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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC, EURATOM, ECSC) No 1180/92**of 30 April 1992****fixing a weighting applicable to the remuneration of officials and other servants
of the European Communities serving in Munich**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EEC, Euratom, ECSC) No 571/92 ⁽²⁾, and in particular Article 64 of the Staff Regulations and Article 9 of Annex XI thereto and the first paragraph of Article 20 and Article 64 of the Conditions of Employment,

Having regard to the proposal from the Commission,

Whereas the Statistical Office of the European Communities has conducted surveys to measure the level of the cost of living in certain places of employment in Germany;

Whereas in its Judgment of 23 January 1992 in Case C-301/90, *Commission v. Council*, the Court of Justice held that:

‘...’

At the end of 1987 the cost of living in Munich was 8,3 % higher than in Bonn — the capital at that time — and that, in the absence of a specific weighting, such a significant difference reduced the purchasing power of officials serving in Munich in comparison with that of their colleagues serving in Bonn.

In particular, in view of the wide discrepancy found in this case, the obligation to establish a specific weighting could not depend on the number of officials and other servants of the Communities concerned.

Whereas as a result of these considerations the Regulation in question must be declared void insofar as it omits to fix a specific weighting for Munich with effect from 1 January 1988²;

Whereas the above Judgment should be acted on by fixing a specific weighting for Munich with effect from 1 January 1988 and updated from that date to 1 July 1991,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 January 1988, the weighting applicable to the remuneration of officials and other servants serving in Munich shall be 107,8 %.

Article 2

With effect from 1 July 1988, the weighting applicable to the remuneration of officials and other servants serving in Munich shall be 108,3 %.

Article 3

With effect from 1 July 1989, the weighting applicable to the remuneration of officials and other servants serving in Munich shall be 107,3 %.

Article 4

With effect from 1 July 1990, the weighting applicable to the remuneration of officials and other servants serving in Munich shall be 103,3 %.

Article 5

With effect from 1 July 1991, the weighting applicable to the remuneration of officials and other servants serving in Munich shall be 102,8 %.

Article 6

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

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 62, 7. 3. 1992, p. 1.

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

Done at Luxembourg, 30 April 1992.

For the Council

The President

José da SILVA PENEDA

COMMISSION REGULATION (EEC) No 1181/92

of 7 May 1992

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁴⁾, and in particular Article 3 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 986/92 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 6 May 1992;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 986/92 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 May 1992.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 105, 23. 4. 1992, p. 1.

ANNEX

to the Commission Regulation of 7 May 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Levy (°)
0709 90 60	142,57 ⁽²⁾ ⁽³⁾
0712 90 19	142,57 ⁽²⁾ ⁽³⁾
1001 10 10	169,13 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 10 90	169,13 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	160,30
1001 90 99	160,30 ⁽¹¹⁾
1002 00 00	166,46 ⁽⁶⁾
1003 00 10	146,92
1003 00 90	146,92 ⁽¹¹⁾
1004 00 10	124,00
1004 00 90	124,00
1005 10 90	142,57 ⁽²⁾ ⁽³⁾
1005 90 00	142,57 ⁽²⁾ ⁽³⁾
1007 00 90	148,87 ⁽⁴⁾
1008 10 00	61,77 ⁽¹¹⁾
1008 20 00	118,02 ⁽⁴⁾
1008 30 00	62,17 ⁽²⁾
1008 90 10	(7)
1008 90 90	62,17
1101 00 00	237,42 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	246,93 ⁽⁸⁾
1103 11 10	275,79 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	254,73 ⁽⁸⁾

(1) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(2) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

(3) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(4) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(5) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

(7) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

(8) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

(9) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(10) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

(11) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 1182/92

of 7 May 1992

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1845/91⁽⁵⁾ and subsequent amending Regulation;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 6 May 1992;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 May 1992.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 168, 29. 6. 1991, p. 4.

ANNEX

to the Commission Regulation of 7 May 1992 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	* (ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1183/92

of 7 May 1992

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 728/91⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 729/91⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 730/91⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commis-

sion decided to use the tendering procedure to fix levies on olive oil ;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers ;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries ; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries ;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries ;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories ; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985 ;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 4 and 5 May 1992 leads to the minimum levies being fixed as indicated in Annex I to this Regulation ;

Whereas the import levy on olives falling within 29 codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products ; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 8 May 1992.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	72,00 ⁽²⁾
1509 10 90	72,00 ⁽²⁾
1509 90 00	83,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Turkey : ECU 11,48 per 100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : ECU 12,69 per 100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	15,84
0711 20 90	15,84
1522 00 31	36,00
1522 00 39	57,60
2306 90 19	6,16

⁽¹⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 3148/91 is to be levied in accordance with Article 101 (4) of the abovementioned Decision.

