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Information and Notices

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⁽¹⁾ Text with EEA relevance

I

(Information)

COMMISSION

Ecu ⁽¹⁾

(98/C 371/01)

Currency amount for one unit:

	<i>30.11.1998</i>	<i>November ⁽²⁾</i>		<i>30.11.1998</i>	<i>November ⁽²⁾</i>
Belgian and Luxembourg franc	40,3987	40,3882	Finnish markka	5,95475	5,95388
Danish krone	7,44608	7,44399	Swedish krona	9,33049	9,30572
German mark	1,95846	1,95791	Pound sterling	0,698932	0,700697
Greek drachma	328,626	329,129	United States dollar	1,15170	1,16442
Spanish peseta	166,639	166,495	Canadian dollar	1,76901	1,79274
French franc	6,56734	6,56522	Japanese yen	141,682	140,115
Irish pound	0,788349	0,787358	Swiss franc	1,61411	1,61174
Italian lira	1938,98	1937,61	Norwegian krone	8,61989	8,67623
Dutch guilder	2,20804	2,20757	Icelandic krona	81,3215	81,5378
Austrian schilling	13,7789	13,7750	Australian dollar	1,82087	1,83400
Portuguese escudo	200,868	200,782	New Zealand dollar	2,17795	2,17963
			South African rand	6,55317	6,58763

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ L 379, 30.12.1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ L 189, 4.7.1989, p. 1).
 Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ L 349, 23.12.1980, p. 34).
 Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ L 349, 23.12.1980, p. 27).
 Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ L 345, 20.12.1980, p. 23).
 Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ L 345, 20.12.1980, p. 1).
 Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ L 311, 30.10.1981, p. 1).

⁽²⁾ The monthly average of ecu exchange rates will be published at the end of each month.

**LIST OF DOCUMENTS FORWARDED BY THE COMMISSION TO THE COUNCIL
DURING THE PERIOD 16.11. TO 20.11.1998**

(98/C 371/02)

(Text with EEA relevance)

These documents may be obtained from the Sales Offices, the addresses of which are given on the back cover

Code	Catalogue No	Title	Date adopted by the Commission	Date forwarded to the Council	Number of pages
COM(1998) 657	CB-CO-98-659-EN-C	Proposal for a Council Regulation (EC) allocating for 1999 catch quotas between Member States for vessels fishing in Icelandic waters	16.11.1998	16.11.1998	6
COM(1998) 673	CB-CO-98-675-EN-C	Amended proposal for a European Parliament and Council Decision establishing a single financing and programming instrument for cultural cooperation (*) (*)	16.11.1998	16.11.1998	23
COM(1998) 659	CB-CO-98-662-EN-C	Proposal for a Council Decision concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the results of the World Trade Organisation negotiations on financial services	17.11.1998	17.11.1998	40
COM(1998) 653	CB-CO-98-668-EN-C	Proposal for a Council Regulation (EC) on the arrangements for imports of certain textile products originating in Taiwan	18.11.1998	18.11.1998	23
COM(1998) 661	CB-CO-98-663-EN-C	Report from the Commission to the Council and the European Parliament on the rate of utilisation of the New Community Instrument (NCI) (half-year from 1 January to 30 June 1998)	18.11.1998	18.11.1998	5
COM(1998) 468	CB-CO-98-642-EN-C	Proposal for a Directive of the European Parliament and of the Council concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (*) (*)	14.10.1998	19.11.1998	38
COM(1998) 664	CB-CO-98-667-EN-C	Proposal for a Council Decision concluding the Agreement amending the Agreement for Scientific and Technological Cooperation between the European Community and Canada	19.11.1998	19.11.1998	9
COM(1998) 649	CB-CO-98-680-EN-C	Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on a forestry strategy for the European Union (*)	18.11.1998	20.11.1998	27
COM(1998) 666	CB-CO-98-669-EN-C	Report from the Commission — Employment in Europe 1998 — jobs for people — people for jobs: turning policy guidelines into action (*)	20.11.1998	20.11.1998	20

Code	Catalogue No	Title	Date adopted by the Commission	Date forwarded to the Council	Number of pages
COM(1998) 667	CB-CO-98-671-EN-C	Communication from the Commission to the Council and the European Parliament — a European Community strategy for private sector development in ACP countries	20.11.1998	20.11.1998	35

(¹) This document contains an impact assessment on business, and in particular on SMEs.

(²) This document will be published in the *Official Journal of the European Communities*.

(³) Text with EEA relevance.

NB: COM documents are available by subscription, either for all editions or for specific subject areas, and by single copy, in which case the price is based pro rata on the number of pages.

Publication of an application for registration pursuant to the second subparagraph of Article 8(1) of Regulation (EEC) No 2082/92 on certificates of specific character

(98/C 371/03)

This publication confers the right to object to the application pursuant to Articles 8 and 9 of the abovementioned Regulation. Any objection to the application must be submitted via the competent authority in the Member State concerned within a time limit of five months from the date of this publication. Supporting arguments for publication are set out below, in particular under 4(1), (2) and (3), and are considered to justify the application within the meaning of Regulation (EEC) No 2082/92.

APPLICATION FOR REGISTRATION OF A SPECIFIC PRODUCT

COUNCIL REGULATION (EEC) No 2082/92

National dossier No: 3

1. Competent authority (author of message)

Name: S. G. de denominaciones de calidad, Dirección General de Alimentación, Secretaría General de Agricultura y Alimentación, Ministerio de Agricultura, Pesca y Alimentación

Address: Paseo Infanta Isabel, 1
E-28071 Madrid

Tel: (34) 913 47 53 97/913 47 54 60

Fax: (34) 913 47 70/913 47 54 10

2. Applicant groups

Asociación de Industrias de la Carne de España (AICE),
C/General Rodrigo, 6, E-28003 Madrid;

Federación Catalana de Industrias de la Carne (FECIC),
Via Laietana, 36, E-08003 Barcelona;

Asociación Profesional de Salas de Despiece y Empresas Cárnicas (APROSA-ANEC),
C/General Aranz, 49, E-28027 Madrid.

Composition: producer/processor (x) other ()

3. Type of product

Class 1.2 - Meat products (heated, salted, smoked, etc.).

4. Summary of product specification

(Summary of requirements under Article 6(2))

4.1. *Name of product:* Jamón serrano

4.2. *Specific production or manufacturing method:*

Jamón serrano is produced using traditional methods. The ham is first salted (for a period of between 0,65 and two days per kilo) in order to conserve it. It is then left to stand for a minimum of 40 days to allow the salt to diffuse through the ham. This is followed by a period of maturing/drying (a minimum of 110 days) and, finally, by a period of ageing/finishing (for the time necessary to complete the 210-day production period), during which time biochemical processes of a microbiological and enzymatic nature occur which, together with the raw material, give the ham its traditional quality and its characteristic taste and aroma.

4.3. *Traditional character:*

the earliest written references to the salting of pigmeat date from Roman times, towards the end of the second century B.C, when the methods for salting and conserving 'dried pigmeat' were recorded. It was also at this time that the first evidence appears of the curing of ham in Spain. References in fourteenth century Castilian literature by a number of internationally known writers and poets also testify to the importance of ham in Spain. Since the second half of the eighteenth century, Spanish hams have been regaining international recognition, confirming their quality and repute in antiquity.

4.4. *Description of the product:*

Organoleptic properties: colour and appearance of cut: the lean meat has a characteristic pink to purple colour and the fat has a shiny appearance. Homogenous at the cut. No drying of the outside surface (hams without skin). Taste and aroma: a delicate-flavoured meat which is not salty and which has a pleasant, characteristic aroma. No anomalous smell or taste. Texture: homogenous, not fibrous, doughy or soft.

