

Arrêt du Tribunal
?????? T-308/00

Salzgitter AG

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«????????? ?????????? – ????? 4, ??????? ??, ??, ????? 67 ?? ??? 95 ?? – ?????????????????
????????? ??? ????? ?? ?????????? Salzgitter – ?????? ?? ??? ????? ????? ?????????????? ???
????????? ??? ??? ????? ?????????? ??? ?????????????? – ?? ??????????????????
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??????? ??? ?????????? (??????? ?????????? ????) ??? 1?? ?????? 2004

????????? ??? ??????????

1. ??? – ?????????? ??? ?????????? ?????? ??? ?????? – ?????????? ??? ??????
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????????? ?????????? ??? ?????????? ??? ?????? ?? – ???

[????? 4, ?????. ??, ??]

2. ??? – ?????????? ??? ?????????? ?????? ??? ?????? – ?????? – ?????? ?
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[????? 4, ?????. ??, ??]

3. ??? – ?????????? ??? ?????????? ?????? ??? ?????? – ?????? – ??????
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[????? 4, ?????. ??, ??- ????? 87 § 1, ??]

4. ??? – ?????????? ??? ?????????? ?????? ??? ?????? – ?????? – ?????????? ?????? –
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[????? 4, ?????. ??, ??]

5. ??? – ?????????? ??? ?????????? ?????? ??? ?????? – ?????????? ??????
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[????? 4, ?????. ??, ??- ????? 87 § 2, ?????. ??, ??]

6. ??? – ?????????? ??? ?????????? ?????? ??? ?????? – ?????? – ??????
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[????? 4, ??????. ??, ??- ????? 87 § 2, ??????. ??, ??]

7. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ???????????????
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[????? 4, ??????. ??, ??]

8. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ??????????? ??? ??
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[????? 4, ??????. ??, ??]

9. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ???????????
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[????? 4, ??????. ??, ??]

10. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ???????????
?????????? ?? ??? ?? ????? 67 ?? - ????????? ?? ????????? - ??? ??? ?????

[????? 4, ??????. ??, ?? 67 ??- ?????? ?????? 2320/81]

11. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ??????????? ?? ?? ??????????
????? ?? ?????? 95 ?? - ????????? - ?????????? ?????????? ?? ????? - ????????? - ??????????
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[????? 4, ??????. ??, ?? 95 ??]

12. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ????????? - ??????????
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[????? 4, ??????. ??, ??]

13. ?????????? ?????? - ??? - ????? - ?????? ?? ?????????????????? ?????????????? -
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14. ??? - ??????????? ?? ??????????? ??????? ?? ????? - ????? - ?????????? ??????????
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(????????? ?????????? 1018/85 ?? 3484/85)

1. ?? ?????????????? ?? ?????? ?????? ? ?????????? ?????????? ?????????? ?? ??? ?????????? ??

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????, ??? ?????? ??? ?? ?????????????? ?????? ??? ?????? ?????? ?????????? ?? ????. ????????,
????? ?????????????? ??? ?????? ???, ? ???????? ??? ?????????? ?????????? ?? ????.
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(???. ?????? 28)

2. ?????????? ? ??????????? ??????????? ?????????? ?????? ?????????? ?????? ?????????? ??? ??
????????????????? ??? ??????? ??? ?????????? ??????????????, ?????????? ?? ????? ?????????? ???
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?? ?????????? ??? ??? ?????????????? ?????? ??? ?????? 4, ?????????? ??, ?. ??????????, ???
????????? ?? ?????????????? ?? ?? ?? ????? ?????? ?????????????? ? ??? ??????????????
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?????????????.

(???. ?????? 29)

3. ??????? ?? ??????? ??????????? ????????????, ??? ?????????????????? ??? ??????? ??, ???
?????? ?????? ??? ?????? ?? ?????????? ?????? ?????? ?????????????? ?????? ??????????. ??? ???
????? ???, ? ?????????? ?????? ???????, ???' ????, ??? ?????? ???? ???
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????????? 1, ??.

?? ?????????? ?? ???? ?? ?????????? ?? ?????? ?????????????? ?????????????? ?? ???? ?? ???? ?????????? ??
?? ???? ?? ?????????? ?? ???? ?? ?????????? ?? ?????? 4, ????????? ??, ??, ?????? ?? ??????
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(???. ?????? 38)

5. ????? ?? ??????? ???? ?? ??????? ???? ?????????? ?????????? ?????????? ?????????? ??
????????? ?????? ?? ???? ??????? ???? ?????? 4, ??????? ??, ?? ??????? ??, ???, ??? ?????? ??
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???? ?????? ?? ?????? 7, ?????????? 2, ??????? ??, ??, ? ??????????, ??? ??????? ??
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????????? ??? ?????????? ??? ?? ?????? ?????????? ??? ?????? 4, ?????????? ??, ?? ????,
????? ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ????,
?????, ????.

(???. ??????? 63-64)

6. ?????????? ??? ?? ?????????? ??? ?? ?????? 4, ?????????? ??, ?? ?????????? ???
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????? ?? ?????????? ??? ??
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??, ?? ??????????, ?????? ? ?????????? ??? ?????????? ?????????? ?????????? ?????????? ????
????????? ?????????? ?????????? ??? ?????????? ?????????? ?????????? ??? ?????????? ??? ??
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?????????, ?????? ??? ?????????? ?????, ?????? ??? ?????????? ?? ?????? ??? ??????????
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(???. ??????? 72, 74-75)

7. ??? ?????? ??? ?????? ???, ?????????? ?? ?????????? ??? ?????????? ?????????? ??????????
????????? ??? ?????????? ?? ?????????? ??, ??? ?????? ?????????? ?????????? ??????????
?????????, ??? ?????? ?????? ?????? ?? ?????? ?? ?????? ?????????? ?????????? ?????????? ?
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?????????, ???? ??? ?????? ?? ?????????? ?? ?????????? ?????? ????. ???, ?????????? ????
????????????? ?? ?????? ?????? ?????? «?????» ?????????? ??????????, ??? ??????
????????? ?? ?????? ?????????? ?????? ??? ?????????? ?????? ?????????? ??? ?????? ??? ?????????? ???
????????? ??? ?????? ???, ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???, ?????? ?? ?????????? ?
????????? ??? ?????? ???, ??? ?????? ?????? ??? ?????? ?????? ?????????? ?????????? ??? ???????,
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????????? ?????? ??? ?????? ???.

(???. ??????? 79-81)

8. ?????? ? ?????? ??? ?????? ?????????? ?????????? ?????????? ??? ?????? ?????? ???????,
????? ?? ??????????, ???? ??? ?????????? ?? ??????, ??? ?????? ??????, ?????????? ????
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?????, ?? ?? ??????, ???? ?? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ??? ??,
????? ??? ?????? ?????? ??? ?????? ?? ?????? ?????????? ??? ?????? ?????????? ??? ??
????????? ??? ?????? ?????? ??????, ????, ?????? ??? ?? ?????????? ?????????? ???, ??? ??
????????? ?????? ??? ?????? ???, ???, ???????, ??? ?????? ?????????? ??? ?????? ??????????

???????, ????. ?? ??????????????? ? ??????? ??? ?????????????? ??????? ?? ?? ?????? ??? ??????
4, ??????? ??, ?. ???. ???. ???. ?????? ?????? ?????? ?????? ?????? ???, ?????? ?????????????? ??? ???.
???????. ?????????? ?????????? ?????????? ?????????? ??? ???. ?????? ?????????????? ??? ???. ?????? ??????????
?? ????????. ??? ?????????????? ??? ?????? ??????????????, ?? ?????? ?????? ?????? ?????? ???.
????????????? ?? ????????. ??? ????, ??? ?????? ?????? ?????? ??? ??????????????, ???????????.
????? ????. ?????????? ??? ???. ?????? ?????? ?????? ??? ???.

?????????, ? ?????????? ?? ?????????????? ?? ?????????????? ?????????????????? ?????????????????? ??????????????
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?? ?????? ?? ?????????????? ?? ??? ?? ????? ?? ?????? ?? ???, ??? ?? ?????? ?????????? ?????? ??
????, ??????????.

(?. ?. ?????. 83-84, 89)

9. ?????????? ??? ?????? 4, ?????????? ??, ??, ?? ?????????? ?????????? ??????????
????????????? ?? ??? ?????? ?????? ?????? ?? ?????????? ?????? ?? ??????????, ??? ???? ??
?????????, ?? ?????? ?? ??? ??????????????, ?????????? ? ?????? ?????????? ?? ??????? ??
????? ??? ??????????. ???????, ?????????? ??? ?????? ?????????? ?? ?????????? ??? ??????? ??
????????? ??? ?????? ??????, ??? ?????? ???' ?????? ?? ??? ?????????????? ??? ??????????
????? ?????? ?????? ????.

(???. ??????? 90-91)

???? ???? ?? ?????? 67 ??, ?? ????? ??????????? ? ?????????? ??? ?????????????? ??? ?????????????? ??? ????? ??????????????
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????????? ??????? ??????? ?????? ??? ????? ?????????????? ??? ?????? ??? ?????? ??? ??????????????
????????? ??? ??????, ??? ??????? ??????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????????????? ????.
????, ?? ????? 4, ??????? ??, ?? ??? ?? ?????? 67 ?? ??????? ??? ?????????? ??? ?????????? ???,
????????? ??? ? ?????? ??? ? ??????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ??????????.

?? ??????? ???, ??? ?? ???????, ?? ?? ???? ?????? 2320/81, ??? ??????? ???.
?????????? ?? ???? ??????? ??????? ??, ? ??????? ??????? ?? ? ???? 4,
???????? ??, ?? ??????????? ??, ?? ??????? ??, ?? ??????????? ??, ?? ??????? ??,
?????? ???????, ?? ????? ?? ??????? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??,
?????????? ??, ?? ???????, ?? ???? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??,
???????? ??, ?? ???????????, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??,
???????? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??,
88 ??, ?? ????? ??, ?? ????? ??, ?? ??????? ??, ?? ??????? ??, ?? ??????? ??.

(?. ??????? 107-112, 115)

? ?????????? ??? ?????????? ??????? ??? ??????, ?? ?????? ??? ??? ??????????
????????????? ???, ???, ??? ?????? ??? ?????????? ?????????? ??? ??? ?????????? ???
????????? ???, ?????????? ??? ?????? 95, ??? ?????? ??? ?????? ??? ??????, ??.

???? ?????? ?????? ??? ?????? ??? ?????????? ??????????, ? ?????? ?????? ?????? ??????????
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???? ?????? ???, ? ?????? ??? ?????????? ??????, ??? ?????? ?????? ???, ??
????????? ??? ?????? ??? ?????? ??? ?????????? ?? ? ?????????? ?????? ?? ?????? ?? ???
????? ??? ?????????? ???, ??? ?????????? ?????? ??? ?????? ?????? ?????? ??????????
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????? ?????????? ?? ?????????? ?? ? ??????????, ??? ??? ?????? ??? ?????????? ??? ??????????
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(???. ??????? 131, 136-138)

12. ?????????? ??? ?????????? ?????????? ?? ? ?????? ??? ?????? ???, ?????? ?????? ?? ???
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???' ??? ???, ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????, ??? ?????????? ??????????
???, ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
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(???. ??????? 159-161)

13. ? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
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(???. ??????? 165-166)

14. ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
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?????????, ?????????? ?? ??????????, ?? ?????????? ?????????????? ?? ?????? ?? ?????? ??
?? ?????? ?????????? ?? ?????????? ?????? ??????????, ?????????? ?? ?????? ?? ?????? ??
???? ?????????????? ?????????? ?? ??????????, ? ?????, ?????, ?????? ?? ?????? ??
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(???. ??????? 174, 180, 182)

?????? ?? ?????????? (?????? ?????????? ???)
?? 1?? ?????? 2004(1)

????????? ?????????? – ??? 4, ??????? ??, ??, ????? 67 ?? ?? 95 ?? – ??????????????
????????? ?? ?????? ?? ?????????? Salzgitter – ?????? ?? ?? ?????? ?????? ?????????? ??
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???? ??????? T-308/00,

Salzgitter AG, ?? ??? ?? Salzgitter (??????), ?????????????? ?? ?????? ?????????? J.
Sedemund ?? T. Lübbig, ?? ??? ??????? ?? ???????????,
???????????????,

????????????? ?? ?????????????? ?? ?????????????? ?? ?????????? ?? ?????????????? ??
?? W.-D. Plessing, ?????????? ?? ?? K. Schroeter, ???????,
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????????? ?? ?????????? ?? ?????????? ??, ?????????????? ?? ?????? K.-D. Borchardt ??
V. Kreuschitz, ?? ??? ??????? ?? ???????????,
??????,

?? ??? ?? ?????????? ?? ?????? ?? ?????????? ?? ?????????? 2000/797/??? ?? ?????????? ??
28?? ?????? 2000, ??????? ?? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ??
????????? Salzgitter AG, Preussag Stahl AG ??? ?? ?????? ?????????? ?? ?????? ??????????
?? ?? ??? ?????? ??, ?? Salzgitter AG – Stahl und Technologie (SAG) (?? L 323, ?. 5),

?? ?????????? ?? ?????????? ?? ?????????? (?????? ?????????? ??),

????????? ?? V. Tiili, ???????, J. Pirrung, P. Mengozzi, A. W. H. Meij ???. ??????,
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?????????: ?. ???????, ?????????? ???????????,
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1? ?????????? 1997 ???? ?? 22 ?????? 2002.

????????? ??? ??????

