

# Trade Union Information BULLETIN

Issue No 1 of 1993

## Success of Edinburgh European Council Demonstrates Community's "Sound Health"

The results of the Edinburgh European Council meeting on the 11th and 12th of December demonstrated the "sound health" of the Community and its capacity to react in a difficult situation, according to European Commission President, Jacques Delors.

The meeting was faced with a whole range of difficult problems: including the need to find a solution to the question of Danish ratification of the Maastricht Treaty, the future financing of the Community and the site of key Community institutions. Equally, the need to launch a renewed Community-wide growth initiative was an issue at the forefront of the demands of the European trade union movement. Other important issues considered by the Edinburgh European Council meeting included the timetable for negotiations leading to the enlargement of the Community and changes to the size of the European Parliament. Agreement at Edinburgh on the number of Members of the European Parliament was based, for the first time, on a proposal from the Parliament itself in the form of the De Gucht Report.

The main conclusions of the Edinburgh European Council meeting are summarised in the following report.

### THE MAASTRICHT TREATY

The Community leaders reaffirmed their commitment to the Maastricht Treaty on European Union and adopted a formal Decision in response to the points raised by the Danish Government following the rejection of the Treaty in the May 1992 referendum. The Decision emphasises and clarifies a number of exemptions already provided for Denmark in the original Treaty, including exemption from the third and final stage of economic and monetary union. It also provides for Denmark an exemption from participation in the elaboration of a future common defence policy. The Council stressed that their Decision is legally binding and does not require any form of renegotiation of the Treaty itself. The Danish Prime Minister, Poul Schlüter, expressed his satisfaction at the outcome of the discussions and stated that a second referendum would be held in Denmark before the summer.

### SUBSIDIARITY AND TRANSPARENCY

The Council provided a clearer definition of the concept of subsidiarity (the principle determining the relationship between decision-making at Community



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# THE EDINBURGH EUROPEAN COUNCIL MEETING

and Member State levels). A detailed set of guidelines explore issues such as the limits of Community action and formulae for determining whether the Community should act on particular issues and the intensity of such actions. On the question of openness and transparency, the Council reaffirmed the commitment, made at the Birmingham European Council meeting, to move towards a more open Community. Details of the first "open" sessions of future Council of Ministers meetings were agreed.

## COMMUNITY FINANCE - DELORS II

The Council agreed a package of measures which will determine the development of the Community budget until the end of the century. The measures allow for increases in the resources available to the Community structural Funds and resources for the new Cohesion Fund which has been established to help the poorer Member States. The main details of the various appropriations for the first and last year in the budgetary period (1993 and 1999) are as follows:

COMMUNITY FINANCIAL PERSPECTIVES (million ECU - 1992 prices)		
	1993	1999
1. Agriculture	35,230	38,389
2. Structural Actions	21,277	30,000
3. Internal Policies	3,940	5,100
4. External Actions	3,950	5,600
5. Administration	3,280	3,900
6. Reserves	1,500	1,100
Total	69,177	84,089

Although the measures adopted fall short of the proposals contained in the original "Delors II" package, Jacques Delors claimed that the Commission proposals had been adopted to the extent of 85%.

## COMMUNITY ENLARGEMENT

The Lisbon European Council meeting (July 1992) decided that formal negotiations with the EFTA candidate countries should commence as soon as the Maastricht Treaty had been ratified by the twelve existing Member States and agreement on future financing had been reached. However, the Edinburgh meeting agreed that, given the agreement on Community financing and the prospects of an early ratifica-

tion of the Maastricht Treaty by the two remaining Member States (the UK and Denmark), negotiations with Austria, Sweden and Finland could start at the beginning of 1993 and negotiations with Norway could start as soon as the Commission Opinion on its membership application was available. The Council stressed that the conditions of membership would be based on the full acceptance of the Maastricht Treaty on European Union.

## COMMUNITY INSTITUTIONS

The Council reached two important decisions in relation to Community institutions. It accepted the recommendation from the European Parliament on the increase in representation from certain Member States. This will result in an increase in MEPs from a number of Member States (18 from Germany; 6 from the UK, France and Italy; 4 from Spain; and 1 each from Belgium, Greece and Portugal). The changes reflect German reunification and an improved proportionality of representation from the other Member States. The Council also reached agreement on the long-standing dispute over the sites of major European institutions. Although the agreement will mean a continuation of the current multi-site working arrangements for the European Parliament, it means that the block on the siting of new Community institutions (and in particular the new European Environmental Agency) is now removed.

## THE SINGLE MARKET

The Edinburgh meeting was the last European Council meeting before the start of the Single Market. The meeting noted "with particular satisfaction" that the White Paper Programme for creating a Single Market "will, in all essential respects, be successfully completed by 31st December 1992". The official Council Conclusions stated that this was a historic moment for the Community which marked the fulfilment of one of the fundamental objectives of the Treaty of Rome. The Single Market would offer consumers more choice and lower prices and help job creation.

Nevertheless, the Council noted that the free movement of people within the Community, in accordance with Article 8a of the Treaty of Rome, could not be completely assured on the 1st of January 1993. It called upon Ministers to accelerate their work in establishing free movement and decided to review progress at its next meeting in June.

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# Economic Recovery In Europe Edinburgh Council Declaration

One of the many important issues facing the political leaders of the Member States when they met in Edinburgh, was the urgent need to examine ways of promoting economic recovery within the European Community. The underlying poor performance of the EC economy had been underlined by the wave of currency speculation that swept through the Community during the Autumn. There was a clear requirement for a policy which would improve the prospects of economic growth and create employment. At the same time, any policy needed to take into account the desire to achieve economic convergence which is a central theme of the progress towards Economic and Monetary Union.

The full text of the statement adopted by the Edinburgh European Council is reproduced below.