COMMISSION REGULATION (EEC) No 1184/92

of 7 May 1992

reintroducing the preferential customs duty on imports of small-flowered roses
originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community;

Whereas Council Regulation (EEC) No 1551/91⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and 3129/90 buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 2995/91⁽⁴⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, laid down detailed rules for the application of these arrangements;

Whereas to permit the import arrangements to function in the normal manner, prices on importation should be calculated using:

- for currencies maintained against each other within a maximum spread at any given moment for spot rate transactions of 2,25 % a conversion rate based on their central rate multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the preferential customs duty fixed for small-flowered roses originating in Israel by Regulation (EEC) No 1551/91 was suspended by Commission Regulation (EEC) No 511/92⁽⁹⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the first paragraph of Article 2 (3) of Regulation (EEC) No 4088/87 is met for small-flowered roses originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel the preferential customs duty set by Regulation (EEC) No 1551/91 is reintroduced.

Article 2

This Regulation shall enter into force on 8 May 1992.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 144, 8. 6. 1991, p. 3.

⁽⁴⁾ OJ No L 285, 15. 10. 1991, p. 18.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁹⁾ OJ No L 55, 29. 2. 1992, p. 84.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1185/92

of 7 May 1992

adopting interim protective measures in so far as concerns Spain in regard to applications for STM licences coming from the Community of Ten for milk and milk products lodged between 27 April and 1 May 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 608/86⁽¹⁾ laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten, as last amended by Regulation (EEC) No 705/92⁽²⁾, fixes the indicative ceilings for milk sector products for 1992 and splits these up into monthly ceilings;

Whereas applications for STM licences in the Community of Ten for cheese of categories 5 and 6 lodged between 27 April and 1 May 1992 relate to quantities higher than the ceiling set for the month of May 1992;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim protective measure, in view of the number of requests, for the products concerned and only for the Community of Ten, to issue licences up to a percentage of the quantities applied for categories 5 and 6 and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for STM licences as referred to in Regulation (EEC) No 606/86, lodged between 27 April and 1 May 1992 for the Community of Ten and lodged with the Commission, for milk products falling within:

— category 5 of CN code ex 0406 are hereby accepted up to 14,12 %;

— category 6 of CN code ex 0406 are hereby accepted up to 8,12 %.

2. The issuing of STM licences in the Community of Ten is hereby provisionally suspended for products falling within categories 5 and 6.

3. Without prejudice to any definitive measures the Commission may take, further applications for STM licences may be lodged from 25 May 1992 for all products in respect of that fraction of the indicative ceiling applicable from 1 June 1992.

Article 2

This Regulation shall enter into force on 11 May 1992.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 75, 21. 3. 1992, p. 29.

COMMISSION REGULATION (EEC) No 1186/92

of 7 May 1992

introducing a corrective amount on the import of courgettes into the
Community of Ten from Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain ⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 152 of the Act of Accession introduces from 1 January 1990 a compensatory mechanism for imports into the Community as constituted on 31 December 1985, hereinafter called 'the Community of Ten', of fruit and vegetables from Spain for which a reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 782/92 ⁽²⁾ fixed, for the 1992 marketing year, the Community offer price for courgettes applicable with regard to Spain;Whereas Commission Regulation (EEC) No 3815/89 ⁽³⁾ lays down detailed rules for applying the compensatory mechanism on imports of fruit and vegetables from Spain;

Whereas, in the case of courgettes the offer price for the Spanish product as calculated in accordance with the provisions of Council Regulation (EEC) No 3709/89 has

remained for two consecutive market days at a level at least ECU 0,6 below the Community offer price; whereas a corrective amount equal to the difference between the Community offer price and the Spanish offer price must therefore be introduced for these products from Spain;

Whereas if the system is to operate normally the offer price of the Spanish product should be calculated on the following basis:

- in the case of currencies the spot market rates for which are maintained in relationship to each other within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁵⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

HAS ADOPTED THIS REGULATION:

Article 1

On import into the Community of Ten of courgettes (CN ex 0709 90 70) from Spain a corrective amount of ECU 11,38 per 100 kilograms net shall be levied.

