



**BULLETIN
OF THE**

***EUROPEAN
COMMUNITIES***

VOLUME 5

No. 6 - 1972

**Secretariat
of the
Commission**

BULLETIN OF THE EUROPEAN COMMUNITIES

European Coal and Steel Community
European Economic Community
European Atomic Energy Community

6 - 1972

VOLUME 5

**COMMISSION OF THE EUROPEAN COMMUNITIES
Secretariat of the Commission
Brussels**

The Bulletin of the European Communities gives news of the activities of the Commission and of the other Community institutions. It is published by the Secretariat of the Commission of the European Communities (Rue de la Loi 200, 1040 Brussels) in the four Community languages (German, French, Italian and Dutch) and in English and Spanish.

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SIGNING THE CONVENTION FOR A EUROPEAN UNIVERSITY INSTITUTE

The Convention for establishing a European University Institute which was agreed in principle at the first meeting of Community Education Ministers¹ on 16 November 1971, was signed on 19 April 1972 by the Member States representatives.

The ceremonial signing of the Convention took place in Florence where the Institute will be housed. Speakers on the occasion were: Mr Moro, Italian Minister for Foreign Affairs, for the host country, and Mr Dupong, the Luxembourg Education Minister, speaking as Chairman in office of the Conference of Community Education Ministers. The two speakers stressed the significance of this event, the first step towards a European culture.

Mr Scarascia-Mugnozza, Vice-President, who attended the ceremony for the Commission, declared:

"... This occasion will surely be remembered as a milestone in the development of our great fatherland, Europe ...

But I would be lacking in candour and be out of harmony with the opinions I have voiced up to now in the European Parliament, if I failed to mention that the formal signing of the convention now to be endorsed by the representatives of the Six comes a long time after that far-away year 1956, when in Messina on behalf of Italy, the idea sprung forth that a European University must be created. I would be similarly at fault if I did not observe that this new and original institution appears as a child of the Member Governments and not as the Community child which the spirit of the Hague Summit would have demanded, where the Heads of State and Government declared that 'the European Community remains the nucleus from which European unity developed and took wing'.

Indeed, it is the governments who are financing it and the Commission of the Communities has but one representative on the Higher Council and he has no right to vote.

Having said that, and to emphasize how difficult it sometimes is to get solid deeds from political impulses and resolve, which in other sectors do emerge in a genuine Community way, I want in all good faith to express my satisfaction at the act we are accomplishing today, which was awaited and followed with great interest both within the Community and outside it, especially in the applicant countries whom we hope to have with us from the 1st January 1973.

¹ See Bulletin 12-1971, Part One, Ch. III.

The presence here of the Ministers for Foreign Affairs, of Education and Culture in the Six proves moreover the awareness of the problem, that its solution could not be put off any longer and that a culture and education policy for the Community must be implemented as swiftly as possible.

I think it will be one of the basic ideas we will have to talk about very soon and I hope it will be considered at the Paris Summit next October.

How indeed can the role of a politically and economically united Europe be defined without its spiritual roots held fast by true cultural bonds? How can our people be brought together if we disagree on the guidance we must give and the training we must provide to our youngsters and if we do not mutually recognize the value of diplomas gained in our educational institutes?

The European Parliament, and the Commission shares its view, has more than once asked for a European University and a different system of university education so that academic chairs may be awarded on the basis of scientific qualifications and with regard to the inclusion of various nationalities. Thus our young people, who tomorrow will take over our legacy of thought and deed, will be able, at this level at least, to share in a European outlook and move in a European dimension.

I hope that the Institute inaugurated today may work towards this goal. "

*

The Convention is open to the future Members of the Community, who for their part have expressed their intention of joining it, as soon as their Membership of the Community becomes effective.

The Convention will be submitted for ratification by the national Parliaments of the Six. It is anticipated that the University will open in 1973 with initially about 250 students and research workers. This number will rise to 600 in three years.

The University will be financially supported solely by contributions from the States' contracted to it. The breakdown of the financial contributions to meet the University's expenses which was still pending at the time of the Conference of 16 November 1971 will be: Belgium 7.9 %, Germany 28 %, France 28 %, Italy 28 %, Luxembourg 0.2 %, Netherlands 7.9 %. But the Convention provides for this allocation to be reviewed in 1977, thus allowing for developments in the Community by this date and the alternative offered by Community financing.

PART ONE

Features and documents

I. THE INTERIM PERIOD

During the Negotiation Conference with the applicant countries, the Community and the future Members both stressed the need to keep Community development going over the interim period between the close of the negotiations and the application of the Membership Treaties.

There was a chance during the negotiations for any applicant country to bring up a problem as soon as measures were adopted by the Community. But when the negotiations closed, this opportunity would no longer be available until the 1st January 1973 when the applicant countries would become full Members of the Community. When the negotiations were over, the present Community should be viewed from the angle of its enlargement even though the future Members were not yet able to share in the Institutions. For this reason, the terms of close collaboration between present and future Members over the interim period were laid down in the Acts covering the Membership of Denmark, Ireland, Norway and the United Kingdom.¹

Having laid down this interim procedure included in the Acts of Accession, some months ago, it can now be reviewed.

When the preliminary work at Community level, for decisions by the Council, has brought out common guidelines for worth while talks, these talks will normally follow at the request of an incoming State which must explain its interest and make its points as a future Member of the Community.

In actual fact the incoming States have asked for talks on several subjects, in particular:

- (i) The Economic and Monetary Union.
- (ii) Fixing agricultural prices.
- (iii) Directives for recasting agricultural structure.
- (iv) Directives for negotiations with the Member States and Associate of EFTA not applying for Membership together with some Mediterranean countries.
- (v) Directives on alignment of Member States' legislation.

The discussions take place within the Interim Committee made up of representatives from the Community and the Acceding States. On the Community side, the members come from the Committee of Permanent Representatives or their designees. The incoming States are represented by their Community Ambassadors. If the talks give rise to serious difficulties, the matter can be taken up at Ministerial level if an incoming State requests it.

¹ Official Journal L 73 of 27.3.1972.

The Commission, sharing in the work of the Interim Committee, plays an active part in developing this procedure and takes the initiative in evaluating the facts and criteria involved in the various aspects of the enlarged Community.

The representatives of the incoming States also take their places as observers next to the Member States' representatives in the work for negotiating agreements with the EFTA States remaining outside the Community. They are similarly involved in the negotiations over adaptations to preferential agreements concluded as part of the inaugural Treaties of the EEC (for instance the agreements with certain Mediterranean countries) and some of the non-preferential agreements made by the Community and whose time limit extends beyond 1 January 1973.

All proposals or communications from the Commission involved in Council decision making are made known to the acceding States at the moment they are sent to the Council. Furthermore, while preparing these documents, the Commission collects all data needed to gauge the impact of the proposals in view of the Community's enlargement.

From 22 January to 23 May 1972, the Commission sent 126 proposals, plans or recommendations and 54 communications, reports and memoranda to the incoming States.

To ensure that its own decisions consider the interests of the new Member States, the Commission consults them in advance on adopting any decision which might affect them as future Members.

From experience gained since 22 January, it may be claimed that the procedure adopted by the Conference has worked to the satisfaction of those involved. It also allows the incoming Members to get to know the institutional running of the Community.

II. INDUSTRIAL POLICY: STATUS REPORT ON THE COMMUNITY'S WORK

At the Conference on "Industry and Society" held from 20-22 April in Venice,¹ the introductory report was presented by Mr R. Toulemon, Director-General of Industrial, Scientific and Technological Affairs in the Commission. There follows the complete text of this Report which, over and above industrial policy in the strict sense of the term, brings out all the problems involved and examines the progress made in the Community since the "Memorandum on Industrial Policy" of 1970.

The concept of industrial policy is relatively new. For many States it has long been confused with general economic policy or been confined to certain sectors whose special problems of adaptation or growth provoked intervention by the public authorities.

This was the situation in the Community during the sixties. Firstly, joint sectorial instruments had been set up and implemented with variable success within the compass of the ECSC and EURATOM Treaties. Secondly, the industrial policy of the Common Market was limited to:

- (a) Achieving, effectively and positively, the abolition of customs duties on industrial structures,
- (b) Installing a common custom's tariff,
- (c) Surveillance of aids and restrictive agreements in order to ensure effective competition in the extended market,
- (d) Examining requests for protective measures from the Member States in order to deal with temporary sectorial problems.

However, the work begun in 1963 by the Committee for Medium Term Economic Policy had shown the need for overall Community action to enable enterprises to make the most of the existence of the big market, to organize themselves on the scale of the Community economic area and to promote the progress of new technologies, a field where Europe in relation to the United States seemed to be increasingly lagging behind. At the same time some liberation and harmonization towards unifying the European juridical and fiscal framework was taking place, albeit more slowly than the Commission and those involved would have wished. Likewise, the Commission supported by labour organization, representatives of regions in difficulty and some

¹ See Bulletin 5-1972, Part One, Ch. II.

governments, was striving to mitigate the adverse social and regional aftermath of changes accelerated by the implementation of the Common Market.

Although, strictly speaking, these efforts towards harmonization do not emerge from the sphere of industrial policy, such action of a social or regional nature is obviously of major interest for industry and its development.

In 1969, by the initiative of Mr Colonna di Palliano, the Commission decided to offer a bird's-eye view of the problems preceded by an analysis of the industrial situation in the Community, from the standpoint of internal and external communications between firms of different countries.

So, in March 1970, the Commission sent the Council a Memorandum on the industrial policy of the Community in which were brought out five basic guidelines:

- (i) Achievement of the single market,
- (ii) Unification of the juridical, fiscal and financial framework,
- (iii) Alignment of enterprises,
- (iv) Organization of changes and adaptations,
- (v) Intensification of Community solidarity in economic relations with third countries.

In the introduction of this paper,¹ the Commission recalled the qualitative nature of the end results to which any economic progress must lead:

- (a) Improvements in the conditions and dignity of labour;
- (b) Greater participation by the workers in the life of the enterprise;
- (c) Education adapted more closely to the condition of today's world;
- (d) More effective protection of the natural environment;
- (e) More harmonious distribution of wealth in the world.

These cares have not waned in importance since then. In March 1970, the Commission had declared its intention of eventually tackling these problems in depth. Mr Spinelli suggested to the new Commission, inaugurated in July 1970, that a widespread comparison be organized on the theme of Industry and Society in the EEC, between personalities representing the various social and professional "milieux" together with some leading qualified experts. This constitutes the springboard for the Venice² Conference.

¹ See Supplement to Bulletin 4-1970.

² See Bulletin 5-1972, Part One, Ch. II.

Meanwhile without waiting for this conference the Commission has taken the initiative several times in the areas alluded to above, for instance, the Social Memorandum of 17 March 1971¹ and the initial Communiqué of July 1971 concerning environmental policy² which was followed by action proposals from March 1972³ onwards. Elsewhere, the Education Ministers meeting within the Council⁴ have started to examine together the current problems in teaching and have decided to establish a European Institute of Human Sciences at Venice and are considering setting up a European Education Centre which would be something like a common study office for teaching problems.

But the subject of this report is *stricto sensu*, a status report on the work being done on industrial policy. Before outlining the situation concerning each of the basic guidelines in the Memorandum of 1970, I would like to give Members of the Conference some information about the procedures followed by the Council.

On the basis of the 1970 Memorandum plus several papers worked out by the French, German and Italian Governments, the Council resolved, in July 1970, to assign the investigation of nine problems, regarded as priorities, to a group of senior civil servants who are to report to the Committee of Permanent Representatives. These nine items revealing the thoughts uppermost in the minds of governments are:

1. The realization of the Common Market in certain sectors of advanced technology and capital goods.
2. The promotion of industrial progress and technological development in the Community.
3. Measures which may facilitate trans-national industrial regrouping within the Community:
 - (a) establishing a Community advisory bureau for industrialists wishing to develop alignment,
 - (b) extension of the role of the EIB,
 - (c) issuing of procedures for concerted action at Community level on problems of industrial restructurization.