### **DECLARATION ON PROMOTING ECONOMIC RECOVERY IN EUROPE**

1. The completion of the European Single Market at the end of this year, the ratification of the Maastricht Treaty, agreement on the future financing of the Community and an early successful GATT settlement are of crucial importance for strengthening the European economy and would give a substantial boost to confidence.
  - switch, to the extent possible, their public expenditure priorities towards infrastructure and other capital investment and growth-supporting expenditures which earn worthwhile return;
  - implement measures to encourage private measures, especially by small and medium sized enterprises (SME's);
  - act to improve further the efficiency of their economies, for example through action to reduce subsidies and measures to enhance competition and market flexibility;
  - make efforts to achieve restraint in wage settlements within the public sector. The European Council noted that restraint on wages bills would help to control Government current spending, would contribute to much needed improvements in competitiveness and would help reduce unemployment. Sound government finance coupled with low inflation and wage moderation will help to create the conditions for reductions in interest rates.
2. The objectives of Member States' economic policies should remain as set out in the Maastricht Treaty: an open market economy with free competition, sustainable growth respecting the environment, stable prices with sound public finances and monetary conditions and a sustainable balance of payments. These objectives will continue to determine the economic policies of Member States. They remain determined to fulfil the convergence criteria established in the Maastricht Treaty and to comply fully with the convergence programmes submitted to the Council, including adherence to the medium-term goals of budgetary consolidation.
3. The European Council invited Member States to implement in a concerted way economic measures, tailored to national requirements, which would boost confidence and promote economic recovery. The measures should be targeted towards improving the prospects for growth, creating lasting jobs, and consistent with a medium term framework founded on the principles of convergence established in the Maastricht Treaty.
4. Member States should:-
  - take every opportunity, according to their national circumstances, to exploit the limited margins of manoeuvre available as concerns budgetary policy;
5. The European Council will keep economic prospects under close examination and will review the situation further at its next meeting. It invited the ECOFIN Council:-
  - to consider the relevant national actions in the framework of multilateral surveillance.
  - to monitor the performance of national economies against their programmes for economic convergence.
  - to identify measures to improve the functioning of the labour market.
6. The European Council believes that the effectiveness of these national actions will be strengthened by complimentary and supportive action

## THE EDINBURGH EUROPEAN COUNCIL MEETING

at the level of the Community. To this end the European Council invited:

- the Council and the European Investment Bank (EIB) in full consultation with the Commission to give urgent and sympathetic consideration to the establishment of a new, temporary lending facility of 5 billion ECU within the EIB. The purpose of the new facility would be to accelerate the financing of capital infrastructure projects notably connected with Trans-European Networks. These networks may include projects involving the countries of Central and Eastern Europe to the extent that they are of mutual interest and ensure the interoperability of networks with the Community. For projects financed by this facility the EIB Governors would be invited to raise the normal ceiling on the extent of loans from 50% to 75% and the combined (loans and grants) ceiling from 70% to 90%. Other EIB criteria for infrastructure should continue to be met as now. The European Council recalled that it was reaffirmed in the Maastricht Protocol on Economic and Social Cohesion that the EIB should devote the majority of its resources to the promotion of economic and social cohesion and that its capital needs should be reviewed as soon as this was necessary for that purpose.
- the ECOFIN Council and the EIB to give urgent and sympathetic consideration to the establishment as quickly as possible of a European Investment Fund with 2 billion ECU of capital contributed by the EIB, other financial institutions and the Commission in order to extend guarantees of 5 - 10 billion ECU; in total this could support up to 20 billion ECU of projects.
- the Member States and the Commission to establish programmes to utilise the Community funds that the European Council has today agreed. The Cohesion Fund will contribute to projects in the fields of the environment and Trans-European Networks in the area of transport infrastructure in the Community's less prosperous countries. The Structural Funds will inter alia promote investment projects in infrastructure.
- the Commission to bring forward proposals for improving the management and efficiency of research funded by the Community to achieve

better economic effectiveness. To this end the selectivity of actions should be increased, and it should be ensured that Community activities contribute the most value added possible to efforts already underway in the Member States.

The above actions could provide Community support for investment in the public and private sectors of the Member States amounting to more than 30 billion ECU over the next few years.

7. The European Council reaffirmed its commitment at Birmingham to an early, comprehensive and balanced GATT agreement. It also welcomed the successful completion, in all essential respects, of the Single Market and emphasised the importance of its effective operation, including in the area of state aids, and called upon Member States and the Commission to proceed accordingly. The European Council recognised the importance of increasing the level of understanding by business of Community rules, and welcomed the Commission's intention to achieve enhanced consultation with industry and clearer and simpler legislation.

8. Recognising the importance of SME's for creating employment and stimulating growth, the European Council called upon the Council and the Commission to ensure that the burdens from Community legislation on small and medium-sized enterprises are reduced (including through the use of simplified schemes and exemption limits in the field of indirect taxation) and that full information about Community support is provided to SME's which have proven their worth at the Community level.

9. The European Council reiterates its commitment to the European Monetary System as a key factor of economic stability and prosperity in Europe.

10. The European Council is convinced that the full implementation of this declaration will work to boost confidence, reinforce the fundamentals of economic growth and encourage the creation of new jobs. It invited the Commission to report. As appropriate, to the ECOFIN Council and other appropriate Councils on their implementation. It also called upon Member States to encourage further international co-operation to promote growth with countries outside the Community.

The European Trade Union Confederation, in a statement issued following the European Council meeting, noted that the Council had finally given a positive signal for employment. It felt, however, that the signal was still too weak and it stressed the need for co-ordinated action at national level to strengthen the signals given at the Summit.

