference to the Court — for instance in Article 4, which lists the Community institutions.

## Democracy, transparency and subsidiarity

### *Access to documents*

#### 1.9.5. Council conclusions on transparency.

##### **References:**

Conclusions of the Edinburgh European Council: Bull. 12-1992, point I.24

Interinstitutional declaration on democracy, transparency and subsidiarity: Bull. 10-1993, point 1.6.8

Code of conduct concerning public access to Council and Commission documents (93/730/EC) and Council Decision 93/731/EC on public access to Council documents: OJ L 340, 31.12.1993; Bull. 12-1993, point 1.7.6

*Adopted on 29 May.* The Council reaffirmed its determination to work towards greater transparency of proceedings within the guidelines framed by the European Council without undermining the effectiveness of the decision-making process. It stressed that the outcome of votes on legislative acts is now made public as a matter of course and promised to hold debates which are broadcast to the public on important matters affecting the interests of the Union or on major new legislative proposals more frequently, to ensure that the press and the public are regularly and fully briefed prior to each of its meetings, and to facilitate public access to the minutes of its meetings.

## Interinstitutional relations

1.9.6. Proposal for a code of conduct for the Commission and the Member States in the World Trade Organization (→ point 1.4.16).

1.9.7. Parliament decision amending Rule 159 of its Rules of Procedure on appointment of the Ombudsman (→ point 1.10.1).

# 10. Community institutions

## Parliament

### Rules of procedure

*1.10.1.* Parliament decision amending Rule 159 of its Rules of Procedure on appointment of the Ombudsman.

**Reference:** Parliament Decision 94/262/ECSC, EC, Euratom on the regulations and general conditions governing the performance of the Ombudsman's duties: OJ L 113, 4.5.1994; Bull. 3-1994, point 1.1.2

*Adopted on 16 May.*

*1.10.2.* Parliament decision amending Rule 52(5) of its Rules of Procedure on delegation of the power of decision to committees.

*Adopted on 16 May.*

### Strasbourg, 15 to 19 May

*1.10.3.* The high points of the May part-session were the debate on the 1996 Intergovernmental Conference and the address by Mrs Robinson, President of Ireland.

In response to the request from the Corfu European Council in June 1994, Parliament adopted, by 288 votes to 103 and 76 abstentions, a 45-point resolution on the functioning of the Treaty on European Union with a view to the 1996 Intergovernmental Conference (→ point 1.9.2). Mr Santer, President of the Commission, Mr Van den Broek and Mr Oreja attended the marathon debate, in the course of which Mr Oreja congratulated Parliament on the quality of the work it had performed under difficult conditions. Rejecting the notion of a 'Europe à la carte', he pointed out that it was the Commission's aim to cooperate constructively with Parliament within a European Union acting as a stabilizing factor in the new international order.

In her address to a special sitting of Parliament, Mrs Robinson, President of Ireland, reaffirmed her country's commitment to the European Union and its historical and cultural links with the continent of Europe. She thanked the European Union in general and Parliament in particular for its support for the peace process in Northern Ireland, and stressed the need for the Union to find a lasting political solution to the conflict in the former Yugoslavia. She also identified as the main challenge facing the Union the search for a coherent response to the dual threat of unemployment and social exclusion.

Under Article J.7 of the Treaty on European Union Parliament adopted a proposal for a recommendation to the Council on the outcome of the Pact on Stability in Europe (→ point 1.4.3).

Parliament gave its assent to the conclusion of an agreement with the United States on government procurement (→ point 1.3.22).

On the human rights front, Parliament adopted seven resolutions on the situation in Rwanda, Equatorial Guinea, and Tibet, the murder in Pakistan of Iqbal Masih, the organization of the Fourth World Conference on Women in Beijing, support for Algerian women, and the elections in Guinea (→ points 1.2.5 to 1.2.11).