Article 2

This Regulation shall enter into force on 9 May 1992.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 84, 31. 3. 1992, p. 23.

⁽³⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1187/92
of 7 May 1992
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾ provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be

fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas, if the refund system is to operate normally, refunds should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁷⁾,
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 May 1992.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 7 May 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 7 May 1992 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	78,00
1107 10 99 000	116,00
1107 20 00 000	135,00

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL RECOMMENDATION

of 31 March 1992

on child care

(92/241/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Community Charter of the Fundamental Social Rights of Workers, adopted in the Strasbourg European Council on 9 December 1989 by the Heads of State or Government of eleven Member States, lays down, in the third paragraph of point 16 in particular, that:

'Measures should also be developed to enable men and women to reconcile their occupational and family obligations';

Whereas the Commission action programme implementing the Community Charter provides for this Recommendation;

Whereas in its Third Medium-Term Action Programme on Equal Opportunities for Women and Men (1991-1995), the Commission identified the need for further action in this area;

Whereas in its communication on family policies, sent to the Council on 24 August 1989, the Commission empha-

sized the importance of intensifying work relating to child care;

Whereas child-care methods, parental leave and maternity leave form part of a whole which enables people to combine their family responsibilities and occupational ambitions;

Whereas the Member States should take and/or encourage initiatives, taking into account the responsibilities of national, regional and local authorities, management and labour, other relevant organizations and private individuals, and/or in cooperation with the various parties concerned;

Whereas the reconciliation of occupational, family and upbringing responsibilities arising from the care of children has to be viewed in a wide perspective which also takes into account the particular interests and needs of children at different age levels, where it is important, in order to achieve this, to encourage an overall policy aimed at enabling such reconciliation to occur;

Whereas it is essential to promote the well-being of children and families, ensuring that their various needs are met and taking into account the fact that responsibilities arising from the care and upbringing of children continue up to and throughout the period of children's schooling, and especially when they are younger;

Whereas in all Member States the demand for child-care services at prices affordable to parents exceeds the existing supply;

Whereas inadequate provision of child-care services at prices affordable to parents and other initiatives to reconcile responsibility for the family and the upbringing of children with the employment, or with the education and training of parents in order to obtain employment constitutes a major barrier to women's access to and more effec-

⁽¹⁾ OJ No C 242, 17. 9. 1991, p. 3.

⁽²⁾ OJ No C 326, 16. 12. 1991, p. 279.

⁽³⁾ OJ No C 40, 17. 2. 1992, p. 88.

tive participation in the labour market, on equal terms with men, the effective participation of women in all areas of society and the effective use of their talents, skills and abilities in the current demographic situation ;

Whereas, moreover, in this area, disparities exist between Member States and between regions within Member States ;

Whereas, furthermore, better child-care services could facilitate freedom of movement of workers and mobility on the European labour market ;

Whereas child-care services may be public or private, individual or collective in form ;

Whereas child care is a broad concept which may involve the provision of child-care services which answer the needs of children, the grant of special leave to parents and the development of a working environment structure and organization which is adapted to the sharing between women and men of occupational, family and upbringing responsibilities arising from the care of children ;

Whereas in certain Member States, owing to the low level of national income and the need to impose strict limits on growth in public expenditure, the role of the public authorities may be subject to particular constraints ;

Whereas the standard clause included in the Community support frameworks for structural policy stipulates that the actions and measures taken within such a framework must conform with and, where appropriate, contribute to the implementation of Community policy and legislation relating to equality of opportunity between women and men, and that in particular, consideration must be given to training and infrastructure requirements which facilitate labour force participation by women with children ;

Whereas, furthermore, in the NOW Community initiative (1991-1993), financed by the Structural Funds, for the promotion of equal opportunities for women in the fields of employment and vocational training, additional child-care measures are provided for to assist women with children to have access to the labour market and to vocational training courses,

HEREBY RECOMMENDS AS FOLLOWS :

Article 1

Objective

It is recommended that Member States should take and/or progressively encourage initiatives to enable women and men to reconcile their occupational, family and upbringing responsibilities arising from the care of children.

Article 2

Areas of initiatives

For the purposes of Article 1, it is recommended that the Member States, taking into account the respective responsibilities of national, regional and local authorization, management and labour, other relevant organizations and private individuals, and/or in cooperation with national, regional or local authorities, management and labour, other relevant organizations and private individuals, should take and/or encourage initiatives in the following four areas :

1. The provision of children-care services while parents :

- are working,
- are following a course of education or training in order to obtain employment
- or
- are seeking a job or a course of education or training in order to obtain employment.