# New Commission Takes Office

The newly appointed European Commission took office on the 1st of January. There have been a number of new Commissioners appointed and changes to the policy responsibilities of many others. The Irish Commissioner, Padraig Flynn, will be responsible for

social affairs and employment policy. A former teacher and businessman, he is a former Fianna Fail Member of the Dail Eireann who held several ministerial posts including Minister of Justice. Brief details of the new European Commission are given below.

Commissioner (nationality)	Background	Policy Responsibilities
Jacques Delors (French) Commission President.	Former Socialist MEP and French Finance Minister. Commission President since 1985	Secretariat-General; Forward Studies Unit; Monetary Matters.
Henning Christophersen (Danish)	Former leader of the Danish Liberal Party and Foreign Minister. Commissioner since 1985	Economic and Financial Affairs; Monetary Matters (with J Delors);
Manuel Marin (Spanish)	Former Socialist Minister and Vice-Chair of Union of EC Socialist parties. Commissioner since 1986.	Cooperation and Development; Relations with Lomé countries.
Martin Bangemann (German)	Former chairman of German Free Democratic Party and ex-MEP. Commissioner since 1989.	Industrial Affairs; Information and telecommunications technology.
Sir Leon Brittan (British)	Former UK Home Secretary. Vice-President of the Commission since 1989.	External Economic Affairs; Commercial Policy.
Abel Matutes (Spanish)	Vice-President of Spanish Alianza Popular and former AP Deputy. Commissioner since 1986.	Energy; Euratom Supply Agency; Transport.
Peter Schmidhuber (German)	Former Member of German Bundestag and Bundesrat. Commissioner since 1987.	Budgets; Financial Control; Fraud Prevention; Cohesion Fund
Christiane Scrivener (French)	Former French Minister (UDF) and MEP (Liberal Group) Commissioner since 1989.	Customs and Indirect Taxation; Direct Taxation; Consumer Policy.
Bruce Millan (British)	Former UK Labour Party Minister. Active trade unionist since 1951. Commissioner since 1989.	Regional Policy; Relations with the Committee of the Regions.
Karel Van Miert (Belgian)	Former Flemish Socialist politician. Vice-Chair of Socialist International. Commissioner since 1989.	Competition Policy; Personnel and Administrative Policy.
Hans van den Broek (Dutch)	Former Dutch Foreign Minister (Catholic People's Party). First term as a Commissioner.	External Political; Common Foreign and Security Policy; Enlargement.
Joao de Deus Pinheiro (Portuguese)	Former Portuguese Minister of Foreign Affairs (SDP). First term as a Commissioner.	Relations with European Parliament; Cultural and Audio-Visual Policy;
Padraig Flynn (Irish)	Former Irish Justice Minister (Fianna Fail). First term as a Commissioner.	Social Affairs and Employment; Relations with ESC; Immigration.
Antonio Ruberti (Italian)	Former Socialist Minister and Rector of Rome University. First term as a Commissioner.	Science, Research & Development; Education, Training and Youth.
René Steichen (Luxembourg)	Former Luxembourg Agriculture Minister (Social Christian Party). First term as a Commissioner.	Agriculture and Rural Development.
Glannis Paleokrassas (Greek)	Former Greek Finance Minister (New Democracy). First term as a Commissioner.	Environment; Nuclear Safety; Civil Protection; Fisheries.
Raniero Vanni d'Archirafi (Italian)	Former career diplomat. First term as a Commissioner.	Institutional issues; Internal Market; Financial bodies; Enterprise Policy.



## VOCATIONAL TRAINING QUALIFICATIONS

The European Commission have recently published three Communications which represent the latest stages of the programme to examine comparability of qualifications between Member States. CEDEFOP, the Community Centre for Vocational Training, has been responsible for drawing up the comparative tables of certificates and diplomas along with the descriptions of practical vocational requirements. The latest publications follow on from previous Communications which have examined qualifications in a wide range of industries, and represent the latter stages of the programme which was adopted in 1985. The sectors and occupational groupings covered by the latest Communications are as follows:-

### Chemical Industry Sector

(Official Journal C262, 12 October 1992)

1. Chemical laboratory assistant
2. Chemical plant operator
3. Plastics-processing operator
4. Pharmaceutical operator
5. Water supply, water treatment and effluent disposal operator
6. Solid and liquid waste treatment operator
7. Laboratory assistant for ecology.

### Tourism Sector

(Official Journal C320, 7 December 1992)

1. Retail travel agency clerk
2. Tourist information officer
3. Animateur assistant (leisure/tourism assistant)
4. Courier/Tour escort
5. Conference assistant

### Transport Sector

(Official Journal C338, 21 December 1992)

1. Locomotive driver
2. Bus/coach driver
3. Goods vehicle driver
4. Deck and engine-room rating (sea and coastal)
5. Inland bargeman
6. Tram driver
7. Underground train driver
8. Dockyard crane operator
9. Dock-terminal operative.

In each case the Communication provides an agreed description of general duties and tasks, along with a

detailed comparative table of certificates and diplomas. Such information is essential for interpreting the more general Community Directives on the mutual recognition of vocational training qualifications.

## INTER-REGIONAL TRADE UNION SEMINAR

The various inter-regional Trade Union Councils, which cover border areas within the European Community and are run under the aegis of the European Trade Union Confederation, held a seminar in Luxembourg last October which examined the problems of social security in border regions. The objective of the seminar was to help draw up a list of ITUC demands with regard to the European Commission and national and regional authorities. Speakers at the seminar included the European commissioner responsible for regional policy, Bruce Millan, and the General Secretary of the ETUC, Emilio Gabaglio. The seminar allowed participants to exchange experiences with regards to the problem of social security systems in border areas and develop common programmes and strategies.