In the budgetary field, the House adopted a resolution on the estimates of revenue and expenditure of Parliament and the Ombudsman for the 1996 financial year (→ point 1.6.1).

On the institutional front, Parliament adopted two decisions amending its Rules of Procedure, one on delegation of the power of decision to committees (→ point 1.10.2) and the other on appointment of the Ombudsman (→ point 1.10.1).

In the legislative field, under the consultation procedure Parliament gave its opinion on agricultural prices for the 1995/96 financial year (→ point 1.3.97). It also gave its opinion on proposals for Regulations on increasing the total quantities fixed for Greece, Spain and Italy within the



framework of the additional levy system in the milk and milk products sector (→ point 1.3.107), the intervention threshold mechanism in the fresh fruit and vegetable sector (→ point 1.3.103), the common organization of the market in dried fodder (→ point 1.3.102), the additional levy in the milk sector (→ point 1.3.106), a support system for producers of certain arable crops (→ point 1.3.99), the system of aid for cotton (→ point 1.3.105), Community structural assistance in the fisheries and aquaculture sector (→ point 1.3.52), a NAFO pilot observer scheme in the north-west Atlantic (→ point 1.3.119), fishing off the coast of Senegal (→ point 1.3.117), the Staff Regulations, and the European Agency for Safety and Health at Work, a proposal for a Decision granting a Community guarantee to the EIB for loans for projects in South Africa and a proposal for a Directive on statistical returns in respect of carriage of goods and passengers by sea (point 1.7.4).

Under the cooperation procedure Parliament adopted a decision at second reading on the Council common position on the proposal for a Directive concerning international standards for ship safety (→ point 1.3.75).

Under the codecision procedure Parliament delivered opinions at first reading on proposals for Directives on the application of open network provision (ONP) to voice telephony (→ point 1.3.83), the characteristics of two- or three-wheel motor vehicles (→ point 1.3.13), the indication of the prices of foodstuffs and non-food products (→ point 1.3.134) and cross-border transfers (→ point 1.3.17), and on three proposals for Decisions on trans-European networks in the energy and transport sectors (→ points 1.3.59 to 1.3.61). It also approved, at third reading, the joint texts for two Directives, one on the limitation of noise emitted by excavators (→ point 1.3.94) and the other on prudential supervision (→ point 1.3.18).

Parliament adopted resolutions on the situation in the former Yugoslavia (→ point 1.4.72), the breakdown of peace negotiations in Sri Lanka (→ point 1.4.97), the Middle East peace process (→ point 1.4.77), an enhanced European Union policy towards Mercosur (→ point 1.4.101), the Europol Convention (→ point 1.5.1), implementation of the common foreign and security policy (→ point 1.4.1), the kidnapping of José María Aldaya by ETA (→ point 1.5.2), the integration

of handicapped children in the Brussels I European School, whaling (→ point 1.3.92), the Green Paper on mobile and personal communications (→ point 1.3.82), the Green Paper on the liberalization of telecommunications infrastructure (→ point 1.3.80) and the introduction of the ecu as legal tender (→ point 1.3.8). It also adopted resolutions on the outbreak of the Ebola virus in Zaire (→ point 1.4.109), the bad weather in Greece and Portugal (→ points 1.3.128 and 1.3.131), the earthquake in Greece (→ point 1.3.129) and the volcanic eruption in Cape Verde (→ point 1.4.59).

Finally, it delivered an opinion on the change of the legal basis of the proposal for a Directive on the landfill of waste (→ point 1.3.88).

Record of proceedings:

OJ Annex No 4-457

Full text of opinions and resolutions:

OJ C 151, 19.6.1995

## Council

### 1846th meeting

1.10.4. Economic and financial affairs (Brussels, 22 May).

**Previous meeting:** Bull. 3-1995, point 1.10.9

*President:* Mr Madelin, French Minister for Economic Affairs and Finance.