For the purposes of this Recommendation, 'child-care services' means any type of child care, whether public or private, individual or collective.

- 2. Special leave for employed parents with responsibility for the care and upbringing of children.**
- 3. The environment, structure and organization of work, to make them responsive to the needs of workers with children.**
- 4. The sharing of occupational, family and upbringing responsibilities arising from the care of children between women and men.**

Article 3

Child-care services

As regards child-care services, it is recommended that the Member States, taking into account the respective responsibilities of national, regional and local authorities, management and labour, other relevant organizations and private individuals, and/or in cooperation with national, regional or local authorities, management and labour, other relevant organizations and private individuals, should take and/or encourage initiatives to :

- 1. enable parents who are working, following a course of education or training in order to obtain employment or are seeking employment or a course of education or training in order to obtain employment to have as much access as possible to local child-care services.**

In this context, endeavours should in particular be made to ensure that :

- the services are offered at prices affordable to parents ;
- they combine reliable care from the point of view of health and safety with a general upbringing and a pedagogical approach ;

- the needs of parents and children are taken into account when access to services is determined ;
 - the services are available in all areas and regions of Member States, both in urban areas and in rural areas ;
 - the services are accessible to children with special needs, for example linguistic needs, and to children in single-parent families, and meet the needs of such children ;
2. encourage flexibility and diversity of child-care services as part of a strategy to increase choice and meet the different preferences, needs and circumstances of children and their parents, while preserving coherence between different services ;
 3. endeavour that the training, both initial and continuous, of workers in child-care services is appropriate to the importance and the social and educative value of their work ;
 4. encourage child-care services to work closely with local communities through regular contact and exchanges of information, so as to be responsive to parental needs and particular local circumstances ;
 5. encourage national, regional or local authorities, management and labour, other relevant organizations and private individuals, in accordance with their respective responsibilities, to make a financial contribution to the creation and/or operation of coherent child-care services which can be afforded by parents and which offer them a choice.

Article 4

Special leave

As regards special leave for employed parents with responsibility for the care and upbringing of children, it is recommended that Member States, taking into account the respective responsibilities of national, regional and local authorities, management and labour, other relevant organizations and private individuals, and/or in cooperation with national, regional or local authorities, management and labour, other relevant organizations and private individuals, should take and/or encourage initiatives, to take realistic account of women's increased participation in the labour force.

These initiatives should concern, for example, special leave enabling employed parents both men and women, who so desire properly to discharge their occupational, family and upbringing responsibilities, with, *inter alia*, some flexibility as to how leave may be taken.

Article 5

Environment, structure and organization of work

As regards the environment, structure and organization of work, it is recommended that Member States, taking into account the respective responsibilities of national, regional and local authorities, management and labour, other relevant organizations and private individuals, and/or in cooperation with national, regional or local authorities, management and labour, other relevant authorities and private individuals, should take and/or encourage initiatives to :

1. support action, in particular within the framework of collective agreements, to create an environment, structure and organization of work which take into account the needs of all working parents with responsibility for the care and upbringing of children ;
2. ensure that due recognition is given to persons engaged in child-care services as regards the way in which they work and the social value of their work ;
3. promote action, especially in the public sector, which can serve as an example in developing initiatives in this area.

Article 6

Sharing of responsibilities

As regards responsibilities arising from the care and upbringing of children, it is recommended that Member States should promote and encourage, with due respect for freedom of the individual, increased participation by men, in order to achieve a more equal sharing of parental responsibilities between men and women and to enable women to have a more effective role in the labour market.

Article 7

Commission report

The Member States shall inform the Commission, within three years of the date of the adoption of this Recommendation, of the measures taken to give effect to it, in order to enable the Commission to draw up a report on its implementation.

Done at Brussels, 31 March 1992.