## EUROPEAN SOCIAL FUND - 1993 CSF

The European Commission has adopted the 1993 Community Support Framework (CSF) for the European Social Fund. The Framework covers nine Member States (it does not cover Objective 1 countries) and relates to the amounts assigned for Objectives 3 and 4 of the ESF. The amounts assigned to each Member State are as follows:-

United Kingdom	525.7 million ECU
France	447.1 million ECU
Italy	300 million ECU
Germany	293.9 million ECU
Spain	228.7 million ECU
Netherlands	117.9 million ECU
Belgium	89.4 million ECU
Denmark	50.8 million ECU
Luxembourg	3.6 million ECU

The 1993 programme will provide stronger support for the long-term unemployed and it reflects the importance the Commission has given to human resources at a time when unemployment is again on the increase throughout the Community.

# NEWS BRIEF

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## EUROPEAN SAFETY AND HEALTH YEAR

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The closing conference of the European Year of Safety, Hygiene and Health at Work will be held in Copenhagen at the end of February. The conference, which will bring together representatives of the European institutions, the social partners and the National Liaison Committees, will provide an opportunity for delegates to begin to draw conclusions from the campaign and examine perspectives for the future. There will be an exhibition of projects undertaken in Member States and an award ceremony for the various competitions which formed part of the year long campaign. The conference is being jointly organised by the European Commission and the Danish National Labour Inspection Service.

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## WORKING ENVIRONMENT SURVEY

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The European Foundation for the Improvement of Living and Working Conditions has published a summary of the main findings of the first questionnaire-based survey on the work environment ever undertaken in the European Community. The survey, which was undertaken during the first half of 1991, involved a sample of 12,500 workers and was representative of the workforce distribution in the various EC Member States.

The results of the survey indicate that workplace health and safety problems are still very widespread throughout the Community. 16% of workers felt that their jobs required them to be subjected to permanent painful and tiring positions. 15% complained of the lack of appropriate equipment and 18% claimed they worked in inadequate premises. 11% of workers were permanently exposed to breathing in vapours, fumes, dust or dangerous substances - a figure which was doubled when only manual workers were taken into account.

Physical hazards are but one aspect of the overall potential dangers to workers' health and safety, and this is reflected in the survey results. Over 35% of workers were not able to change or choose the order of their tasks or their method of work, whilst 24% of workers were carrying out permanent, short, repetitive tasks. The percentage of workers involved in repetitive tasks was higher for non-manual workers than

manual workers, and higher for women than for men. Dissatisfaction with the lack of influence over work method was far more noticeable amongst younger workers than older workers.

One aspect of working time and conditions the survey examined was nightshift working. The percentage of workers who spend at least half their working time on nightshift varies considerably between Member States (Denmark 5% : Ireland 17%) and activity sectors (1.5% in banking : 22% in transport).

The general implication of the survey results is that over 30% of those surveyed consider their health and safety at risk while at work. On a European scale this is equivalent to almost 42 million people. The Foundation is planning a second, expanded survey, to be undertaken in 1996. Further details of the survey and copies of the Summary Report can be obtained from the European Foundation in Dublin (see page 15 for address).

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## CALL FOR CREATION OF SOCIAL UNION

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A joint meeting of the Committees on Social Affairs of the national parliaments of the Member States and the European Parliament Committee on Social Affairs took place in December 1992 and reviewed progress towards the construction of the social dimension. The meeting called for a joint strategy by the European Parliament, the European Commission, the Council, national parliaments and the social partners for achieving a genuine "social union" to accompany the introduction of the European Union as outlined in the Maastricht Treaty.

The meeting called for a strategy which covered the implementation of the social dimension programme, the implementation of the social chapter of the Maastricht Treaty, and the preparation of measures compensating for the social impact of the convergence measures adopted to pave the way towards economic and monetary union. The December plenary session of the European Parliament adopted the Lode Van Outrive Report on the application of the Social Charter. Whilst welcoming the progress made in the field of health and safety, the report calls on the Council of Ministers to adopt, without delay, the draft directives still pending.



# The Maastricht Treaty on European Union

*The last issue of European Trade Union Information Bulletin provided a detailed trade union guide to the Maastricht Treaty on European Union. In this Special Supplement we review the basic objectives of the Treaty, the latest state of ratification in the various Member States, and the main Treaty provisions.*

## TOWARDS EUROPEAN UNION

The basic purpose of the Treaty on European Union adopted by the European Council meeting in Maastricht in December 1991, is to allow the European Community to move forward to the next important and essential stage of European unification. Fundamental to this objective is the concept of the "European Union" itself. The creation of such a Union brings together the existing structures of the European Economic Community and the new arrangements for foreign and security policy and judicial and home affairs policy. Citizens of the various Member States will acquire citizenship of this new European Union.

Within the framework of the creation of the European Union, important changes are proposed to the existing policy responsibilities of the European Community and the decision-making systems of the various institutions. One of the most important of these changes is the introduction of a planned programme of movement towards economic and monetary union and the adoption of a single European currency.

Changes to decision-making structures encompass both an extension of qualified majority voting and the introduction of a new co-decision procedure which allows the European Parliament greater influence within the legislative process. The Treaty also calls for an increased emphasis on economic and social cohesion. A new Cohesion Fund has been set up to provide greater financial support to the less developed Member States. A new Committee of the Regions will also be established to provide a distinctly regional perspective to the examination of legislative proposals.

In the words of Article A of the Treaty: *"This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizens"*

## DEFINING SUBSIDIARITY

A central concept within the Maastricht Treaty on European Union is that of subsidiarity. The Treaty defines the concept as follows:-

### **Article 3b**

*The Community shall act within the limits of the powers conferred upon it by this Treaty and of the objectives assigned to it therein.*

*In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.*

*Any action by the Community shall not go beyond what is necessary to achieve the objectives of this Treaty"*

Whilst Article 3b provides a basic interpretation of the three key elements of subsidiarity (the limiting of Community actions to the fulfilment of Treaty provisions and defining the limits and extent of Community actions), a more detailed interpretation of the principle is required if it is to be put into practical effect. The first stage of this important process was undertaken by the European Council meeting in Edinburgh in December, when a set of guidelines, procedures and practices was adopted by Community leaders.