Physico-chemical properties: fat: shiny, unctuous, white to yellowish colour, aromatic with a pleasant taste. The consistency varies slightly, being firm in muscle tissue but less so in fatty tissue. Drying index: maximum water content of defatted meat of 57 % measured in a 15 mm thick (± 2 mm) homogenous portion without skin cut at a point 4 cm from the head of the femur, with a maximum humidity gradient between the outside and the centre of 12 %. Salinity: a maximum sodium chloride content of 15 % of defatted, dry extract, measured on the above sample.

Presentation: the hams are uniform and homogenous and may be offered for sale in any of the following forms: V-cut with foot, V-cut without foot, round-cut with foot, round-cut without foot, boned ham with skin, V-cut boned ham, boned, defatted ham without skin.

Other commercial presentations: other presentations may be obtained based on the above.

4.5. *Minimum requirements and inspection procedures:*

the minimum requirements for Jamón Serrano are: minimum weight (including blood) of 9,5 kg for hams with foot and 9,2 kg for hams without foot. Minimum fat thickness of 0,8 cm measured at the intersection of the *vastus lateralis* and the upper end of the *ischium*. Maximum temperature of 3 °C in the interior of the cut when received and salted. Minimum curing time of 210 days from the beginning of salting. Minimum reduction of 33 % on blood-in weight. Drying index: maximum water content of defatted meat of 57 % measured in a 15 mm thick (± 2 mm) homogenous portion without skin cut at a point 4 cm from the head of the femur, with a maximum humidity gradient between the outside and the centre of 12 %. The organoleptic characteristics described in paragraph (d).

The above will be checked by the following certification bodies and by any other food body accredited under Standard EN-45011 and approved by the competent authority: AENOR, Asociación Española de Normalización y Certificación (Spanish Standardisation and Certification Association) and ECAL-E, Entidad Certificadora de Alimentos de España (Spanish Food Certification Body). These bodies comply with Standard EN-45011, have or have access to laboratories complying with Standard EN-45001 and have the equipment necessary for the certification of products on the basis of the registered specification.

The certification bodies will inspect producers' inspection systems and the products' characteristics. They will grant initial certification to manufacturers interested in the production of Jamón serrano, who must submit a written application to any of the approved certification bodies, undertaking to comply with the specification and to carry out checks to guarantee compliance. After certification is granted, the certification bodies will carry out periodic inspections to ensure compliance with the specification. These will include an audit of the producer's inspection system and checks on the producer's documentation. Random checks will be carried out at the different stages of production and in order to check the tracibility of lots. Checks will also be made, using statistical sampling, on the finished product, both in the factory and at points of sale.

5. **Application for protection under Article 13(2):** Yes

EC No: S/ES/00012/98.07.22

Date of receipt of full dossier: 22 July 1998.

Authorisation for State aid pursuant to Articles 92 and 93 of the EC Treaty

Cases where the Commission raises no objections

(98/C 371/04)

(Text with EEA relevance)

Date of adoption: 30.6.1998

Member State: Germany

Aid No: N 207/98

Title: Innovative Technologies and Systems for Virtual Product Generation (VIP)

Objective: To support co-operative research for developing new tools for virtual product generation

Legal basis: Jährliches Haushaltsgesetz

Budget: Total budget over 5 years: DEM 53,7 million (ECU 27 million)

Aid intensity:

— 50 % for industrial research

— 25 % for pre-competitive development

Bonuses:

— + 10 % for the cooperation between enterprises and public institutions,

— + 10 % in areas according to Article 92(3)(a),

— + 10 % for SMEs.

Aid intensity including bonuses will not exceed 75 % for industrial research and 50 % for pre-competitive development

Duration: 1.7.1998 to 30.6.2002

Date of adoption: 3.7.1998

Member State: Germany (Bremen)

Aid No: N 256/98

Title: Programme for the Promotion of Environmental Technology: R&D collaboration programme

Objective: To promote R&D collaboration projects for the development of innovative of applied environmental technology

Legal basis: Programm zur Förderung der Anwendung von Umwelttechnologien (PFAU) der Freien und Hansestadt Bremen

Budget: Up to DEM 2,5 million per annum (ECU 1,3 million)

Aid intensity: Not exceeding the aid intensities foreseen under the R&D guidelines

Duration: Until 2003

Date of adoption: 25.9.1998

Member State: Italy (Friuli-Venezia Giulia)

Aid No: N 151/A/98 and N 151/B/98

Title: Measures to promote employment

Objective: To facilitate the employment of persons experiencing difficulties in the labour market

Legal basis: Legge di delibera del Consiglio regionale

Budget:

— N 151/A: ITL 30 billion (ECU 15,5 million) from 1998 to 2000;

— N 151/B: ITL 5,5 billion (ECU 2,8 million) for 1998 and 1999

Aid intensity: 7,5 %, 15 % and 50 % in accordance with the guidelines on aid for SMEs, the guidelines on aid to employment and the *de minimis* rule

Duration: 1998-2000

Date of adoption: 30.9.1998

Member State: Belgium

Aid No: N 777/97

Title: Subsidy scheme for joint research centres

Objective: To support joint research projects in industry and feasibility studies

Legal basis:

— Articles 2 à 6 de la loi-programme

— Artikelen 2 tot en met 6 van het programmawet

Budget: ECU 6,8 million

Aid intensity: 50 % in general, with a ceiling of 75 % (extra 10 % for research benefiting SMEs and extra 15 % for PCRD projects (R&D))

Duration: Indefinite

Notification of an agreement on terminal dues between postal operators

(Case No IV/36.748)

(98/C 371/05)

(Text with EEA relevance)

I. INTRODUCTION

On 31 October 1997, an agreement on terminal dues between postal operators (the 'REIMS II Agreement') was notified to the Commission pursuant to Regulation No 17 with a view to obtaining a negative clearance or an exemption under Article 85 (3) of the EC Treaty. The parties have since clarified that their application is also based on the relevant rules of the EEA Agreement (Article 53).

II. BACKGROUND

1. TERMINAL DUES

Nearly all the States in the world are members of the Universal Postal Union (UPU) which was founded in 1874. The UPU holds a congress every five years at which the Universal Postal Convention (UPU Convention) which provides the framework for the operational relations between the postal administrations is reviewed. Under the UPU Convention the members of the UPU agree to provide domestic delivery services for incoming cross-border mail.

Prior to 1969 postal administrations did not directly compensate each other for the delivery of international mail since it was assumed that each mail item generated a reciprocal response, resulting in a broad balance of traffic. This assumption of an equilibrium became however invalid as imbalances developed.

The UPU reacted to these developments by introducing, in 1969, a system providing for remuneration for the costs of handling and delivering cross-border mail in the country of destination. The fees which have to be paid for these services are commonly referred to as 'terminal dues'. The method used consisted in fixing a rate per kilogram which was the same for all postal operators concerned. This system was not satisfactory since it did not properly reflect the cost structures of the individual operators. Furthermore the method was inherently flawed since it ignored the real cost of delivery, given that it is cheaper to deliver one item of mail weighing 1 kg than fifty letters weighing 20 g each.

The inadequacies of this system led the postal administrations of several European countries to work out a

different formula in the framework of the European Conference of Postal and Telecommunications Administrations (CEPT), a subgrouping within the UPU. The result of these discussions in 1987 was a method (the CEPT system) under which the remuneration to be paid consisted of two elements, a rate per item (ultimately 0,147 SDR ⁽¹⁾) and a rate per kilogramme (ultimately 1,491 SDR). For a standard letter ⁽²⁾ this results in terminal dues of ECU 0,205. Compared to the previous remuneration level pursuant to the UPU system the CEPT system resulted in considerable increases for most of the mail concerned. However, the CEPT system still did not reflect the real costs of delivery in the country of destination.