*Commission:* Mr Santer, Mr de Silguy, Mrs Gardin, Mr Kinnoock, Mr Liikanen and Mr Monti.

#### *Main items*

- Investor compensation schemes: common position on the proposal for a Directive agreed by qualified majority; German delegation voted against (→ point 1.3.16).
- Macro-financial loans to Ukraine: conclusions adopted (→ point 1.4.88).

#### *Other business*

- Fraud — legal protection of the Communities' financial interests: broad agreement on a proposal for a Regulation.

- Trans-European networks: progress report.
- Agrimonetary system: Regulation adopted.
- Spring 1995 macroeconomic forecasts: communication presented.
- Financial perspective: delegation statements.
- CO<sub>2</sub>/energy tax: exchange of views.
- Economic statistics: progress report.
- Economic situation of the countries of Central and Eastern Europe and the Baltic States and their integration into the internal market: exchange of views.

### 1847th meeting

1.10.5. General affairs (Brussels, 29 May).

**Previous meeting:** Bull. 4-1995, point 1.10.7

*President:* Mr de Charette, French Minister for Foreign Affairs, and Mr Barnier, French Minister with special responsibility for European Affairs.

*Commission:* Mr Santer, Sir Leon Brittan, Mr Marín, Mr Pinheiro and Mr Van den Broek.

#### Main items

- Human rights clauses in Community agreements with non-member countries: conclusions adopted (→ point 1.2.3).
- European Union policy towards the Baltic Sea region: conclusions adopted (→ point 1.4.70).
- Situation in Bosnia Herzegovina: declaration adopted (→ point 1.4.6).
- Inclusion of Croatia in the Phare programme: proposal for a Regulation agreed (→ point 1.4.71).
- *Europe and Japan: next steps:* conclusions adopted (→ point 1.4.91).
- Dispute between Japan and the United States in the motor vehicle sector: conclusions adopted (→ point 1.4.92).

#### Other business

- Transparency of Council proceedings: detailed discussion.
- White Paper on the integration of the countries of Central and Eastern Europe into the internal market: communication presented.

- Relations with Russia: exchange of views.
- Relations with Ukraine: exchange of views.
- Situation in the former Yugoslavia: report.
- Mid-term review of the fourth ACP-EC Convention and the eighth EDF: progress report.
- Negotiations with Israel, Morocco and Egypt: progress report.
- Preparations for Euro-Mediterranean Conference: report.
- Canada — negotiations pursuant to Article XXIV:6 of GATT: proposal examined.
- Nuclear cooperation agreement between Euratom and the United States: communication presented.
- Association Council with Slovakia: preparations.
- Association Council with Bulgaria: preparations.
- European Economic Area: preparations for the third Council meeting.

### 1848th meeting

1.10.6. Agriculture (Brussels, 29 May).

**Previous meeting:** Bull. 4-1995, point 1.10.3

*President:* Mr Vasseur, French Minister for Agriculture, Fisheries and Food.

*Commission:* Mr Fischler.

#### Main items

- Setting of basic and buying-in prices for cauliflowers, peaches, nectarines, apricots, lemons and tomatoes: Regulation adopted (→ point 1.3.98).
- Retroactive extension of Regulation on milk products: Regulation adopted by qualified majority (→ point 1.3.107).

#### Other business

- Agrimonetary problems: detailed discussion.
- Agricultural prices and related measures for 1995/96: examined.
- Cotton: examined.
- Consolidation of milk quotas for Italy and Greece: examined.

- Reform of the common organization of the market in wine: discussed.
- Penalty mechanism — oilseeds: discussed.
- Extraordinary set-aside: exchange of views.
- Protection of animals during transport: discussed.