The European Commission has already started a review of existing Community legislation in order to ensure that it meets the subsidiarity requirements. In addition, a number of existing proposed Directives have been abandoned as the Commission has come to the conclusion that they are not fully warranted in terms of either value added by Community action or comparative efficiency in relation to other possibilities of action in a national or international context.

## TREATY RATIFICATION

The current state of ratification of the Maastricht Treaty on European Union is summarised in the following table.

# The Maastricht Treaty - The Road to Ratification

- |              |  |             |   |
|--------------|--|-------------|---|
| 12 Dec 1991  | MAASTRICHT: European Council reaches agreement on Treaty on European union.  | 9 Oct 1992  | DENMARK: Government publishes White Paper on the consequences of the "no" vote in the referendum and providing options for future progress. |
| 7 Feb 1992   | MAASTRICHT: Governments of the twelve Member States officially sign the final authoritative version of the Treaty.                         | 29 Oct 1992 | <b>ITALY:</b> House of Deputies approve ratification of Treaty by overwhelming majority (403 to 46).  |
| 9 April 1992 | STRASBOURG: European Parliament adopts resolution (226 to 62) calling on Member States to ratify the Treaty.                               | 29 Oct 1992 | SPAIN: Congress of Deputies approves ratification of Treaty by overwhelming majority (314 to 3).  |
| 12 May 1992  | DENMARK: Parliament approves Treaty ratification (125 in favour, 25 against).  | 4 Nov 1992  | BELGIUM: Senate ratifies Treaty by large majority (115 to 26).  |
| 13 May 1992  | FRANCE: National Assembly adopts draft constitutional revision necessary to ratify Treaty.   | 5 Nov 1992  | UK: House of Commons approves Government motion on ratification process by a small majority (319 to 316).                                   |
| 25 May 1992  | LUXEMBOURG: State Council issues positive Opinion on Treaty ratification proposals.  | 13 Nov 1992 | NETHERLANDS: Lower Chamber ratifies Treaty by large majority (137 to 13).   |
| 2 June 1992  | DENMARK: Small majority in referendum against ratification of Treaty (50.7% to 49.3%).   | 18 Nov 1992 | PORTUGAL: Parliament approves constitutional amendments necessary to ratify Treaty.   |
| 17 Jun 1992  | FRANCE: Senate approves constitutional revision necessary for ratification of the Treaty.  | 24 Nov 1992 | <b>IRELAND:</b> Ratification process completed.   |
| 18 June 1992 | IRELAND: Large majority in favour of ratification in referendum (69.05% to 30.95%).  | 26 Nov 1992 | <b>SPAIN:</b> Senate unanimously ratifies Treaty.   |
| 26 Jun 1992  | LISBON: European Council meeting declares determination to press on with Treaty ratification process despite the Danish referendum result. | 27 Nov 1992 | <b>BELGIUM:</b> Ratification process completed.   |
| 3 July 1992  | <b>LUXEMBOURG:</b> Parliament ratifies Treaty by large majority (51 to 6).   | 2 Dec 1992  | GERMANY: Bundestag agree to ratification of Treaty by overwhelming majority (543 to 17).  |
| 20 July 1992 | BELGIUM: House of Representatives approves Treaty by large majority (146 to 33).   | 11 Dec 1992 | <b>PORTUGAL:</b> Parliament ratifies Treaty by large majority (200 to 21).  |
| 22 July 1992 | SPAIN: Congress of Deputies approve draft constitutional amendment necessary for ratification unanimously.                                 | 12 Dec 1992 | EDINBURGH: European Council adopts Decision on Denmark and the Treaty.  |
| 31 July 1992 | <b>GREECE:</b> Parliament agrees to ratify Treaty by large majority (286 in favour, 8 against)   | 16 Dec 1992 | <b>NETHERLANDS:</b> Senate approves the ratification of the Treaty.   |
| 1 Aug 1992   | SPAIN: Senate unanimously approves amendment to the Spanish constitution necessary to ratify Treaty.                                       | 18 Dec 1992 | <b>GERMANY:</b> Bundesrat unanimously approves ratification of the Treaty.  |
| 17 Sept 1992 | ITALY: Senate ratifies the Treaty by large majority (176 in favour, 16 against).   |             |   |
| 20 Sept 1992 | <b>FRANCE:</b> Treaty approved in referendum by a small majority (51.05% to 48.95%).   |             |   |

**Note:**

By the end of 1992, ten of the twelve Member States had ratified the Treaty. The situation in the remaining two is as follows:-

**DENMARK:** Following the agreement reached at the Edinburgh European Council, a second referendum is expected in either April or May of 1993.

**UK:** The parliamentary debate on Maastricht ratification is expected to be completed during the summer of 1993

# The Maastricht Treaty - Trade Union Issues

(For the full background to these issues see Issue 4 of the European Trade Union Information Bulletin - A Trade Union Guide to the Maastricht Treaty on European Union)

## ECONOMIC AND MONETARY UNION

\* Trade unions will want to ensure that the need for national economic policies to meet the stated convergence criteria does not mitigate against the achievement of a Community economic policy directed at growth and employment nor the progress towards greater economic and social cohesion in the Community.

\* The introduction of a single currency, and the consequent removal of exchange rate pressures, should provide a more stable base for determining overall economic policy.