In 1993, following a complaint lodged by the International Express Carriers Conference (IECC), the Commission issued a statement of objections in which it expressed the view that the CEPT system was contrary to Article 85(1) since it fixed a uniform rate for the delivery of incoming international mail. The Commission also considered that Article 85(3) was not applicable since the terminal dues agreed on were not cost-based. In this context the Commission expressed the view that the method for calculating terminal dues should be fully cost-based or at least involve a more accurate approximation of these costs, for example by calculating terminal dues as a percentage of domestic tariffs in the country of destination. However, in view of subsequent developments (which will be described in the following paragraphs) the Commission decided not to proceed to a prohibition decision in that case. This approach adopted by the Commission was endorsed by the Court of First Instance in its judgment of 16 September 1998 in Case T-110/95 (IECC/Commission).

2. THE FIRST REIMS AGREEMENT (REIMS I)

On 2 June 1995 fourteen public postal operators (PPOs) entered into an Agreement for the Remuneration of Mandatory Deliveries of Cross-Border Mails (the 'REIMS I Agreement') which was re-signed in amended form by 16 PPOs on 13 December 1995. The parties included the PPOs from all the member states of the EU apart from Spain and the PPOs from Norway and Iceland.

⁽¹⁾ Special Drawing Right. In 1997, 1 SDR was the equivalent of ECU 0,824.

⁽²⁾ Weighing (on the basis of the figures used in the REIMS II Agreement) 14,63 g.

An application for a negative clearance/exemption was lodged with the Commission in December 1995 ⁽³⁾.

Under the REIMS I agreement terminal dues were for the first time to be linked to domestic tariffs on a European-wide basis ⁽⁴⁾. Terminal dues were to be increased to 80 % of the domestic tariffs in yearly steps, using as their starting point the remuneration paid under the CEPT system. The increase would have been 15 % in both 1997 and 1998 and 20 % in 1999 and 2000 ⁽⁵⁾. A final increase in 2001 would have brought terminal dues up to the final level (i.e., 80 % of domestic tariffs). These increases were strictly linked to specific improvements in quality of service. A postal operator who did not reach the targets set was not allowed to increase his terminal dues.

The validity of the REIMS I agreement had been made dependent on the condition that the Spanish PPO acceded to it by 31 May 1997. Since this condition was not fulfilled, the REIMS I agreement expired on 30 September 1997.

III. THE REIMS II AGREEMENT

1. THE PARTIES AND THE DATE OF ENTRY INTO FORCE OF THE AGREEMENT

At the date of its notification, thirteen PPOs had signed the REIMS II Agreement. Three more PPOs have since joined the agreement. The parties now comprise the PPOs of all the member states of the EU other than the Netherlands, and the PPOs of Norway and Iceland: Austrian Post, La Poste/De Post (Belgium), Post Danmark, Finland Post, La Poste (France), Deutsche Post, Hellenic Posts ELTA, Iceland Post, An Post (Ireland), Poste Italiane, Entreprise des Postes & Télécommunications (Luxembourg), Norway Post, CTT Correios de Portugal, Correos y Telegrafos (Spain), Sweden Post and The Post Office (United Kingdom). The parties are the incumbent postal operators in their respective states. So far, only two of the member states of the EU (Sweden and Finland) have fully liberalised the postal sector. The PPOs in all the other countries concerned dispose of a reserved area by virtue of national law in which they have the exclusive right to provide postal services. At least part of the postal services (in particular express courier services) is however open to competition in all the countries concerned.

⁽³⁾ Case No IV/35.849. A notice on this agreement was published in OJ C 42, 14.2.1996, p. 7.

⁽⁴⁾ The five member countries of the Nordic Postal Union (Denmark, Finland, Iceland, Norway and Sweden) have applied, since 1989, a system under which their postal operators pay each other a remuneration for mail exchanged between these countries which is a percentage (first 60, then 70) of the domestic postage in the country of delivery. The level of payment is linked to the quality of service provided with regard to both incoming and outbound mail. If the quality-of-service standards are not achieved, the payment is reduced.

⁽⁵⁾ For Greece the increases were to be 7 %, 11 %, 15 % and 20 % respectively.

Membership in the Agreement is open to public and private operators of a mandatory, universal postal service provided that they have or contract to have an obligation to provide this service to the other parties.

The REIMS II Agreement entered into force on 1 October 1997. However, Article 11 of the agreement provided that Articles 2 to 6 of the REIMS I Agreement should continue to apply and take precedence over the corresponding provisions of REIMS II until 31 December 1997.

Shortly after notification the Commission asked the parties to postpone any financial effects of the REIMS II agreement pending its examination. The parties complied with this request.

After a preliminary examination of the agreement the Commission indicated to the parties several aspects which in its view had to be changed, adapted or clarified before it could consider adopting a positive attitude with regard to the agreement.

The parties thereupon prepared a First Supplementary Agreement to the REIMS II Agreement ('Supplementary Agreement'). This Supplementary Agreement was entered into on 22 September 1998 and entered into force on 1 October 1998. It was signed by eleven of the sixteen REIMS II parties, namely the PPOs from Denmark, Finland, France, Germany, Greece, Iceland, Italy, Norway, Portugal, Sweden and the United Kingdom. The Entreprise des Postes & Télécommunications (Luxembourg) has signed the Supplementary Agreement on 1 October 1998. The remaining parties of the REIMS II Agreement (or some of them) may sign the Supplementary Agreement at a later stage.

2. CONTENTS OF THE AGREEMENT

(a) Purpose

According to the parties, the main aims of the REIMS II Agreement are (1) to provide the parties with fair compensation for the delivery of cross-border mail which reflects more closely the real costs of delivery of each party, and (2) to improve the quality of the cross-border mail service.

(b) Products covered

The agreement covers all mail items as defined in Article 8 of the UPU Convention (with the exception of so-called 'M bags' ⁽⁶⁾).

(c) Terminal dues

(aa) Principle

The REIMS II Agreement links terminal dues to domestic mail tariffs in the country of destination and to the quality of service provided by the postal operator that delivers the mail. According to the Agreement, terminal dues are to increase over a

⁽⁶⁾ Bags containing bulk mail for one addressee.

transitional period until they reach (subject to penalties which will accrue if the requisite quality-of-service target is not met) a maximum of 80 % of domestic tariffs in 2001.

The parties acknowledge that at present they are not able to prove that 80 % of domestic rates correspond to the costs of delivering incoming cross-border mail. They argue that this is due to the differences between the costs incurred by the individual parties and the lack of a cost accounting system enabling them to calculate precisely the cost of a particular service. The parties maintain, however, that the figure chosen is a sufficiently reliable proxy for the costs actually incurred by the operators. In this context data for several operators was submitted in order to support the conclusion drawn by the parties.

(bb) *Domestic tariffs serving as reference*

Domestic tariffs usually distinguish between different weight steps (e. g. 20, 50 and 100 g for letters). According to the Agreement, these different tariffs are converted, on the basis of a standard structure, into so-called linear tariffs for the purpose of calculating terminal dues. In doing so, the Agreement distinguishes between three categories:

Letters up to C5 size and a maximum weight of 100 g;

Flats up to C4 size and a maximum weight of 500 g;

Packets of all shapes up to limits of weight and size set by the UPU.

An example will suffice to illustrate this approach. According to the standard structure used in the Agreement, 1 tonne (or, more precisely, 999,9 kg) of letter mail comprises 68 336 items of which 83,01 % are letters weighing up to 20 g, 15,71 % letters weighing between 20 and 50 g and 1,28 % letters weighing between 50 and 100 g. An average letter thus weighs 14,63 g. Similar figures and calculations are provided for flats and packets.

Linear tariffs are calculated on the basis of this standard structure, using the so-called 'least squares' statistical method.

Changes in domestic tariffs will only be taken into account for the purpose of calculating terminal dues if they are notified by 1 September of the year preceding the year concerned.