6 ? Salzgitter AG – Stahl und Technologie (??? ????: ??????????????) ????? ??? ?????
????????????? ??? ????? ??? ?????????? ?????? ??? ?????? ?????? ??? ??????????
??? Preussag Stahl AG ??? ????? ?????????????????? ??? ?????? ??? ?????? ??????????????
7 ??? ???????, ? Zonenrandförderungsgesetz (????????? ?????? ??? ?????? ??? ?????? ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ???
????????? ??? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ???
????????? ??? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ZRFG) ?????????? ???
5 ?????????? 1971 ??? ????????, ??? ?? ??? ?????????????? ?????????????? ???, ??? ???
?????????, ??????? ?????????? ??? ?????? ??? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? 92 ???
????????? ?? (???, ??????? ??????????????, ????? 87 ??) ??? ??? ?????? 93 ??? ?????????? ??
(?? ?????? 88 ??). ?? ?????????? ?????????????? ??? ZRFG ?????????? ??? ??? ??????????
?? ?????????? ?? ?? ?????? ?? ?????????? ?????????? (?? 1993, C 3, ? 3). ? ZRFG ??????
????????? ?? ?????? ?? 1995.
8 ??? ??? ?????? ??????, ?? ?????? 3 ??? ZRFG ?????????? ?????????? ?????????????? ??? ??
????? ?????????? ?????????? (Sonderabschreibungen) ??? ?????????? ??????????????
(steuerfreie Rücklagen) ??? ?????? ??? ?????????? ??? ?????????????? ?? ???
????????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????????? (?? ????:
Zonenrandgebiet). ?? ?????????? ?????????? ?????????? ??? ?????? ?????????? ?????????? ???
????????? ??? ??????????, ?? ?????????? ???, ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?? ?? ?????? ??????, ??? ?? ?? ?????? ??? ?????? ??? ?????? ??? ?? ??
????????? ??? ?????? ?????? ?????????? . ?????? ?????????? ??? ?????? ??? ?????? ??? ?? ??
????????? ??? ?????? ??? ?????????? ???, ?????????? ?????? ??? ?????? ?????? ?????????? ??? ?? ??
??? ??? ?????? ??? ?????????? ???, ?????????? ??? ?????? ??? ?????? ?????????? ??????????
???? ?????? ?????????? ?????? ?????????? . ?????????? ?????????? ??? ?????? ?????? ?????????? ???
????????? ??? ?????????? ?????? ?????????? . ??????, ?? ?????????? ?????????? ??? ?? ??
????????? ?????? ?????????? ??? ?????? ?????????? .
9 ?? ?????? ??? 3?? ?????? 1999, ? ???????, ??? ?????????? ?????? ??????????
????????? ??? Preussag Stahl AG, ??? ?? ??? ?????? ??? ?????? ??? ?????? Salzgitter
AG, ??? ?????? 1986 ?? 1995 ?? ?????? ?????? ?????? ?????? ?????? ??? ?? ??
????? 3 ?? ZRFG, ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????? ??? ?? ?????? ?? ?????????? ??? ?????? 6, ?????????? 5, ?? ??? ?????? ???
????????? ??? ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?? ?????? ??? ?????? ??? ??
????????? ??? ?? ?????????? ??? Preussag Stahl AG ??? ?? ??? ?????? ??????????
????????? ??? ?????? ??? ?????? ??? ?????? Salzgitter AG. ?? ??? ?? ??? ?????? ???, ??
????????? ??? 24 ?????? 1999 ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ??????????
(?? C 113, ?. 9), ? ??????? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????????
???? ??? ??? ?????? ??????????
10 ??? ?????? ??? ?????????? ?????????? , ?????????? ??? ?????? ??? ?????? ??? ??????
10?? ??? 1999, ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ?????? ?????????? , ??? UK Steel Association, ??? ?????? ??? ??????
???? ?????????? ?????? ??? ??????????
11 ??? 28 ?????? 2000, ? ?????? ?????? ??? ?????? 2000/797/???, ?????? ?? ???
????? ?????? ??? ?????? ?????? ?????? ??? ?????? Salzgitter AG, Preussag
Stahl ?G ??? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? , ??? Salzgitter
?G – Stahl und Technologie (SAG) (?? L 323, ?. 5, ??? ????: ?????????? ?????? ??????), ??????
??? ?????? ?? ?????? ?????? ??? ?? ?????????? ?????? ?????? , ??? ??????????
??? ?? ?????? 3 ?? ZRFG ??? ?????????? ??? ?????? ?????? , ??? ?????? ??????
????????? ??? ?????????? ???, ?????????? , 484 ??? 367 ?????????? ?????????? ???,
????????? ??? ?????????? ?? ??? ?????? ??? ?????? ?????? ?????? ?????? . ?????? ?? ??

????????????????- ? ??????? ?????? ?????? ??????????? ??? ?????????? ??? ?????? ??? ?????????? ???
?????? ???, ????, ? ?????? ?????? ?????? ?????????? ??? ?? ?????? ??? ?????????? ??? ??????????
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??? ??? ?????? ??? ?????? ??????????? ??? ?? ??????? ??? ? ?????????? ??? ?????? ?? ????????

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22 ?? ??? ?????? ????, ? ?????????????? ?????????? ??? ?? ?????? ??? ?????? ? ?????????? ???????????

??? ??????? ?????????? ??? ?? ?????????? ?????????? ???, ??? ?????????? ??? ?? ????

????? 3 ??? ZRFG, ?? ??????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????????? ????. ? ????

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????????? ??? ?????????????? ??? ?? ?????? 3 ??? ZRFG ??????, ??? ???????????

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????????????? ??? ?? ?????? 3 ??? ZRFG ??????.

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- ?????????????? ??? ???????

23 ? ?????????? ?????? ?????????? ??? ?? ?????????? ??? ?????????? ??? ZRFG ????????

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??? ??? ?????????? ???, ? ?????????????? ?????????? ??? ?????? ??? ?????????? ??? ?? ??? ??

????? 3 ??? ZRFG ?????????? ??? ?????? ??? ?????? ?? ?????????????? ?? ?????????? ???

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24 ? ?????????? ?????? ???' ??????, ?? ?? ??? ?????.

25 ? ?????? ???????, ???' ?????, ??? ? ?????? ?????? ?????????? ??? ?????????? ??? ???????????

????????? ??? ?????????? ?????? ?? ??? ZRFG ?????? ??? ?? ?????? ?????? ?????????? ??

????????????? ?? ?????????? ?????? ??? ?????????? ??? ?????????? ??? ?? ?????? 3 ??? ZRFG

?????, ??? ?????? ?????? ? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? 4, ??????? ??, AX

????? ?????????????? ??? ?? ??? ?????? ?????? 87 ?? ??? ?????? ??? ?????? ??? ?? ?? ????????

?? ??? ?????? ?????? ??? ?????? ??????????.

26 ??? ???????, ? ?????? ?????????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ???

????????? ??? ?????? 3 ??? ZRFG ?????????? ??? ?????????? ??? ?????????? ??? ???????????.

??????, ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

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27 ??????, ?????????? ???, ?? ?????? ???, ??? ?????? ???, ??? ?????? ???, ? ?????? ???

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????? ?????? ???????, ???? ?? ?????? ?? ?????????? ???, ???? ??? ?????? ??? ?????? ???

??? ?????? ???????, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

????????? ???, ?? ?? ???, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

????? ??? ???, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

(????????? ??? ?????????? ??? 23?? ?????????? 1961, 30/59, De Gezamenlijke
Steenkolenmijnen in Limburg ??? ?????? ???, ?????? ??? 1954-1964, ?. 547,

????????? ?. 557- ??? 15?? ?????? 1994, C-387/92, Banco Exterior de España, ???????

1994. ?. I-877. ?????? 13. ??? ??? 1?? ?????????? 1998. C-200/97, Ecotrade, ??????? 1998. ?.

I?7907, ???? 34).

28 ????????, ? ?????????? ?????????? ??? ?????????????? ??? ?????? ??? ??????????????????
????? ?????????? ??? ?????????? ?? ??????? ?? ??? ?????? ?????????? ??????????. ?? ??????????????
????? ?????? ?????????????? ?????????? ??? ??? ?????????? ??? ?????????????? ?????????? ???
????????? ???, ??? ?????? ??? ??? ?????? ?????????? ?? ????. ????????, ????
?????????????, ??? ?????? ???, ? ??????? ??? ?????????? ?????? ?? ??? ?????????? ??? ??? ??????????
??? ??????? ?? ??????? ?????????? ?????????? ?? ?????????? ? ?????? ?????? ?????????? ???
????????? ?????????? ?? ??? ?????????????? ??? ?????? 4, ??????? ?, AX ??????????.
????? ??????? ??????????, ??????????, ?? ?? ?????????? ??? ?????????????? ??? ?????????? ???
????? ?????? ?????????? (????????? ??? ?????????? ??? 21?? ?????????? 1999, T-129/95,
T?2/96 ??? T-97/96, Neue Maxhütte Stahlwerke ??? Lech-Stahlwerke ??? ??????????, ????????
1999, ?. II-17, ????? 100, ??? ??? 29?? ?????? 2000, T-234/95, DSG ??? ??????????,
?????? 2000, ?. II-2603, ????? 115).

29 ???????, ??? ?????? ???????????, ? ??????? ? ?????????????? ?????????????? ??? ??????????
?????? ??????? ?? ???? ?? ?????????????? ??? ??????? ??? ??????? ??????????,
?????? ?? ???? ?? ?????? ?????????? ??? ??????? ??? ?????????? ?? (?., ??? ?? ???? ?????? ???,
??? ?????????? ??? ??????????? ??? 26?? ?????????? 1996, C-241/94, ?????? ???
?????????, ??????? 1996, ?. I-4551, ????? 24, ??? ?? 19?? ????? 1999, C?6/97, ?????? ???
?????????, ??????? 1999, ?. I?2981, ????? 17) ? ??? ??????? ??? ?????????? ???
(????????????? ??? ?????? 27 ??????? ??????? Ecotrade, ????? 40), ??? ?????? ??? ??
?????? ??? ?? ??????? ??? ?? ?????????????? ??? ?????? ??? ?????? 4, ??????? ??, AX.
??????, ??? ?????? ?? ??????????? ?? ??????????? ?? ??? ?? ?????? ?????? ???????????, ? ???
??????????, ??????????? ?????????????? ??? ??????????? ??? ?????? ?????????? ?????????????? ?
????????? ?????? ?????????????? (?., ??? ?? ?????? ???, ??? ?????????????? ???
????? 27 ??????? ??????? Ecotrade, ?????? 40 ??? 41).

30 ??????, ??????? ?? ?????????? ??? ? ?????? ??? ???????????, ??? ?????????????????? ???
?????? ??, ??? ???? ?????? ??????? ??? ?????? ?? ??????????? ?????? ??????????????????
?????????. ??? ??? ??? ??? ??, ? ?????????? ?????? ???????, ???' ????, ??? ????
???? ??? ?????????????? ?????????? ??? ??????? ??? ??? ?????????? ??? ?????? ??? ???
??? ??? ??????? ? ?????????? ?????????? ??? ?????????? ??? ???????????, ?? ??? ???? ????
????? ??????? ??? ?? ?????? ??? ??? ????? ??????? ??? ?????? ?????????? ??? ??????
87, ?????????? 1, ?? (?????? ?????????? ??? 16?? ????? 2000, C-83/98 P, ?????? ???
Ladbroke Racing ??? ???????, ??????? 2000, ?. I-3271, ????? 25- ?????????? ??
????????????? ??? 12?? ?????????? 2000, T-296/97, Alitalia ??? ??????????, ??????? 2000, ?.
II-3871, ??? 95, ??? ??? 17?? ?????????? 2002, T-98/00, Linde ??? ??????????, ???????
2002, ?. II?3961, ????? 40).

31 ?? ?????????? ?? ???? ?? ?????????? ?? ?????? ?????????????? ?????????????? ??? ?? ???? ??????????
??? ?? ???? ?????? ?????????? ?? ???? ?????? ?????????? ?? ?????? 4, ??????? ??, AX, ?????? ?
?????? ??????? ?????????? ?? ???? ?????? ?????????? ?? ?? ??????? ????.
32 ?? ????????????, ? ?????????????? ???????????, ???' ??????, ???? ?????????? ?? ?????????? ??
????????? ?? ???? ?????????? ?????????? ?? ?????? 3 ??? ZRFG ?????? ????????????
?????????.

33 ??????????, ??? ?? ??? ??? ?????????????? ??? ????? ??????? 29 ???????????, ???
?????? ?? ?????????? ?? ?????? ??? ?? ???? ????? ?????????????, ? ??? ?????????????,
????????????? ??? ????? ?????? ?????????? ?????????????? ? ?????????? ?????? ???????????????.
34 ?????? ?? ?????????? ??? ?? ?????? 3 ??? ZRFG ?????????? ??? ?? ?????????????? ???
????????? ?? ?????????? ?? ?????????? ?????????? ?????????? ?????? Zonenrandgebiet
????????? ?? ??????????, ??????? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
?? ?????? ?????????? ??? ?????? ??????, ?? ?????????? ??? ?????? ?? ??? ???????, ??
????????? ??? ????? ??????????, ?????????? ?????????? ?????????? ?? ?????????? ?? ???
????????? ??? ?????.. ?? ?????? ??? ?????? 3 ??? ZRFG ?????????? ??? ??