\* The introduction of a single European currency will inevitably provide a boost to European-wide collective bargaining. Comparative wage levels will be far easier to identify and the convergence of economic and monetary policy will provide a common foundation for collective bargaining throughout the Community.

## INSTITUTIONAL REFORM

\* Trade Unions will need to note the increased role of the European Parliament in the legislative process. Links between trade unions, trade union members and local Members of the European Parliament are likely to be even more important in ensuring that trade union views are taken into account during the legislative process.

\* The right of the European Parliament to be consulted over the nomination of the Commission President, and the requirement for it to approve the new Commission will undoubtedly lead to the development of a more open "political" approach to the Commission. Trade unions will need to examine how best their interests can be served within this context.

\* The Committee of the Regions has a fairly wide scope of activity and their Opinion will be required on issues that are within the legitimate interests of the trade union movement (training, economic and social cohesion etc.). Trade unions will need to examine how best to ensure that their views are represented to the members of the new Committee.

## NEW COMMUNITY POWERS

\* Trade unions will wish to note the extension of Community competencies into areas of direct interest to them - such as industry policy, economic and social cohesion and environmental protection.

\* The extension of the co-operation procedure and the introduction of the new co-decision procedure in many of these areas will give greater democratic control over policy initiatives.

## SOCIAL POLICY

\* The introduction of qualified majority voting into areas of social policy should promote the implementation of the social charter action programme. The removal of unanimity for social policy proposals has been one of the basic demands of the European trade union movement for many years. Although certain aspects of social policy are still reserved for unanimous voting (Article 189a), Maastricht would represent a significant move towards creating a Community social dimension.

\* The new proposals on the role of the social partners - both at Community and national level - provide an opportunity for the trade union movement to play a key role in determining the shape of Community social policy. The Treaty provides for the social partners to be fully consulted by the European Commission in advance of new proposals being drafted, thus introducing a further valuable opportunity for trade union interests to be represented. The Treaty also provides the opportunity of achieving declared social policy objectives by means of collective agreements both at European and national level. If the two sides wish, such agreements can be underpinned by the legislative force of a Council Decision. Such proposals provide a significant boost to the development of collective bargaining within the Community.

\* The limitation of the new decision-making procedures on social policy to eleven Member States will need to be considered by the trade union movement. It obviously means that workers in the United Kingdom will not enjoy the same benefits as trade unionists in the rest of the Community. It could also have important consequences for competition, which trade unions will need to carefully monitor.

\* The renewed declaration of support for the principle of economic and social cohesion and the proposed establishment of a Cohesion Fund are important and help to ensure that the economic and social policy of the Community is not limited to merely free competition and price stability. Trade unions will be anxious to ensure that the concept of economic and social cohesion is applied both within individual Member States and within the Community as a whole.

*Issue 4/92 of European Trade Union Information Bulletin contains a full description of the Maastricht Treaty on European Union.*



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## PROTECTION OF YOUNG PEOPLE AT WORK

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The European Commission proposal for a Council Directive on the protection of young people at work (published by the Commission in April 1992, Official Journal C84) has been considered by both the European Parliament and the Economic and Social Committee.

At its December 1992 plenary session, the European Parliament adopted the Ronn Report on the Commission proposals. The Danish MEP, Joanna Rønne, explained that the Social Affairs Committee had tabled a large number of amendments designed to strengthen the Commission proposals. The amendments include attempts to improve the definition of "light work", to establish a link between school leaving age and minimum working age, and to introduce a total ban on night work for young people. European Commissioner Manuel Marin, replying to the debate, welcomed the fact that the amendments, whilst strengthening protection, also recognised the need for flexibility in applying the rules. In particular he agreed with the proposal to link the age of completion of compulsory schooling to the minimum working age.

The Economic and Social Committee approved the Commission proposals in an Opinion adopted at the September plenary session. Again they made a number of suggestions for strengthening the proposal and in a number of cases these coincided with the amendments suggested by the European Parliament (for example with regard to the definition of "light work").

The legal basis for the proposal is Article 118a and therefore it can be adopted by the Council of Ministers voting by a qualified majority.

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## EUROPEAN PARLIAMENTARY GROUPS

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The Italian Partito democratico della sinistra (the former Italian Communist Party) decided in January to leave the European Unitarian Left Group in the European Parliament and join the Socialist Group. In the wake of this decision, the Unitarian Left Group decided to disband and the remaining members have joined the non-attached grouping. With the new Ital-

ian members, the Socialist Group now has 198 members. Membership of the various groupings is as follows:-

Socialist Group	198
European People's Party	162
Liberal Democratic and Reformist	46
Green Group	28
European Democratic Alliance	20
Rainbow Group	16
European Right	14
Left Unity	13
Non-attached	21

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## EUROTRAIN FOR TRAINING

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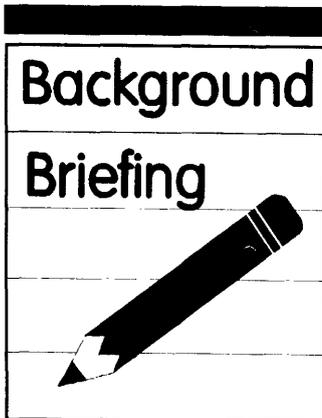
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Over 400 participants from throughout Europe took part in the 4th European Congress on Continuing Education and Training in what was a unique setting. The Congress, which took place in October 1992, took place aboard a train which travelled between five capitals - Berlin, Warsaw, Prague, Budapest and Vienna. Meetings and seminars were held at each location and the delegates were accommodated on a special train moving between the venues.

The political representatives of the five capitals signed a joint declaration at the close of the five conference days stating that in Europe support should be given by means of improved further and continuing training to all people confronted with economic and technological challenges, in particular, to those in danger of becoming unemployed.