## Commission

### Proposals adopted

*1.10.7.* The Commission adopted a proposal for a Regulation adopting a multiannual programme to promote international cooperation in the energy sector (Synergy) (→ point 1.3.65). On the transport front, it adopted a proposal for a Directive and two proposals for Regulations on a common policy on the organization of the inland waterway transport market (→ point 1.3.72). It also adopted a proposal for a Decision on a series of guidelines for trans-European telecommunications networks (→ point 1.3.78). On the environment front it adopted an amended proposal for a Directive introducing a tax on carbon dioxide emissions and energy (→ point 1.3.85). Finally, it adopted a proposal for a Regulation regulating compensation for reductions in the agricultural conversion rates of certain national currencies (→ point 1.3.96).

### Communications, Green Papers and reports

*1.10.8.* The Commission adopted a Green Paper on the practical arrangements for the introduction of the single currency (→ point 1.3.7). It adopted a communication on the inclusion of a clause on respect for human rights in international agreements concluded by the Community (→ point 1.2.2). In the research field it adopted a communication on prospects for cooperation in science and technology with the new independent States (→ point 1.3.46) and in the field of transport it adopted a communication on a common policy on the organization of the inland

waterway transport market (→ point 1.3.72). It also adopted a communication on a methodology for the implementation of information society applications (→ point 1.3.78) and approved a communication on the Info 2000 programme to stimulate the development of a European multimedia content industry in the emerging information society (→ point 1.3.84). On the external relations front it adopted two communications and two draft common positions on the future of relations with Russia and with the Transcaucasian republics (→ points 1.4.78 and 1.4.79) and a communication on the strengthening of relations between the European Union and Chile (→ point 1.4.102). Finally, it adopted its report on the operation of the Treaty on European Union for the Reflection Group set up to prepare for the 1996 Intergovernmental Conference (→ point 1.9.1).

### Other decisions

*1.10.9.* The Commission adopted a recommendation for the broad guidelines of the economic policies of the Member States and the Community (→ point 1.3.9) and a White Paper on preparing the associated countries of Central and Eastern Europe for integration into the internal market of the European Union (→ point 1.4.63).

## European Investment Bank

### Financing

*1.10.10.* In May, the European Investment Bank granted loans totalling ECU 1 421.3 million.

### *European Union*

#### Links with Union policies

Loans were made for the following measures:

- ECU 495 million for the economic development of disadvantaged regions;

- ECU 140.5 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 394 million for environmental protection and improvement of the quality of life;
- ECU 369 million for the pursuit of Community objectives in the field of energy.

The Bank also continued its operations to support small businesses: a total of ECU 869 million has been granted in global loans since the beginning of the year.

In many cases individual loans come under several Union policies; some are therefore counted more than once in the above amounts.

### Geographical breakdown

#### *Denmark*

- ECU 66.5 million for modernizing and expanding the capacity of the Kalundborg refinery;
- ECU 27.8 million for upgrading the digital switching and fibre optic transmission system of the Sjaelland and Bornholm telephone networks.

#### *Germany*

- ECU 44.5 million (including ECU 15.1 million under the Edinburgh financial mechanism) for the construction of waste water collection facilities in the Eisenach area (Thuringia);
- ECU 54 million in the form of global loans for the financing of small and medium-scale projects;
- ECU 27 million in the form of global loans for the financing of small and medium-scale projects;
- ECU 129.7 million for the new 'east' terminal at Frankfurt international airport;
- ECU 16.2 million in the form of global loans for the financing of small and medium-scale projects;
- ECU 5.5 million for the renovation and construction of waste water collection and treatment facilities and two sewerage plants in the Rodulstadt and Saalfeld areas (Thuringia);
- ECU 27 million for the expansion of the container vessel terminal at the port of Bremerhaven;

- ECU 16.2 million in the form of global loans for the financing of small and medium-scale projects, mostly in the new *länder*.

#### *Greece*

- ECU 6.6 million in the form of global loans for the financing of small and medium-scale projects in industry, tourism and the service sector.