????????????? ?????????? ??? ??? ??? ??? ?????? ?????? ?????? ??? ???????????????
????? ??? ???? ?????????????? ??? ?????? ??? Zonenrandgebiet, ?????? ?? ?????????????? ??
????????????????? ??? ?????????? ?????????? ??? ?????? ?????????? ?????????? ?? ????
?????????, ?? ??????????, ? ?????????? ?????? ??? ?????????? ?? ???? ?????????? ?? ????
????????????? ?????????? ?????? Zonenrandgebiet.
42 ??????, ?????? ?? ?????????? ??? ? ?????????? ?????? ??? ?????????? ??? ???? ????
??? ?? ?? ??? ?????????? ?????? ?????????? ?????? ?????? ??? ?? ???? ?? ???? ?? ????
????????? ??? ?????????? ??? ?????? ??? ?????? (??., ???' ???????, ??? ??????????
??? ?????????? ??? 2?? ?????? 1974, 173/73, ?????? ??? ??????, ?????? ???
1974, ?. 351, ??? 33- ??? 9?? ?????????? 1997, C-353/95 P, Tiercé Ladbroke ???
?????????, ?????? 1997, ?. I-7007, ?????? 32 ??? 37, ??? ??? 13?? ?????????? 2003, C-
409/00, ?????? ??? ??????????, ?????? 2003, ?. I?1487, ??? 52- ?????? ???
????????? ??? 18?? ?????????? 1995, T-471/93, Tiercé Ladbroke ??? ??????,
????? 1995, ?. II-2537, ??? 62).
43 ??? ??? ?????? ??????, ?? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???
?????????.
??? ?? ?????????? ?????? ??? ?????????? ??? ?? ?????????? ??? ?????? ?????????? ??????????
????????? ??? ?????????? ??? 3 ??? ZRFG ?????????? ???
- ?????????? ??? ??????
44 ? ?????????? ?????? ??? ?????????? ??? ?? ?????????? ??? ?????? 3 ??? ZRFG ?????? ???
????????? ?????? ?????????? ?????????? ??? ?????????? ??? ?????? ?????????? ??? ?????????? ???
????????? ??? ?? ?????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ??????????
?????????, ??? ??? ?????????? (????????? ???) ??? ??????????
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ?????????? ??? ???
????? ??? ???, ??? ??? ?????????? ??? ??????, ?????? ?????? ?????? ?????? ?????????? ???
??? ?????????? ??? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ???.
????, ??? ??? ??????????, ?? ?????????? ?????? ??? ?????? 3 ??? ZRFG ???
????? ?????????? ??? ?????? ?????? ?????????? ?????? ??? ?????? ??? ?????????? ???
????????? ??? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????? ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ??? ??????
????????? ??? ??? ?????? ?????????? ??? ?????? ?????????? ?????? ?????? ??? ??????
????????? ??? ?????? ?????? ?????? ???.
45 ??????, ? ?????????? ?????? ?????????? ??? ??? ?????? ?????? ??? ?????? 87, ??????????
2, ?????? ??, ??, ??? ?????? ?????? ??? ?????? ?? ??? ?????? ??? ?????? ??? ?????????? ???
????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
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????? ?????? ?? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? «?????????».
????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? sui generis ??????. ?? ?????? ???, ? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?' ??? ???
????????? ???.
46 ? ?????????? ?????? ??? ?? ?????? 87 ?? ?????????? ?????? ???
????????????? ??? ?????? ???, ??? ?????????? ??? ?????? ??? ?????? 2, ?????????? ??,
??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?? ??? ??, ??? ?????? ??? ?? ?????????? ??? ?????? ??? ?? ??? ?????? ???
??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
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??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
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????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

????????????? ??? ? ? ?????????????? ?????????????? ?????????? ??? ?????????? ??????????????????, ??? ????
??? ?????????? ?????????? ???, ?????????????? ?? ?????? ?????? ?????????? ??? ?????? ??????. ???, ?
????????????? ?????? ??? ?????? ?????? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ? ??????????
47 ??????? ?? ??? ??????????????, ?? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ?????? ?????: ? ?????? ??? ?????? ?????? ?????? 18 ?????? 1951,
?????? ?? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ????
????????? ??? ?? ?????????? ?? ?????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ??????
48 ? ?????????????? ?????????????? ?????? ???, ??? ?????? ??? ? ZRFG, ?????? ?? ?????? ??? 3,
????????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ??????, ???
????????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? 87, ?????????? 2,
????????? ??, ?? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ? ??????????
??? ?????? ?? ?????????? ?????????????? ?? ?????????????? ?????? ?????? ?????? ?????? ??????. ??????????
??? ? ?????????? ??? ?????? ZRFG, ?????? ??? ??? ?????????????? ?????? ?????? ?????? ??????
??, ??? ?? ?????? ??? ?????? 87, ?????????? 2, ?????????? ?, ?? ??? ?????? ?????? ???
????????? ??? ?? ?????????? ??? ZRFG ??? ?????? ?????? ??? ??? ?????????????? ???
????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?? ?????????? ??? ?????? ?????? ???, ?? ??
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ZRFG
????????????? ????. ?????? ?? ??? ?????????? ???, ?? ??? ?????? ??? ?????? ??? ????
?????????, ??? ?????? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ???, ??, ?
????????? ??? ?????? ??? ?????? 3 ??? ZRFG ??? ?????? ??? ?????? ??? ?????? ?????? ??????
??? ??????, ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??????. ???????, ? ??????????????
????????? ?????? ??? ? ?????? ??? ?????? ??? ?????? «????????? ??????????» ??? ??????
????????? ??? ?????? 87, ?????????? 2, ?????? ?, ??, ??? ?????? ?????? ?????? ??????
?????????. ?? ??????????, ? ?????????? ??? ?????? ??? ?????? ??? ? ?????? ?????? ?????? ???
????????? ?? ?????????? ??? ? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???
??? ?????? ?? ?????????? ?????? ??? ?????? 3 ??? ZRFG ??? ?????? ?????? ??
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
49 ? ?????? ?????????? ??? ? ?????????? ?????? ?????? ??????, ??? ?????? ?????? ???
????????????? ??? ?? ?????? 3 ??? ZRFG, ?????? ?????? ?????? ?????? ?????? ?????? ???
????????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??
????????????? ?????? ?? ?????????? ?????? ?? ?? ?????????? ?????? ??? ?????? ??? ?? ?????? ???
????????????? ??' ?????? ????. ??????, ?? ?????? 3 ??? ZRFG ??? ?????? ?? ?????? ???
????????????? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???
??? ? ?????????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????????? ??? ?????? ???
50 ???????, ? ?????? ?????????? ?????????? ?????? ?????? ???' ?????????? ?????? ???
????? 87, ?????????? 2, ?????? ?, ??, ?? ?????? 4, ?????? ??, AX ?????????? ???
????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????? ??? ?????? ???, ?????? ??? ?????' ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
??? ?????, ? ??????????, ??? ?????? ??? ?????? ?????? ???, ?????? ?????? ?????? ???
????????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???
????? ??? ?????? ?????? ???, ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
??? ???? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???

60 ?????????????????? ??? ?????????????? ??? ?? ?????????????? ??? ?????????????? ??? ?????????????? ??? ?????????? 3 ??? ZRFG ???
????????????????? ??? ???????, ??????, ?? ?????????? ??? ?????? ??? ?????? 3 ??? ZRFG ???
?? ?????????????? ??? ?????? ??? ?????????????? ??? ?????????????? ??? ?????????????? ??? ??????????
??? ??? ?????????? ??????????, ??? ?????????? ??????, ??? ?????????? ??? Zonenrandgebiet
???, ????????, ??? ?? ?????? 87, ?????????? 2, ?????????? ?, ?? ?????????????? ??? ?
????????? ??? ?????????? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?
61 ??????, ?? ??????? ???, ??? ?????????????? ? ?????????????? ??? ? ?????????????? ???, ??
????? 87, ?????????? 2, ?????????? ?, ?? ?????????? ?? ?????????? ??? «????????? ??? ?
????????? ??? ?????????? ??? ?????????? ?????????? ?????????? ??? ?????????? ??? ?
????????? ??? ?? ?????????? ??? ?????????? ?????????? ?????????? ??? ?????????? ??? ?
????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ?
????????? ??? ?????????? ??? ?
62 ??????, ?????? ?? ?????????? ???, ?????? ??? ?????? 305, ?????????? 1, ??, ??
????????? ??? ?????????? ?? ??? ?????????? ??? ?????? ??? ?????? ???, ?????? ??? ??????
?? ?????????? ??? ??? ?????????? ??? ?????? ??? ??????, ??? ?????????? ??? ?????? ???
????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?? ?? ?????????? ??? ?????? ??? ?
????????? ??? ?????? ??? ?????? ??? ??????. ??? ??????????, ?? ?????????? ??? ?????? ???
????????? ?? ??? ?????? ?????? ?????? (????????? ??? ?????????? ??? 25?? ??????
1999, T-37/97, Forges de Clabecq ??? ????????, ??????? 1999, ?. II?859, ????? 132). ???
??? ?????? ??? ?????????? ?????????? ??? ?????? ?????????? ?? ?????????? ?????????? ???
????????? ??? ? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??? ??????????, ?????? ??????
? ???????? ?? ??? ?? ?????????? ??? ??? ?????? ??? ?????? ??? ?????????? ?? ?????????? ???
??? ?????????? ??? ?????? ??? ?????? ?????? (????????? ??? ?????????? ??? 15??
????????? 1987, 328/85, Deutsche Babcock, ??????? 1987, ?. 5119, ????? 10, ??? ?? 24??
????????? 2002, C-74/00 P ??? C?75/00 P, Falck ??? Acciaierie di Bolzano ??? ???????,
?????? 2002, ?. I?7869, ????? 100).
63 ??????, ??? ?????? ??? ?????? ?? ??????????, ?? ?????? ??? ?????????? ??????????
????????? ??? ?????? ?? ?????????? ??? ?????????? ??? ?????? 4, ?????????? ??, AX ???,
???? ???????, ??? ?????? ?? ?????????? ???, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ?????? ??? ?? ?????? ?????? ?????????? ??? ?????????? (?. ??
????????? ??? ?????? ??? ?????? 62 ?????? Falck ??? Acciaierie di Bolzano ???
?????????, ??? 101 ?? 102).
64 ?? ?? ??????, ?????????? ??? ??? ?????? ??? ?????? ??? ?????????? ?????????? ?????? ?
????????? ??? ?????? ??? ?????? 87, ?????????? 2, ?????????? ?, ??, ??, ? ?????????? ???
????????? ?????????? ?????????? ??? ?????????? ??? ?????????? ?????????? ???
????????? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
????? 4, ????????, ??, AX, ???, ??? ?????? ???????, ??? ?????? ??? ?????? ???
?????????, ??? ?????? ?????? ??? ?? ?????? ???.
65 ??? ?? ?? ?????????? ??? ??????????????, ??? ?? ?????? ? ?????????? ??? ?????? ???
???? ?????????? ??? ?????? ? ?????????? ??? ?????? ??? ?????? 87, ?????????? 2, ????????
??, ?? ?????? ?? ?????? ??? ?????????? ??? ???????, ??? ?? ?????????? ??? ?????? ???
????? ????.
66 ??????, ??? ?????? ??? ?????? ??? ?? ?????? ??? ?????? 4, ??????? ??, AX ??? ??
?? ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ???, ?? ?? ?????? ??? ?????? ???
??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
?????????. ????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?? 1951, ???
????????? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?????????, ?? 1948 ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??

????????????????? ??? ??????? ???.

67 ?????? ?????? ???, ?????? ?? ??? ?????? ??? ?????? ?????? ?????? ?????????? ??? ??
????????? ?????? ??? ?????? [??????? 257/80/????? ??? ??????????, ??? 1?? ?????????? 1980,
?? ?? ?????? ?????? ?????????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??
????????? ?????? ??? ?????? (ABI. L 29, ?. 5)], ??? 31 ?????????? 1981, ? ?????????? ???
????????? ?????? ?????? ?????????? ?????? ??? ?????? ?????? ?????????? ?????? ??? ??????
????????, ?????? ?????? ??? ?????? ?? ?????? 4, ?????? ??, AX ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ?? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? 67 AX ??? ??? ?????? ??? ?????? 87 ?? ??? 88 ??.

68 ??? ??? ?????????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?? ??? ?????????? ???
????? 4, ?????????? ??, AX ??? ?? ?????? 67 AX, ?? ?????? ???, ??? ?????? ?????? ?,
????????? ?????? ??? ?????? ??? ?????? ?????? ?? ??? ?????? ?????? ?????? ?????? ???, ??? ??
????? ? ?????????? ?????? ?????? ???, ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ???
????????? ?????? ??? ??????, ??? ?????????? ??? ?????? ??? ?????? 4, ?????????? ??, AX, ???
?? ??????, ???' ??' ???, ?? ??? ?????????? ?????? ?????? ??? ?????? ?? ?????? ?????? ???
????????? ???.

69 ????????, ??? ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?? ?????? ??? ?????? ?? ???
????? ?? ?????? ??? ?????? ??? ?????? 4, ?????????? ??, AX ??? ?????? ?????????? ???
????? ?????? ??? ???, ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ???
?? ??? ?? ??????, ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???.

70 ????????, ?? ??? ?????? ??? ?????? ???, ??? ?? ?????? ?????? ?????????? ??? ?? ??? ??????????
?? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ???
?? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???.
?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???,
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

71 ????????, ??? ?? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
??? ?????? ??? ?????? 87, ?????????? 2, ?????????? ??, ?? ?????????? ??? «?????»
????? ??? ?????? ??? ?????? ??? ?????? ??? Zonenrandgebiet ???????, ???????
????? ???, ?? ?????? ???, ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
? ?????? ??? ?????? 4, ?????????? ??, AX, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? 3 ??? ZRFG ?????????? ??? ?????? ??? ??
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

72 ??? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?????????? ??? ??
????????? ?? ?? ??? 4, ?????????? ??, AX ?????????? ??? ?????? ??? ?????? ??? ??
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? (????????????? ??? ?????? ???)
????? 27 ?????? De Gezamenlijke Steenkolenmijnen in Limburg ??? ?????? ???, ?. 573).
?????, ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ??? ?????? ??? ?????? ???.

73 ????????, ??? ?????? ?????? ???, ? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? (????????? ??? ?????? ???)
?? 10?? ?????? 1986, 234/84, ?????? ??? ?????? ??? ?????? 1986, ?. 2263, ??? 16,
?? ?????? ??? ?????? C2241/94, ?????? ??? ?????? ??? ?????? 29 ??????, ??? 33).

74 ?? ??????????, ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? 87, ?????????? 2, ?????? ??, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???