For the Council

The President

Vitor MARTINS

COUNCIL DECISION
of 31 March 1992
in the field of security of information systems
(92/242/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the Community has as its task, by establishing a common market and progressively approximating the economic policies of the Member States, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of the standard of living and closer relations between the Member States;

Whereas information stored, processed and transmitted electronically plays an increasingly important role in economic and social activities;

Whereas the advent of efficient global communications and the pervasive use of electronic handling of information emphasizes the need for adequate protection;

Whereas the European Parliament has repeatedly stressed the importance of the security of information systems in its debates and resolutions;

Whereas the Economic and Social Committee has emphasized the need to address issues relating to the security of information systems in Community forms of action, particularly in view of the impact of the completion of the internal market;

Whereas forms of action at national, international and Community levels provide a good basis;

Whereas there is a close link between telecommunications, information technology, standardization, the information market and research, development and technology (RDT) policies, as well as the work already undertaken in these areas by the Community;

Whereas it is appropriate to ensure that efforts are concerted by building on existing national and international work and by promoting cooperation between the principal parties concerned; whereas it is therefore appropriate to proceed within the framework of a coherent action plan;

Whereas the complexity of the security of information systems calls for the development of strategies to enable the free movement of information within the single market while ensuring the security of the use of information systems throughout the Community;

Whereas it is the responsibility of each Member State to take into account the constraints imposed by security and public order;

Whereas the responsibilities of the Member States in this area imply a concerted approach based on close collaboration with senior officials of the Member States;

Whereas provision should be made for a plan of action for an initial period of twenty-four months and the setting-up of a Committee of Senior Officials with a long-term mandate to advise the Commission on forms of action in the area of security of information systems;

Whereas an amount of ECU 12 million is considered necessary to implement the action for an initial period of twenty-four months; whereas for 1992, in the context of the present financial perspective, the amount estimated necessary is ECU 2 million;

Whereas the amounts to be committed in order to finance the programme for the period following the 1992 budget year will form part of the existing Community financial framework,

HAS DECIDED AS FOLLOWS:

Article 1

An action in the field of the security of information systems is hereby adopted. It comprises:

- development of overall strategies for the security of information systems (action plan) for an initial period of 24 months, and
- setting-up Senior Officials Group with a long-term mandate to advise the Commission on action to be undertaken in the field of the security of information systems, hereinafter referred to as the 'Committee'.

⁽¹⁾ OJ No C 277, 5. 11. 1990, p. 18.

⁽²⁾ OJ No C 94, 13. 3. 1992.

⁽³⁾ OJ No C 159, 17. 6. 1991, p. 38.

Article 2

1. The Commission shall consult the Committee systematically on issues relating to the security of the information systems for the various activities carried out by the Community, in particular on the definition of work strategies and programmes.
2. The action plan, as indicated in the Annex, shall include preparatory work under the following themes :
 - I. development of a strategic framework for the security of information systems ;
 - II. identification of user and service provider requirements for the security of information systems ;
 - III. solutions for immediate and interim needs of users, suppliers and service providers ;
 - IV. development of specifications, standardization, evaluation and certification in respect of the security of information systems ;
 - V. technological and operational developments in the security of information systems ;
 - VI. provision of security of information systems.

Article 3

1. The Community funds estimated as necessary for the execution of the action amount to ECU 12 million for the initial period, including ECU 2 million for 1992 within the 1988-1992 financial perspective.

For the subsequent period of application of the programme, the amount will have to be included in the Community financial framework in force.

2. The budgetary authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation applicable to the general budget of the European Communities.

Article 4

An evaluation of the progress achieved during the initial period shall be carried out for the Commission by a group of independent experts. This group's report, together with any comments by the Commission, shall be submitted to the European Parliament and the Council.

Article 5

1. The Commission shall be responsible for implementing the action. It shall be assisted by an advisory committee composed of representatives of the Member States and chaired by the representative of the Commission.
2. The action plan shall be implemented in accordance with the objectives set out in Article 2 and updated where necessary. It shall set out the detailed objectives and types

of actions to be undertaken, and the financial arrangements to be made for them. The Commission shall make calls for proposals on the basis of the action plan.

3. The action plan shall be implemented in close collaboration with the sector actors. It shall take into account, promote and complement the European and international standardization activities under way in this field.

Article 6

1. The procedure laid down in Article 7 shall apply to :
 - measures relating to Community policy in the field of the security of information systems ;
2. The procedure laid down in Article 8 shall apply to :
 - the preparation and updating of the action plan referred to in Article 5 ;
 - the contents of the calls for proposals, the assessment of proposals and the estimated amount of the Community's contribution to measures where this amount exceeds ECU 200 000 ;
 - the cooperation in any activity under this Decision of non-Community organizations ;
 - arrangements for the dissemination, protection and exploitation of the results of the measures ;
 - the measures to be undertaken to evaluate the action.
3. Where the amount of the Community contribution to the measures is less than, or equal to, ECU 200 000, the Commission shall consult the Committee on the measures to be taken and inform the Committee of the outcome of its assessment.