#### *Spain*

- ECU 57 million for upgrading and modernizing the electricity network in Catalonia;
- ECU 69.9 million (including ECU 17 million under the Edinburgh financial mechanism) for the construction of a municipal waste incineration centre at Son Reus, Majorca;
- ECU 88.1 million (including ECU 29.4 million under the Edinburgh financial mechanism) for the installation of a hydrodesulphurization unit at a refinery in Cádiz and a combined steam and power plant at a refinery in Tenerife;
- ECU 29.4 million (including ECU 8.2 million under the Edinburgh financial mechanism) for the commissioning of a hydrodesulphurization unit at a refinery in Huelva.

#### *France*

- ECU 6.2 million for the modernization of a waste water purification plant in Belfort;
- ECU 38.5 million for the construction of two sections of road in Guadeloupe (Port de Jarry — Raizet Airport and the Petit-Bourg by-pass);
- ECU 77 million for the construction of a car engine factory in Douvrain (Pas-de-Calais).

#### *Italy*

- ECU 22 million in the form of global loans for the financing of small and medium-scale projects;
- ECU 262 million in the form of global loans to finance the rebuilding of infrastructure, buildings and manufacturing businesses damaged by the floods in November 1994;
- ECU 5.2 million for the extension of an intermodal terminal near Bologna (Emilia-Romagna);

- ECU 7 million for domestic waste water collection and treatment facilities in the provinces of Salerno and Benevento;
- ECU 87.3 million for completion of the second trans-Mediterranean gas pipeline across the Sicilian Channel.

#### *United Kingdom*

- ECU 120.5 million in the form of global loans for the financing of small and medium-scale projects.

#### *Outside the European Union*

#### **Cooperation and development policy**

##### *ACP countries*

##### **Côte d'Ivoire**

- ECU 30 million to the *Société nationale d'opérations pétrolières* for the exploitation of oilfields.

##### **Jamaica**

- ECU 7 million for the extension of an industrial free zone;
- ECU 12 million for the financing of projects by small businesses in industry, agro-industry, tourism, mines, transport and related services.

##### **Madagascar**

- ECU 3.5 million for the expansion of a prawn farm in the Mahajamba delta.

##### **Uganda**

- ECU 15 million for the financing of small and medium-scale projects by private enterprise in the manufacturing industry, agro-industry, horticulture, tourism, mines and quarries, and related services.

##### **Netherlands Antilles**

- ECU 2.5 million in the form of global loans for the financing of small and medium-scale projects.

#### **Cooperation with the countries of Central and Eastern Europe**

##### *Romania*

- ECU 80 million for modernization of the telecommunications network.

##### *Slovakia*

- ECU 30 million for expanding and upgrading gas production and distribution.

## Economic and Social Committee

### 326th plenary session

*1.10.11.* The Economic and Social Committee held its 326th plenary session on 31 May and 1 June, chaired in turn by Mr Laur, Mr Ferrer and Mr Nielsen and attended by Mr Van Miert for the Commission.

Mr Van Miert explained to the Committee the purpose of the draft Directive on the use of cable television networks, namely to abolish restrictions in the Member States on concessions granted to users. He set out the arguments in favour of Commission action in this area, especially the need to reduce the price of telecommunication services, kept high by the existence of a monopoly, and demand for the development of multimedia services.

*1.10.12.* The Economic and Social Committee debated and adopted:

- opinions on the following:
  - the use of cable television networks (→ point 1.3.81);
  - the transport of dangerous goods by rail (→ point 1.3.69);
  - harmonized consumer price indices (→ point 1.7.2);
  - cross-border transfers of funds (→ point 1.3.17);
  - the system of aid for cotton (→ point 1.3.105);
  - the annual quota for the import of bananas following the accession of Austria, Finland and Sweden (→ point 1.3.104);
  - Community plant variety rights (→ point 1.3.95);
  - measures in the fisheries and aquaculture sector (→ point 1.3.53);
  - criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector (→ point 1.3.52);
- an own-initiative opinion on relations between the European Union and Albania (→ point 1.4.65).