?????? 3 ??? ZRFG ??????????? ?? ?????????? ?????????????? ?????????????? ?????????????? ??? ??
????????? ?? ??????????. ?? ??????????, ??? ??? ?? ?????? ??? ?????? ?? ?????? ?? ?????? ??
????????????? ?????????? ??????, ??? ??? ?????????????? ??? ?????? ?????? ?? ?????? 64
??? 66, ?? ????? 87, ?????????? 2, ??????? ?, ?? ????? ?????????? ??? ?????? ??
????????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ???. ???????, ? ?????? ??
????????????? ?????????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????????? ??
?????????, ??? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??
????????????? ?????????? (??., ??? ??? ?????? ???, ?????? ??? ?????????? ??? 15??
????????? 1999, T-132/96 ??? T-143/96, Freistaat Sachsen ?. ??? ??????????, ??????
1999, ?. II?3663, ??? 140).
75 ??? ??????, ? ??? ?????? ?? ?????? ?? ?????????????? ??? ?????? 87, ?????????? 2,
????????? ??, ?? ?????????? ?? ?????? ?? ?????? ?? ?????? ?? ???????, ?????? ??
????????? ???, ?????????? ?????????? ?????? ??? ?????????? ?????? ?????? ??????????????
????????????? ??? ?????????? ?????? ?????????? ?????? ?????????? ??? ?????? ??
????????? ??? Zonenrandgebiet ??????????.
76 ?????? ??? ??????, ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?? ??????????
??? ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????????? ?????? ?? ??????????
????????? ??? ?????? ??? ?????? ?????? ??? ?????????? ?????? ?????? ?? ??????????????
????????? ??? «????????» ?????????? ??????????
- ?????????? ??? ??????
77 ? ?????????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????????? ?????? ???
????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????????
?? ?????? ?????? ??? «????????» ??? ??? ?????????? ?????? ?????? ?????? ???
????? ?? ??? ?????? ?? ?????? ?? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??
????? 4, ??????? ?, AX ?????? ?????? ???????. ??? ??? ?????????? ?, ? ???????,
????????? ?? ?????? ?' ??? ?? ?????? ?? ?????? «?????????», ??? ?????? ??
????????? ??? ?????? ?????? ?????? ?????? ??? ?????????? ?????? ?????? ???
?????????, ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
?????????, ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????????? ??? ZRFG ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ???????. ? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?, ??????????, ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
??????????. ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 3 ???
ZRFG ?????????? ? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
78 ? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
?? ??? ?????? ??? ???, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ???????. ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???' ????, ??
????? ?????? ??? ?????? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
- ?????????? ??? ??????????

79 ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ? ?????? ???
87, ?????? 1, ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ??????
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? «?????????
????????? ? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?????????, ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? (????????? ??? ?????? ??? 8?? ?????? 2001, C-

143/99, Adria-Wien Pipeline ??? Wietersdorfer & Peggauer Zementwerke, ??????? 2001, ?. ?-8365, ????? 41, ??? ?????????????? ????? ??????? ????? 42 ??????? ??????? ???-??????????, ???????????, ????? 47).

80 ??? ?????? ??????? ??????? ?????? ?? ?????? ??? ?????? ?????? ?? ?????? ??? ?????? ??? (??., ??? ?????? ???, ??? ?????????????? ??? ?????? ?????? 27 ?????? Ecotrade, ????? 41).

81 ??? ?????? ???????, ?????????? ?? ?????????? ?? ?????? ?????? ?????? ?????????? ???????????, ????

??? ?????? ??? ??????? ?? ?????? ??? ?????? ?????? ?????? ?????????? ???????????, ??????

?????????? ?? ?????????????? ?? ?????? ?????? ??????, ??? ?????? ?????????? ?????????????? ??????

??????????, ??? ?????? ??? ?????? ?? ?????????? ?? ?????? ?????????? ??????. ???????, ???????????

?? ??????????? ?? ?????? ?????? «????????» ?????????? ???????????, ??? ?????? ????

????? ??? ?? ?????? ???????????, ??? ?????? ?????? ?? ?????? ?????????? ?????????? ????

?????????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??????, ??? ?????? ????

?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??????, ??? ?????? ????

?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ????

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?????????? ?????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ????

82 ???????, ??? ?????? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? 3 ??? ZRFG

?????????? ??? ?????? ?? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ???????.

83 ???????, ??????? ??? ?????? ??, ??? ?????????? ? ???????????, ? ?????????? ?????????? ????

?????????? ?????? ?????????? ?? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ????

?????????? ?????? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ????, ??? ?????? ????

?????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ????

84 ???????, ??????? ? ?????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ????

??????, ??? ?????? ?? ???????????, ??? ?????? ?????????? ?? ??????, ??? ???????, ??? ???????

??????, ??????? ??? ??????????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ??????? ????

?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

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Steenkolenmijnen in Limburg ??? ?????? ???, ?. 557- Banco Exterior de España, ????

13, ??? Ecotrade, ??? 34), ? ??????? ??? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ????

????????? ????, ????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

??? ??? ???, ???????, ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

??, AX. ??? ??? ?????? ??? ?????? ???, ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ????

????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

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????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

85 ???????, ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ????

??? ??? ??????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

-?????????? ??? ???????

86 ? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????? ??????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????

????? 27 ??????? Ecotrade, ??????? ??? ? ??????? ??????? ?? ???????????
????????? ??? ?? ?????? ??? ?????? 4, ??????? ?, AX ?????? ??? ?? ??????
??? ?????????? ?????? ?????????? ??? ?? ????? ?????????? ?????? ??? ?? ?????
????????? ??? ?? ????? ?????????? ??? ?? ????? ?????????? ??? ?? ?????? ???
????? ??????.

87 ? ?????? ??????, ???' ?????, ??? ? ?????? ??? ?????????? ??? ?????? ???
????????? ???, ??? ???? ?? ?????? ??? ?? ?????? ??? ?????????? ??? ?? ?????
????????? ??? ?? ?????? ??? ?????? ???, ??? ???? ?? ?????????? ??? ?? ?????
????? ?????? ??????, ??? ? ?????? ?????? ??????. ? ?????? ?????? ?????? ???
? ?????? ??? ?????????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????
??? ?? ?????? ?? ??????, ?? ?? ??? ?????? ??? ?? ?????????? ???, ?????????? ??
????? ??????????. ?? ?????? ?????? ???, ???' ?????, ?????????? ?????? ?????? ??
????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? 4, ??????? ?, AX, ??? ??
????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ??? ??
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ???,
?? ?????? ?? ?????????? ?????? ?????? ?????? 87, ?????????? 1, ?? ?? ??
????? 4, ??????? ?, AX, ??? ?????? ?????? ?????? ?????? ??? ?????????? ??? ??
????????? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? 27 ?????? Ecotrade, ?????? ?? ?? ??????
????? ?? ?????????? ??? ?????? ?????? ??? ?????? ???, ?????, ?????, ??? ??????
????????? ??? ?????? ???, ???????, ??? ?????? ?????? ?????????? ??? ?? ??????
??? ?????????? ??? ?????? ??? ?????? ?????? ?????????? ???, ??? ?????? ??????
????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???
????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ???
- ?????? ??? ??????????

88 ?? ?? ?????? ?????? ??? ?????? ??? ?????, ??????, ? ?????????? ?????? ?????? ???
????????? ?? ?????? ??? ?????? ?? ?????? ?? ??? ?????? ??? ?????? ??? ?? ??????????
??? ?????????? ?????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ??????????
????? ??? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ??? ?? ?????? ?????? ?????? ??? ?????? ?????? ?????? 27 ?????? Ecotrade,
????????? ??? ? ?????? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ???
????????? ?? ?????? ??? ?? ?????? 3 ??? ZRFG ???.

89 ??? ?? ?????? ??? ?????? ??????, ?? ?????????? ?????? ???, ??? ?????? ?????? ???
????? ?? ?????????? ??? ?????? ??? 84, ? ?????? ??? ?????? ??? ?????? ??? ?????????? ??
????????? ?? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ??????????
????? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ??
????????? ?????? ??? ?????? ??????, ? ?????? ??? ?????? ??? ?????? ??? ??????????.

90 ??? ?? ?????? ??? ?????? ??????, ?????? ?? ??? ?????? ??? ?????? ??? ?????????? ??
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 3 ??? ZRFG, ???
????? ?????? ??? ?????? ???, ??? ?????? ??? ?????? 4, ?????? ??, ??, ?? ??????????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
12?? ??? 1999, -164/96 ??? -167/96, Moccia Irme ?.. ??? ?????? ???, ?????? 1999, ?.
??-1477, ??? 82, ??? 16?? ?????? 1999, -158/96, Acciaierie di Bolzano ???
????????? ??? 1999, ?. ??-3927, ??? 113).

91 ??? ??????, ?????????? ??? ?????? ?????? ?????????? ?? ?????? ??? ?????????? ???
????? 4, ??????? ?, AX, ??? ?????? ???' ?????? ?? ??? ?????? ?????? ??? ??????????
????? ??? ?????? ??? ???? ?????? (????????? ??? ?????? ?????? ??? 21??
????? 2001, C-280/99 P ??? C-282/99 P, Moccia Irme ?.. ??? ?????? ???, ?????? 2001,
. I-4717, ?????? 32 ??? 33, ??? Falck ??? Acciaierie di Bolzano ??? ???????,
????????? ??? ?????? 62 ??????, ??? 102).

92 ????????, ????????, ????, ?? ?????????? ? ???????????????, ? ?????? 34 ???
????????????????? ????, ?????? ?????? 27 ????????? Ecotrade ??? ??? ?????? ?? ???? ??????
??? ?????????????? ????, ?????? ?????????? ??? ?????? ?? ?????????? ??? ?????????? ??
????????????? ?? ?????? ?????? ?????, ??? ?????????????? ??? ?????? ?? ?????????? ???
????????????? ????, ?????? ?????? 84 ????? ?????????? ?????? ?? ?????? ??? ?????? ???
????? ??? ?????? ?????? ???????.
93 ??? ??? ????????, ????????, ????, ?? ?????????? ? ???????????????, ? ??????????
??? ?????????????? ?? ?????? ?? ?????????? ??? ?????? 3 ??? ZRFG ??????????
?????, ?????????? ?? ?????? ?? ?????????? ??? ?????????? ?? ?????? ?????????? ????
????? ??? ?????? 4, ????????, AX, ?????? ?????? ??? ?????? ???????.
94 ?? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?? ?????????? ???
????? ??? ? ?????? ?????? ??? ?????? ???.
??? ??? ?????????? ?????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? 4,
????????? ??, AX ??? ??? ?????? 67 AX
????????? ??? ??????
95 ? ?????????? ?????? ?????????? ???, ??? ?????? ?????????????? ?? ? ?????? ??? «??????»
?????????», ?? ?????? 4, ????????, AX ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ??? ?????? ?????? ???????. ??? ?????? ???, ?? ?????????? ??
????? ?? «?? ??????», ?????, ?? ??????????, ?? ?????????? ?????? ??? ?????? ???
????????? ??? ?????? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????
4, ????????, AX. ??? ?????? ??????????, ?????? ??? ?????????? ??? ?????? ??? ?????????? ???
??? ?????????? ?????? ??? ??????????, ?? ?????????? ?? ?????? ??? ?????????? ???
????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? 67 AX.
96 ??? ????????, ? ?????????? ?????? ??? ? ?????????????? ?????? ?????? ?????????? ??
????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? 4, ?????????? ??, AX.
?? ?? ?????????? ??? ?????? ?????? ??? ?????? ?? ?????????? ?????? ?? ?????????? ???
????????? ??? ?????? 4, ????????, AX ??? ??? ?????? 67 AX. ??? ??? ?????????? ?,
????????? ??? ?????? ?????????? ??? ?? ?????? ??? ?????? ?????? ?????????? ??? ??
????????? ??? ?????? ??? ??????, ?? ??? ?????? ?????? ??? ?????? ???, ?????? ??? ?? 1986,
?? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???????????.
97 ? ?????????? ?????? ?????????? ??? ? ?????? ??? ?????? 67 AX ??? ?????????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ?????? ?????????? ??? ??
????????? ??? ?????? ???, ?????? ??? ?????? ??? ?? ?????? 305 ??, ? ?????? ???
????????? ??? ?? ?????????? ???, ??? ??? ?????? ??? ?????? ??? ?????? ?????????? ???
????????? ??? ?? ?????????? ??? ?????? ??? ??????, ??? ?????? ?????? ??? ?????? ???
????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ???.
98 ??? ??? ??????????, ??? ??? ???? ???? ???? ?????????? ??? ?? ?????? 3 ??? ZRFG
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??, ??, ??? ?????? ???? ?????? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ?????? 67 ??? 76 ??? ?????????? ??? ???????.
?????????, ??? ?? ?????? ??? ?????????? ???, ?? ?????????? ??? ?????? ??? ?????? 3 ??? ZRFG
????????? «????? ?????? ??????» ??? ??? ?????? ??? ?????? 67, ?????????? 1, ??, ??? ?
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? «????? ?????? ?????? ??? ??? ??? ?
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????????? ?? ?????????? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ZRFG, ???