Article 7

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft, within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes ; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 8

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be deliv-

ered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the

Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to it the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Done at Brussels, 31 March 1992.

For the Council

The President

Vitor MARTINS

ANNEX

Summary of action lines

ORIENTATIONS FOR AN ACTION PLAN IN THE FIELD OF THE SECURITY OF INFORMATION SYSTEMS

INTRODUCTION

The action plan shall have as its objective the development of overall strategies aiming to provide users and producers of electronically stored, processed or transmitted information with appropriate protection of information systems against accidental or deliberate threats.

The action plan shall take into account and complement the world-wide standardization activities under way in this field.

It shall include the following lines of action :

- development of a strategic framework for the security of information systems ;
- identification of user and service provider requirements for the security of information systems ;
- solutions for immediate and interim needs of users, suppliers and service providers ;
- development of specifications, standardization, evaluation and certification in respect of the security of information systems ;
- technological and operational developments in the security of information systems ;
- provision of security of information systems.

The action plan shall be implemented by the Commission, in close association with related actions in Member States and in conjunction with related Community research and development actions.

1. Action line I — Development of a strategic framework for the security of information systems

common perception and agreed strategy framework. These are the prerequisites for reconciling interests and needs both in policy-making and in industrial developments.

1.1. Issue

Security of information systems is recognized as a pervasive quality necessary in modern society. Electronic information services need a secure telecommunications infrastructure, secure hard- and software as well as secure usage and management. An overall strategy, considering all aspects of security of information systems, needs to be established, avoiding a fragmented approach. Any strategy for the security of information processed in an electronic form must reflect the wish of any society to operate effectively yet protect itself in a rapidly changing world.

1.3. Status and trends

The situation is characterized by growing awareness of the need to act. However, in the absence of an initiative to coordinate efforts, it seems very likely that dispersed efforts in various sectors will create a situation which will de facto be contradictory, creating progressively more serious legal, social and economic problems.

1.2. Objective

A strategically orientated framework has to be established to reconcile social, economic and political objectives with technical, operational and legislative options for the Community in an international context. The sensitive balance between different concerns, objectives and constraints are to be found by sector actors working together in the development of a

1.4. Requirements, options and priorities

Such a shared framework would need to address and situate risk analysis and risk management concerning the vulnerability of information and related services, the alignment of laws and regulations associated with computer/ telecommunications abuse and misuse, administrative infrastructures including security policies, and how these may be effectively implemented by various industries/disciplines, and social and privacy concerns (e.g. the application of identification, authentication, non-repudiation and possibly authorization schemes in a democratic environment).

Clear guidance is to be provided for the development of physical and logical architectures for secure distributed information services, standards, guidelines and definitions for assured security products and services, pilots and prototypes to establish the viability of various administrative structures, architectures and standards related to the needs of specific sectors.

Security awareness must be created in order to influence the attitude of the users towards an increased concern about security in information technology (IT).

2. Action line II — Identification of user and service provider requirements for the security of information systems

2.1. *Issue*

Security of information systems is the inherent prerequisite for the integrity and trustworthiness of business applications, intellectual property and confidentiality. This leads inevitably to a difficult balance and sometimes choices, between a commitment to free trade and a commitment to securing privacy and intellectual property. These choices and compromises need to be based on a full appreciation of requirements and the impact of possible options for the security of information systems to respond to them.

User requirements imply the security functionalities of information systems interdependent with technological, operational and regulatory aspects. Therefore, a systematic investigation of security requirements for information systems forms an essential part of the development of appropriate and effective measures.

2.2. *Objective*

Establishing the nature and characteristics of requirements of users and service providers and their relation to security measures of information systems.

2.3. *Status and trends*

Hitherto, no concerted effort has been undertaken to identify the rapidly evolving and changing requirements of the major actors for the security of information systems. Member States of the Community have identified the requirements for harmonization of national activities (especially of the 'IT security evaluation criteria'). Uniform evaluation criteria and rules for mutual recognition of evaluation certificates are of major importance.

2.4. *Requirements, options and priorities*

As a basis for a consistent and transparent treatment of the justified needs of the sector actors, it is considered necessary to develop an agreed classification of user requirements and

its relation to the provision of security in information systems.