1.10.13. The Economic and Social Committee adopted without debate:

□ opinions on the following:

- open network provision (ONP) (→ point 1.3.83);
- vehicles hired without drivers (→ point 1.3.71);
- RO-RO passenger vessels (→ point 1.3.76);
- the fifth report on the social and economic situation of the regions (→ point 1.3.49);
- the collection of statistical information in the field of tourism (→ point 1.7.5);
- Northern Ireland (→ point 1.3.55);
- structural business statistics (→ point 1.7.3);
- the taxation of agricultural outputs - VAT (→ point 1.3.20);
- the European Agency for Safety and Health at Work;
- the common organization of the market in cereals and a quota system in relation to the production of potato starch (→ point 1.3.100);
- the conservation of fishery resources in the Baltic Sea (→ point 1.3.120);
- the intervention threshold mechanism in the fresh fruit and vegetables sector (→ point 1.3.103);
- the common organization of the market in dried fodder (→ point 1.3.102);
- actions in favour of older people (→ point 1.3.127);
- restrictions on the marketing and use of certain dangerous substances and preparations (→ point 1.3.14a).

**PART TWO**

**DOCUMENTATION**

# 1. The ecu

## Values in national currencies of ECU 1

May 1995 <sup>1</sup>		
BFR/ LFR	Belgian franc and Luxembourg franc	38.2840
DKR	Danish krone	7.28261
DM	German mark	1.86040
DR	Greek drachma	301.496
ESC	Portuguese escudo	195.945
FF	French franc	6.58113
FMK	Finnish markka	5.70542
HFL	Dutch guilder	2.08265
IRL	Irish pound	0.815580
LIT	Italian lira	2 182.77
OS	Austrian schilling	13.0835
PTA	Spanish peseta	162.790
SKR	Swedish krona	9.64488
UKL	Pound sterling	0.832289
AUD	Australian dollar	1.81506
CAD	Canadian dollar	1.79794
ISK	Icelandic króna	84.3606
NKR	Norwegian krone	8.31414
NZD	New Zealand dollar	1.97922
SFR	Swiss franc	1.54276
USD	United States dollar	1.32164
YEN	Japanese yen	112.249
ZAR	South African rand	4.83924

<sup>1</sup> Average for the month: OJ C 134, 1.6.1995

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. 7/8-1982, points 3.1.1 to 3.1.3, and Bull. 9-1989, point 2.1.3.



**Representative rates ('green' rates)**

*Conversion rates into national currencies for the ecu used  
in connection with the common agricultural policy*

May 1995

National currency/sector		Value in national currency of ECU 1	National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc — All products	40.8337	HFL	Dutch guilder — All products	2.19672
DKR	Danish krone — All products	7.74166	IRL	Irish pound — All products	0.829498
DM	German mark — All products	1.94962	LIT	Italian lira — All products	2311.19
DR	Greek drachma — All products	302.837	OS	Austrian schilling — All products	13.7190
ESC	Portuguese escudo — All products	198.202	PTA	Spanish peseta — All products	170.165
FF	French franc — All products	6.61023	SKR	Swedish krona — All products	9.91834
FMK	Finnish markka — All products	5.88000	UKL	Pound sterling — All products	0.836385 0.840997 on 15.5.1995

## 2. Additional references in the Official Journal

2.2.1. This section lists the titles of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when those issues went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

### **Bull. 7/8-1994**

#### *Point 1.2.72*

Commission Decision 94/1068/EC of 27 July 1994 concerning aid granted to the Volkswagen group for investments in the new German *länder*  
OJ L 385, 31.12.1994

### **Bull. 12-1994**

#### *Point 1.2.29*

Proposal for a European Parliament and Council Directive to facilitate practice of the profession of lawyer on a permanent basis in a Member State other than that in which the qualification was obtained  
OJ C 128, 24.5.1995