? ??????? ? ?????????????? ??? ???? ???? 88, ?????????? 2, ?? . ???????, ?????????? ?
????????? ?? ???? ???? ???? ? ?????????????? ?????????? ??? ??????????, ??? ?????????? ?
????????? ??? ???? ?????????? ??? ?????????????? ?????? ??? ?????????????? ??????????, ???
????????? ??? ???? 67 ?? ???? ???? ?????????? ??? ?????????????? ??????????, ??? ??????
??????, ??????? ?? ??? ?????????????? ?? ???? ?????? ?????? ?????????? ?????????? ??????????
?????? ?????????? ??? ?????????? ??? ?????????? ?????? ?????????? ?????? ??? ?????????? ??? ??
?????? ??????, ??? ?????????????? ??? ?? ?????????? ?????? ??? ?????????? ??? ?????????? ??? ??
?????? ?????? ???????????.
99 ? ?????????????? ?????????????? ?? ?? ?????????????? ??? ???????????????.
100 ? ?????? ?????????? ??? ???? ?????? ?????? ?????? ?????? ??? ?????????? ?????????? ??????????
????? ??????? ?????? ?????? ?????????? ??? ?????? ?????????? ?? ?? ?????????? ??? . ? ??????
????????? ??? ?????????? ?? ?????? 67 AX ?????? ?? ?????????? ??? ?????? ?????? ?????? ??????
???? ?????? ??? ?????????? ?????? ?????? ?????? ?????, ?? ?? ?????? ?????? ??? ?? ?????? ???
????????? ??? ??? ?? ?????????? ??? ?? ?????? 4, ??????? ??, AX ???????????.
????? . ??? ??? ?????????? ??? ?????? ?????? ?????????? ???, ?????????? ??? ?????????? ?? ?????????? ???
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
? ?????????? ??? ???????????.
101 ??? ???? ?????????? ??? ?????? ??? ?? ?????? ?????? ?????????? ?, ???? ?????? ???????????.
????? ??? ???? ?????????? ??? ?????????? ??? ?????? 4, ??????? ??, AX ?? ???????????.
????????? ?? ???? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??
????????? ?????????????? ??? ?????? ??? ?????? ?????? ?????? ?????? . ?????? ??? ?????? ??
????? ??? ?? ?????? ??? ?????? ?????? ???' ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ???,
????????????? ?? ??? ?? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ???
????????? ?????? ???, ?? ?????? ???, ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ???????.
102 ?????, ? ?????? ?????????? ???, ?????? ?? ?? ?????????? ??? ?????????? ?, ??
????????????? ??? ?????? ?????? ??? ?????? 67 AX ?????????? ??? ?????? ?????? ?????? ??
????? ?????? ?? ??? 4, ??????? ??, AX ???????, ?????? ??? ?????? ??? ?????? ???,
????????? ?? ??? ?????? ?????? ?????? ??? ??????, ??? ?????? ??? ?????? ??? ?????? ?????? ???
????????? ?? ??? ?????? ??? ?????? 67, ?????????? 2, AX ?????? ?????? ?????? ?????? ??? ??????
?? ?????????? ?????? ?????? ?????? ??? ?????????? ??? ?????? ?????? ?????? . ???????, ?????? ?
????????? ?????? ???' ?????? ???, ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? 67,
????????? 2, ?????? ?????? ?, AX ? ?? ?????? ??' ?????? ?????? ??? ?????? ?????? ?????? ???
?? ?????????? ??? ?????? 54 AX ?? 56 AX. ?? ??? ?????? ?????? ?, ?????? ?? ??? ?????? ??
????? 4, ??????? ??, AX, ??????? ?? ?????? ?????? ?????? ?????? ??? ?????? ?????? , ????????
????? ?????? ??? ?? ?????? 67, ?????????? 2, ?????? ?????? ?, ?? ?? ?????? ?????? ,
?? ?????? ?????? ?????? ?????? , ?????? ?????? ??? ???????.
????????? ??? ??????????
103 ??????????, ?????????? , ?? ?????????? ???, ?????? ??? ?????? ??? ?????? 80 AX, ???
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??????
????????? ??? ?????? ??? ?????? ??? ???????.
104 ?? ?????? ?????? ??? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????? 4,
????????? ??, AX ??? ???? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? (??., ??? ??
????? ???, ?????? ??? ?????? ??? ?????? ??? 17?? ?????? 1959, 14/59, Société des
fonderies de Pont-à-Mousson ??? ?????? ???, ?????? ?????? 1954-1964, ?. 351, ??? ??
28?? ?????? 2003, C-334/99, ?????? ??? ?????? , ?????? 2003, ?. I?1139, ???
78).
105 ?? ?????????? , ??? ?????????? ???, ??? ?????? ?????? ?????? ?????? ? ?????? ??? ??????
????? ?????????? ??? ?????? ??? ?????????? ?????? ?????? , ? ?????? ?????? ?????? ??????
????????? ??? ??? ?????? ??? ?????? 80 AX.
106 ?????? ??? ?????? , ??? ?????? ??? ?????? ???, ?????? , ??? ?????? , ?? ?????? ?????? ???

?? ??? ?????? ????, ?????? ??? ?????? ??? ?????? ??? ?????? ??? (????? 2 AX ??? 4 AX). ??
?? ???????? ??? ???????????, ? ?????????????? ?????????????? ??? ? ?????????? ??? ??????????
????? ?????????? ?????? ?????? ?????????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ??
????? ?????? ?? ?????? 95 AX. ? ?????????? ?????? ?? ?????? ?? ?????????? ?? ??????
????? ??? ?? ?????? ?????? ?? ?????????? ?? ?????? 95 ?? ?????? 2 AX, 3 AX ??? 4
AX.
120 ? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??????????
????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???,
????? ?????? ?? ??? ?????? ??? ?????? ?????? ??? ?????? Irish Steel (????? ???
????????? ??? 7? ?????? 1999, T-106/96, Wirtschaftsvereinigung Stahl ??? ?????? ???,
????? 1999, . II?2155), ??? ?????????? ?? ?????? ??? ?????? 95 AX,
????????? ??? ?? ?????? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ?? ???
????? ?????? ?????? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ???, ?? ??? ?????? ?????? ???, ?? ?????? ?????? ?????? ???, ?? ?????? ??????
?????, ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???
????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????, ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?? ?? ?????? ??? ?????? ?????? ?' ?????? ?????? ??? ?????? ??? ??????
????????? ???, ?????? ??? ?????? ?????? ???, ? ?????? ?????? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ?????? ???, ?????? ???, ??? ?????? ??
????????? ??? ?????? ??? ?????? ?????? ?????? 95 AX. ??? ?????? ??? ??
????????? ??? ?? ?????? 3 ??? ZRFG ?????? ??? ??? ?????? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? 95 AX.
121 ? ?????????? ???, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? 2 AX, 3 AX ??? 4 AX, ? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ZRFG ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? (????? 3, ????)
??, AX) ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ??
????????? ??? ?????? (????? 2, ?????? ???, AX). ?????? ???, ??? ??
????????? ???, ??? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ???, ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ??
????? 87, ?????? 2, ?????? ??, ??, ??? ?? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 95 AX.
122 ? ?????????? ???, ?????? ??? ?????? 95 AX, ??? ?????? ??? ?????? ??? ??????
????????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ???
123 ? ?????????? ???, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 120 ?????? Irish Steel, ??? ?????? ???
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

???? ??????????, ??? ?????? ???????, ?? ?????? ?? ?????????? ?????????? ?????? ???
?????????, ?? ?? ??????, ??? ?????? ?????? ?????? ?? ?????????? ?????? ??? ?????? 95
AX.
124 ??????, ? ?????????????? ?????????? ?????? ?????????? ?????? ?????????? ?????? ???
????? ??? ?????????? ?????? ?????? ?????? ?????? ?????? 95 AX. ? ?????? ???
????????? ??? ?? ?????? ??? ? ?????? ?????? ??? ?????? ?????? ?????????????? ??????????
??? ??? ?????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ?????????? ?????????? ??????????
????????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????????? ??? ??? ??????????
????????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????????
??? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?? ?????????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 87,
????????? 2, ????????, ?? ???????.
125 ? ?????? ??????????, ??????, ??? ??? ??, ?????? ??? ?????????? ??? ??????
????????? ??? ?????????? ?????? ??? ??????, ??? ?????????????? ??? ??? ??????????
????????? ? ?????????? ?????? ?????? ?????????? ?????? ??? ?????? 95 AX ??? ??????
??? ?????????? ?????????? ??? ??? ?????? ?????? ?????? ?????? ?????????? ??? ??? ??????
?????????, ? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???????.
?????????, ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???, ????
????????, ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
?? ?????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 95
?? . ??????, ? ?????? ?????? ?????? ?????? ?????? ?????? 124 ??? ??????????????
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? 95 AX ??? ?????????? ??
?? ?????? ?????? ?????? ??? ?????? ??????.
126 ??????, ?????? ?? ??? ??????, ? ?????????????? ?????? ??? ?????? ??? ZRFG ????
????????, ??? ?????? ?????? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?,
????????? ??? ??? ?????? ?????? ?????? ?? ??? ?????? ?????? ?????? ?????? ?????? ??????
??? ?????? 95 AX, ?????? ?????? ?????? ?? ? ZRFG ??? ?????? ??? ??
????????? ??? ??????, ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
127 ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???, ? ???
????????? ???, ?????? ?? ? ?????? ?????? ??? ?????? ?????? ?????? 95, ???
?????, AX ??? ? ?????? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ??? ? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
- ?????????????? ??????
128 ?????? ?? ?????????? ??? ?? ??? ?????? ??? ?????? 95 AX ?????????????? ?
????????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ???
?? ? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????

????????? ??? ??????? ?? ??????? ?? ???? ?????????? ?? ???? ?????? 5 AX, ??? ???? ??? ?????? ???????
??? ??????????, ??? ???? ?????? ?????????? ?? ???? ?????? 2 AX, 3 AX ??? 4 AX.
129 ??? ??????? ?? ?????????? ?? ???? ?????????? ?? ???? ???????, ??? ?????????? ?? ???? ?? ???? 4, ???????
??, ?? ?? ?? ?? ??????????, ??? ???? ???????, ? ??????? ?????????? ?? ???? ?? ???? ?? ???? ?? ???? ??
????????? ?? ???? ?????? ?? ?????? ?????????? ??????????, ?????????? ?? ???? 95, ????
??? ??????? ???????, ?? (????????? ?? ?????????????? ?? 24?? ?????????? 1997, -239/94,
EISA ??? ???????, ??????? 1997, ?. ??-1839, ??? 63) ?????????? ??
????????????? ?????????? ???????????.
130 ??? ?????? ?? ??????? ?? ?????????? ??, ? ??????? ?? ?????????? ?? ???? ?????????? ?? ???? 95,
????? ?? ??????? ??, ?? ?? ?? ?????????? ?? ???????, ???????, ??? ???? ?? ???? ??
????????? ???????, ?????? ?????? ?????????? ?? ???? ???????, ???????, ??? ???? ?? ???? ??,
????????? ?????? ?????? ?????????? ?? ???? ???????, ?????????? ?????????? ?????????? ?? ???? ?? ???? ??,
????????? ?????????? ?????????? ?? ???? ???????, ???????, ? ??????? ?? ???? ??????? ??????????
????????? ?????????? ?????????? ?? ????' ???????, ???????????.
131 ???, ?? ??? 4, ??????? ??, AX ??? ?????????? ?? ???? ???????, ?????????? ?? ???? ?? ???? ??
????? ?????? ?? ???? 95, ????? ?? ?????? ?? ???? ??, ?? ?? ?????????? ??????????
????????? ?? ???? ?? ???? ?????????? ?? ???? ??????? ?????????? ?? ???? ?? ???? ?? ???? ??
????????? ?? ???? ?????????? ?? ???? ??????? ?? ???? ??????? ?????????? ?? ???? ?? ???? ?? ???? ??
?? ?????????? ?? ???? ?????????? ?? ???? (??., ?? ???? ?? ???? ??, ?????????? EISA ???
?????????, ?????????????? ?? ???? 129 ??????, ?????? 70 ?? 72. Forges de Clabecq
???? ???????, ?????????????? ?? ???? ?????? 62 ??????, ?????? 79, ??? DSG ???
?????????, ?????????????? ?? ???? 28 ??????, ?????? 204).
132 ?? ??????????, ??????? ?? ??? ?????????? ?? ???? ???????, ? ??????? ?? ???? ?? ???? ??
????????? ?? ???? 95 AX ?? ???? ?? ?????:
«(121) ? ??????? ?????????? ??????? ?? ???? ?????? ??????? ??????? ? ??????? ?? ???? ?? ???? ?? ???? ??
????????? ?? ???? ?? ???? ?????? ??????? ?? ???? ?????? ?????????? ?? ???? ?????????? ?? ???? ?? ???? ?? ???? ??
????? 95 [??].

(122) ?? ??????? ?? ????? ?????????????? ?? ????? ?? ?????????? ?? ????? ?? ????? ?? ????? ?? ??????????
????????????? ?? ?????? ?? ?????????? ?? ??????????????, ?? ????? ?? ?????????????? ?? ??????????
????????????? ?? ?????????????? ?? ?????????????? ?? ?????????????? ?? ?????????????? ?? ?????? 95 [??],
?? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?????? ?? ?????????????? ?? ??? ???
????????????? ?? ?????????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ?????????? ?? ?????????? ?? ??????,
????????? ?? ?? ?????? 5, ?????????? ?? ?? ??????????, ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ??????
??????, ?????????? ?? ?? ?????????? ?? ?????? ?? ?????????? ?? ?????? ?? ?????????? ?? ??????
????????????????? ?? ?? ?????? 2, 3 ?? 4.

(123) ??????? ?? ??? ??????? ??? ?????????????? ??? 7?? ??????? 1999 [??106/96,
Wirtschaftsvereinigung Stahl ??? ??????????, ??????? 1999, ?. ??-2155], ? ??????????
????????????? ??? ????? ????? ?? ?????????? ? ?????? ??? ?? ?????????? ???
????????? ?? ???????? ?????????? ?? ?????? ?? ????? 95 [??] ???, ???????????, ??
?????? ??? ?????????? ?????????? ?? ??? ????? ??????. ??????, ???
????????? ??? 42 ??? ????? ?????????? ??????????, ?? ??????????
????????? ??? ? ???????, ??? ?????? ??? ?????? ?????????????? ?? ??
????????? ?????????? ??? ?????????? ??? ???????, ??????? ?? ?????????? ?? ??????????
????? ?????? ??? ? ?????? ?????? ?????? ????????. ?????? ?????????? ??? ?
????????? ??? ?????? ?? ?????? ?????? ?????? ?????????? ?? ??????? ??? ??????
????????? ??? ?????? ?????????? ??? ??????. ?????? ??? [??????? ?????????? ???
????????? ??? ?????? ??? ??????] ??? ?????? ??? ?? 1986, ?? ??????????????
????????? ??? ?????????? ?????? ?????? ?? ?????????? ??? ?????? ?????? ??????
????????????? ???????, ?? ?????? ?????????? ?????????? ??? ?????? ?????? ???
????????????? ?? ?????????? ?????? ?????????? ?? ?????????? ??? ?????? ??????