(cc) *Levels of terminal dues*

The Agreement distinguishes between four different levels of terminal dues:

— **Level 1:** Priority mail items presented in mixed bags (which may contain letters, flats and packets). Terminal dues for such items will ultimately be 80 % of domestic tariffs excluding VAT⁽⁷⁾.

— **Level 2:** The receiving PPO may offer rebates on the Level 1 remuneration on the basis of work sharing/preparation of mail (e. g. by pre-sorting mail according to format or destination). The same discounts must be offered to all sending PPOs when equal conditions are met. The parties will have to inform IPC⁽⁸⁾ by 31 December 1998 about the rates and conditions for such rebates.

— **Level 3:** All the parties are obliged to grant each other access to the 'generally available domestic rates' (such as bulk rates for direct mail, printed matter or periodicals) in the country of delivery. This remuneration level (which will normally be lower than the other levels) is of particular importance for the significant volume of cross-border business mail.

— **Non-priority mail:** To mail designated as 'non-priority' terminal dues will be applied that are 10 % less than the terminal dues for Level 1 mail⁽⁹⁾ ⁽¹⁰⁾.

The terminal dues to which a party is entitled shall in any event (and after deduction of penalties) never be lower than terminal dues under the CEPT system or 80 % of domestic rates (whichever is lower).

⁽⁷⁾ In countries where postal services have been fully liberalised, where a uniform tariff is applied throughout the country and where VAT is applied to domestic postal services, the domestic tariff to be used for the calculation of terminal dues is to be increased by a percentage equivalent to half the rate of VAT, subject to a maximum of 12,5 %.

⁽⁸⁾ International Post Corporation, a Brussels-based entity used by the parties (inter alia) for the purpose of assisting them in implementing the REIMS II Agreement.

⁽⁹⁾ As an exception, terminal dues for non-priority mail delivered by the (UK) Post Office will, in view of the low domestic rates for priority mail in the United Kingdom, be only 5 % less than the terminal dues payable for priority mail until the end of 2000. The Post Office will however have to submit, before 31 October 2000, a new offer for terminal dues payable as of 1 January 2001.

⁽¹⁰⁾ As a further exception, the PPOs of Iceland, Luxembourg, Greece (until the end of 2003) and Spain (until the end of 2005) are authorised to treat all incoming mail as priority mail and thus to receive priority mail terminal dues.

(dd) *Transitional period*

Terminal dues are (or were) to be increased (subject to penalties which will accrue if the requisite quality-of-service target is not met) over a transitional period as follows:

- 1997: CEPT level + 15 %⁽¹¹⁾,
- 1998: 55 % of domestic tariffs,
- 1999: 65 % of domestic tariffs,
- 2000: 70 % of domestic tariffs,
- 2001: 80 % of domestic tariffs,

The purpose of the transitional period is to allow postal operators and their customers to adapt to the new system and to avoid market disturbance by sudden, sharp tariff increases for outward cross-border mail.

For the years 1998 and 1999 terminal dues will be calculated on the basis of domestic tariffs applied by 1 September 1997 at the latest. Increases which have since occurred (or may still occur) are therefore not taken into account⁽¹²⁾.

(ee) *Quality of service*

The REIMS II Agreement introduces a system of quality-of-service standards for Level 1 (and Level 2) mail in order to improve the quality of service. The standards are defined as the percentage of incoming cross-border mail (from a particular PPO) which has to be delivered within one working day after the day of its arrival (J) in the office of exchange of the receiving PPO⁽¹³⁾, provided that it arrives there by the Latest Arrival Time⁽¹⁴⁾. A standard of 80 % J+1 for example means that 80 % of the incoming mail will have to be delivered to its final destination within one working day. The rules pursuant to which the LAT (and two other deadlines, the CET and the CTT⁽¹⁵⁾) are to be set, shall be determined by IPC after consultation with the parties.

⁽¹¹⁾ This increase would only have occurred if the PPO concerned had met the quality-of-service target. On the other hand, no penalties would have applied.

⁽¹²⁾ An exception was made for the PPO from Luxembourg in case this operator should have decided to apply new tariffs before 1 October 1998. The Commission understands, however, that no use was made of this exception which has thus become devoid of purpose.

⁽¹³⁾ Saturdays are considered as working days for those PPOs who offer Saturday delivery for domestic mail.

⁽¹⁴⁾ The 'LAT' is defined as the latest acceptable time of touchdown, permitting delivery of airmail items the next working day.

⁽¹⁵⁾ The Critical Entry Time (CET) and the Critical Tag Time (CTT).

The performance (as to the delivery of incoming cross-border mail) of the individual parties is measured by means of diagnostic systems set up by IPC. These measurements have already begun. The earliest available figures are those for 1997.

For the purpose of setting quality-of-service standards, the parties have been divided into three groups. According to the parties, this division is based on geographic and demographic factors. The Spanish and Greek⁽¹⁶⁾ PPOs are in Group C. Group B comprises the PPOs from Germany, France, Italy, Portugal and the United Kingdom. All the other parties are in Group A. In 1998, Group A has to attain 90 %, Group B 85 % and Group C 80 % J+1. The respective targets for 1999 and 2000 are 95 %, 90 % and 85 %.

The quality of service standards and grouping are to be reviewed and renegotiated before 31 December 2000.

A penalty system (penalty-curve) is applied when the agreed standards are not met⁽¹⁷⁾. The level of terminal dues which would otherwise be payable is reduced by 1,5 % (where the actual result amounts to between 90 % and 100 % of the target to be reached) and 3,5 % (where the actual result amounts to between 80 % and 90 % of the target to be reached) respectively for each percentage point by which the PPO concerned fails to reach the requisite quality-of-service standard⁽¹⁸⁾. In the worst case (that is to say, if the result actually achieved by the PPO concerned amounts to no more than 80 % of the target) these penalties will thus reduce the terminal dues to which a PPO is entitled by 50 %.

⁽¹⁶⁾ Notwithstanding this classification, special rules apply to Greece (see (ff) below).

⁽¹⁷⁾ For the time being, the penalties will be calculated on the basis of the quality of service globally (that is to say, with regard to all the mail it receives from the other parties) achieved by each PPO. After the transitional period these penalties will be based on the quality of service achieved by a receiving PPO with regard to each individual sending PPO.

⁽¹⁸⁾ Suppose that the quality-of-service target says that 90 % of incoming cross-border mail must be delivered next day, and that the actual result is that only 87 % of this mail is delivered within this time. This means that 97 % of the target is reached (87 is 97 % of 90). Thus, the loss of quality is 3 %. Since this figure is within the 90 %—100 % range, a penalty of 1,5 % for each percentage point accrues. The penalty is thus $3 \times 1,5 \% = 4,5 \%$ of terminal dues payable. This means that the PPO concerned is allowed to charge only 95,5 (100 % - 4,5 %) of the terminal dues to which it would otherwise be entitled. In 1998 (where terminal dues for Level 1 amount to 55 % of domestic rates), the PPO would thus receive terminal dues amounting to 52,5 % of domestic rates (i.e. 95,5 % of 55 %).

(ff) *Special transitional rules for the PPOs from Greece, Italy, Spain and Portugal*

Special arrangements have been made for some parties in order to ease the transition towards the new terminal dues system. These provisions apply to mail sent to and from Greece, Spain and Italy. The PPOs concerned may however terminate the transitional arrangements and join the normal terminal dues regime. There is also a special provision for postcards sent from Portugal.

1. Greece

1.1. Outbound mail

Terminal dues for priority mail will amount to 40 % of domestic tariff in 1998. The level will be raised to 45 % in 1999, to 50 % in 2000, to 60 % in 2001, to 70 % in 2002 and finally to 80 % in 2003. If pursuant to these rules the Greek PPO would have to pay higher terminal dues than parties not subject to the transitional arrangements, then the Greek PPO will only have to pay the terminal dues payable by these parties.