It is also considered important to identify requirements for legislation, regulations and codes of practice in the light of an assessment of trends in service characteristics and technology, to identify alternative strategies for meeting the objectives by administrative, service, operational and technical provisions, and to assess the effectiveness, user-friendliness and costs of alternative security options and strategies for information systems for users, service providers and operators.

3. Action line III — Solutions for immediate and interim needs of users, suppliers and service providers

3.1. *Issue*

At present it is possible to protect adequately computers from unauthorized access from the outside world by 'isolation', i.e. by applying conventional organizational and physical measures. This applies also to electronic communications within a closed user group operating on a dedicated network. The situation is very different if the information is shared between user groups or exchanged via a public, or generally accessible, network. Neither the technology, terminals and services nor the related standards and procedures are generally available to provide comparable security for information systems in these cases.

3.2. *Objective*

The objective has to be to provide, at short notice, solutions which can respond to the most urgent needs of users, service providers and manufacturers. This includes the use of common IT-security evaluation criteria. These should be conceived as open towards future requirements and solutions.

3.3. *Status and trends*

Some user groups have developed techniques and procedures for their specific use responding, in particular, to the need for authentication, integrity and non-repudiation. In general, magnetic cards or smart cards are being used. Some are using more or less sophisticated cryptographic techniques. Often this implied the definition of user-group specific 'authorities'. However, it is difficult to generalize these techniques and methods to meet the needs of an open environment.

ISO is working on OSI Information System Security (ISO DIS 7498-2) and CCITT in the context of X400. It is also possible to insert security segments into the messages. Authentication, integrity and non-repudiation are being addressed as part of the messages (EDIFACT) as well as part of the X400 MHS.

At present, the Electronic Data Interchange (EDI) legal framework is still at the stage of conception. The International Chamber of Commerce has published uniform rules of conduct for the exchange of commercial data via telecommunications networks.

Several countries (e.g. Germany, France, the United Kingdom and the United States) have developed, or are developing, criteria to evaluate the trustworthiness of IT and telecommunication products and systems and the corresponding procedures for conducting evaluations. These criteria have been co-ordinated with the national manufacturers and will lead to an increasing number of reliable products and systems starting with simple products. The establishment of national organizations which will conduct evaluations and offer certificates will support this trend.

Confidentiality provision is considered by most users as less immediately important. In the future, however, this situation is likely to change as advanced communication services and, in particular, mobile services will have become all-pervasive.

3.4. *Requirements, options and priorities*

It is essential to develop as soon as possible the procedures, standards, products and tools suited to assure security both in information systems as such (computers, peripherals) and in public communications networks. A high priority should be given to authentication, integrity and non-repudiation. Pilot projects should be carried out to establish the validity of the proposed solutions. Solutions to priority needs on EDI are looked at in the TEDIS programme within the more general content of this action plan.

4. **Action line IV — Development of specifications, standardization, evaluation and certification in respect of the security of information systems**

4.1. *Issue*

Requirements for the security of information systems are pervasive and as such common specifications and standards are crucial. The absence of agreed standards and specifications for IT security may present a major barrier to the advance of information-based processes and services throughout the economy and society. Actions are also required to accelerate the development and use of technology and standards in several related communication and computer network areas that are of critical importance to users, industry and administrations.

4.2. *Objective*

Efforts are required to provide a means of supporting and performing specific security functions in the general areas of OSI, ONP, ISDN/IBC and network management. Inherently related to standardization and specification are the techniques and approaches required for verification, including certification leading to mutual recognition. Where possible, internationally agreed solutions are to be supported. The development and use of computer systems with security functions should also be encouraged.

4.3. *Status and trends*

The United States, in particular, has taken major initiatives to address the security of information systems. In Europe the subject is treated in the context of IT and telecommunications standardization in the context of ETSI and CEN/CENELEC in preparation of CCITT and ISO work in the field.

In view of growing concern, the work in the United States is rapidly intensifying and both vendors and service providers are increasing their efforts in this area. In Europe, France, Germany and the United Kingdom have independently started similar activities, but a common effort corresponding to the United States is evolving only slowly.

4.4. *Requirements, options and priorities*

In the security of information systems there is inherently a very close relationship between regulatory, operational, administrative and technical aspects. Regulations need to be reflected in standards, and provisions for the security of information systems need to comply in a verifiable manner to the standards and regulations. In several aspects, regulations require specifications which go beyond the conventional scope of standardization, i.e. include codes of practice. Requirements for standards and codes of practice are present in all areas of security of information systems, and a distinction has to be made between the protection requirements which correspond to the security objectives and some of the technical requirements which can be entrusted to the competent European standards bodies (CEN/CENELEC/ETSI).