????????????????????? ?? ??????????? ??? ?????????????? ??? ????? ?? ?????????? ??????????
?????????? ?? ?????????????? ??????????????. ???????, ? ?????????? ??????????
??? ?? ????? 95 [??] ??? ????? ?????????? ??? ????? ?????????? ?????.

(125) ????????, ?? ??? ???? ?????? ?????????????? ??? ?????????????????? ??? ?????????????????? ??????????
??? ?????????????? ??? ?????? ??? ?????? ??? ?????????? ??? 1990 ??? ??? ?????????? ??????????
?? ?????? ?????????? ??? ?????? ??? ?????? 95 [AX] ??? ?????????? ??? ??????
????????? ??? ??? ?????????? ?????? ?????????????? ???, ?? ?????????? ??? ?
????????, ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????????? ???
17?? ?????????? 1993, ?????????? ??? “?? ??? ?????????? ??? ?????????? ??? ?????????? ???
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? 95 [??] ???
????????????? ??? ?????? ??? ?????????????? ??? ?????????? ???, ??? 25?? ??????????????
1993, ?? ?????????? ??? ?????????????? ??? ?????????? ??? ?????? ??? ?????????????? ???
?? ?????? 95 ??? ?????????? ??? ?????????????? ??? ?????????????? ”»

133 ?????????? ??? ?????????????????? ?????????? ?????????????? ??? ? ?????????? ??? ??????? ???
????????? ??? ?????? 95 AX, ??? ?????? ????, ?????????????? ??? ?????? 42 ???
????????????????? ??? ?????????? ?????? 120 ?????????? Wirtschaftsvereinigung Stahl ???
?????????, ??????? ?? ??? ?????? ?? ?? ?????? ?????????? ??????? ?? ?????????? ?? ?????????? ??
??? ??????? ???????, ??? ?????????????? ??? ??? ?????? ?????????? ??? ?????????? ??? ??????????
????????? ??? ??????? ??????? 95 AX, ?????? ?? ??? ?????? ??????? ??????? ??????? ???
?? ??? ??????? ??? ?????? ?????? ?????????????? ?? ??? ?????? ?????? ??? ?????????? ???????
(????????? ??????? ??? ?????? ?????????????? ??? ?????? ??? ?????????????? ??????????).
????????????? ??? ??? ?????????? ??????? ??????? ?????????? ?????????? ?????? ??? ??????????????????
????????????? ?????????? ??? ? ?????????? ???????, ?? ?????????? ??? ??? ?????????? ???
????????????? ?????????? ??? ?????? 95 AX.

134 ????? ??????????, ?????????? ??? ???? ?????????????? ? ???????????????, ? ?????????? ???
????????? ?? ?????????? ?? ??????? ?? ?????????? ?? ?????????? ?? ???????????, ?? ???????????, ?? ?????? 95
AX. ????????, ??? ?????????????? ??? ???? ??????? ?????? ?????? ?????????????? ?????? 124 ???
??????????????, ??? ?????? ??? ?????????? ?????? ?????? ?????????? ?????????? ?????? ?????? 95
AX ?? ?????? ??? ?????????????? ?????????? ??? ??????????, ?? ?????? ??? ?????????? ?????? ?????? ?????? 95
????????? ??? ?????????? ??????. ???' ???' ????, ? ?????????? ?????? ???, ??? ????
?????????????, ??? ?????????? ?? ?????????? ??? ?????????? ?????????? ?????????? ??? ?????????? ???
?????. ??? ??? ?????????? ?????, ??????? ???? ?????? ?????????? ?????????? ??? ??? ?????????? ???
????????????? ??????? ?? ??? ?????????? ?? ?????? ??? ?????????? ?????????? ??? ?????????? ???
????????????? ?????? ??? ?????????? ?????? 120 ?????????? Wirtschaftsvereinigung Stahl ???
?????????, ??? ?????? ???, ??? ?????? ?????? ?????? ???, ? ?????????? ??????, ???' ???' ????,
????????? ??? ?????????? ?????? 124 ??? ?????????????? ??????????, ?? ?????????? ???
?????? ?? ??????????, ?? ??????????, ?? ?????????? ?????? ??? ?????? 95 AX.
135 ??? ?? ??? ?????? ?????? ??? ??????????????. ?????? ?? ?????????? ?? ??????? ??, ???

? ??????????? ? ????????????, ? ??????? ?????? ?????? ?????? ?????????? ?????? ??
????????? ??? ?????????? ??? ?????? 95 AX ??? ?????????? ??? ?? ???? 4, ????????
??, AX ?????????? ??? ??????????.
- ??? ??? ?????????? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ??????
95 AX
136 ?????? ???' ?????? ?? ?????????? ??? ??? ?????????????? ???, ?????? ??? ?????? 95 ??,
? ??????? ?????? ?????? ?????????? ?????????? ?????????? ??? ?????????? ?? ??
????????? ??? ?????? ?????????? ??? ??? ?????????? ??? ?????? ??? ?????? (??., ??? ??
????? ???, ?????????? ??? ?????????? EISA ??? ???????, ?????????????? ???
????? 129 ??????, ??? 72- ??? 7?? ?????? 1999, T?89/96, British Steel ??? ???????,
?????? 1999, ?. II?2089, ??? 47, ??? Wirtschaftsvereinigung Stahl ??? ???????,
????????????? ??? ?????? 120 ??????, ??? 43).
137 ??? ?????? ????, ? ??????? ?????????? ????, ??? ?????? ???????, ??
????????? ??? ?????? ?????? ??? ?????????? ?? ? ??????? ?????? ?? ?????? ?? ??
????? ??? ?????????? ??? ?????? ?????? ?????????? ?????????? ? ?????? ?????? ??????????
?? ?????????? ?????????? ??? ?????? ?????? ?????????? ?????????? ? ?????? ?????? (??., ????,
????? Wirtschaftsvereinigung Stahl ??? ???????, ?????????????? ?? ?????? 120
??????, ??? 63).
138 ?????????? ?? ?????????? ?? ? ???????, ??? ?????? ?????????? ?? ??????????
??????????, ??? ?????? ?????? ?????? ?????????? ?? ?????????? ??? ?????????? ??
????????????? ??? ???????, ??? ?????? ?? ?????????? ?????? ??? ?????????? ??????????????
????????? ?? ?????? ?????? ?? ?????????? ??? ?????? ?????????? ?? ?????????? ??????????
????????? ??? ?????? ?????? ?????? ?? ?????? ?????? (?????? ??? ?????????? ??? 12??
????????? 1996, ?-380/94, AIUFFASS ??? AKT ??? ???????, ?????? 1996, ?. ??-2169,
????? 59).
139 ???????, ?????? ?? ?????????? ??? ? ?????????? ?????? ?????????? ??? ?? ??????????
??, ?????? ??? ?????? ??? ?????????? ??? ?????? ?????? ?????? ?????????? ??? ?????? 2 AX,
3 AX ??? 4 AX, ??? ?????? ?????? ? ?????? ? ?????? ??? ?????? ??? ?????? 3 ??? ZRFG
?? ?? ?????? ?????????? ?? ?????????? ? ?????? ?????? ?????? ?????????? ??? ??
????????? ??? ?????????? ??? ?????? ?????? (????? 3, ??????? ??, AX) ?? ??????????
????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????????? ??
????????? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????????? ?????? ??? ??
????????? ??? (????? 2, ??????? ??, AX). ??? ?????? ?????? ?????? ??????????
????????? ??? ?????? ?? ?????????? ?????? ??? ?????? ?????? ? ?????????? ??? ??????????
140 ???????, ?????????? ? ?????????? ??? ? ?????????? ??? ?????????? ??? ?????????? ???
????????? ??? ?? ?????????? ?? ?????????? ??? ?????? ?????? ??? ?????????? ??? ??
????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????????? ???
????????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???.
141 ? ??? ?????????? ??? ?????? ? ?????????? ??? ?????? ??? ?????????? ??? ??????????
????????? ??? ??????????, ?? ?????????? 14 ?????????? 2000, ??????? ?? ??? ??? ??
????? ?????????? ??? ?? ?????????? ?????? ?????? ??? ?????? 87, ?????????? 2, ??
????????? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ???, ??? ?????? ???
????????? ?? ?? ?????? 2 AX ??? 3 AX, ??? ?????? ?? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ?????? ?????? 95 AX. ???????,
????? ?? ???????????, ???, ??? ?? ?????? 87, ?????????? 2, ?? ??? ???????
????????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ???????, ??? ? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? 95 AX ?????? ?? ?????? ??? ??
??? ?????? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??
????????? ??? ?????? ??? ?????? 87, ?????????? 2, ?? ??????????.
142 ?? ??? ??????????, ?? ?????????? ?????? ??? ?????? ??? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? 124 ??? ?????????? ??? ???????, ??? ?
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??????

??? ??????????? ?????????? ??? ????? Salzgitter, ?? ????? ????? ?? ??? ??????????????
?????????? ??? ?? ?????????? ?????????? ?????????? ??? ?????? 95 AX.
143 ????????, ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ??????????
??????????, ??? ? ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????? ????
?????????? ?????????? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ???
????????????? ??? ?????? ??? ???????, ??? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ??????
????????? ??? ?????? ?????? ?????????? ?????? ??? ?????? 95 AX. ???, ??? ?????? ??????
????? ?? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? (????? 3, ??????? ?, AX) ?
?? ?????????? ??? ?????? (????? 3, ??????? ?, AX). ???????, ??? ?????? ???
???? ?? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ???
????????? ?? ??? ?????? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
????????????? ?????????? ?????????? ?????????? ?????????? ??? ??????, ?????? ??????
????????????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ???
?? ?????????? ??? ?????? ?????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
??? ???????????.
144 ?? ?? ??????, ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ??
????????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
????????? ??? ?????? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??
????????????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ?
????????????? ??? ?????? ?????????? (??., ?????? ?????, ??? ??? ?????? ???, ???, ??????)
Wirtschaftsvereinigung Stahl ??? ???????, ?????????????? ??? ?????? 120 ???????, ???
65, ??? ??? ??? ?????????????? ??????????), ? ?????, ?? ??????????, ??? ??? ?????? ???
????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
145 ??????, ??? ?????? ??? ? ?????????? ??? ?????? ??? ?? ?????????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??,
????, ??? ??? ?????????? ??? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ??????
????? ?????????? ??? ??? ?????? ??????????, ?? ??? ??? ?????? ?????????? ??? ?????? ??? ??????
????????? ??? ? ?????? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
?????????.
146 ?? ?????? ?????? ??? ? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ???.
147 ??? ?? ??????? ?????????? ??? ?????? ? ?????????? ?????????? ??? ?? ?????????? ??? ??
????? 3 ??? ZRFG ?????????? ????, ??? ?? ?????? ?????????? ? ?????????? ???,
????????? ??? ?????????? ?????????? ?????????? ?? ??? ?????? ????. ?? ?????????? ??? ??????
?? ?????? ?? ?????????? ??? ? ?????? ?????? ??? ?????? ??? ?????????? ??? ??? ?????????? ??? ??????
?? ?????????? ??? ???????, ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ??? ?????????? ???
????????? ??? ?????????? ??? ???????????.
?? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????
????????? ??? ??????????
148 ? ?????????? ????, ???' ????, ??? ?????????? ??? ?????? ?????????? ??? ?????? ???
????????? ????, ??? ? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? ????, ??? ?????? ??? ?????? ??? ? ?? ?????????? ??? ?????? ???
????????? ??, ??? ??????????, ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ???, ??? ?????? ??? ?????? ??? «?? ??? ?????? ??? ?????? ??? ??
????? ??? ?????????? ???», ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
????? ??? ??? ??????????, ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

? ?????????? ??????? ?? ???? ?????????? ?????????? ??????????.

149 ?? ?????? ??????? ??, ??????? ?? ??? ??????????????, ? ???? ??? ?????????? ??? ???????.

? ?????? ??????? ?? ?????????????? ?? ?????? ??? ?????????? ????. ???? ?? ??????, ?????????? ????

?? ?????? ??? ?????????? ?? ?????? ??? ?????????? ?????????? ?????? ??? ??????? ????

? ?????? ??? ?????????? ?? ?????? ??? ?????????? ??? ?????????? ??? ???????.

150 ??????????, ? ?????????????? ?????????????? ??? ? ?????? ?????????? ?????????? ??? ???????.

? ?????????? ?? ?????????????? ??? ? ?????????? ?????????? ?????????? ??? ?????? ??? ??????????.

? ?????????? ?????????????? ??? ?????????? ?????????? ?????????? ??? ?????????? ??? ???????.

? ?????????? ?????????? ?? ?????? ?????????? ??' ?,?? ?? ?????????? ??? ??????.

??????, ??????? ?? ??? ???????????, ? ??????? ??? ??????? ?? ?????????? ??? ?????????? ?? ???????.

? ?????????? ??????? ?? ??? ?????????? ????? ?????????? ??? ?????????????? ??? ?????????? ??? ?? ???????.

3 ??? ZRFG ??????? ??????????.

151 ? ?????????? ?????? ?????????? ??? ? ?????? ??? ?????????? ?? ?????????? ??? ?????????? ???

? ??????? ??? ?????????? ??????????, ?? ??? ?????????? ??? ??????????.

? ???????. ? ?????????? ???, ??? ?????????? ??? ?? ?????? 15 ??? ?????????? (??)