¹ See Supplement 2/71—Appendix to Bulletin 4-1971.

² See Bulletin 9/10-1971, Part One, Ch. IV.

³ See Supplement 5/72—Bulletin of the EC.

⁴ See Bulletin 12-1971, Part One, Ch. III.

4. Development of Community solidarity with an eye to improving technological cooperation with non-Member States.
5. Unity between Member States in the face of foreign investments.
6. The possibility of establishing, in addition to the juridical form of European commercial companies, a more flexible form, which will facilitate approximations between enterprises.
7. The territorial aspects of industrial policy.
8. The coordination and rationalization of Community financial devices intended for economic development.
9. The role of public enterprises in the industrial policy of the Community.

After nine months work, the group has submitted its report which indicated a broad measure of agreement, although some divergencies, chiefly over public contracts and investments by non-Member States, have not been entirely reconciled. The group proposed to set up a Standing Committee to follow through this concerted action on industrial policy. The Committee of Permanent Representatives, whose agenda throughout 1971 has been overloaded by the accession negotiations, will not be able to report to the Council until March 1972, i.e. one year after submission of the report by the Senior Civil Servants. This will be after a fresh alignment of views although disagreement still persists as to the status to be accorded to the Standing Committee on Industrial Policy (seconded simultaneously to the Commission and the Council or the Council Group).

While taking an active part in the deliberations of the Senior Civil Servants, the Commission has carried on its work following the outlines laid down in its Memorandum. It also carefully considered the common guidelines brought out in the debates of the Council, of Senior Civil Servants and Permanent Representatives, as well as the official views of the European Parliament, the Economic and Social Committee and discussions with professional and trade union organizations.

The current status of the situation can be described by following the guiding principles of the 1970 Memorandum to which we should add environmental protection.

Achieving the single market

For some products two factors are still blocking the opening up of the markets: technical obstructions and the behaviour of public buyers.

Eliminating the first item has not up to now provoked big political problems but it raises a host of technical questions which will require very long and patient efforts to settle. To modify the behaviour of public buyers is a much more difficult undertaking since some countries use public purchases as a tool of technological industrial policy and even of regional development.

Removal of Technical Obstructions

In this sphere the Commission is actively pursuing the implementation of the "general programme"¹ approved by the Council in May 1969² and which has already led to the issue of 21 directives for the harmonization of regulations on a varied list of items. These include equipment of automotive vehicles and the makeup of their exhaust gases, metrology, dangerous substances and products, labelling of textile products or crystal glass manufacture. A host of other directives concerning weights and measures, oil pipelines, fertilizers and autcycles are at different stages of preparation. The Commission has just suggested to the Council that the 1969³ programme be completed including mainly motorcycles, railways, aircraft, school equipment, toys, weapons and munitions. However, the volume of questions to be settled and the slowness of progress up to now leads us to think that we should review methods and procedures, especially to cover new problems which might jeopardize the workings of the Common Market and particularly before Member States adopt measures at the national level.

Likewise, the Council will have to interpret sufficiently broadly the scheduled provisions for adapting the already adopted directives to technical progress; provisions which quite rightly do not entail unanimity as is unfortunately the case with the directives themselves. Even if such a change of method involves the necessity of adding to the provisions of the Treaty, this outcome should be faced.

We must not lose sight of the great advantages for industry offered by the harmonization of national technical regulations. Harmonization in production at the European level will facilitate long homogeneous runs. It is also the only way to avoid an overdependence on norms or regulations developed to their own accord by non-Member States, for it will allow the Community to wield its influence effectively at the international level. These points are highly topical at the moment in certain sectors; for instance,

¹ Official Journal C 76 of 17.6.1969.

² See Bulletin 5-1969, Ch. VI, secs. 35-39.

³ Official Journal C 50 of 19.5.1972 and Bulletin 5-1972, Part Two, sec. 7.

automobiles. We may well wonder whether Europe will not have to equip itself with a joint bureau for automobile safety.

Opening up Public Contracts

Since it contravenes the Treaties to reserve public contracts for national products, the Commission in December 1969 issued a Directive¹ based on Art. 33, Par. 7, specifying all the measures and inducements of any kind involved in public contracts which Member States must henceforward eliminate or discontinue.

Member States have had to notify the Commission of the steps taken to comply with this. This information is still coming in and under scrutiny.

Based on Art. 100, the Commission has proposed two Directives for the harmonizing procedures for awarding public administration contracts, one for public works and the other for public supply. The first has already been adopted by the Council and will come into full effect in July 1972.¹ From then on the important public works contracts will be awarded according to the harmonized rules. Moreover, Directives covering the purchasing procedures of enterprises responsible for service of general economic interest will have to be issued on the basis of Arts. 90 and 100 of the Treaty of Rome.

Up to now, inter-Community trade remains abnormally weak in the sectors of railway equipment, heavy electro-mechanical or nuclear apparatus and telecommunication material. It would be wrong to believe that this partitioning stems from mystical constraints imposed by governments or from the chauvinistic attitudes of certain buying organizations alone. It can also be explained by differences in norms sometimes long-established or by long-standing bonds of confidence in national suppliers as well as by certain restrictive agreements which the Commission must vigorously attack.

The genuine opening up of public and semi-public works contracts will also result from reciprocal, persistent and multi-lateral action which must hinge on close cooperation between public buyers, particularly in the case of harmonizing technical norms and specification dossiers.

It is also clearer than ever that the Community must commit itself to action on two fronts:

- (i) open up the contracts, for this is the mainspring for creating competitive industrial structures;

¹ Official Journal L 13 of 19.1.1970.

- (ii) tackle jointly on a Community scale the regional problems of industrial structure and technological development involved in the development of these contracts. The use of existing Community means (the Social Fund, the European Investment Bank) or future means (the Regional Development Fund) should encourage the redevelopment of regions or industries affected by this opening up of contracts. Moreover, concerted action over their purchasing policies by the organizations involved should allow technological objectives to be more effectively reached, namely, a pooling of definitions on required performance, broadening of outlets by means of joint or grouped orders, inducement for the different industries of the Community to cooperate.

This concerted action on purchasing policies of public interest is presently the subject of in-depth discussions among various Community and national authorities.

Following a Council resolution¹ (Transport Ministers), the railway companies have already put in hand a collective study of these problems and intend to continue their effort towards standardization and joint purchasing. The Commission is involved in promoting a similar cooperation between electrical or aviation companies and between the various administrations of the PTT and is hoping, in these areas, for a political commitment on the part of the Council. The Commission is handling a continuous study of the situation and will shortly publish an initial report on the obstacles still blocking the open access of enterprises to the public works contracts of the Member States.

Standardization of the Juridical, Fiscal and Financial Framework, and the Regrouping of Enterprises across Frontiers

The completion of the Common Market involves not only the elimination of the remaining obstacles blocking trade but the final realization of the right of establishment, the harmonization of taxation systems, initiated by the overall adoption of the added value tax and the opening of the Common Capital Market, in itself tied in with progress towards the Monetary Union.

In this sphere the realization of the Economic and Monetary Union plays a decisive role. On its principle must turn the harmonization of fiscal systems and the freedom of movement of capital within the Common Market. The Union will allow us to ensure the stability of rates of exchange without which a Customs Union loses its essential value which consists of maximum security

¹ Official Journal C 5 of 19.1.1971 and Bulletin 2-1971, Part Two, sec. 68.

for the development of manufactures suited to the needs of a big market where an undistorted competition prevails.

The recent decisions taken by the Council¹ must then be greeted with satisfaction since they mark the unanimous agreement of the Member States on the guidelines and measures which should offer industry a monetary, fiscal and financial framework better fitted to its development. Among the more modest measures but nonetheless of real value, we should mention the action taken based on Article 54. 3g. towards coordinating the guarantees required within Member States from companies in order to protect the interests of partners as well as third parties. In particular a fourth directive² was submitted in 1971 for the Council's approval which covers the layout and contents of annual accounts and management reports together with the evaluation techniques and publicity for these documents relative to the limited company (anonyme) and the limited liability company. This coordination is a necessary step towards ensuring the opening up of capital markets within the Community.

The Memorandum on industrial policy had highlighted the interest in "restructuring" enterprises, especially when the operations extend beyond frontiers. The reactions to the Memorandum in this field merit a few additional comments on my part.

First of all, a misunderstanding must be cleared up. Many industrialists are astounded that the Commission is striving to check restrictive agreements and dominant situations and promote concentration at the same time.

Some industrialists believe they see here a paradox which reflects the different concepts inspiring the departments responsible for competition on the one hand and those responsible for industrial policy on the other.

In reality, these two objectives, concentration and competition, far from being antagonistic are in fact complementary. Especially in the sectors of advanced technology, the creation of competition undistorted by considerations of national prestige turns on the formation of trans-national consortia. This is why in these sectors a distinct preference must be indicated in favour of trans-national concentration or cooperation as against nationally-bounded concentration. Certainly the latter can be a useful phase especially in countries with weak or scattered industrial structures. But it should never lead to the formation of a single national company, otherwise there would be a grave danger of consolidating national partitions.

¹ Official Journal C 38 of 18.4.1972 and Bulletin 4-1972, Part One, Ch. II.

² See Supplement 7/71 - Appendix to Bulletin 12-1971.

Moreover, it must be made clear that the Commission does not advocate concentration everywhere. On the contrary, it is convinced that except for certain fields where technique entails large dimensions the smaller-sized firms should hold onto their opportunities. No more than it favours concentration, the Community is not in itself a catalyst of industrial giantism. On the contrary, it is the medium-sized firms which draw and will draw the most advantage from the Community's work, since the big firms adapt themselves better than the small ones to the host of fiscal and administrative anomalies, that is if they cannot derive advantage from them.

Apart from the adjustments which it has already made to the Regulations on restrictive agreements, the Commission has proposed numerous measures to facilitate trans-national concentrations and cooperation, directives intended to eliminate fiscal discrimination falling on international mergers or adjusted to the fiscal status of parent and subsidiary companies together with the harmonization of company law and plans for European status by respect of shareholding.

According to industrialists the fiscal obstacles are the most awkward ones in the case of mergers, participations or creation of subsidiaries. This is why in January 1969 the Commission submitted two proposals for directives concerning the fiscal system for mergers¹ and the system applied to parent and subsidiary companies.¹

As regards the fiscal system for mergers, the aim was to eliminate fiscal penalization falling on mergers involving more than one country within the Community; that is, a penalization as compared with the fiscal system covering mergers between companies in the same country. The proposed fiscal system, which is neutral and does not represent an inducement to concentration, provides that the taxation of plus-values released at the time of the merger will no longer be immediate and that it will be carried forward to the time when these plus-values are effectively realized (cession of property, liquidation). Moreover, the profits of the unified company will be taxed either in the country where they are made or will be subject to the system covering world profits.

This last provision is included in the second directive concerning the fiscal system applicable to parent and subsidiary companies. The point here is to eliminate the double taxation still persisting within the Community on the profits of multi-national Community companies.

Despite very thorough technical work and the broad assent of Member States, these two directive proposals have not yet been the subject of a final decision by the Council.

¹ Official Journal C 39 of 22.3.1969.

The juridical obstacles can be summarized thus: in the Community there exists no company law valid in all the Member States and allowing enterprises to deploy their strategy throughout the Community. The Community is a patchwork of company law which forces companies interested in crossing national frontiers to verse themselves in different legalities for each country where they set up, which makes some operations like mergers difficult if not impossible. Companies have used expedients but these lead to extremely complicated juridical mechanisms which only increase the number of juridical items one hoped to reduce (Fokker-VWF; Agfa-Gevaert). Moreover, in the case of transactions like the creation of subsidiaries or joint holdings, choice over national laws causes delicate problems of pride among the enterprises. It is not infrequent for these joint companies to establish themselves in a non-Member State (for example, the Fiat-Citroen holding in Switzerland).