1.2. Inbound mail

For inbound mail, progressively increased quality-of-service targets are set, which, if achieved, will trigger increases of the terminal dues payable to the Greek PPO by other parties. The quality-of-service target for 1998 is 50 % which, if achieved, would result in an increase in terminal dues of 7 %. The corresponding figures for the quality-of-service targets (and increases in terminal dues) are 60 % (10 %) for 1999, 70 % (15 %) for 2000, 80 % (15 %) for 2001 and 85 % (20 %) for 2002. In 2003 terminal dues would be increased to 80 % of domestic rates if the Greek PPO manages to maintain the quality-of-service standard of the preceding year (85 %).

2. Spain

2.1. Outbound mail

Terminal dues for priority mail and postcards will increase at specified rates each year, starting from the current CEPT rate in 1998⁽¹⁹⁾. If the quality-of-service targets of the receiving PPOs are reached, the terminal dues which they are entitled to receive from the Spanish PPO will increase by 10 % in both 1999 and 2000 and by 15 % in 2001, 2002 and 2003 respectively. These increases may not lead to terminal

dues which are higher than the terminal dues payable to the PPO concerned by other parties not subject to the transitional arrangements. From 2004 onwards these terminal dues will be increased by one third of the remaining difference between the level reached in 2003 and the final level of terminal dues under the REIMS II agreement (i.e. 80 % of domestic tariffs). Consequently, the normal terminal dues level will be reached in 2006.

2.2. Inbound mail

For incoming priority mail the Spanish PPO will be paid the current CEPT rate as long as this rate is higher than 80 % of the Spanish inter-urban domestic tariff.

3. Italy

3.1. Outbound mail

The terminal dues with regard to priority mail and postcards to be paid by the Italian PPO to the other parties will be increased annually, provided that the receiving operators meet the relevant quality-of-service targets. The annual increase rates will be 15 % in 1998 and 20 % in both 1999 and 2000. If the receiving PPOs do not meet their targets but improve their quality of service to a certain extent⁽²⁰⁾, the increase will be limited to 5 % in 1998 and 7 % in both 1999 and 2000. These increases may not lead to terminal dues which are higher than the terminal dues payable to the PPO concerned by other parties not subject to the transitional arrangements. A final increase on 1 January 2001 will bring the terminal dues payable by the Italian PPO up to the final level of terminal dues under the REIMS II agreement (i.e. 80 % of domestic tariffs).

3.2. Inbound mail

The rules set out above for outbound mail will also apply to inbound mail from the other parties.

⁽¹⁹⁾ The same terminal dues will apply to postcards from Portugal.

⁽²⁰⁾ The increase in quality-of-service required is by 10 percentage points or more if the performance was under or equal to 55 % (for example, going from 31 % to 41 % or more), by 5 percentage points or more if the performance was between 55 % and 80 % (for example, going from 62 % to 67 % or more) and by 3 percentage points or more if the performance was equal to or above 80 % (for example, going from 81 % to 84 % or more).

4. 'Cap system'

A so-called cap system has been designed to ensure that the PPOs of Greece, Spain and Italy do not abuse the advantages granted to them under the transitional arrangements described above. Under the system, outbound mail flows towards other REIMS II parties are divided into three categories; Postcards, Stock and New Flows.

Postcards are not subject to the cap system. They may thus benefit from the lower terminal dues set for these PPOs in the transitional arrangements. The stock comprises the current volume of all mail other than postcards. It also comprises a yearly addition of 5 % (the organic growth rate)⁽²¹⁾. The stock also benefits from the lower terminal dues. New Flows are defined as the mail volume (excluding postcards) that exceeds the Stock volume (after addition of the organic growth rate). This volume of mail will be subject to the normal terminal dues to which receiving PPOs are entitled pursuant to the REIMS II Agreement.

The cap system will not be applied to mail exchanged between the countries with transitional arrangements, i.e. Greece, Spain and Italy.

(d) Articles 25 and 49(4) of the UPU Convention

Article 25 of the UPU Convention contains provisions on the treatment of domestic mail posted abroad (re-mail). Article 49(4) concerns terminal dues for incoming bulk mail. After the end of the transitional period, Articles 25 and 49(4) of the UPU Convention will no longer be applied between the Parties.

(e) Term

The Agreement is entered into for an indefinite period of time. Any party may however withdraw from the Agreement at any time. Such withdrawal becomes effective at the end of the first full calendar year after notice has been given. In particular circumstances, a party may also withdraw from the Agreement by giving six months' notice.

⁽²¹⁾ The Spanish PPO may increase its 'organic growth rate' by another 5 % in one of the years 1999, 2000 or 2001.

IV. CHANGES AND CLARIFICATIONS AFTER NOTIFICATION

After having received the Commission's preliminary views (see III.1 above), a Supplementary Agreement was signed by some of the parties⁽²²⁾. This Supplementary Agreement contains the following changes and clarifications:

1. LINK BETWEEN TERMINAL DUES AND QUALITY OF SERVICE

Under the REIMS II Agreement as originally notified it was possible that terminal dues would rise even if the quality of service provided by the PPO concerned actually deteriorated. The Agreement as amended now establishes the principle that no increase in terminal dues will take place during the transitional period if the quality of service of the party concerned goes down. In order to determine whether this is the case, the quality-of-service performance in a given year is compared to the average quality-of-service performance achieved by that party in preceding years, beginning with 1997. There will be no margin of interpretation. This rule does not apply to those PPOs for which transitional arrangements exist. It will naturally also not be applicable if the quality-of-service of a PPO deteriorates but still matches the relevant standard set by the agreement. Terminal dues may also be increased if (and to the extent that) it can be shown that a deterioration of a party's quality of service is caused by special efforts undertaken by this party to improve its delivery system and is only temporary in nature. The decision as to whether these conditions are met ultimately rests with the Commission which may entrust this task to an expert.

Finally, as a special rule those parties which do not meet their quality-of-service targets for 1998 will exceptionally be allowed to increase their terminal dues by 15 % over the CEPT level (but no more than 55 % of domestic tariffs) if they have reached their quality-of-service target in 1997.

2. LEVEL 3

The parties have clarified that they are legally bound under the REIMS II Agreement to grant Level 3 access to each other. In order to facilitate such access, the parties will, to the extent that this is within their power,

⁽²²⁾ In the following, the term 'the parties' denotes those of the REIMS II parties who have also signed the Supplementary Agreement.

relax domestic regulations for other parties where these regulations are not justified and could in practice bar the other parties from access to domestic rates. Where the domestic regulations concerned have been set by the state, the parties will use their best efforts to remove them in co-operation with the competent national authorities.

All the tariffs and conditions relevant for Level 3 access will be available to all the parties through a database managed by IPC. The parties have undertaken to update this database without delay when their tariffs and conditions change.

3. BILATERAL AGREEMENTS

The REIMS II Agreement as amended now clarifies that the parties are free to conclude bilateral or multilateral agreements on terminal dues between themselves in which different conditions, in particular other levels of terminal dues, may be fixed. Where a party grants another party (or other parties) lower terminal dues in such an agreement it is obliged to apply the same terminal dues to all the parties provided the transactions are equivalent.

4. LATE, LOST AND DAMAGED MAIL

The parties have introduced provisions on late, lost and damaged mail according to which a proper system for dealing with and analysing complaints will be introduced, including an acknowledgment of receipt for each complaint and standard time limits for the reply to such complaints. Customer services and access to such services will thus be improved, for example by introducing a 'green number' for complaints and by cooperating with consumer organisations.