In addition to the 400 "travelling delegates" a further 2,100 delegates took part in the national conferences which were held in the five capitals. The Congress was supported by the European Commission and was organised by a committee representing vocational training organisations in each of the five countries.

An initial report of the work of the Congress has been published by the European Community Vocational Training Centre - CEDEFOP (CEDEFOP flash 4/92). It described the findings of the five national conferences and includes examples of continuing training initiatives undertaken in the various countries involved in the project. Copies of the Report can be obtained from CEDEFOP (for contact details, see page 15 of this Bulletin).



# Health and Safety Protection for Pregnant Women

After many months of discussion and compromise, the Council of Ministers finally adopted the Directive on the protection of pregnant women on the 19th October 1992. The Directive, which formed part of the Social Charter Action Programme, was adopted by a majority vote with Italy and the UK abstaining. It forms the 10th Individual Directive within the context of the 1989 Health and Safety Framework Directive.

The Directive, as finally adopted, contains a number of changes from the original proposals put forward by the European Commission in October 1990. The main controversy within the Council surrounded the original proposal to stipulate that pay during maternity leave should not be less than 80% of normal salary. Opposition to this proposal, particularly from the UK Government, led to the proposal being blocked for almost two years. The eventual compromise states that maternity pay or allowances should be equivalent to that which the worker concerned would receive in the event of sickness.

In order to ensure that this formula is not misinterpreted, a special Council statement is appended to the text of the Directive stating that such a reference is not intended in any way to imply that pregnancy and childbirth should be equated with sickness. The statement adds that the link simply serves as a concrete, fixed reference amount in all Member States for the determination of the minimum amount of maternity allowance payable.

The final wording of the Directive contains two further changes relating to implementation. Member States pledge themselves to report to the Commission on the implementation of the provisions, indicating the points of view of the social partners, four years after the Directive is adopted. The Council also pledges to re-examine the Directive, on the basis of national evaluation reports, so that any new proposals can be submitted by the Commission within five years of the Directive's adoption.

Whilst both the European Commission and the European Trade Union Confederation have both been critical of the movement away from the original proposals, both organisations have welcomed the final adoption of the Directive which will represent positive improvements to working conditions in many Member States.

The prohibition of dismissal during the period of pregnancy and maternity leave represents an improvement for workers in a number of Member States. The provision for ante-natal examinations within working time and without loss of pay represents an improvement for workers in Greece, Ireland, Belgium and France. The retention of employment rights during maternity leave will also represent an improvement for workers in the United Kingdom (currently the employment contract is suspended during this period) as will the introduction of a maximum qualification period of 12 months.

The European Commission has stated that they see the Directive as merely a "first step", especially concerning the length of maternity leave, the level of benefits and the measures relating to protection from night working. The ETUC, whilst deploring the Council's attitude in weakening the Commission's initial proposal and for not having taken enough account of the proposals of the European Parliament, consider the Directive to be important and symbolic for the European social area by guaranteeing minimum protection for European women.

One important feature of the new Directive is that it is "non-regressive" - Member States cannot use the minimum conditions set out in the Directive in order to reduce the level of existing protection. Article 1(3) states that the Directive may not have the effect of reducing the level of protection as compared with the situation that exists in each Member State on the date the Directive was adopted.

A summary of the main points of the Directive is provided on the following page.

<p><b>Title:</b> Council Directive on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC).</p>	<p><b>Directive No:</b> 92/85/EEC</p>
	<p><b>Date Adopted:</b> 19 October 1992</p>
	<p><b>OJ Reference:</b> L348 of 28th Nov. 1992</p>
<p><b>Background:</b> Proposals for a Directive offering a harmonised minimum level of health and safety protection for pregnant women at work were contained in the European Commission's Social Charter Action Programme. Although the draft Directive was first published in October 1990, its progress through Council was blocked by a dispute over its content. The Directive is in the form of an individual directive (the tenth) within the context of the 1989 Health and Safety Framework Directive.</p>	
<p><b>Objectives:</b> The purpose of the Directive is to <i>"implement measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth"</i> without in any way reducing more stringent levels of protection already existing in individual Member States (Article 1).</p>	<p><b>Maternity Leave:</b> Member States are required to take the necessary measures to ensure that pregnant workers are entitled to a continuous period of maternity leave of at least 14 weeks (Article 8).</p>
<p><b>Definitions:</b> The definition of a pregnant worker includes the requirement that the worker must have informed her employer of her condition in accordance with national legislation or practice.</p>	<p><b>Time Off For Ante-Natal Examinations:</b> Member States are required to take measures to ensure that workers covered by the Directive are entitled to time off, without loss of pay, in order to attend ante-natal examinations.</p>
<p><b>Assessment and Information:</b> Employers are required to assess the nature, degree and duration of risks to pregnant or breastfeeding workers, inform the workers or their representatives of the results (Article 4). Where the assessment reveals a health and safety risk, the employer <i>"shall take the necessary measures to ensure that, by temporarily adjusting the working conditions and/or hours, the exposure to risk is avoided"</i> (Article 5). If such an adjustment is not possible the worker must be moved to another job or, where this is not possible, be granted leave.</p>	<p><b>Prohibition of Dismissal:</b> Member States are required to take measures to prohibit the dismissal of workers during the period from the beginning of pregnancy to the end of maternity leave, other than in exceptional cases where the dismissal is not connected with their condition and is permitted under national law or practices (Article 10).</p>
<p><b>Prohibition of Exposure:</b> The Annex to the Directive provides lists of agents and working conditions which pregnant workers (Annex II A) and breastfeeding workers (Annex II B) must under no circumstances be exposed to. (Article 6)</p>	<p><b>Employment Rights:</b> In cases where workers are transferred to other jobs in accordance with the requirements of the Directive, contractual employment rights, including pay and allowances, must be ensured in accordance with national legislation and practice. Contractual employment rights must also be maintained during maternity leave along with the maintenance of a payment - or the entitlement to an adequate allowance - to the workers concerned. An adequate allowance is defined as one which "guarantees income at least equivalent to that which the worker concerned would receive in the event of a break in her activities on grounds connected with her state of health". Qualifying periods for such allowances must not exceed 12 months prior to the date of confinement (Article 11).</p>
<p><b>Prohibition of Night Work:</b> Member States are required to take the necessary measures to ensure that workers covered by the Directive are not required to perform night work. Measures must include the possibility of transfer to daytime work, or leave, or an extension to maternity leave, where such a transfer is not possible (Article 7).</p>	<p><b>Implementation Date:</b> Member States adopt laws to comply with the Directive before the 19th October 1994.</p>