Work towards harmonization of the company law of Member States necessitated by realization of the right of establishment for companies (Articles 54 and 58) or by realization of Article 220 of the Treaty (mutual recognition of companies, preservation of juridical personality in case of transfer to another Member State, or merging of companies involving two different national legal systems) has soon been shown to be inadequate to settle some of the vital problems besetting the life of companies in the Community.

So the Commission proposed in 1970 to adopt rather than uniform national laws a single Community statute for the European Société anonyme.¹ The adoption of this proposal, based on Article 235, is running up against serious obstacles such as conditions of access, the fiscal system, protection of third parties and the rights of groups, nominativity or anonymity of shares, workers participation on management councils and committees; all these are among the most awkward items which are delaying the adoption of this proposal. We may hope, however, that the general discussions already underway will help to simplify and improve this project whose implementation pre-supposes an effort towards alignment on the part of the minds involved for which the Commission is striving unremittingly and which seems to be yielding some results.

However vital the adoption of a statute for the European Société anonyme may be, it does not settle all the problems encountered by enterprises interested in alignment. The European Company will be accessible only to Sociétés anonymes of a certain size. It will only be of interest to firms interested in overall integrations or setting up joint subsidiaries.

As regards less intense cooperations, transposition into Community terms of grouping by economic interest is being considered. This has had great success

¹ Official Journal C 124 of 10.10. 1970 and Supplement to Bulletin 8-1970.

in France. A proposal is under current development which would offer cooperative ventures of all kinds that cross frontiers a simple and straightforward juridical framework (joint production here is however excluded in order to avoid the problems hindering the adoption of the European statute for companies). This proposal, itself the subject of widespread discussion, could be submitted shortly.

Lastly, in certain sectors, the Commission already submitted to the Council in 1971¹ a proposal for facilitating the creation of "joint enterprises" (anticipated in the Euratom Treaty) within the conditions of the EEC Treaty. This proposal covers two kinds of cases:

- (i) The cooperation, merging or creation of public services at Community level. Up to now the Community has not enjoyed the possibility of establishing public decentralized systems other than those provided by the treaties (the EIB, the Euratom supply agency). This gap complicates the creation of joint public services whose value has however been recognized by Ministers of scientific research following the work of the PREST group (relay of knowledge, meteorology, data processing, telecommunications). The adoption of the statute on joint enterprises offering great flexibility for financial and managerial organization and especially a suitable juridical basis would facilitate for instance the setting up of a joint agency among railway companies or for the administration of the waters of the Rhine basin without recourse to international agreements whose intervention entails longwinded procedures.
- (ii) Cooperation between enterprises from at least two Community countries in the field of advanced technology or raw material supply which offer exceptional interest on the European scale. In the last case, the statute on joint enterprises, as opposed to European Sociétés anonymes, would allow association of companies other than Sociétés anonymes.

Moreover, the statute on joint enterprises could be matched with the grant of certain juridical, excise and fiscal benefits. The Community could share in the financing of the joint enterprise by subscription of capital, subsidies or loans. The Council would decide unanimously, case by case, on proposals by the Commission, which should suffice to avoid any risk of abuse. There would be no question of granting discriminatory advantages to joint companies who would be carrying on their activity in a competitive sector.

The question of granting benefits or extra inducements to encourage cooperation over frontiers has been broadly discussed in the Community.

¹ Official Journal of 25.10.1971 and Bulletin 11-1971, Part Two, sec. 34.

Should a preferential fiscal system or loans with interest advantages be provided for this type of operation? Should an IRC for Europe be set up?¹ Up to now none of these suggestions has been retained by the Commission. The Commission has simply asked the European Investment Bank to direct more attention to projects emanating from cooperation between various Member States.

Furthermore, all the Member States have deemed it necessary to study the possibility of setting up at Community level a bureau for alignment of enterprises. This office which could represent a service seconded to the Commission or spring from the professional organizations involved would have the job of answering requests for information from enterprises wishing to engage in multi-national cooperation, and the task of marrying, in a neutral way, the offers and requests for cooperation submitted to it. A decision on the creation of this office should come up soon. Up to now the balance sheet on the Community's actions towards encouraging alignment among enterprises cannot be regarded as satisfactory. Private financial organizations have indisputably displayed much greater initiative in this sphere. Likewise, industrialists responsible for executing these transactions have escalated their efforts. But the Community regulations in the fiscal or juridical sphere, which would have facilitated decisive progress in the interpenetration of industrial structures, are still pending. It is becoming increasingly clear that fiscal harmonization and the formulation of European company law will only limp forward unless the Community does not make solid progress towards political union.

Organizing Changes and Adaptations

The Commission has constantly emphasized the need for continual economic development, evolution and modernization of the industrial engine. The Commission is fully aware of the seriousness of the economic, social and regional problems posed by these changes. In its 1970 Memorandum, the Commission had insisted on a certain number of actions which it thought were essential for preparing and facilitating these changes: forecasts, especially in the case of employment prospects, sectorial action, regional and social policies being the most important.

In global and especially sector forecasts, little progress has been made by the Community in recent years. Insufficient and uneven statistics in our countries have led to this plight. Improvement of statistical bases and forecasting

¹ British Industrial Reorganization Corporation, abolished in 1971.

techniques remain an urgent task for the competent institutes and agencies of the Community. The Commission has carried on working out the provisions devolving on it by virtue of the European Treaties: in 1971 the general objectives covering steel for 1971-1975 were adopted.¹ The formulation of the second Euratom programme (1975-1980) will be finalized in 1972.

Within the scale of this report, it is difficult to outline even summarily all the sectorial moves made by the Commission in close collaboration with the professional "milieux" involved. It is enough to recall that the efforts have a twofold objective: to improve the national sectorial policies and administrate wisely the instruments provided by the Treaties.

In the sectors involved in problems of changes or promotion, the Commission in recent years has undertaken in-depth analyses and proposed common guidelines to the Council. This has applied to shipbuilding, paper, the electro-mechanical industry, textiles and numerical machine tools. Work is in progress on non-ferrous metals, electronics and aeronautics.

All the European treaties involve a series of measures or instruments influencing more or less directly the development of industrial sectors: regulation of the market, supply policy, financial instruments, commercial policy arrangements and the control of nations' aids are the most important ones. Their implementation, especially in the case of commercial policy, has set off closely concerted action between the industries and trade unions concerning the objectives to be reached and on the necessary techniques for success. I think it also worthwhile to recall that in the decisions on sector aid, the Commission took its inspiration from four principles:

- (i) Aid must be selectively granted and only to enterprises or manufactures with a future and which will be able to face competition effectively.
- (ii) Aid must be temporary and non-progressive so as not to perpetuate an artificial situation. It must stimulate the dynamism of economic agents.
- (iii) Aid must be as transparent as possible so that enterprises can appreciate and evaluate it easily and so that costs and results can be measured.
- (iv) Lastly, aid must be tailored to the objectives in view and have the least possible ill effect on inter-Community competition and trade.

The changes underway in industrial structures involve very important revisions in the employment conditions for labour. Progress in productivity releases workers in hundreds of thousands in some sectors while new jobs are created in others. Globally up to 1971, the Community has suffered from a dearth rather than a glut of labour and current slackness does not seem likely to modify the situation other than temporarily. But due to the still insufficient

¹ Official Journal C 96 of 29.9.1971 and Bulletin 9/10-1971, Part Two, sec. 76.

mobility of labour and inappropriate localization of investments, painful problems over employment have arisen in certain mining or old industrial zones. At the same time, the underindustrialized regions of the Community like the south of Italy and the west of France were far from sufficiently benefitting from the general expansion. This kind of imbalance, which has obliged many workers to leave their homeland, involves not only serious social disadvantages but also slows up the economic development of the Community. These changes are going to go on. The Community will have to organize them and seek solutions beforehand which will fit both the needs of men and the requirements of industrial progress which are sometimes much more contradictory than one may imagine.

This is why the creation of the Permanent Committee on Employment¹ and the reform of the European Social Fund² resolved by the Council in 1971 constitute two cardinally important decisions from the standpoint of industrial policy. The new Social Fund will have at its disposal in the next few years increased funds reaching, in the estimation of the Commission, 250 million U.A. per annum from 1975 onwards as against 55 million today. The Fund should thus be able to promote the professional training and regrouping of workers and in this way facilitate these vital changes as the ECSC very successfully accomplished in the coal and steel industries.

The action of the Fund should be accompanied by an intensive regional policy called for not only by Italy but also by Great Britain, Norway and Ireland.

The Commission proposed³ that the Community budget should contribute to encouraging regional development by the intervention of the EAGGF and by allowances on interest which would be a useful complement to the already important action by the European Investment Bank. A Council Decision has just been made concerning the new regional role of the EAGGF.⁴

Maximum emphasis on the mobility of labour and encouragement for the creation of jobs where labour is available to minimize geographical mobility represent the joint objectives of the industrial, social and regional policies which the Commission intends to promote within an overall concept allowing for the basic aim of European workers to find work in their home region.

These thoughts on the changes in our industrial economies also offer the opportunity to recall certain questions, which have already been deeply considered in the Community institutions.

¹ Official Journal L 273 of 17.12.1970 and Bulletin 1-1971, Part Two, sec. 19.

² Ibid. L 28 of 4.2.1971.

³ See Supplement to Bulletin 12-1969 and Bulletin 7-1971, Part. One, Ch. III.

⁴ Official Journal C 38 of 18.4.1972 and Bulletin 4-1972, Part One, Ch. II.

The first concerns foreign investments. These investments, especially when they are aimed towards creating new activities, form a valuable contribution to the industrial expansion of the Community. Their attraction for regional development or technological progress has induced governments to often welcome them with favourable conditions. But these advantages must stay within the bounds which can guarantee a healthy competition between investments by Community enterprises and those from foreign parts and not provoke detrimental discrimination against Community enterprises. Likewise, these investments which are often made by the very large enterprises must not involve abuse of a dominant position.

The importance of the role played by public enterprises in the modernization of industry and in the development of regions no longer needs proof. Their weight varies from one Member State to another. But in each case their contribution towards a happy evolution of industry can be decisive. In its frequent exchanges of views with these enterprises, the Commission takes care to see that their role, which is to serve general interests, is written into the objectives of the Community. Moreover, when the activity of these enterprises takes place in the competitive sector, the Commission must ensure that they do not benefit from any special advantages.

In an industrial economy undergoing basic changes, it is justifiable to attend to the particular problems incurred by the small and average size enterprises during this evolution. No more than the big ones, the enterprises of more modest size cannot escape from the need for restructurization, redevelopment and evolution of their proportions and production. Sometimes less prepared or less well armed than the big industrial units for tackling these changes, the small and medium enterprises may need some assistance from public authorities, assistance all the more legitimate in that these enterprises are an essential ingredient in the industrial sector. In many fields of activity, their contribution to the economy is irreplaceable. Their role in the process of innovation is cardinal. So the Community, while implementing its Second Medium Term Programme of economic policy, is also considering moves in cooperation, financing and technico-administrative assistance for the benefit of those enterprises.

Finally, it is impossible to bring up the problems of change and modernization without pausing a moment to consider management. The Community betrays a certain delay here which only a coordination of current efforts in the European countries might make up. This was the meaning of the official view of the Commission in its Memorandum on industrial policy which advocates setting up a European Foundation for management and training.

Recent initiative has provided some answers to these problems. In 1971, the European Management Foundation was established which brings together the

various institutes and agencies for cooperation existing in this field within the European countries. The role of the Foundation is to improve the quality of teaching and research in management in relation to the economic, social and cultural fabric of Europe.