5. TRANSPARENT COST ACCOUNTING AND ANNUAL REPORTS

The parties undertake to comply with obligations to be imposed on them by the Commission according to which

they will have to introduce a transparent cost accounting system as required by Article 14 of the Postal Directive⁽²³⁾ by the end of 1999 and to provide annual reports on the development of international and domestic tariffs and costs and on the development of cross-border flows, including information on Level 3 access.

6. FURTHER ISSUES

The parties have furthermore agreed to use their best efforts to negotiate quality-of-service standards and a penalty system for non-priority mail. For 1998 and 1999 the reference standard will be J+3 or the standard already established by a party (but in any event no more than J+4). Finally, the parties agree to use their best efforts to afford outgoing cross-border mail a service which conforms to certain standards set out in the Supplementary Agreement.

V. CONCLUSION

On the basis of the foregoing, the Commission intends to take a favourable view of the REIMS II Agreement as amended by the Supplementary Agreement. Before doing so, the Commission invites third parties to send their observations, within one month of the date of the publication of this notice in the *Official Journal of the European Communities*, to the following address, quoting the reference IV/36.748 — REIMS II:

European Commission,
Directorate-General for Competition (DG IV),
Directorate C,
Rue de la Loi/Wetstraat 200,
B-1049 Brussels;
Fax (32-2) 296 70 81.

⁽²³⁾ Directive 97/67/EC of the European Parliament and the Council of 15 December 1997 (OJ L 15, 21.1.1998, p. 14).

RESOLUTION OF THE ECSC CONSULTATIVE COMMITTEE ON STEEL IMPORTS INTO THE EUROPEAN UNION AND THE THREAT TO THE EUROPEAN UNION STEEL MARKET OF TRADE ACTIONS IN THE UNITED STATES OF AMERICA

(98/C 371/06)

(adopted unanimously during the 342nd session of 23 October 1998)

THE ECSC CONSULTATIVE COMMITTEE,

— referring to its previous resolutions devoted totally or partially to problems concerning EU imports, and most recently to that dated 14 March 1996 ⁽¹⁾,

— referring to the forward programme for steel for the second half of 1998 and for 1998 as a whole ⁽²⁾ presented by the Commission in which clear reference is made to the evolution of imports,

NOTING THAT:

— the present situation of the world steel market is critical. The crisis which began in SE Asia has global effects. It has affected all countries that produce and trade in steel. The collapse of the economies of the far east brought with it a collapse of steel demand there and led to sudden changes in the pattern of trade,

— the European Union has so far absorbed a very significant share of the shifts in trade balance arising from this crisis and assumed the overwhelming burden of it. No other market including the US has seen such an increase in imports in either absolute or in percentage terms,

— imports of steel products into the EU, following a significant increase in 1997 of 17 %, have rapidly accelerated in the first six months of 1998, showing an overall increase of over 70 %. For certain flat products, the percentage increases are even higher,

— while in tonnage terms Italy, Spain and Germany have borne the initial brunt of imports, other countries are now experiencing significant increases: France + 265 %, Belgium and Luxembourg + 264 %, the Netherlands + 146 %, Austria + 74 %,

— the development of imports is a direct consequence of the crisis in the Asian economies and the collapse of steel demand there. Imports direct from that region are rising rapidly, moving from 38 kt/month in 1997 to 299 kt/month so far in 1998, an increase of 685 %. Imports from Asia now represent 21 % of all imports of finished ECSC products, up from only 4 % in the same period of last year,

— even more important in tonnage terms is the distortion in trade flows in steel which the crisis in the Far East has provoked. There are now massive influxes on to the European market of material which would normally have been exported to the markets of the Far East. In that respect, tonnages from the Central and East European countries, the largest exporters to the European Union of ECSC products, have risen by 32 %, those of Serbia/Montenegro by 88 % and of Turkey by 105 %,

— all the evidence points to a continuation, and even an acceleration, of this trend. Import licence information available up to August shows increases in licence applications for finished products of 60 %; the economic weakness has spread to other regions, notably Russia and South America,

— owing to the same factors that are driving imports into Europe, export opportunities are falling. Exports by European producers have fallen by 17 % in the first six months of this year. Exports to Asia, which in the past represented about 30 % of exports by European producers, have fallen by 56 %. Exports to the USA have fallen by 12 %,

— as a consequence, for the first time in the history of the ECSC, the European Union has become a net importer of steel. Should the increase in imports and the decrease in exports maintain the same rhythm for the whole of 1998, the European steel industry will be faced with a negative balance of nearly 4 million tonnes, which represents a loss of tonnage for the industry compared with last year's positive balance of some 13 to 14 million tonnes,

⁽¹⁾ OJ C 138, 9.5.1996.

⁽²⁾ OJ C 233, 25.7.1998.

- the damage to the European steel market is exacerbated by the trade practices of certain countries which are delivering at price levels far below the market price in the EU,
 - such trade practices are often the result of subsidies or dumping on the part of the producers concerned,
 - a proliferation of dumping actions worldwide concerning steel products is increasing the risk of diversion of tonnage to open markets such as the EU,
 - in this respect, the intention of the US steel industry to seek remedy through the preparation of massive trade cases and/or safeguard measures represents a real threat to the EU market. The closure of the US market could create an unsustainable situation for the European market, either through the inclusion of EU countries in US trade cases or by the diversion of tonnage to the EU market by countries implicated in such cases,
 - the impact in terms of employment of the loss of turnover now being experienced by the steel industry in Europe will be grave,
- to assure the full and effective enforcement of the trade policy instruments to defend the EU steel industry and its workers from unfair trade practices, including the possibility, foreseen in the legislation, of introducing complaints based on threat of injury,
 - given the continued delay in the provision of trade data by Member States, to continue meanwhile the system of prior surveillance and of double control,
 - given that European producers have clearly not contributed to the present critical situation on the US market, on which they have a long-established presence, since EU exports to the US have decreased rather than increased this year, to urge the US administration at the highest political level that any actions taken to deal with the US trade problems are appropriate, measured and target genuinely the sources of these problems,
 - recognising that the present crisis in the steel market is a global problem, calls for the end of the present destructive price deterioration; a measured and responsible reply by importing countries; the examination, together with the US administration, of an appropriate action to avoid a complete closure of markets as a response to the immediate crises caused by the distortion of trade flows in steel products which would simply exacerbate the present problems being experienced on steel markets,
 - to affirm that retention of an indigenous steel industry is essential to the long-term viability of the EU as a manufacturing base; that if the US market were to close the inevitable result would be that the EU steel industry and its workforce would alone pay for the effects on steel markets of the global economic and financial instability; and that in such circumstances the Commission would take additional steps to safeguard the future of the EU steel industry.

REQUESTS THE EUROPEAN COMMISSION,
THEREFORE:

- to monitor closely the development of imports, both as regards quantities and prices and their impact on the situation of EU producers,
- to consider an overall response to the situation and report on a comprehensive plan to respond to the import crisis before it spreads to other sectors,
- to intervene with third countries, using the approach most appropriate to each according to their membership or not of the WTO and the nature of their relationship with the EU, to draw their attention to the concerns of the EU steel industry and explore possible solutions,

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Regulation (EC) laying down certain control measures to ensure compliance with the measures adopted by ICCAT

(98/C 371/07)

(Text with EEA relevance)

COM(1998) 620 final — 98/0305(CNS)

(Submitted by the Commission on 30 October 1998)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the European Community has since 14 November 1997 been a contracting party to the International Convention for the Conservation of Atlantic Tunas, hereinafter referred to as the 'ICCAT Convention';

Whereas the ICCAT Convention provides a regional framework for cooperation with a view to the conservation and management of resources of tuna and tuna-like fish in the Atlantic Ocean and adjacent seas through the agency of an International Commission for the Conservation of Atlantic Tunas, hereinafter referred to as 'ICCAT', and the adoption of recommendations on conservation and management in the Convention area that become binding on contracting parties;