Specifications and standards must cover the subjects of security services of information systems (personal and enterprise authentication, non-repudiation protocols, legally acceptable electronic proof, authorization control), their communication services (image communication privacy, mobile communications voice and data privacy, data and image data-base protection, integrated services security), their communication and security management (public/private key system for open network operation, network management protection, service provider protection) and their certification (assurance criteria and levels, security assurance procedures for secure information systems).

5. **Action line V — Technological and operational developments in the security of information systems**

5.1. *Issue*

Systematic investigation and development of the technology to permit economically viable and operationally satisfactory solutions to a range of present and future requirements for the security of information systems is a prerequisite for the development of the services market and the competitiveness of the European economy as a whole.

Any technological developments in the security of information systems will have to include both the aspects of computer security and security of communications as most present-day systems are distributed systems, and access to such systems is through communications services.

5.2. *Objective*

Systematic investigation and development of the technology to permit economically viable and operationally satisfactory solutions to a range of present and future requirements for the security of information systems.

5.3. *Requirements, options and priorities*

Work on security of information systems would need to address development and implementation strategies, technologies, and integration and verification.

The strategic R&D work would have to cover conceptual models for secure systems (secure against compromise, unauthorized modifications and denial of service), functional requirements models, risk models and architectures for security.

The technology-orientated R&D work would have to include user and message authentication (e.g. through voice-analysis and electronic signatures), technical interfaces and protocols for encryption, access control mechanisms and implementation methods for provable secure systems.

Verification and validation of the security of the technical system and its applicability would be investigated through integration and verification projects.

In addition to the consolidation and development of security technology, a number of accompanying measures are required concerned with the creation, maintenance and consistent application of standards, and the validation and certification of IT and telecommunication products with respect to their security properties, including validation and certification of methods to design and implement systems.

The third RDT Community Framework Programme might be used to foster cooperative projects at precompetitive and prenormative levels.

6. **Action line VI — Provision of security of information systems**

6.1. *Issue*

Depending on the exact nature of the security features of information systems, the required functions will need to be incorporated at different parts of the information system including terminals/computers, services, network management to cryptographic devices, smart cards, public and private keys, etc. Some of these can be expected to be embedded in the hardware or software provided by vendors, while others may be part of distributed systems (e.g. network management), in the possession of the individual user (e.g. smart cards) or provided from a specialized organization (e.g. public/private keys).

Most of the security products and services can be expected to be provided by vendors, service providers or operators. For specific functions, e.g. the provision of public/private keys, auditing authorization, there may be the need to identify and mandate appropriate organizations.

The same applies for certification, evaluation and verification of quality of service which are functions which need to be addressed by organizations independent of the interests of vendors, service providers or operators. These organizations could be private, governmental, or licensed by government to perform delegated functions.

6.2. *Objective*

In order to facilitate a harmonious development of the provision of security of information systems in the Community for the protection of the public and of business interests, it will be necessary to develop a consistent approach as to its provision of security. Where independent organizations will have to be mandated, their functions and conditions will need to be defined and agreed and, where required, embedded into the regulatory framework. The objective would be to come to a clearly defined and agreed sharing of responsibilities between the different actors on a Community level as a prerequisite for mutual recognition.

6.3. *Status and trends*

At present, the provision of security of information systems is well organized only for specific areas and limited to addressing their specific needs. The organization on a European level is mostly informal, and mutual recognition of verification and certification is not yet established outside closed groups. With the growing importance of the security of information systems, the need for defining a consistent approach to the provision of security for information systems in Europe and internationally is becoming urgent.

6.4. *Requirements, options and priorities*

Because of the number of different actors concerned and the close relations to regulatory and legislative questions, it is particularly important to pre-agree on the principles which should govern the provision of the security of information systems.

In developing a consistent approach to this question, one will need to address the aspects of identification and specification of functions requiring, by their very nature, the availability of some independent organizations (or interworking organizations). This could include functions such as the administration of a public/private key system.

In addition, it is required to identify and specify, at an early stage, the functions which in the public interest need to be entrusted to independent organizations (or interworking organizations). This could, for example, include auditing, quality assurance, verification, certification and similar functions.