659/1999 ??? ??????????, ??? 22? ?????? 1999, ??? ?? ?????? ?????????? ??????????.

? ?????????? ??? ?????? [88] ??? ?????? ?? (?? L 83, ?. 1), ?????? ?? ?????? ??????????.

? ??? ?? ?????????? ??? ?????????? ?????? ?????????? ?? ?????????? ?????????????? ?????????????? ???

? ??? ?? ?????????? ??? ?????????? ?? ?????? ?????? ??? ?????????? ?????????????? ?????????????? ???

? ??????????.

152 ????, ?????????? ??? ?????????? ?????????? ?????????????? ??? ??????????????, ?? ??? ???????.

? ??????? ??? ?? ?????????? ?? ?????????? ??? ?? ?????????? ??? ??????????.

? ?????????? ???, ? ?????????? ?????? ??? ?????????? ??????????, ??? ?? ??? 1980/1981,

? ?????????? ?????????? ??? ?????????? ?????????? ?????????? ??? ??????????.

? ?????????? ??? ??? ?????? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????????? ??? ???

? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ???????, ??? ?????? ???

? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ???????.

? ??? ?????? ?????? ??? ??????????, ?? ??? ?????? ??? ?????????? ??? ??????????.

? ?????????? ??? ??????, ??? ?????? ?????? ?? ?????????? ??? ?????? ??? ?????????? ??? '80.

? ??? ?????????? ??? ?????????????? ??? ?????????? ??? ??????????.

153 ?? ?? ?????? ??? ??????????, ? ?????????????? ?????????? ??? ?????????????? ???

? ??? 90 ?????? Acciaierie di Bolzano ??? ??????, ??? 69, ??? ?????? ??? ??????

? ?? ?????????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????, ???

? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????.

? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

? ?????????? ??? ?? ?????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??

? ?????????? 659/1999 ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ??????.

? ???????. ??? ?????? ?? ??? ???????????, ?????????? ??? ?????? ??? ?????? ??? ???????,

? ??????????, ??? ?????? ?? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ???

? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

? ?????????? ? ?????? ??? ?????? ??? ?????? 15 ??? ?????? 659/1999 ??? ??

? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

? ??? ?? ?????? ???, ?????? ??? ?????? ??? ?????????? ?? ??????????.

154 ? ?????? ?????????? ??? ?????????? ?????? ??? ?????????? ??? ?????? ??? ??????????.

? ?????????? ??? ??? ?????? ??? ?????????? ??? ?????????? ??? 15? ?????????? 1998, T-126/96 ??? T-

127/96, BFM ??? EFIM ??? ??????, ?????? 1998, ?. II?3437, ??? 67), ??????? ?? ???

? ??? «?? ? ? ?????? ?? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???

? ?????????? ???????, ?????? ?????????? ?????????? ???' ?????? ?? ?????????? ??? ???

? ?????????? ??? ??? ?????????? ???».

155 ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 659/1999,

? ?????? ?????????? ??? ? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

?????? ?????????? ??? ? ???????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ???
???????. ??? ? ???????? ??? ????? ?????????????? ??? ?????? ??? ?????? ????. ?
????????????? ??? ???? 90 ?????? ?????? Acciaierie di Bolzano ??? ?????????? ???
?????? ?????? ??? ?????????? . ??????, ?????? ?????? ??? ?????? ??? ???? ??????????
????? ??? ?? ?????? ?????? ??? ?????????? ?????? ?????? ?????? ??? ???? ?????? ???
?????? ??? ?? ?????? ?????? ??? ?????????? ?????? ?????? ??? ???? ?????? ???
????????? .
156 ????, ? ????, ?????, ?????????? ?? ?????? ?????????? ??? ?????????? ??? ?????????? ???, ??? ???
?????? ??? ?? ?? ??? ???? ???? ?????? ??? ?????????? ??? ??? ???? ?????????? ???
????????? , ??? ??? ?????? ?????? ??? ?????????? ??? ??? ?????? ??? ???? ??????????
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???
????????? ??? ??????????
157 ????, ?????????????, ?? ?????????? ???, ?????? ?? ??? ?????????? ???
????????? ??? ?????? ??? ?????????? ?????, ? ?????????? ????:
«??? ?????? ??? ?????? ???, ??? ?????? ?????????? ?????? ??? ???? ?????? ??? ????
????????? ???' ?????? ??? ?????? ??? ?????? ?????????? ??? ?? ?????????? ??? ???? ???
??????, ?????????? ??? ?????? ??? 95 [??]. ? ?????? ??? ?????? ?????? ??? ???? ???
????????? ??? ?????? ??? ?????? ??? ?????????? 1 ??? 3 ??? ?????? 87 [??], ?????? ??? ????
????? ? ?????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????? ??? ???? ??? ???? ?
????? ?? ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ???? ?????? ??? ???? ??? ???? ?
????????? ?????? ?????? ??? ?????????? . ?????? ??? ???? ?????? ?????????? ??? ??????????
???? ?????? [...] 659/1999 ?????????? ??? ?????????? ??? ???? ??? ???? ??? ???? ????
??? ?????? ?? ??? ?????? ??? ???? ?????? ??? ?????? ??? ???? ?????? ??, ?????????? ???? ??????
????????? ?????? ??? ?????? ???, ??? ?????? ?????????? ?? ?????????? ???? ??????
“?????????” ??? ?????? . ??? ?????? ? “?????????” ??? ?????? ??? ???? ???
????????? ??? ?????? ??? ?????? , ??? ?????? ?????? ?????? ?????? ?????? ??? ???? ???
??? ??? ?????? ?????? . ?????? ?????? ?????? ?????? ??? ?????? ??? ???? ?????? ??? ???? ???
????????? ??? ?????? ??? ?????? ??? ???? ?????? ????.»
158 ??? ? ?????? ??? ?????? ?? ??????.
159 ????, ?????? ??? ?????? ??? ?????? ?????? ?????????? , ?????????? ??? ???? ???
????? ???, ?????? ?? ?????? ?? ??? ?????? . ? ?????? ??? ?????????? ??? ???? ???
??? ? ?????????? ?????? ?????????? ??? ?????? ?????? ??? ???? ?????????? ??? ???? ???
????????? . ???, ? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??????????
????? ??? ???? ?????? ??? ?????????? ?????? ??? ?????? ?????? ?????? ?????? (??.,
????? ???, ?????? Falck ??? Acciaierie di Bolzano ??? ?????? , ?????????? ???
????? 62 ?????? , ??? 139).
160 ???' ??' ???, ?????? ?? ?????????? ??? ? ?????? ?????? ?????? ??? ?????????? ???
??????, ??? ?????? ?????? ???, ?????? ??? ?????? ?????? ??? ?????????? ??? ????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? (???????)
????????? ??? 15?? ?????????? 1996, C-63/93, Duff ?.., ?????? 1996, ?, I-569, ???
20, ??? ?????? ??? ?????????? ??? 19?? ?????? 1997, T-73/95, Oliveira ??? ?????? ,
?????? 1997, ?, II?381, ??? 29).
161 ? ?? ?????? ??? ?????????? ??? ?????? ??? ?????????? ?????? ??? ?????????? ???
?????? ??? ?????? , ?????? ??? ???? ?????? ??? ???? ?????? ?????? ?????? ???
????????? , ?? ?????????? ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ??????
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????.
162 ?????? , ?????? , ???' ???, ?? ?????????? ???, ??? ?????? ??? ???? ??? ?????? ???
? ?????????? ??? ??? 62 ?????? Falck ??? Acciaierie di Bolzano ??? ?????? , ??
????????? ??? ?????? ?? ?????? ?????? ?????? ?????? ??? , ?????????? , ???????
????????? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????

?????? ?????????? ?????????????? ??? ?????????? ????????????, ??? ?????? ??????????
?????????? ?????????? ??? ?????????? ?????????????? ?????? (??????? Falck ???
Acciaierie di Bolzano ??? ????????, ?????????????? ??? ?????? 62 ????????, ??? 140).
163 ????????, ??? ?????? ?? ?????????? ???, ?? ?????????? ?, ?????????? ??? ?????? ???
????????? ??? ?????? ?????????? ??? ??? ?????????? ?????????? ??? ?????????? ??? ??????????
?????????. ????, ? ?????????? ??? ??? ?????????? ??? ?????? ?????? ?????? ?????????? ???
????????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????????? ??? ?????? ?????? ???
????????? ??? ?????? ?????? ?????????? ?????? ??? ?????????? ??? ?????? ?????? ?????? ???
????????? ??? ?????? ?????? ?????????? ?????? ??? ?????????? ??? ?????? ?????? ?????? ???
????????? ??? ?????? ?????? ?????????? ?????? ??? ?????????? ?????? ??? ?????? ?????? ???
????????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ?????? (??., ???' ???????, ??? ?????? ??? ?????????? ??, ??????? ???
????????? ??? 11?? ??????? 1996, C-39/94, SFEI ???., ??????? 1996, ?. ?-3547, ???
73). ?????????? ??? ?? ?????? ?????? ?????? ?????? ?????? ?????????? ?????????? ??? ??????????
??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? (??., ???
??? ?????? ???, ?????? ??? ?????????? ??? 31?? ??????? 1998, ?-129/96, Preussag
Stahl ??? ???????, ??????? 1998, ?. ??-609, ??? 80), ? ?????????? ??? ?????? ???
???? ?????? ???????, ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ??????????.
164 ??????? ??? ?????? ??? ?????????? ?? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ??? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????????? ???
????? ??? ?????? ??? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ?? ??????
????, ??? ?????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ???
????????? ??? ??? ??????.
165 ??????, ??? ?????? ??? ?????? ?????? ?????????? ?????? ?????? ?????????? ??? ??
????????? ??? ??? ?????????? ?????? ?????? ??? ?????? ?????????? ?????????? ???
????? ?? ?????? ?????????? ??? ?????? ?????????? ?? ??? ?????? ?????? ?????????? ???
????? ???' ?????????? ?????????? ??? ?????? ?????? ?????? ?? ?? ?????????? ?????????? ???
????????? ??? ?????? ?????? ?????????? . ???????, ??? ?????? ?????? ?????????? ?????? ???
????????? ?? ?????? ?? ?????????? ??? ?????? ?????? ??? ?????????? ??? (????????? ???
????????? ??? 20?? ?????????? 1990, C-5/89, ??????? ??? ?????? ?????? 1990,
?. ??3437, ??? 14, ??? 14?? ?????????? 1997, C-169/95, ??????? ??? ?????? ???
????? 1997, ?. ?-135, ??? 51- ?????? ??? ?????????? Preussag Stahl ???
?????????, ?????????????? ??? ?????? 163 ??????, ??? 77- ??? 29?? ?????????? 2000,
?-55/99, CETM ??? ???????, ?????? 2000, ?. ??-3207, ??? 121, ??? ESF Elbe-
Stahlwerke Feralpi ??? ???????, ?????????? ??? ?????? 110 ??????, ??? 182).
166 ??????, ? ?????????? ??? ?????????? ?????? ?????????? ?????????? ??? ?????? ???
????????? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
? ?????? ??? ?????? ?? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ???
????????? ?????????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
167 ??????, ?????? ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
???? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
168 ??????, ?????? ?? ?????? ?? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ???
????????? ?????? ?? ?? ?????? ?????????? ??? ?????? ??? ?????? ?????? ??? 4
????????? 1971 ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 3 ??? ZRFG
????????? ???????.
169 ??? ?????????????? ??? ?????? ??? ?????? ??? 67, ??? ?? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ??? 31 ?????????? 1981, ? ??????
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

????????????????? ?????????? ?????? ?????? ??? ?????????? ?????? ?????? ???
????????? ??? ?????? 67 AX ??? ??? ?????? ??? ?????? 87 ?? ??? 88 ??, ?????????????? ???
????????? ??? ?????? 4, ?????????? ?, AX.
170 ????????, ?????? ??? ?????????? ?????? ?????????? ?? ?????????? ???, ?????? ??? 31
????????? 1981, ?? ?????????? ?????? ??? ?????????????? ??????????, ?? ??? ???? ?? ??????
? ?????????? ??? ?????? ?????????? ?????????? ??? ?????? 87 ?? ??? 88 ?? ??????
????????? ??????????, ?? ??????????, ??? ?????? ?? ?????? 3 ??? ZRFG ?? ??? ?????? ???
????????? ??? 4?? ?????????? 1971? ?????????? ?????? ?? ?????????? ?????? ???
????????? ?????? ??? ??????.
171 ????????, ?????? ??? ?? ??? ?? ??? ?????? ??? ?????????? ?????? ?????????? ???
????????? ?????? ??? ??????, ??? 1? ?????????? 1982, ???, ??? ????????, ?? ???
????????????? ??? ??????, ? ?????????? ?????? ??? ?????? ?????? ?????? ???
????????? ?????????? ?????????? ?????????? ?????? ??? ?????????? ??? ?????????? ???
?? ??????, ??? ?????? ??? ?????? ?????? ??????????, ?????????? ??? ?????? ???
????????? (????? ??? ?????? ??? ?????????? ?????? ?????????? ?????? ??? ??????)
????????? ??? ?????????? ??? ?????? ?????????? ?????????? ??? ?????????? ?????? ???
?????) ??? ?? ?? ?????? ??????????, ??? ?????? ??????????????, ??????????,
????? ??? ?????????? ?????? ?????? ? ?????????????? ?????????? ?????????? ??????????. ?
????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ??? ???
????????? ??? ?????????? ?????? ?????????? ?????????? ??? ?????? ??? ??????, ??? ???
????????? ??? ?????????? ?????? ?????????? ??? ?????????? ??? ??????, ?? ?????????? ???
????????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
??? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????? ?? ??? ?????? ??? ?????? ???
????????? ?????? ?????????? ?????? ?????? ??? ?????????? ?????????? ??????????.
172 ?????? ??? ??? ?????? ?????? ?????????? ??? ?????????? ?????? ??? ?????? [??????]
3484/85/???? ??? ??????????, ??? 27?? ?????????? 1985, ??? ?????????? ?????????? ???
??? ?????????? ??? ?????????? ?????? ??? ?????? (?? L 340, ?. 1)], ?????? ????
????? ?????? ??? 1?? ?????????? 1986 ??? ??? 31?? ?????????? 1988, ? ??????
?????????, ??? ????? 6 ??? ?????? ???, ??? ?????? ?? ?????????? ?????????? ??????
????? ?? ?????????? ??? ?????????? ??? ?????? ?? ?? "?????????" ??? ??????????
????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????????
?????????, ?? ??? ?? ?????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ??.
????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? 30 ?????? 1988.
173 ??????, ? ??????, ??????????, ??? ?????? ?????? ?????? ?????????? ??? ??????????
????? ??? ?????? ?????? ?? ????????, ?????? ??? ??? ?????????? ?????????? ??? ??????
?????, ?? ?????? ?????????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ???
????????? ??? 1971, ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ??????
??? ?????? ??? ? ???????????. ??????, ??? ?????? ??? ?????? ??? ? ?????????? ???
????????? ??? ?????? 3 ??? ZRFG ??? ?????? ??? ?????????? ?????? ??? ?????? ???
????????? ??? ?? ?????? 6 ??? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? «?????????». ???????, ??' ?? ??????
????????? ??? ?????????? ??? ?????? ??? ??? ?????? ??? ?????, ?? ?????? ???
????????? ??? ?? ?????? 3 ??? ZRFG ??????????????, ?? ??? ?????? ?????????? ??????????,
????? ???, ?? ?????? ??? ?????? ??? ?????? ???, ?? ?????? ?????????? ??? ??????
??????????.
174 ??? ??????, ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????????? ??? ??????
- - ?????? ?????? ??? ?????? -???, ?? ?? ??????, ?? ?????? ??? ?????? - ?????- ??????
?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? 1971 ?? ??????????
- ?????? ?????? ?? ??? ?? ?????????? ??? ?????? ?????? ?????????? ???