Whereas, with a view to ensuring compliance with the conservation measures in place, ICCAT adopted at its 15th ordinary meeting (14-21 November 1997) a recommendation on transshipments and vessel observation that became binding on contracting parties from 13 June 1998; whereas the Community should apply that recommendation;

Whereas it is necessary to lay down rules on the transmission of information on vessels suspected of fishing activity detrimental to the effectiveness of the conservation measures adopted by ICCAT;

Whereas it is essential to strengthen control at sea by allowing Community fishing vessels and mother ships to receive transshipments only from vessels flying the flag of a contracting party or cooperating party, entity or fishing entity;

Whereas ICCAT has constantly encouraged non-contracting parties, entities and fishing entities fishing in the Convention area for species falling within ICCAT's competence to become cooperating parties, entities or fishing entities by making a firm commitment to comply with ICCAT's conservation and management measures,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

1. 'Fishing activities' means fishing, fish processing, transshipment of fish or fish products or any other related activity where the species in question falls within the competence of ICCAT.
2. 'Observation' means any observation by a Member State's vessel, aircraft or competent authority, responsible for surveillance at sea, of a vessel:

— the nationality of which is not apparent (termed 'stateless vessel' below) and that appears to be fishing for species falling within ICCAT's competence, or

- flying the flag of another contracting party and appearing to be fishing contrary to ICCAT's conservation measures, or
- flying the flag of a non-contracting party, entity or fishing entity and appearing to be fishing contrary to ICCAT's conservation measures.

The observation shall be recorded on an observation form as shown in Annex I. As much as possible of the specified information shall be given. It may be accompanied by photographs of the vessel observed.

Article 2

1. Observation forms shall be transmitted without delay to the observer's Member State, which shall forward them without delay to the Commission.
2. The Commission shall without delay transmit observation forms to the flag country of the vessel in question and to the ICCAT secretariat.

Article 3

1. A Member State receiving through the agency of a contracting party an observation on the activity of a vessel flying its flag shall without delay notify the observation and all relevant information to the Commission.
2. The Commission shall duly notify this relevant information to the ICCAT secretariat for examination by the ICCAT compliance committee.

Article 4

1. The competent authority of a Member State that has boarded and/or inspected a stateless fishing vessel as referred to in Article 1 shall without delay notify the Commission of the inspection findings and of any action taken under international law.
2. The Commission shall immediately transmit the information to the ICCAT secretariat.

Article 5

1. Community fishing vessels and mother vessels may not receive transshipments at sea of species falling within ICCAT's competence from vessels flying the flag of a non-contracting party that does not have the status of cooperating party, entity or fishing entity.
2. Before the beginning of each year the Commission shall send Member States a list of cooperating parties, entities and fishing entities as drawn up by ICCAT.
3. Member States shall transmit details of transshipment activities by Community vessels from 1 November of the previous year to the Commission, which shall forward them to ICCAT.

Article 6

This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX

VESSEL OBSERVATION FORM

1. **Date of observation:** (month) (day) (year)

2. **Position of vessel observed:**

At sea: Latitude Longitude

3. **Name of vessel observed:**

4. **Flag country:**

5. **Port (and country) of registration:**

6. **Vessel type:**

7. **International call sign:**

8. **Estimated length and GRT:** metres MT

9. **Type of fishing gear:**

10. **Situation of vessel when observed at sea (please tick):**

Fishing Sailing Drifting Transshipping Other

11. **Activity of vessel when observed:**

III

(Notices)

COMMISSION

Results of the invitations to tender (Community food aid)

(98/C 371/08)

as provided for in Article 9(7) of Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid

(Official Journal of the European Communities L 346, 17.12.1997, p. 23)

23 and 24 November 1998

Regulation (EC) No/ Decision of	Lot	Action No	Recipient	Product	Quantity (tonnes)	Delivery	Successful tenderer	Awarded price (ECU/t)
2409/98	A	291/97	EuronAid/Sudan	SUB	50	EMB	Zuckerhandelsunion GmbH — Berlin (D)	261,59
2415/98	A	762/96-764/96 + 285/97	EuronAid/Ethiopia	BLT	21 750	EMB	Lecureur SA — Paris (F)	90,63
	B	765/96-767/96	EuronAid/Ethiopia	BLT	15 043	EMB	Lecureur SA — Paris (F)	91,91
2416/98	A	59/98	WFP/Sudan	PISUM	1 000	EMB	Danært A/S — Odense (DK)	245,98
	B	60/98	WFP/Sudan	PISUM	1 325	EMB	Axel Toft Grovvarer A/S — Roslev (DK)	234,00
	C	61/98	WFP/Ethiopia	PISUM	1 204	EMB	Samson Cherqui SA — Marseille (F)	249,50
	D	62/98	WFP/Angola	PISUM	1 500	EMB	Gerhard Golücke GmbH & Co — Hamburg (D)	246,70
2417/98	A	63/98	UNRWA/Israel	HCOLZ	334,4	DEB	AOH Algemene Oliehandel BV — Utrecht (NL)	720,86 (¹)
	B	64/98	UNRWA/Lebanon	HCOLZ	152	DEST	AOH Algemene Oliehandel BV — Utrecht (NL)	749,37
	C	65/98	UNRWA/Syria	HCOLZ	106,4	DEB	Mutual Aid Adm. Services NV — Antwerpen (B)	754,24
	D	66/98	UNRWA/Jordan	HCOLZ	167,2	DEST	AOH Algemene Oliehandel BV — Utrecht (NL)	776,40
	E	67/98	UNRWA/Israel	HCOLZ	121,6	DEB	Mutual Aid Adm. Services NV — Antwerpen (B)	724,33
2418/98	A	49/98	WFP/Yemen	FBLT	2 500	EMB	World Flour — Wormerveer (NL)	127,85

(¹) Pursuant to Article 9(2) of Regulation (EC) No 2519/97.

BLT:	Common wheat	B:	Butter	BPJ:	Beef in its own juice
FBLT:	Common wheat flour	GMAI:	Maize groats	CB:	Corned beef
CBL:	Long grain milled rice	SMAI:	Maize meal	COR:	Currants
CBM:	Medium grain milled rice	LENP:	Whole milk powder	BABYF:	Babyfood
CBR:	Round grain milled rice	LDEP:	Semi-skimmed milk powder	LHE:	High-energy milk
BRI:	Broken rice	LEP:	Skimmed-milk powder	Lsub1:	Infant milk
FHAF:	Oat flakes	LEPv:	Vitaminized skimmed-milk powder	Lsub2:	Follow-on milk
FROF:	Processed cheese	CT:	Tomato concentrate	PAL:	Pasta
WSB:	Wheat soya blend	CM:	Tinmeat mackerel	PISUM:	Split peas
SUB:	Sugar	BISC:	High protein biscuits	FEQ:	Horse beans (<i>Vicia faba equina</i>)
ORG:	Barley	BO:	Butteroil	FABA:	Broad beans (<i>Vicia faba major</i>)
SOR:	Sorghum	HOLI:	Olive oil	SAR:	Sardines
DUR:	Durum wheat	HCOLZ:	Refined rape or colza oil	DEB:	Free at port of landing, landed
GDUR:	Durum wheat groats	HPALM:	Semi-refined palm oil	DEN:	Free at port of landing — ex ship
MAI:	Maize	HSOJA:	Refined soya-bean oil	EMB:	Free at port of shipment
FMAI:	Maize flour	HTOUR:	Refined sunflower oil	DEST:	Free at destination
				EXW:	Ex works

The European Community action programme in the field of education

SOCRATES

Call for proposals in 1999 (DG XXII-32/98)

(98/C 371/09)

(Text with EEA relevance)

Socrates, the European Community action programme for cooperation in the field of education, was adopted on 14 March 1995 (Decision 819/95/EC, *Official Journal of the European Communities* L 87 of 20 April 1995). It applies to the 15 European Union Member States and also includes Iceland, Liechtenstein and Norway within the context of the Agreement on the European Economic Area. The programme covers the 1995-99 period and has a budget of ECU 920 000 000.