# WAGE BARGAINING TRENDS IN WESTERN EUROPE IN 1991

The European Trade Union Institute (ETUI), the European Trade Union Confederation's research body, recently published its regular annual report on collective bargaining trends in Western Europe. The report includes a summary of collective bargaining trends within European countries during 1991 which was based on reports from national trade union affiliates. We reproduce below a summary of the results of this survey for Member States of the European Community. The full report, "Collective Bargaining in Western Europe 1991-92", is available from the ETUI (address opposite) in English, French and German, price 1,000 BF. It is available to trade union organisations, trade union members and students at the specially reduced price of 300BF.

## GERMANY

Negotiation level: Sectoral agreements for 1 year in most cases.  
Av. Inflation rate (1991): 3.5%  
Av. nominal pay increase: Average negotiated rates: +6.0%  
Purchasing power: Purchasing power of earnings has been improved.  
Cost of living indexation: No indexation.

## BELGIUM

Negotiation level: Private sector: Biennial sectoral, company and regional agreements (1991-92)  
Public sector: 4 year agreements (1991-94)  
Av. Inflation rate (1991): 3.2%  
Av. nominal pay increase: Real average pay increases of 2-2.5% in private sector. Public sector 6% (91/94)  
Purchasing power: Purchasing power on average improved.  
Cost of living indexation: Automatic indexation.

## DENMARK

Negotiation level: Central and sectoral agreements for 1991-2.  
Av. Inflation rate (1991): 2.4%  
Av. nominal pay increase: Public sector : 2.3% in 1991. Private sector : 3.5 - 4%  
Purchasing power: Increase in real wages in most cases.  
Cost of living indexation: No indexation.

## SPAIN

Negotiation level: 1 or 2 year sectoral, regional and plant level agreements.  
Av. Inflation rate (1991): 5.9%  
Av. nominal pay increase: Average agreed pay increase : 8.2%. National Minimum Wage (SMI) : 6.5%  
Purchasing power: 1.9% average growth of real wages.  
Cost of living indexation: Pay revision clause in most agreements.

## FRANCE

Negotiation level: Regional, plant-level and sectoral agreements (1 year).  
Av. Inflation rate (1991): 3.2%  
Av. nominal pay increase: Private sector : 2.5% on average. Public sector : 6.5% between 8/91 and 2/93.  
Purchasing power: Wages in private sector did not follow price increases.  
Cost of living indexation: Only statutory minimum wage (SMIC) is indexed.

## UNITED KINGDOM

Negotiation level: Sectoral, company and plant level negotiations (usually 1 year).  
Av. Inflation rate (1991): 5.8%  
Av. nominal pay increase: Private sector : 7.5 - 8%. Public sector increases above inflation rate.  
Purchasing power: Purchasing power generally safeguarded or slightly improved.  
Cost of living indexation: No wage indexation.

## GREECE

Negotiation level: National central agreement plus sectoral agreements (2 years) in private sector.  
Av. Inflation rate (1991): 18.9%  
Av. nominal pay increase: Public sector : 8%. Private sector : 11.9%. Freeze on indexation in public sector.  
Purchasing power: Major losses in both private and public sectors.  
Cost of living indexation: Pay revision clause in private sector. Index freeze in the public sector.

## IRELAND

Negotiation level: 3 year central agreement for 1991-93.  
Av. Inflation rate (1991): 3.2%  
Av. nominal pay increase: Average hourly earnings : 4%  
Purchasing power: Purchasing power safeguarded or slightly improved.  
Cost of living indexation: No wage indexation.

## ITALY

Negotiation level: Sectoral agreements for 3.5 - 4 years (1991-94)  
Av. Inflation rate (1991): 6.5%  
Av. nominal pay increase: Average wage increase : 9.1% (6.5% agriculture, 9.9% industry, 8.3% public sector)  
Purchasing power: Purchasing power safeguarded or slightly improved.  
Cost of living indexation: Wage indexation.

## LUXEMBOURG

Negotiation level: Sectoral agreements generally for 2 years.  
Av. Inflation rate (1991): 3.1%  
Av. nominal pay increase: Average wage increase 2 - 3% on top of inflation.  
Purchasing power: Average 2 - 3% increase in real wage.  
Cost of living indexation: Automatic wage indexation.

## NETHERLANDS

Negotiation level: Sectoral and company level agreements (1-2 years).  
Av. Inflation rate (1991): 3.9%  
Av. nominal pay increase: Increases of about 4.5% including wage drift.  
Purchasing power: In most cases no improvement. Slight losses for lowest paid.  
Cost of living indexation: No indexation.

## PORTUGAL

Negotiation level: Sectoral and plant level agreements.  
Av. Inflation rate (1991): 11.4%  
Av. nominal pay increase: Basic minimum rates : 14.5%. Actual nominal wages : 16%.  
Purchasing power: Purchasing power substantially improved.  
Cost of living indexation: Pay revision clauses only in few agreements.

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