The Foundation has to bring its aid to bear on the development of teaching and research institutes within European countries, on the development of training for teachers and researchers in management, on the strong encouragement of contact between teachers and researchers, enterprises and administrations, and on the definition of needs and means to meet them.

Moreover, the European Institute of Research and Advanced Studies was recently established in Brussels, whose function is to ensure on a multi-national basis the training of teachers for Europe at a high scientific level.

With the Institute for Technological Management set up in Milan by some of the member countries of the OECD, and the International Institute of Management of Berlin, whose activity bears on management research, Europe has strengthened its future means for executive training in this sphere.

Scientific and Technological Policy

At the beginning of 1972 a scientific and technological policy for the Community is still only a hope. The serious difficulties besetting Euratom and the too limited results of the PREST and COST groups could provoke scepticism. The need for an overall Community policy in this field is only more obvious. This joint policy does not necessarily mean joint action or joint financing by the Community. A joint policy is obligatory first of all to define economic, social, political even military objectives for research in order to take stock of the means disposable in staff, laboratories and money in order to fix the priorities and define the instruments best suited. One should distinguish between the basic, fundamental research where coordination is sometimes futile, sometimes desirable, sometimes indispensable (the big instruments) and the technological and industrial development which must allow for competition and meet the needs of the market. At this level scientific, technological and industrial policies are so inextricably mixed that it is impossible to genuinely coordinate or jointly implement one of them without a minimum of agreement or cooperation on the others. After laborious efforts in internal reorganization and external consultation, the Commission is ready to draw on the lessons from the past (the failures and successes of the PREST and COST groups) and submit to the Council new proposals which, if accepted, will serve as the foundations of a common European strategy for scientific and technological development.

We shall confine ourselves here to summarizing the features directly related to industrial policy.

The first concerns the definitions of end results and the aims of scientific and technological efforts. Only an effort towards definition whose difficulty should not be underestimated, can facilitate the direction of a policy and the judgments in "arbitrations" incurred by the excess of projects over the means available. Even the richest nations, like the United States, are obliged to resort to such arbitrations. The joint definition of objectives in the Community and at least in some of the areas appears to be the necessary point of departure of a Community scientific and technological policy. Only if the choices are jointly made will agreement be reached on the sharing of tasks and cooperation. To define these end results and objectives the Commission has proposed to establish a permanent enclave for ideas and suggestions in the form of a European Research and Development Committee made up of independent high-level experts whose task will be to enlighten the Commission and Council on the choice of objectives and priorities.

The second feature concerns the implementation of a joint research policy at Community level: to compare and coordinate programmes of national research in order to arrive at a better distribution of tasks and concerted action. The development of joint European research programmes, possibly supported by a European Science Foundation, the joint creation of massive instruments of research and exchanges of knowledge and researchers would be the essential tools of this policy whose first fruits had been outlined and proposed by the PREST group but which have not yet been tested.

Action towards technological promotion is a third feature. Is such action necessary and efficacious? Are not competition and industrial dynamism the most effective driving force behind innovation? However hot the debate may be on these points, all the industrial states and especially the Member States do not promote any the less some of the developments of their industries in the major technologies (atomics, aviation, data processing) and in the minor (food, textile, and mechanical industries). Should not the means utilized at the national level be applied at the Community level for cooperative operations? And would not these means be more effective if they were pooled for the whole Community rather than scattered over national transactions? One of the difficulties in answering these queries is that the promotion of technology in order to be effective cannot be confined to support of research and development but must also bear on the market which must in some cases be stimulated or even created, and on industrial structures which must usually be strengthened in order to exploit innovation. Put another way, American aeronautical development springs more from military and civil demand and from the existence of Boeing than to the aid granted for a project of specific

aeronautical development. This is why the Commission has insisted vis-à-vis the governments that action be taken at the three levels of development, markets and industrial structures.

On the plane of development, the Commission has recommended systematic research on inter-Community cooperation financed or not by the Community. In the case of major technology, inter-government agreements seem today to be in the best position to solve the difficult financial, technological and sometimes political problems posed by the direction of very large projects. On the other hand, in the case of standard technology which does not raise the same problems and where concerted action has been disappointing, the Commission has proposed setting up Community development contracts for industry which would afford partial support, by subsidies reimbursable against success, to the operations in technological cooperation between enterprises of different Member States. These projects could be placed in spheres of general public interest (in the campaign against "nuisances", in health or transport) or they could involve the development of new products or new production processes. In the last case the initiative would revert to the industrialists. The granting of this aid which would bridge a very regrettable gap, should follow a rapid and flexible procedure. Among the criteria to be considered should be the contribution by the projects towards creating permanent jobs in regions up against special problems in this area. A formal proposition on this matter should soon be made by the Commission.

Concerning markets, the Commission, taking up a suggestion by the French Government, has proposed a pooling of public or near-public purchasing policies to eliminate the technical partitioning of markets within the Community and to encourage the penetration of new products (telecommunications, data processing, aeronautics, infra-structure equipment, etc.). This suggestion is under study.

The various moves just mentioned should encourage alignment by enterprises and the necessary restructurizations. The development of the appropriate juridical instruments should be matched by an evolution in the attitude of governments towards accepting a growing mutual interdependence in advanced technology. Thus competition over policy or prestige would give way to technical and economic competition.

Lastly, as the fourth feature, the cooperation between certain national public services or the creation of joint public services within the Community could constitute an essential ingredient of a joint scientific and technological policy and facilitate the satisfaction of new needs at minimum cost.

The extension of the statute for the joint enterprise Euratom discussed earlier would allow the creation of such joint services.

In these various areas the enlargement of the Community should provide a decisive impetus. The technological ties existing already or about to be formed between old and new members represent the best earnest of scientific and technological cooperation within the "Ten".

The Environment

On 22 July 1971 the Commission issued a "First Communication on Community policy concerning Environment".¹ In this paper the Commission stressed that the fight against the degradation of nature and all strata of life should henceforth be featured among the economic and social aims of the Community. Moreover, the Commission noted that the provisions made by the Member States in this field could have serious consequences for the working of the Common Market and on the unity of the European economic area. Having recalled the activities already underway on behalf of the Communities for the improvement and protection of the environment, the Commission proposed some new approaches which should be activated as soon as possible.

This initial Communication was followed by an action plan for the European Communities concerning environment which the Commission has just proposed to the Council of Ministers.²

The plan provides firstly for the establishment of a common framework for evaluation, action and if necessary directives to which the Community, the Member States and local administrations can always refer. To this end it is proposed to set up an objective basis for the evaluation of pollution dangers to human health and the environment, to establish common health standards and to define joint objectives concerning the quality of the environment.

The follow-up after the application of these norms and objectives concerning sources of pollution (products or economic activity) and the special measures to be taken in certain areas of common interest and against certain polluting substances should be decided jointly. As a particular case, the Commission recommends setting up a European agency for the Rhine basin which could be given the status of a joint enterprise.

Secondly, in order to combine national efforts and the sound progress of work undertaken at the Community level, the Commission proposes to set up a joint information procedure foreseeing possible extension to the whole Community of emergency measures for environment.

¹ See Bulletin 9/10-1971, Part One, Ch. IV.

² See Bulletin 5-1972, Part One, Ch. III, Supplement 5/72—Bulletin of the EC, and Official Journal C 52 of 26.5.1972.

Thirdly, to allow the Community to share actively in the work of international environmental organizations in such a way that the specific requirements of Europe are considered, the Commission suggests that the Member States get together and take joint action concerning environment within the lines of these organizations.

Lastly, the Commission recommends moves to develop scientific and technical knowledge in the sphere of environmental protection and improve the collation and relay of knowledge within the Community.

These are, in brief, the indispensable measures which the Community should adopt if it intends to conduct a consistent and dynamic policy on environment. There is no question, and the Commission does not suggest it, of transferring to the Community level the bulk of the policies and action that the Member States have already adopted or are about to take up. But within an economic union it seems necessary to make available a common basis for regulations, at least for some sectors and certain products, in order to ensure a more effective protection of mankind and nature and to avoid the occurrence of technical obstructions and distortions of competition.

The Development of Community Solidarity in Relations with non-Member States

Since the presentation of the Memorandum on industrial policy, the negotiations on the Accession of Four New Members to the Community have reached a happy conclusion. In its enlarged form the Community will consolidate its position as a prime commercial power in the world. Its responsibilities in regard to its industrialized partners, countries with nationalized trade and especially developing nations are greater than ever whilst the difficulty in adopting common attitudes to different problems grows correspondingly with the number of Member States and the variety of their economic problems.

During recent months, the economic and monetary events which have shaken the world have allowed the Community, despite these temporary problems, to prove that it was sufficiently mature to carry out such a task in full consideration of the general interest. Indeed the risk of escalating protectionism was great. It still is. Such retrograde action would greatly prejudice the economies of industrialized countries. It would have very serious repercussions in the developing countries. In these circumstances the Community resisted the temptation of taking or even considering retaliatory measures. It has even accepted certain concessions without return, in

consideration of the difficulties facing the United States.¹ In doing so the Community has played the stabilizing role expected of it.

This trend will soon be confirmed by the accession, as associates, of a group of States formerly linked to some of the applicant countries.

In the same spirit, the Community is negotiating with non-applicant members of EFTA in order to reach agreements which will not prejudice their economies but strengthen the commercial ties between them and the Community despite the absence of common economic policies.

However, the solidarity of the Six, and later the Ten, will have to be shown not only in the multilateral and bilateral negotiations of 1973, within the framework of GATT, but also at the Conference on European Security and Cooperation. The Soviet Union especially should be persuaded to recognize her interest in recognizing the Community and cooperating with it without the Community affording any guarantee whatsoever to the politico-economic protectorate which still persists in eastern Europe.

One should also examine the desirability of replacing the so-called auto-limiting agreements which have arisen in some sectors by a code of "good conduct" which would help to reduce the cyclic swings by diminishing the risk of obstructions to international trade. Such provisions would be specially valuable in the steel sector where the market is subject to pronounced cyclic ups and downs injurious not only to the iron and steel enterprises but also to the whole economy.

The activation of a joint commercial policy cannot ignore the problems incurred by the development of multi-national companies. The activity of these companies has given much to the progress and expansion of the Community economy. But the Commission, careful to forestall any abuse of a dominant position, is studying measures which should be considered, if need be, in order to ensure that the behaviour of these companies still conforms with the basic interests of the Community.

The Commission is also taking care that the Community enterprises have similar facilities for their investments in non-Member countries.

The recent monetary crisis and the persistent deficit in the balance of payments of the United States have given a new edge to the problem of foreign investments. It may seem abnormal that the Community is holding on to considerable amounts of unconvertible dollars whereas at the same time the American companies continue to invest in Europe while Community companies invest much less in the United States. Among the criticisms

¹ See Bulletin 3-1972, Part One, Ch. IV.

provoked by this situation, that by American Trade Unions is by no means the least sharp.

If this situation was to persist, it would certainly lead to controlling measures on one side and protectionist devices on the other. We may also hope that steps will be taken on both sides of the Atlantic so that, partially at least, dollar balances may be invested in America and thus share in re-establishing a mutually desired equilibrium.

A more specific problem is assuming proportions which may well cause apprehension, namely the question of export credits.

Despite the efforts of the Bern Union, the Community coordination group and the OECD, credit periods everywhere are getting longer and longer and the allowances agreed on interest rates are continuously rising. This is an undesirable situation, both for importing countries whose debts reach the point where the country's reimbursements will be beyond its capacity, and for the exporting countries who have to pay from their own pockets for what they produce and supply other customers.

Obviously the nature of the problem varies according to whether the exports are shipped to industrialized countries, State-organized economies or developing nations.