? ??????????????? ?? ??????????? ??? ?????? ?? ?????? ?? ? ??????????????? ?????????? ??
?????? 3 ??? ZRFG ?????? ?? ??????????????? ?? «??????????», ???? ??? ?????? ??? ?????? 6
??? ?????? ?????? ??????????? ??? ?????????? ?????? ??? ??????.
175 ?? ??? ?????? ?????????? ?????????????? ??? ?????????? ?????????? ?????????? ??????????
????????????? ?????????? (??? ?????????????? ??? ?????????? ?????? 179 ??.), ??????????
?? ?? ?????? ?????? (??? ?????????????? ??? ?????????? ?????? 176 ?? 178) ???
????????? ?????? ??? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ??? ??????????
?????? ??? ??????.
176 ??? ?????? ??? ?????????? ?????????? ???????, ? ?????????? ???????, ?? ??? ??????
2794/80/??? ??? ????????, ??? 31?? ??????? 1980, ??? ?????????? ??? ????????????
????????? ?????? ?????????? ??? ?????? ?????????????? ??? ?????????? ?????? ???
????????? (?? ??? . ??. 13/010, ?. 50), ??? ?????? ?????????? ??? ??? ?????????? ???
????????? ?????? ?????? ?????????? ??? ?????????? ?????? ???????, ??? ??? ?????????? ???
????????? ?????? ?????? ?????????? ??? ?????????? ?????? ?????? ?????????? ???
????????? ?????? ?????? ?????????? ??? ?????????? ?????? ?????? ?????????? ???
????????? ?????? ?????? ?????????? ??? ?????????? ?????? ??? ?????????? ?????? ?????? ???
????????? ?????? ?????? ?????????? ??? ?????????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
177 ??? ?????? ??? ?????????? ??? ?????' ?????? ??? ?????? ?????????????? ???????????, ?
????????? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????????? ?? ???????????
????????? ??? ?????? ?????????? ?????? ??? ?????? ?????????? ?? ???????????
????????? ??? ?????? ?????? ?????? ?????? 2177/83/??? ??? ???????, ??? 28??
????????? 1983, ??? ??????? ??? ?????????? ?????????? ??? ?????????? ?????????? ???
????????? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? (?? 1983, L
208, ?. 1), ? ?????? ?????? ?????? ??? ?????? ??? ?????? 15 ? ??? ???? ?????? ???????, «?? ???
?? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????????? 2320/81/??? [????????? ??? ?????? ?????????? ??? ?????? ???
????????? ??? ??????] ? ??? ???? ?????? ?? ??? ?????? ??? ?????????? ??? ?????????? ???
????????? ». ?????? ?? ???? ?????? ??? «?? ??? ?????? ?????????? ??? ?????? ??? ??????????
?? ?????????? [?? ??????????] ?????? ??? ?????? 14, 14 ?, 14 ?, 14 ? ??? 16 ???
????????? [2177/83]». ?????? ???' ?????? ?????????? ?????????????? ??? ??????????
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????
15 A ??? ?????????? 3485/85/??? ??? ?????????? ??? 27?? ?????????? 1985, ??? ???????
?? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ??????????
????????? ??? ?????????? ??? ?????? (?? 1985, L 340, ?. 5), ??? ??? ?????? 15 A
?? 194/88/??? ??? ?????????? ??? 6?? ?????????? 1988, ??? ?????????? ?? ???????
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ???
????????? ??? ?????? ??? ?????????? ??? ?????? (?? 1988, L 25, ?. 1), ?????? ??? 30 ??????? 1988. ???????,
????? ?? ?????????? ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ??????????
????????? ??? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ???
????????? ??? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????????? ???
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????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ???

??? ??????????? ??? 15?? ?????????? 1985, 250/83, Finsider ??? ??????????, ??????? 1985,
?. 131, ????? 9- ??? 15?? ?????????? 1985, 211/83, 212/83, 77/84 ??? 78/84, Krupp ???
Thyssen ??? ????????, ??????? 1985, ?. 3409, ????? 34, ??? ?? 7?? ??????? 1987,
226/85, Dillinger Hüttenwerke ??? ????????, ??????? 1987, ?. 1621, ??? 2).
178 ??? ????????, ? ??????? ??????????? ??? ?? ??????? ?? ??????? ?? ??????? ?? ???
????????? ??? ??????????? ??? ??????????? ??????? ??? ??????? ??? ??????? ??? ??????? ???
??????????, ?????????? ??????????? ?? ??????????? ?? ??????????? ?? ? ?????????? ?? ??????? ???
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???? ?????????? ???????, ???????????, ?? ?????????. ???????, ? ??????? ?? ?????????? ??
?? ??????? ?? ?????????? ?????????? ?? ?????????? ?? ??????? ?? ??????? ?? ?????????? ??
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????????? ?? ??????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ??????? ?? ?????????? ??
1981, ??????? ?? ?? ?????????? ?? ??????? ?? ??????? ?? ??????? ?? ?????????? ?? ??
????????? ?????????? (?? 1981, L 333, ?. 35), ????? ?????????? ?? ?? ??????? ??
2093/85/???? ?? ?????????, ??? 26?? ?????? 1985 (?? L 197, ?. 19), ??????? ?? ??
????? ?? 16 ??????? 1991.
179 ?' ????? ??????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ??
????????? ?? ?????????? ?? ???????, ???????, ?????????? ?? ?????????? ??, ??
????????? ??? Stahlwerke Peine – Salzgitter AG, ??? ???????, ??? ??? ?? 1988, ??
????? ?? ?????????? ?? ??????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?? 1987/1988, ??
???? ??????? ??????? ?? ??????? ?? ?????????? ?? ??????? ?? ??????? ?? ??????? ?? ?? 3 ??? ZRFG ???????
????????? (Sonderposten mit Rücklageanteil) ??? ?????????? ?? ?????????????? ??
????? ??? ?????? ?? Peine ??? ??? Salzgitter, ??? Zonenrandgebiet. ?????? ??????????
????????? ?? ?????????? ?? ?????????? ?? ??????? ?? ?????????? ?? ??????? ?? ??????????
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????????? ?? ??????? ?? ?????????? ?? ??????? ?? ?????????? ?? ??????? ?? ?????????? ?? ??
????????? ?? ?? ??????? ?? 1988, ??????? ?? ??? ?? ??????? ?? ??? ?? ??????? ?? ?? 14??
????????? 1988 [SG (88) D/1748] ??????? ?? ?? ?? ??????? ?? ?????????? ?? ?????????? ??
180 ???, ? ??????? ?????????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??
????? 174, ??? ?? ??? ?? ?????? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ?? ??????? ??
?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??
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????????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??
????????? (??, ??? ?? ?????? ??, ??????? ?? ??????? ?? ??????? ?? ?? 9?? ??????? 1970, 26/69,
????????? ?? ???????, ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? 28 ?? 32).
181 ???' ??' ???, ?????????? ?? ?????????? ?? ??????? ?? ??????? ?? ??????? ?? ?? ??
????????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??
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????????? ?? ??????? 6 ?? ?????? ?? ?????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??
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182 ??? ???????, ??? ?? ?????????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??, ??
????????? ?? ???????, ????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??

??? ?????????? ??? ?????????????? ??? ?????????????? ??? ????? 1986 ??? 1995 ??????????.
183 ????????, ??? ??? ?? ??? ????? ???? ???? ?????????? ??? ?????????? ??? ??? ??
????????? ??? ??? ????? ???? ?????????? ??? ????? ???? ?? ??????????, ??? ??? ????? ???????, ??
????? 2 ??? 3 ??? ?????????????? ??????????, ??? ??? ??? ?????? ??? ?????????? ??? ?????????? ???
????????????? ?????????? ??? ?????????? ?? ?????????? ??? ??? ?????????? ??? ?????????? ???
????????? ??????????.

184 ??? ??? ?????????? ????, ?????????? ??? ?????????????? ??? ?????????? ??? ??????????????
???? ?????????????? ?????? 1986 ??? 1995 ??????????, ?? ?????????? ?????? ??? ???
????????? ??? ??? ?????????? ??? ??? ?????? ??? ?????????, ???' ?????, ?? ?????? ??? ???
????????? ??? ??? ?????? ??? ?????????? ??????????. ??? ??? ??? ??? ?????????? ???
??? ??????? ??????????, ??? ??? ??? ??? ?? ?? ?????????? ??? ?????????? ??? ?????????? ???
?????????, ??? ??? ??? ?????????? ??????, ??? ????? ??? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ?????????? ??????, ??? ????? ?????????? ??? ? ?????????? ??? ?????? ???.

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185 ??????? ?? ??? 87, ?????????? 3, ??? ?????????? ??? ??????????, ?? ??????????????
?????? ?? ?????????? ?? ??? ?????? ?? ?????????? ??? ????? ?????????? ??? ?? ??? ??
????????? ??? ?? ?????????? ??????? ??? ?????? ??? ?????????? ?? ??????????, ? ??????????
??? ?????????????? ??? ?????? ??? ?????? ?????? ?????????? ?????? ??? ?????????? ???.
186 ?? ?? ??????, ?????? ?? ?????????? ?????????? ??? ?????? ??? ?????????? ??????????, ??
????????????? ?????????? ??? ? ?????????? ??? ?? ?????? ?? ??? ?????? ??? ?????? ??? ?? ??
????????? ?? ????, ??? ??? ??? ??? ??? ???, ??? ?? ??? ?????? ??? ?????? ??? ?????? ???
?????????.

187 ? ?????????? ?????????? ??? ?????????? ?? ??????, ?????? ?? ?? 87,
????????? 4, ?????? ??????, ??? ?????????? ??????????, ?? ??? ??? ?? ?????????? ??????.
??? ??? ?????? ??????,

?? ?????????? (?????? ?????????? ????)

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- 1) ??????? ?? ??? 2 ??? 3 ??? ?????????? 2000/797/??? ??? ????????, ??? 28??
?????? 2000, ??????? ?? ??? ?????? ?????????? ??? ????? ?????????? ? ????????
- ???? ?????????? Salzgitter AG, Preussag Stahl ?G ??? ??? ?????????? ??? ??????
????????? ??? ?? ??? ??????, ??? Salzgitter ?G – Stahl und Technologie (SAG).
- 2) ? ?????????? ?????? ?? ??? ?????? ??? ?????????? ?????? ??? ????????
- 3) ? ??????? ??????, ?????? ?? ??? ?????? ??? ?????????? ??????, ??? ?? ??? ?????? ???
????? ??? ??????????.
- 4) ? ?????????? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????????? ????.
Tilli

Pirrung

Mengozzi

Meij

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????????????? ?? ?????? ?????????? ??? ?????????? ??? 1? ?????? 2004.
? ??????????

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H. Jung

V. Tiili

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????????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????????? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? 3 ??? ZRFG ??? ?????? ??? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ??????
????????? - ?????????? ??? ?????? - ?????????? ??? ?????? - ?????????? ??? ?????? -
????????? ??? ?????? - ?????????? ??? ?????? - ?????????? ??? ?????? - ?????????? ??? ??????
????????? ??? ?????? ??? ?????????? ??? ?????? 3 ??? ZRFG ?????????? -
????????? «????????» ?????????? - ?????????? - ?????????? -
- ?????????? ??? ?????? - ?????????? ??? ?????? - ?????????? ??? ?????? -
????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? ??? ?????? 3 ??? ZRFG, ??? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ????
????????? ??? ?????? - ?????????? - ?????????? - -
????????? ??? ?????? - ?????????? ??? ?????? - ?????????? ??? ?????? -
????????? 4, ????, AX ??? ?????? 67 AX - ?????????? ??? ??????
????????? ??? ?????? ??? ?????? - ?????????? ??? ?????? -
????????? ??? ?????? 95 AX - ?????????? -
????????? - ?????????? -
????????? ??? ?????? ??? ?????? - ?????????? 95 AX - ??? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
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1 - ?????? ??????????: ? ??????????.