Applications may also be submitted with regard to activities involving persons and institutions in the associated countries of Central and Eastern Europe⁽¹⁾ and Cyprus, to which the programme is currently being opened. Grants will be awarded in respect of participation of these countries provided that the relevant legal agreement between the European Community and the country concerned is concluded sufficiently early in the process of selecting the application for support. At the time of going to press with the present announcement, the relevant agreements had already been concluded with Hungary, Romania, the Czech Republic, Cyprus, Poland, the Slovak Republic, Estonia, Latvia and Lithuania.

Socrates contains specific provisions for a wide range of activities, and in particular:

- transnational projects, networks, associations and partnerships,
- the joint development of curricula, modules, teaching materials and other educational products,
- exchange and mobility,
- transnational training courses for educational staff,
- visits to facilitate project preparation or experience sharing,
- the preparation of studies, analyses, guides and data collection,
- project evaluation,
- the dissemination of results.

Given that 1999 will be the final year of the present phase of the Socrates programme, special attention will be paid to activities aimed at evaluation and dissemination of results achieved under the various actions of Socrates.

The Socrates programme provides for the promotion of cooperation in six fields:

1. Higher education (Erasmus)

Action 1. Support to universities to enhance the European dimension of studies

- (a) Institutional contracts covering:
- organization of student exchanges for recognized periods of study,
 - mobility and exchanges of teaching staff,
 - short-term intensive teaching programmes,
 - European credit transfer system (ECTS),
 - curriculum development activities relating to all study levels, including the development of European 'Master'-type courses, European modules, and integrated language courses, preparatory visits.
- (b) Projects of thematic networks in particular disciplines and specific fields of interest.

Action 2. Student mobility grants

Direct financial aid in order to cover 'mobility costs' (travel, linguistic preparation and difference in the cost of living) of students completing a three to 12-month recognised period of study abroad. Special support is foreseen for students with disabilities.

2. School education (Comenius)

Action 1. School partnerships/European education projects

School partnerships with a view to developing European education projects (EEPs) on subjects of

⁽¹⁾ Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, the Slovak Republic and Slovenia.

common interest to pupils from the different European countries. Grants are also available for teaching exchanges and training courses within companies for teachers as well as study visits for heads of institutions.

Action 2. Education of the children of migrant workers, occupational travellers, travellers and gypsies; inter-cultural education

Transnational projects with a view to improving educational possibilities for the children of these specific social groups and, more generally, preparing children of school age to live in an ever-increasing multicultural society, thus combating racism and xenophobia.

Action 3. In-service training for educational staff

Transnational in-service projects in one of the following directions:

- promotion of the European dimension in teaching,
- improvement of the school success rate and in the participation of and response to children with special needs and educational potentials.

Grants are envisaged for project development (Action 3.1) and for persons participating individually in the in-service training courses thus created (Action 3.2).

3. Promotion of language training (Lingua)

Measures with a view to promoting the teaching and learning of official languages of the participating countries, in all sectors of education (priority will be given to the least widely taught and least used languages of the European Union).

Action A. European cooperation programmes for language-teacher training (ECP)

Transnational cooperation between initial and/or in-service training institutions in order to improve the professional skills of future or current language teachers (joint development of teaching programmes, teaching materials, modules and training schemes).

Action B. In-service training activities in the foreign language teaching field

Immersion courses or other similar in-service education activities in another participation country so as to improve the teacher's capacity to teach foreign languages or to teach via the use of foreign languages.

Action C. Assistantships for future foreign language teachers

Grants in order to enable future language teachers to spend three to eight months as an assistant in another participating country where one of the official languages is that which they will later teach.

Action D. Development of instruments for language learning and teaching and assessment of linguistic competence

Transnational projects in order to develop tools for language teaching and assessing the language skills acquired (design, development and exchange of study programmes; production of innovative teaching resources; creation and improvement of tools and methods with a view to assessing language skills).

Action E. Joint educational projects for language learning (JEPs)

Youth exchanges from general education and, in particular, vocational and technical education within the context of joint projects relating to their education or training.

4. Promotion of open and distance learning (ODL)

Support for European cooperation in open and distance learning (ODL) and the use of new information and communication technologies in the educational field:

- partnership projects developed by European groupings involving users and service providers of distance learning, 'traditional' teaching institutions which integrate ODL/new information technologies and communications into their teaching, and software and educational programme producers,
- observation projects where the aim is to present a complete picture of the state of development of a particular aspect of the ODL or of the use of new teaching technologies in a large number of countries participating in Socrates.

5. Adult education

Transnational projects for broadening the European dimension in all adult education fields:

- projects for improving the awareness of adult learners regarding the importance of European topics by imparting enhanced knowledge of other European countries or promoting a better understanding of political, economic and administrative aspects of the European Union as such,
- projects for promoting cooperation between organisations involved in adult education, thereby improving the quality of provisions for adult education in participating countries. Such projects will address key issues for adult education in Europe, such as the promotion and development of individual demand for education among adults, the supply of educational activities for adult learners and adult education providers, the involvement of cultural organizations in adult education, and the promotion of flexible accreditation and certification systems.

6. Exchange of information and experience on education systems and policies

Analysis of questions of common educational policy interest

Exchange of information and experience by means of studies, seminars, exchanges of experts and pilot projects on key issues within education policy.

Information network on education in Europe (Eurydice)

The Eurydice network is composed of national units coordinated by the European Unit in Brussels and collects and disseminates information on education systems in participating countries.

Study visits for educational decision-makers (Arion)

Study visits in multinational groups of decision-makers regarding education (especially in primary and secondary education) as well as accompanying measures in order to guarantee dissemination of the visit results.

Network of national academic recognition information centres (Naric)

Network of national centres responsible for providing establishments and citizens with information on qualifications and higher education systems with a view to facilitating recognition of qualifications in other participating countries.

In addition to these six sectors, grants are available for:

Complementary measures

Projects and actions which, while pertinent for helping the programme achieve its objectives, are not eligible for funding under any specific action. In particular, grants for the European activities of associations in the field of education, courses for improving management of European cooperation in all education sectors, activities regarding awareness of the European dimension in teaching, projects involving the development of innovative teaching and learning approaches for languages, innovative activities in the field of artistic education, and other types of activity including the competition 'Europe at school'.

Preparatory visits

Grants for the purpose of laying the foundations for projects under various parts of the programme.

Application and selection procedures

Application and selection procedures in Socrates vary considerably depending on whether the action concerned is managed on a central level by the Commission or on a decentralized level by the national agencies designated by participating countries. All actions take account of the principle of equal opportunities from the point of view of the gender on the one hand and disability on the other.

The *Guidelines for Applicants 1998* will remain valid for 1999, subject to the modifications set out in the *Addendum 1999*. These two documents taken together thus contain all the information which potential applicants require concerning application procedures, deadlines and selection criteria for the projects and activities submitted during the calendar year 1999. These documents and further details are available:

- from the Socrates and Youth Technical Assistance Office (TAO), rue Montoyer/Montoyerstraat 70, B-1000 Brussels, tel. (32-2) 233 01 11, fax (32-2) 233 01 50, e-mail: info@socrates-youth.be, which provides the Commission (Directorate-General for Education, Training and Youth) with technical assistance in implementing the programme, or from the national agencies for the programme, the list of which appears in the *Guidelines for applicants*;
- electronically on the Europa server at <http://europa.eu.int/en/comm/dg22/socrates.html>