For exports to developing countries, the problem is especially complicated since the way in which the concept of aid is allied to that of commercial transactions is still not easily defined. This explains why, in the Community just as in larger spheres, the job of setting up rules clear and acceptable to everyone is especially hard.

On the other hand, credit for exports to developed countries and those with State-organized commerce involves relatively simpler problems. Besides the agreements to be encouraged within the OECD and in anticipation of the Conference on Security and Cooperation in Europe, a common approach at the level of the Ten should be made. With this in mind, the Commission is preparing a draft regulation which could soon be submitted for the Council's approval.

As regards the harmonization of credit insurance procedures, the two policies covering medium and long-term suppliers' credit, one for private and one for public buyers, have been adopted by the Council in 1970.¹ Their implementation, however, was subject to the solution of several related problems including the adoption of a common policy for purchase credits, a common scale of premiums and joint mechanisms on price and trade

¹ Official Journal L 254 of 23.11.1970.

guarantees. The Commission made proposals notably on the last two points during the Summer of 1971. However, the study being undertaken by the different Council authorities shows that on some matters, particularly the question of price guarantees, it will be difficult to reach rapid agreement. The Commission has also just approved a Council directive proposal which will modify the application conditions of the two policies adopted by the Council in 1970 so that they may be applied this year.

Lastly, as regards research, the work by the PREST and COST groups will allow some international cooperation to get underway, but on an "à la carte" basis throughout Europe. If such an approach is accepted as a first stage, one must not shut one's eyes to the fact that it rules out any organized Community solidarity, and will not have any real significance unless it paves the way for the development of a global strategy.

Conclusions

In sum, a review of the whole problem of Community industrial policy leaves a patchy impression. Those who are optimistically inclined will emphasize the progress made in abolishing obstacles to trade, in shortly opening up the public works contracts, in greatly increasing international alignment. They will stress also the advances made towards initial agreements in research with the trend towards setting up European technological services, to which may be added the creation of the European Management Foundation and the Institutes in Brussels and Milan, not to mention the favourable reception of the Commission's proposals on environment. Those with a more gloomy turn of mind will bewail the slowness of the Council's procedures, the number of proposals still on its agenda awaiting decisions, the tendency of some Member States to dispute the initiating and coordinating role of the Commission, the very slack pace of work in the scientific and technological fields rolling on a far too broad extra-Community basis, the lack in many areas of any meaningful solidarity between Member States in their relations with non-Members.

Perhaps the most reassuring thing is the fact that the Conference of Heads of State and Governments to be held in October has included in its agenda industrial and technological policy and the strengthening of Community institutions. It is also satisfying to note the keen interest shown by the future members and more especially Great Britain in this side of the Community's activities.

This was, therefore, a well chosen time to draw up an initial balance sheet and outline some of the prospects.

In any discussion on the future of industrial policy, one must note that although after twenty years work by the ECSC, and then by the EEC and Euratom towards industrial growth, economic prosperity and social wellbeing considered in terms of income have been attained beyond all expectations, huge problems still remain unsolved which vitally affect not only the happiness of Europeans but also to some extent the future of our civilization.

The new era heralded by the accession of the new Members must be marked by a great effort to forestall the imminent rupture between industry and society and furthermore between the generations. To put industry at the service of mankind, that is really the European Challenge. Today only western Europe can show the way for a world more than ever torn with doubt. Western Europe has managed to preserve freedoms which are the envy of the Eastern Bloc. She remains less affected by the social plagues of the post-industrial era hitting the United States and Japan. She has forged bonds of friendship and close cooperation with Africa. Her initial steps towards unity have provided a new dynamism. Thus western Europe seems capable of contributing to peaceful, logical and systematic progress both in her own interest and that of other peoples.

The powerful social forces represented at this conference should become truly aware of Europe's new opportunities and her new responsibilities.

To reconcile industry and society means first releasing the industrial worker from the evil spells still binding him; not only material squalour, which is still with us, but the moral poverty bred by monotonous jobs, the ever faster rhythm, conveyor-belt work, the inconveniences of transport, the harmful effects of city life and above all the lack of standing.

This means providing work for men near their birthplace and where their forefathers lived. Europe must not turn into a Far West of rootless characters nor a melting pot drowning national and regional traits.

It means an economy directed more towards fulfilling the basic human aspirations: comfort and security at home, attractive towns to live in, a safeguarded countryside within reach, freely diffused culture unwarped by snobbery or "elitism".

It means a Europe economically open to the world but running its own ship, its influence based not only on an incomparable heritage but also on the efficiency of its productive apparatus and its institutions.

And lastly, it means a Europe relying on its own capabilities and devoting its new powers towards a more equitable distribution of wealth, the bringing together of peoples and the organization of peace.

These are the themes of the conference opening today at Venice. These are the tasks awaiting the Community.

III. THE EXTERNAL TRADE OF THE COMMUNITY FROM 1958 TO 1970

The creation of the Common Market has made a considerable impact on world trade. This can be seen very clearly from the external trade figures in this survey. They show that the EEC is the world's biggest customer and supplier.

This is already the case if one considers only the trade with the non-Member countries, leaving out the trading between Member States. In 1970 Community imports from non-Member countries amounted to \$45.6 thousand million and in relation to the world import total (excluding trade with the socialist economy countries and inter-Community trade) 18.7 % of same. In 1958, this percentage was only 17.1%. Again during 1970, exports to non-Member countries reached \$45.2 thousand million, and in relation to world exports (excluding trade with the socialist economy countries and inter-Community trade) 19.2 % of same as against 17.8 % in 1958.

Adding together the value of extra-EEC and inter-EEC trade, it is seen that the Community in 1970 made 30.3 % of the world imports and 31.7 % of the world exports, (excluding trade with the Eastern bloc). *By achieving alone nearly one-third of world trade, the Community has gained a trading position till now unrivalled in international relations.* Among the big economic entities, the Community has now the highest value of exports per head of population. Between 1958 and 1970, the growth of the EEC's external trade, although distinctly lower in value compared to Japan's was greater than the advance of world trade and that of most other countries or regions.

A feature of this growth was a change in the structure of the Community's trade, both geographically and in the make-up of imports and exports. This development results from the considerable increase of manufactured products in world trade due to the amplified demand for industrial products over raw materials and agricultural produce.

The Community is still the leading world importer of primary products although the proportion of these products in imports has steadily declined. In 1969 (the latest year for which world statistics are available), the EEC made 28 % of the world imports of primary products and only 13 % of purchases of manufactured products. The Community has gone on developing its imports of primaries in greater proportions than most of the other commercial powers. Despite this, imports of industrial products have risen much more rapidly. This trend is still clearer in exports where the Community's share in the trade of primary products has continued to drop.

Overall trade (inter + extra-EEC)

Development of Community Trade

				(in \$ millions)			
				1958	1963	1969	1970
Imports (CIF)	.	.	.	22 946	40 414	75 594	88 422
Exports (FOB)	.	.	.	22 775	37 555	75 691	88 499

					<i>Overall Growth Rate 1970/1958</i>	<i>Annual Average Growth Rate 1970/1958</i>
					(in %)	(in %)
Imports	.	.	.	.	286	11.9
Exports	.	.	.	.	288	12.0

From 1958-1970, the annual average growth rate of overall EEC trade reached about 12%. The total imports (inter + extra-EEC) moved from \$22.9 to \$88.4 thousand million and the exports from \$22.7 to \$88.5 thousand million. On the basis of these figures, the Six, among the big economic zones, are the biggest world importers and exporters. In 1970, they achieved 31% of the world trade (23% in 1958), EFTA about 16% (18% in 1958) and the USA about 15% (16% in 1958). Over the thirteen years, the EEC's share of world trade grew by an average of 2.5% per year, whilst EFTA's share (-0.9%) and the USA's share (-0.5%) declined.

In 1970, the Benelux countries were still the EEC Members with the highest trade value per head of population, while in France external trade still took the smallest share of the GNP (gross national product). From 1958 to 1970, many changes occurred in the geographic structure of the EEC's trade. Lastly, the inter-Community trade of the Six, reaching scarcely 30% in 1958, represented 49% in 1970.

Inter-Community Trade

In 1970, trade within the Six reached \$43 thousand million, a rise of 530% against 1958. Inter-Community trade represents 48.4% of the total (inter + extra in 1970 against 29.6% in 1958).

Development of Inter-Community Trade 1958-1970

Country	1958		1970		Rate of Growth (1970/1958)	
	Value (\$ million)	Share %	Value (\$ million)	Share %	Overall %	Annual Average
Imports						
France	1 227	18	9 256	22	654	18.34
Belgium/Luxembourg	1 462	21	6 683	16	357	13.50
Netherlands	1 518	22	7 483	17	393	14.22
Germany	1 896	28	13 232	31	598	17.57
Italy	687	10	6 146	14	795	20.04
EEC	6 790	100	42 800	100	530	16.59
Exports						
France	1 136	17	8 661	20	663	18.45
Belgium/Luxembourg	1 377	20	7 950	18	477	15.73
Netherlands	1 337	19	7 290	17	447	15.21
Germany	2 406	35	13 727	32	471	15.60
Italy	608	9	5 673	13	833	20.45
EEC	6 864	100	43 301	100	531	16.60

Over the thirteen years 1958-1970, the structure by origin of the inter-EEC trade changed a little. Germany is still in first place, still contributing a third to the total. But in contrast to 1958, her share of the imports (31% in 1970; 28% in 1958) equals her proportion of the exports (32% against 35% in 1958). France has moved into second position in front of the BLEU and the Netherlands. Italy, despite a relatively much sharper increase in inter-EEC trade compared to the other Members, still takes last place in absolute values. The proportion of EEC imports in Italy's purchases is still the lowest among the Six.

From 1958 to 1970, the make-up of internal trade underwent the same structural change as the trade with non-Member countries. In 1970, the proportion of primary products is a steadily declining element (23% in 1970 against 33% in 1958).

Extra-EEC External Trade

Development of External Trade and the Trade Balance

(in \$ million + %)

Country	1958	1970	Rate of Growth (1970/1958)		
			Overall	Average	
EEC	Imports				
	France	4 382	9 666	121	6.83
	Belgium/Luxembourg	1 674	4 669	179	8.93
	Netherlands	2 107	5 910	180	8.96
	Germany	5 465	16 582	203	9.68
	Italy	2 528	8 793	248	10.95
		16 156	45 621	182	9.02
	Exports				
	France	3 985	9 077	128	7.11
	Belgium/Luxembourg	1 675	3 645	118	6.71
Netherlands	1 881	4 477	138	7.49	
Germany	6 401	20 462	220	10.18	
Italy	1 969	7 537	283	11.84	
EEC	15 911	45 198	184	9.09	
EEC	Trade Balance				
	France	— 397	— 589		
	Belgium/Luxembourg	+ 1	— 1 024		
	Netherlands	— 226	— 1 433		
	Germany	+ 936	+ 3 880		
	Italy	— 559	— 1 256		
		— 245	— 423		

From 1958 to 1970, the EEC external trade (imports + exports) rose by 183%, or an average of 9% . During 1970, the Community bought on the foreign markets for a sum of \$45.6 thousand million and sold for \$45.2 thousand million, registering a deficit of \$423 million against

Geographical Breakdown of Community Trade in 1958 and 1970

Region/Country	Imports				Exports			
	1958		1970		1958		1970	
	\$ million	%	\$ million	%	\$ million	%	\$ million	%
<i>Extra-EEC</i>	16 156	100	45 621	100	15 911	100	45 198	100
<i>Industrialized Countries</i>	8 526	53	26 411	58	8 638	54	29 836	66
EFTA	3 608	22	10 715	23	4 970	31	14 884	33
United Kingdom	1 192	7	4 009	9	1 330	8	3 667	8
Other European Countries	834	5	2 887	6	1 143	7	4 954	11
North America	3 238	20	10 298	23	1 901	12	7 362	16
USA	2 808	17	9 038	20	1 664	10	6 633	15
Other industrialized countries	845	5	2 511	6	623	4	2 636	6
Japan	117	0.7	1 232	2.7	139	1	986	2
<i>Developing Countries</i>	6 824	42	16 105	35	6 125	39	11 546	26
AOM	1 546	10	3 517	8	1 860	12	3 253	7
AASM	914	5.7	1 862	4	712	4	1 265	3
Central Africa	1 048	6	3 510	8	941	6	1 597	3.5
Latin America	1 647	10	3 591	8	1 604	10	2 945	6.5
Western Asia	1 803	11	3 899	9	693	4	1 831	4
Other Asian Countries	779	5	1 588	3	1 027	6	1 921	4
<i>State Trading Countries</i>	789	5	3 050	7	980	6	3 405	8
Eastern Europe	678	4	2 776	6	626	4	3 040	7
USSR	274	2	962	2	208	1	1 103	2
China	107	0.7	255	0.6	304	2	350	1

Geographical Breakdown of Community Trade with the Industrialized Countries

(in %)

EEC	Imports		Exports	
	1958	1970	1958	1970
EFTA	42	41	58	50
United Kingdom	14	15	15	12
Other European Countries	10	11	13	17
North America	38	39	22	25
United States	33	34	19	22
Other Industrialized Countries	10	9	7	9
Japan	1	5	2	3

\$227 million in 1958. But for these two years, the rate of coverage of the imports by the exports—which has varied in between—was 99%.