#### *Point 1.2.78*

Commission Decision 94/1071/EC of 13 December 1994 on the proposal of the United Kingdom to award aid to Carpets International (UK) plc (formerly Abingdon Carpets plc), Gwent  
OJ L 385, 31.12.1994

#### *Point 1.2.87*

Commission Recommendation 94/1069/EC of 7 December 1994 on the transfer of small and medium-sized enterprises  
OJ L 385, 31.12.1994

#### *Point 1.2.114*

Commission Decision 94/1070/ECSC of 13 December 1994 on German aid to the coal industry for 1994

Commission Decision 94/1072/ECSC of 13 December 1994 authorizing the granting by Spain of aid to the coal industry in respect of 1994  
OJ L 385, 31.12.1994

#### *Point 1.2.124*

Proposal for a Council Directive on access to the groundhandling market at Community airports  
OJ C 142, 8.6.1995

#### *Point 1.2.191*

Proposal for a Council Regulation (EC) amending Regulation (EEC) No 3928/92 establishing a NAFO pilot observer scheme applicable to Community vessels operating in the Regulatory Area of the North-West Atlantic Fisheries Organization  
OJ C 128, 24.5.1995

### **Bull. 1/2-1995**

#### *Point 1.3.24*

Commission Decision 95/188/EC of 30 January 1995 relating to a proceeding under Article 85 of the EC Treaty  
OJ L 122, 2.6.1995

#### *Point 1.3.107*

Proposal for a Council Directive concerning the quality of water intended for human consumption  
OJ C 131, 30.5.1995

#### *Point 1.4.102*

Proposal for a Council Regulation (Euratom, EC) concerning the provision of assistance to economic reform and recovery in the new independent States and Mongolia  
OJ C 134, 1.6.1995

**Bull. 3-1995***Point 1.3.19*

Proposal for a European Parliament and Council Directive amending Directive 92/50/EEC relating to the coordination of procedures for the award of public service contracts, Directive 93/36/EEC coordinating procedures for the award of public supply contracts and Directive 93/37/EEC concerning the coordination of procedures for the award of public work contracts

Proposal for a European Parliament and Council Directive amending Directive 93/38/EEC coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors

OJ C 138, 3.6.1995

*Point 1.3.68*

Amended proposal for a European Parliament and Council Decision establishing a European Year of Lifelong Learning (1996)

OJ C 134, 1.6.1995

*Point 1.3.79*

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

OJ C 125, 22.5.1995

*Point 1.3.89*

Common position (EC) No 3/95 of 31 March 1995 adopted by the Council with a view to adopting a Council Regulation laying down general rules for the granting of Community financial aid in the field of trans-European networks

OJ C 130, 29.5.1995

*Point 1.7.1*

Draft Council Regulation (Euratom, EC) concerning structural business statistics

OJ C 146, 13.6.1995

*Points 1.10.23 and 1.10.24*

Opinions adopted by the Economic and Social Committee at its 324th plenary session on 29 and 30 March

OJ C 133, 31.5.1995

**Bull. 4-1995***Point 1.3.63*

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

Proposal for a Council Decision adapting Decision 94/268/Euratom concerning a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98) following the accession to the European Union of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden

OJ C 142, 8.6.1995

*Point 1.3.113*

Proposal for a Council Regulation amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector

OJ C 142, 8.6.1995

*Point 1.3.129*

Amended proposal for a European Parliament and Council Decision adopting an action plan 1995-99 to combat cancer within the framework for action in the field of public health

OJ C 143, 9.6.1995

### 3. Corrigenda

2.3.1. This section lists the corrigenda to earlier issues of the Bulletin. The corrections are shown in bold.

#### **Bull. 4-1995**

##### *Point 1.7.2*

The entry in the seventh line of table 11 to read '**General industrial** machinery'.

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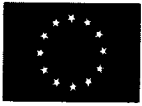
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