The more rapid development of trade within the Six (+18% against 15.5%) has provoked a fresh decline in the proportion of extra-Community trade of the total. In 1970, the EEC achieved 51% of the trade with the non-Member countries against 70% in 1958. This same year, the extra-Community trade represented about 18.7% of the GNP (gross national product) of the Six and \$480 per head of population.

Breakdown of extra-EEC Trade

Country	Percentage of GNP				\$ per head of population			
	Imports		Exports		Imports		Exports	
	1958	1970	1958	1970	1958	1970	1958	1970
France	8.3	6.5	7.5	6.1	98	190	89	179
Belgium/Luxembourg	16.4	(17.5)	15.4	(13.7)	179	466	179	364
Netherlands	22.2	(19.8)	19.8	(15.0)	188	453	168	343
Germany	9.9	8.9	11.6	11.0	100	269	118	332
Italy	8.6	9.4	6.7	9.0	51	161	40	138
EEC	10.2	(9.4)	10.0	(9.3)	95	240	94	240

From 1958 to 1970, the progression in the share of the industrialized countries in the external Community trade was very marked. The structure of trade by big economic zones changed in the Member States' commerce to the advantage of the industrialized countries.

Industrialized Countries

In 1970, Community imports from the industrialized countries amounted to \$26.4 thousand million (an advance of 210% over thirteen years) and exports were \$29.8 thousand million (an advance of 245%).

— *EFTA*: In 1970, the imports from the Free-Trade Area reached \$10.72 thousand million and exports to it amounted to \$14.88 thousand million. The imports rose by 197% and the exports by 199% since 1958. EFTA thus remains the Community's chief customer and supplier. The Community trade balance shows a surplus of \$4 169 million in 1970 and the Member States' trade balances are positive.

Among the EFTA countries, the United Kingdom is the most important trader with the Community. In 1970, purchases (\$4.0 thousand million) from the U.K. represented 37% of the total from EFTA and 15% of imports from industrialized countries, while sales to the U.K. (\$3.67 thousand million) represent 25% of sales to EFTA and 12% to industrialized countries (the 1958 figures were exceeded by 236% for imports and 176% for exports).

In 1970, the Community's trade balance with the U.K. represented a deficit of \$342 million.

In 1970, 52% of the Community's imports from EFTA were from the applicant countries as against 40% of the exports; thus:

	<i>Imports</i>	<i>Exports</i>
United Kingdom	37%	25%
Norway	7%	6%
Denmark	7%	9%
Sweden	19%	15%
Switzerland	18%	27%
Austria	10%	14%
Portugal	2%	4%

— *Other countries of Western Europe*: In 1970, trade with the other West European countries (Greece, Turkey, Spain, Finland, Yugoslavia) made up about 11% of the total imports from the industrialized countries and 6% of the extra-EEC total. Exports were correspondingly 17% and 11%. Purchases from these countries amounted to \$2.89 thousand million and sales to them were \$4.95 thousand millin. In thirteen years, imports advanced by 218% and exports by 333%. In 1970, the national trade balances were positive with regard to these countries.

— *North America*: In 1970, trade with North America made up about 23% of the extra-EEC total (20% in 1958) of imports and a little over 16% (12% in 1958) of exports, the USA accounting for 20% (17% in 1958) of the imports and 15% (10% in 1958) of the exports. Community trade with the USA is marked by the permanent deficit in the Community's trade balance to the benefit of the USA. Between 1958 and 1970, the deficit more than doubled, moving from \$-1 114 million to \$-2 405 million.

— *Other Industrialized Countries*: In 1970, trade with this group (South Africa, Japan, Australia, New Zealand) made 6% of the extra-EEC trade, (in 1958: imports: 5%; exports: 4%). Against 1958, Community sales advanced by 323% and purchases by 197%, with imports reaching \$2.51 thousand million and exports \$2.64 thousand million. Despite the overall surplus of the trade balance (\$124 millions) shown in 1970, France, Italy and the BLEU registered negative balances.

Developing Countries

In 1970, trade with the developing countries made up 35% of the Community's extra-EEC imports (42% in 1958) and 26% of exports (39% in 1958). Over the period 1958-1970, trade with this group has made the least progress, imports rising by 136% and exports by 88%. In 1970, imports reached \$96.1 thousand million and exports \$11.55 thousand million. The trade balance deficit went up to \$4 459 million in 1970 against \$619 million in 1958.

— *Overseas Associates*: In 1970, imports by the Community from AOM reached \$3.52 thousand million and exports to AOM were \$3.25 thousand million. The 1958 figures were exceeded by 97% for imports and 47% for exports. During this period, France was still the biggest trader with this area (41% of EEC purchases in 1970 against 59% in 1958, and 39% of the sales against 62% in 1958).

— *Latin America*: Purchases from Latin America reached \$3.59 thousand million in 1970 representing 8% of non-EEC imports (10% in 1958) and sales to Latin America were \$2.94 thousand million, or 6% of exports (10% in 1958). In thirteen years, EEC imports have risen by 118% and exports by 84%.

— *Western Asia*: In 1970, imports of Western Asian products represented 8% (11% in 1958) of the non-EEC imports and 24% of those coming in from developing countries (26% in 1958), and exports were respectively 4% (4% in 1958) and 16% (11% in 1958). Compared with the Community trade with the other developing countries, trade with the Western Asian countries

Geographical Breakdown of Community Trade with the Developing Countries

(in %)

Country	Imports		Exports	
	1958	1970	1958	1970
AOM ¹	23	22	30	28
AASM ²	13	12	12	11
Africa : others ³	8	22	6	14
Latin America	24	22	26	25
Western Asia ⁴	26	24	11	16
Southeast Asia ⁵	11	10	17	17

⁽¹⁾ AOM : Overseas Associates.⁽²⁾ AASM : Associated African States and Madagascar.⁽³⁾ Africa : Other (countries outside the AASM).⁽⁴⁾ Western Asia : Cyprus, Lebanon, Syria, Iraq, Iran, Israel, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, Muscat, Oman, Trucial Coast, Yemen, Southern Arabia.⁽⁵⁾ other countries (Southeast Asia) : Afghanistan, Pakistan, India, Ceylon, the Maldives, Nepal, Bhutan, Burma, Thailand, Laos, South Vietnam, Cambodia, Indonesia, Malaysia, Singapore, the Philippines, Portuguese Timor, Macao, South Korea, Formosa, Hong-Kong, USA Dependencies in Oceania, British Oceania.

developed satisfactorily but less favourably than the overall external trade of the Community. In 1970, imports from these countries reached \$3 899 million and exports to them were \$1 831 million. Thus against 1958 purchases increased by 116% and sales by 164%. Despite expanding exports, the trade balance with this area shows a deficit (—\$2 068 million in 1970 against \$1 110 in 1958). It should be remembered that Western Asia's exports consist almost entirely of oil products.

State-Trading Countries

In 1970, trade with these countries made up 7% of the Community's total extra-EEC trade (in 1958, 5% of imports, 6% of exports). Against 1958, trade has seen a considerable development (imports +286%; exports +247%).

Make-Up of Extra-Community Trade

In 1970, 53.4% (71.9% in 1958) of the EEC imports consisted of primary products and 85.3% (79.8% in 1958) of exports were composed of manufactured products. From 1958 to 1970, the latter's share in the Community's trade has progressed steadily whilst that of the primaries has sharply declined.

Geographical Breakdown of Trade with these Countries

Country	(in %)			
	Imports		Exports	
	1958	1970	1958	1970
Eastern Europe	86	91	64	89
USSR	35	32	21	32
Asiatic Countries	14	9	36	11
China	14	8	31	10

In 1970, *imports* of commodities amounted to \$24.28 thousand million and manufactured products to \$20.62 thousand million. The 1958 figures were exceeded by 110% for primary products and 363% for manufactured (overall average: 183%). The total growth in the primary products was below average and their share of the extra-Community imports showed a decline (18.9% in 1958, 13.3% in 1970).

In 1958, imports of raw materials were the most important item among the extra-EEC purchases at 30%. In 1970, at 20%, they took second place behind the other manufactured products (machinery and transport equipment excluded) although their value went up from \$4 777 million to \$9 002 million.

The Proportions of the Main Product Groups

Products	(in %)			
	Imports		Exports	
	1958	1970	1958	1970
	Extra-EEC			
Food Products, Beverages, Tobacco	25.0	16.5	9.6	6.8
Energy Products	17.2	17.1	5.8	3.7
Raw Materials	29.7	19.8	3.5	2.8
Total Primary Products	71.9	53.4	18.9	13.3
Machinery and Transport Equipment	8.6	15.8	32.4	41.3
Other Industrial Products	19.1	29.4	47.4	44.0
Total Manufactured Products	27.7	45.2	79.8	85.3

In 1970, imports of food products reached \$7 499 million, or 16.5% of total imports, as against 25% in 1958. From 1958 to 1970, these items registered the weakest overall growth rate (86%).

During the thirteen years (1958-1970) the energy products were the only ones in the commodity group to show an appreciable development (+181%). In 1970, their value reached \$7 783, representing 17.1% of the imports (17.2% in 1958).

Machinery and transport equipment amounting to \$7 216 million in 1970, or 15.8% of imports (8.6% in 1958) reached the highest overall growth rate at 421%.

The other manufactured products (5 + 6 + 8) with a value of \$13 407 million in 1970 progresses by 335% as against 1958, their share of the imports moving from 19.1% in 1958 to 29.4% in 1970.

From 1958 to 1970, the total increase of extra-EEC purchases of capital equipment was appreciable (421%). Their value rose from \$1 383 million to \$7 275 million. The increase was greater in machinery than in transport equipment. Developments in purchases for the other manufactured products were caused by the expanding imports of chemical products (312%), manufactured goods (380%) and miscellaneous products (440%).

Analysis of the *export* figures shows a drop of 5.6 points in primary products which made up no more than 13.3% of 1970 exports (18.9% in 1958). From 1958 to 1970, growth in sales of commodities was 101%, moving from \$2 995 million to \$6 026.

Exports of food products rose by 102%, raw materials by 125%, and sales of energy products by 84%. The growth rates registered by these product groups are below the overall average (184%) which explains the drop in their respective proportions.

In the sector of manufactured products, capital equipment made up 41.3% of 1970 exports (32.4% in 1958) and the other items 44% (47.4% in 1958). Sales of machinery and transport equipment moved from \$5 146 million in 1958 to \$18 682 million in 1970, a rise of 263%. Exports of machinery moved further than transport equipment (non-electric machinery +335%, electric machinery +330%, transport equipment +200%). For other manufactured products, sales advanced from \$7 522 million in 1958 to \$19 910 million in 1970, a rise of 164%. The expansion in exports of chemical products was 230%, manufactured goods 114%, and other 267%.

Conclusions

Among the big economic zones, the EEC remains the leading power. In 1970, it achieved 31% of the world trade, as against 16% by EFTA and 15% by the USA.

From 1958 to 1970, the overall structure of the Community's external trade changed much. In 1970, inter-Community trade made up 49% against 30% in 1958. As regards the composition of external trade in 1970, the proportion of primary products was an element in steady decline, both in inter- and extra-EEC trade.

From 1958 to 1970, the structure of extra-EEC trade, by big geographical zones, changed for the benefit of the industrialized countries. Over the same period, trade expanded rapidly with the State-trading countries and the industrialized nations. During the year 1970, trade with the industrialized countries has developed appreciably.

PART TWO

Community activities in April 1972

I. FUNCTIONING OF THE COMMON MARKET

FREE MOVEMENT OF GOODS

Common customs tariff

Suspension of CCT autonomous duties

1. The Council adopted on 17 April 1972¹ a Regulation suspending the CCT autonomous duties on sweet oranges, grapefruits and pomelos, in accordance with the Commission's proposal.²

Customs legislation

Origin of goods

2. The Council adopted on 5 April 1972 a Regulation implementing Council Decision 2/72³ on the association established by agreement between the European Economic Community and Tanzania, Uganda and Kenya. This Decision amends lists A and C appended to Decision 1/71 specifying the concept of origin of products by taking into account Council's Recommendation of 9 June 1970 on customs cooperation to amend the Brussels Nomenclature for classification of goods in the customs tariffs.

Collection of compensatory premiums

3. To ensure a uniform enforcement in the Community of previous Decision by the EEC-Greece Association Council in view of the application of Article 8 of the Athens Agreement, the Council, in accordance with Article 113 of the EEC Treaty has re-issued in a single text the provisions of the Association Council's Decisions 1/62, 5/65, 2/67, 3/68, 1/70 and 1/72.

This regulation concerning the movement of goods containing Third Countries' products not in free circulation in the Community nor in Greece came into effect on 1 April 1972.⁴ The Community has thus taken into account the obligations for which it is responsible in the matter of commercial

¹ Official Journal L 93 of 20.4.1972.

² See Bulletin 5-1972, Part Two, sec. 2.

³ Official Journal L 82 of 6.4.1972.

⁴ Ibid L 75 of 28.3.1972.

policy and, towards Greece, its responsibility for the correct implementation of the above provisions in the Community.

COMPETITION POLICY

Concentrations, agreements, dominant positions: specific cases

Extension of joint purchase authorization

4. On 21 April 1972 the Commission agreed¹ to extend until 31 March 1972, as requested, the expiry date of the joint purchase authorization of solid fuels by Oberrheinische Kohlenunion Bettag Puton & Co., Mannheim. The Oberrheinische Kohlenunion is a purchasing organization under Article 65 of the ECSC Treaty; it was sanctioned by High Authority Decision 19/57. The Commission noted that the motives for granting the joint purchase authorization in the past still remained valid.

State aids

Belgium

5. Under Article 93(2) of the EEC Treaty the Commission decided on 26 April 1972 about aids granted under Belgian Law of 30 December 1970 on economic expansion.²

This law, submitted to the Commission as a draft towards the end of 1969, gave rise to objections by the Commission both from the point of view of the coordinating principles of aids for regional purposes and of the principles applicable to other kinds of interventions by the State. As its name implies, this law does not operate generally in the form of aid for regional purposes but is a complex system of measures (including aid for regional and sectoral purposes) aimed at the country's economic development as a whole. It replaces, in particular, previous laws on regional aid (laws of 18 July 1959 and 14 July 1966).

Since the application rules are still missing in the draft, the Commission noted that it is not in a position to express an opinion on the full extent of the aids proposed. It is not possible, therefore, to judge the specific regional value

¹ Official Journal L 122 of 14.5.1972.

² Ibid L 105 of 4.5.1972 and L 106 of 5.5.1972.

and, even less, the degree of adequacy of the aids in relation to the difficulties to be resolved. The same is true of sectoral aids, as no mention is made in the law about the sectors likely to benefit from the aid.

In such cases, there is likely to be incompatibility between regional and sectoral aid since, once the law is passed, it can be applied without sufficient details of all relevant points and without the possibility for the Commission to assess the effect of the aids on exchanges and on competition in the Community.

In June 1970 the Commission, therefore, took steps to apply to this draft law the procedure laid down under Article 93(2) of the EEC Treaty which automatically prohibits the Belgian Government from carrying out the proposed aid measures until the Commission has taken a final decision.

In spite of this, the draft law became the law of 30 December 1970 on economic expansion and came into force on 1 January 1971. The Belgian Government, moreover, extended former decrees implementing the Laws of 1959 and 1966, which had been abolished following the entry into effect of the new law. In so doing, it allowed regional aid to be granted to zones where, in view of economic and social developments in recent years, the need for such aid might, in fact, no longer exist.

The Commission, therefore, pursued the proper procedure and collected the views of third parties concerned.¹ The Belgian Government has endeavoured to find a solution compatible with the Treaty's provisions. It drafted a law amendment modifying the standards applicable to boundaries of zones which are to receive regional aid and a Royal Decree which lays down new zone boundaries. The Belgian Government sent both drafts to the Commission and advised it of the social-economic criteria and reasons for selecting the new zones.

The projects for new zones, however, show that these zones are in practically all regions of the country. The system of aid mentions no specific region whatsoever whereas this should be a basic principle in aid coordination for regional purposes.

Since there is a justification for aid grants in a number of less developed regions of Belgium and this plays an important part in the economic development of these regions and of the country as a whole, the Commission wished to avoid having to reject the whole of the zones proposed and preferred, as a temporary measure over a two-year period, to name the regions where aid is justified.

¹ Official Journal C 32 of 6.4.1971.

The Commission has made every endeavour to apply the social-economic criteria of the Law of 30 December 1970 and to make use, with all the necessary precaution, of the information supplied by the Belgian Government and in particular present and foreseeable unemployment, decline in certain activities, average income per inhabitant and the rate of growth. In this way it is possible to ascertain which regions of the country deserve aid.

Based on these considerations, the Commission has concluded that, in the present state of affairs, aid can be considered as being compatible with the Common Market in a group of regions which, it points out, it is for the Belgian Government to determine the localization and extent of aid within these regions.

The Law on economic development provides also for grants of sectoral aid outside development zones but the effects of such aid on exchanges and on competition cannot be assessed without knowing the sectors where aid is to be applied. The Commission must therefore be in a position to decide on each case of application beforehand.

Therefore, either a grant of aid to the whole sector is involved and information must be furnished as required when a system of specific aid is applied, i.e. characteristics of the sector, problems to be solved, objectives to be reached, conditions and size of aid; or else, the grant of this aid concerns a limited number of enterprises in which case it is necessary to advise the Commission of the individual and significant cases.

Since investments vary in size according to the nature of the sectors and operations and the amount of aid, two criteria should be applied in specifying these significant cases:

- (a) the amount of the investment set at a minimum of Bfrs. 100 million irrespective of the size of the aid, and
- (b) the relative importance of the aid for which a value of 15 % net equivalent subsidy related to the amount of investment is earmarked irrespective of the amount of the investment.

This decision by the Commission ends the procedure which had been applied in accordance with provisions of Article 93(2) of the EEC Treaty. It does not affect the question which has arisen through Article 36 of Law on economic development, on the need for foreign enterprises, to advise the Belgian Government of important participations they propose to take in enterprises located in the national territory and which comes under the special procedure started under Article 169 of the EEC Treaty.

Italy

6. The Commission gave its opinion on Italian Law 184 of 22 March 1971 which provides for interventions in favour of the restructurization and conversion of industrial enterprises. This law lays down two types of interventions and their application is entrusted to two "parapublic" agencies, i.e. IMI (Istituto Mobiliare Italiano) and a new finance company GEPI (Gestione e Partecipazioni Industriali: to take a temporary participation in companies' capital and preferential credits). The Commission took the following position:

As regards the taking of participation—without prejudice to the neutrality stated in Article 222 of the Rome Treaty on the system of ownership in Member States—the Commission considers that in view of the temporary nature of the participation and the aims sought (help to certain enterprises faced with adaptation and management difficulties) these must be examined in relation to the provisions of the EEC Treaty on aids (Articles 92 and 93).

It noted, however, that the elements of appreciation available at the level of the law itself, do not enable to establish in a general way and *a priori* that these interventions are effective aid measures incompatible with the Treaty; it is only on the basis of a thorough knowledge of their actual application that the aid aspect of these interventions can be definitely established. This is the reason why the Commission decided to submit the system to *a posteriori* control and, to this effect, invited the Italian Government to send to the Commission periodical reports on the application of this law; the Commission will thus be in a position to lay down, if necessary, the conditions and the limits of such application.

This is the first time the Commission brings under the control of normal forms of aid more complex assistance aimed at the same objectives and which can have the same effects on competition and exchanges in the Community. Moreover, the decision will apply to similar systems in the Community.

On preferential credits, bearing in mind the increased structural difficulties of small and medium enterprises (they have preference on these measures) due to the Italian economic climate of the past two years, the Commission accepted that these measures could be justified since they aim at remedying a serious perturbation in the Italian economy. In view of the improvement already noted and anticipated in the economic situation and the need to encourage enterprises interested in carrying out the necessary restructurization, the Commission has, none the less, decided to limit the application of these measures to a period of one year from the date of the decision.

FISCAL POLICY

Duty-free entry for travellers

7. During its session of 24 and 25 April 1972 the Council examined the problems which had arisen through the Second Directive Proposal conveyed by the Commission to the Council,¹ on standardization of laws and regulations concerning turnover tax and excise duty collected during international journeys at borders inside the Community. The Council entrusted the Committee of Permanent Representatives with the task of examining these problems so that the Directive may be applied prior to 1 July 1972

Request for postponing the introduction of VAT in Italy

8. The Council was in favour of authorizing Italy to postpone by six months, i.e. until 1 January 1973, the effective introduction of the common value added tax system; the request for postponement was made in March.¹ The Council took note of the declaration by the Italian Delegation that it undertakes to reduce, prior to 1 July 1972, compensatory taxes on imports and exports; the Council will give a definite ruling on this question at a future session.

*

9. During its session of 17 to 20 April,² the European Parliament adopted a resolution "strongly deploring the fact that the Italian Government had to ask again authorization to postpone the introduction of VAT in Italy; this postponement will delay the work on fiscal harmonization and, therefore, the fulfilment of the economic and monetary union and other objectives of the Community." It particularly insists "that the Italian authorities shall consider the introduction of the VAT as being among its first obligations, any further postponement is formally excluded."

FREEDOM OF ESTABLISHMENT, FREEDOM TO SUPPLY SERVICES AND COMPANY LAW

Insurances

10. On 31 January 1972, the Council obtained joint guidance which enabled to foresee consultations with applicant countries about a Commission directive

¹ See Bulletin 5-1972, Part Two, secs. 13 and 14.

² See sec. 95.

proposal sent to the Council on 24 June 1970 for abolishing frontier checks on "green card" insurance.¹

After contacting the Commission's departments, the four applicant countries consulted accepted in full the text submitted to the Council but requested that the date for application be postponed until 31 December 1973.¹

The Council agreed to this request but as regards the Six and vehicles registered in their territories, the directive will be applied within six months of its publication, i.e. end October 1972.²

*

11. During its session of 26 April,³ the Economic and Social Committee adopted a series of opinions bearing on directive proposals presented by the Commission to the Council on freedom of establishment: removal of restrictions on movement and place of residence of Member States' nationals, self-employed occupations in fiscal matters, cinematography and film distribution. Apart from a few amendments, the Committee approved the proposals prepared by the Commission.

¹ See Bulletin 3-1972, Part Two, sec. 6.

² Official Journal L 103 of 2.5.1972.

³ See secs. 109 and 111.

II. ECONOMIC AND MONETARY UNION

ECONOMIC, MONETARY AND FINANCIAL POLICY

Reducing the Margins of Fluctuation of Community Currencies

12. The Agreement made between the EEC Member States on reduction of fluctuation bands between their currencies came into force on 24 April 1972. The monetary authorities of the Six fixed at 2.25 % the maximum spot variance between the most and least appreciated currency rate in the Community. Under the terms of the Resolution of 21 March 1972,¹ by the Council and Member States' government representatives, this reduction in fluctuation bands should come in on 1 July 1972 at the latest.

The Monetary Committee

13. The Monetary Committee held its 161st session on 24 March 1972 in Rome with Mr Clappier as Chairman. The meeting was given over to preparation for the Finance Ministers' Conference of 24-25 April 1972.

The Committee for Medium Term Economic Policy

14. This Committee at its 49th meeting held on 26 April 1972 in Brussels examined the economic programmes in the Netherlands and Germany. The preparation of an opinion on synchronizing national programming procedures was discussed. The Committee also acknowledged the report by the "structure analysis" panel of experts. The report deals with "analysis of regional disparities and employment problems" as well as problems involved in setting up a system of structure indicators.

SOCIAL POLICY

Employment

The Commission's Communication on the Italian Memorandum

15. The "Commission's first Communication" on the Italian Government's Memorandum about Community employment policy was adopted by the

¹ See Bulletin 4-1972, Part One, Ch. II.

Commission on 12 April and then sent to the Council on 19 April 1972 as well as to the Standing Committee on Employment for scrutiny by this Committee during its fourth session.

Standing Employment Committee

16. During its fourth session on 27 April in Brussels, the Standing Employment Committee thoroughly discussed the problems raised by the Italian Memorandum on Community employment policy. The Memorandum concerns existing regional disparities, application of the Community's priority in the field of employment and harmonization of Member States' social policies.

Mr Albert Coppé voiced the Commission's early thoughts and proposals on the Memorandum which bore on employment and regional development, migrants and social harmonization. The Commission proposed coordinated and integrated action, namely, in particular: aid for private investment in some regions, assistance for and scheduling of migrations and the formulation, already underway, of a European social budget. This initial Communication from the Commission has provoked requests for more detail and preliminary official views. The parties represented on the Committee put up a host of proposals for solving the problems under consideration, proposals which the Council will reckon with during its session on social questions scheduled for 12 June 1972. The Committee thought it should follow up its discussion of these problems and agreed of a further session possibly towards the end of June 1972.

Vocational Training and Guidance

17. From 10-14 April, the Commission called together 35 commercial training managers for a seminar on personnel training and development (sales staff, middle, senior and top management) in view of changing patterns in the commercial sector. The seminar was held at the International Trade and Technical Centre (Centre international professionnel et technique), Turin.

Free Movement of Workers and Social Security for Migrant Workers

18. From 18 to 20 April the first meeting was held in Brussels to examine technical adaptations to be made to the Application Regulation of the Council's Regulation of 14 June 1971. This covers the social security schemes of wage earners and their families who relocate within the Community, with a view to

applying these texts to the acceding countries in early April 1973. The adaptations made to the basic Regulation are already written into Appendix I of, the Accession Treaty. The meeting was attended by the Member States' representatives on the Administrative Committee for the Social Security of Migrant Workers. Also present were senior officials and experts from the Social Security Ministries of the incoming countries. A second meeting was scheduled for 14 and 15 June 1972.

Re-employment and Retraining

The European Social Fund

19. During its session of 24-25 April 1972, the Council adopted¹ two Regulations fixing the latest application terms in recasting the European Social Fund, for which the principles had been laid down on 1 February 1971. The provisions of these Regulations enable the Social Fund from now on to perform its new duties as from 1 May 1972.

ECSC Readaptation Measures

20. During April the Commission decided as an application of Article 56, § 2 of the ECSC Treaty to increase by 800 000 FF (or 144 035.42 u.a.) several credits for the benefit of workers hit by iron mine closures in *France* (in Lorraine and the West) and to open credit for 100 million Lits. (or 160 000 u.a.) in favour of 307 workers hit by the closure of a steel company in *Italy*. In each case, the governments concerned will contribute with credit equal to the readaptation expenditure.

Social Security and Social Action

Social Security

21. Within the activities scheduled by the Commission on the follow-up of the recommendations of 23 July 1962 (European list of occupational diseases) and 20 July 1966, the augmented group of independent experts, delegated by the Commission with various tasks, met in Ludwigshafen on 26 April. They were to work out the final version of some medical information bulletins for

¹ Official Journal L 101 of 28.4.1972.

certain diseases on a list appended to the recommendation of 1 July 1962. A batch of bulletins covering an initial list is already available in the four Community languages.

22. The team of government experts responsible for bringing out the study on "*social security in agriculture*" met in Brussels on 26 April. The experts approved the plan for an interim report outlining financial developments from 1965 to 1970 and set up a fresh working programme with a completion schedule.

Housing

23. Within the first instalment of the 7th programme of financial aid for housing construction for the personnel of industries covered by the ECSC Treaty, the Commission on 14 April 1972 agreed to finance 957 dwellings (for steel industry workers of the Fos and Dunkerque districts in France) for an amount of 6 223 639 FF.

Living and Working Conditions : Industrial Relations

Incomes and Assets

24. The Commission decided to publicize a report by experts on "information about incomes and assets in the Community countries". This paper deals mainly with the need and scope for more thorough knowledge of non-wage incomes (level and structure) and also covers savings and assets. The group of experts finished its job in 1969 and although some of the figures quoted seem rather out of date, the report is still of value. Its aim was not specifically to evaluate and compare figures but to pinpoint gaps in statistics which for the most part are still there. In any case this survey makes a useful contribution to the efforts made, both at national and Community level, to try and fill the most conspicuous gaps concerning non-wage incomes, savings and assets.

Railway Social Problems

25. On 24 April 1972¹ the Commission decided to set up a *Joint Committee* for social problems on the railways. It will allow the Commission to consult

¹ Official Journal L 104 of 3.5.1972.

the interested parties on social problems peculiar to this sector. The Committee will consist of 28 regular members and 28 deputy members, representing the railway companies and the workers organizations.

Joint Committee for Social Problems in Deep Sea Fishing

26. From 20-22 April at Ostend a Conference was held on sea fishing safety. The Chairman was Mr Major, Belgium's Labour and Employment Minister and the meeting was attended by German, Dutch and Belgian individuals responsible for aid at sea, and observers drawn from the boatowners and fishermen's organizations of the acceding countries. The Joint Committee shared in this Conference by presenting introductory reports on the following topics: safety at sea, job safety aboard and sea rescue. Those attending stressed:

- (i) The need to boost the interest of international authorities in the safety of fishing boats on the seas and strengthen the connection of professional bodies with this work.
- (ii) Detection of causes of accidents on board, training of crews and the need for systematic publication of safety rules.
- (iii) Coordination and increase in the number of civil rescue boats on the fishing grounds, emulating what has been done in Germany and the Netherlands.

Joint Committee for the Social Problems of Agricultural Workers

27. The Joint Committee for agricultural workers' social problems at its meeting of 25 April approved a report on job safety in agriculture particularly as regards tractors. Before compiling the report, surveys were organized by the Committee on causes of accidents in Germany, France and Italy. Conclusions drawn emphasize the need for Community norms in tractor construction (safety cabins, adequate vibration protection through specially adapted seats, exhaust gas safeguards, etc.). Other problems will be investigated by the Committee.

Safety, Hygiene, Health Protection and Medical Facilities at Work

28. The "aid and lifesaving" working party attached to the *General Committee for Safety and Health in the Steel Industry* met on 5 and 6 April in

Luxembourg to harmonize and make known the conclusions reached earlier. The final report will deal with:

- (i) Risks in the steel industry and the need for aid and life saving facilities.
- (ii) The particular risks run by workers.
- (iii) First-aiders and rescue firemen.
- (iv) Nurses and first-aid posts.
- (v) Transport of injured.
- (vi) Multiple accidents and disasters.
- (vii) Arrangements with outside services and agencies.
- (viii) Organization of aid.

29. The Producers and Workers Committee for *Safety and Industrial Medicine in the ECSC* met in Luxembourg on 11-12 April. The Chairman was the Director General of Social Affairs in the Commission who reviewed the overall guidelines of social policy. The producers' and workers' representatives recalled their 15 year long relationship with the European authorities and hoped to continue a positive collaboration with the socio-occupational representatives of the new Members in the spirit that the ECSC had initiated and kept up till now. The Committee studied ideas for a new research programme on retraining and ergonomics, reviewed three projects on air pollution in the steel industry and then scheduled an informative meeting for 12 and 13 July.

30. The Committee on "*Health and Air Pollution by Motor Vehicles*" met on 27 and 28 March in Luxembourg to discuss health problems involved in reducing lead additives in petrol and to review the answers to a questionnaire sent to the Member States. At the close of the meeting, the Chairman summarized the proceedings and said that the discussions had not prompted any change in the previous outlook, namely, that a levelling out at 0.40 gm of lead per litre of petrol did not apparently raise any health or technological problem. If the lead content was lowered below 0.40 gm per litre there was a risk of some technical and economic problems which would have to be ironed out before the results, from the health angle, could be closely evaluated.

31. This same Committee ran a seminar in Luxembourg on 25 and 26 April 1972. It was attended by public health experts and toxicologists and its subject was the *metabolism of lead in the human body*. The meeting discussed scientific knowledge available today about the action of lead inhaled or ingested by the human body, including factors influencing lead absorption

into it. The importance of this action in closely evaluating the risks to health was clearly brought out. The seminar showed the need to know more about the physical and chemical nature of lead particles in the atmosphere so as to evaluate how toxic they are and how many are absorbed by the lungs. Also mentioned were the effects of diet, especially with such elements as calcium and phosphorus, on lead absorption by the intestines including a possibly heavier intestinal absorption by infants.

32. On 28 April 1972 a meeting was held in Brussels of an ad hoc group of national experts of the "health aspects" Committee. The meeting dealt with *measuring lead in the atmosphere* and took stock of the various programmes in hand for measuring atmospheric lead in a dozen representative Community and U.K. towns. The experts and laboratory staff handling this project decided to compile a joint report on the results of measurements available from 1 January 1971 to 31 March 1972. The report will be examined in September at a second meeting of this working party.

33. Under Article 37 of the Euratom Treaty, the Commission finally expressed an opinion on 12 April concerning the particulars of plans for *discharge of radio-active effluent* at the nuclear station at Wurgassen (Germany). On 17 April it expressed a similar opinion on plans for discharge of radio-active effluent at the plants of FERAB and BITUMAGE in Karlsruhe (Germany).

The Paul Finet Foundation

34. On 28 March, the Administrative Council of the Paul Finet Foundation met in Luxembourg with as Chairman Mr François Vinck, Honorary Director General of Social Affairs, replacing Mr Albert Coppé, Member of the Commission and Chairman of the Administrative Council. During the meeting, 343 dossiers were reviewed and financial aid granted to 239 children whose fathers, former employees in ECSC collieries, iron mines or steel organizations, had died after 30 June 1965 from an industrial accident or an occupational disease.

Since the birth of the Paul Finet Foundation in June 1965, 3 013 applications were submitted to the Administrative Council and 2 172 were granted financial aid for a total sum of about 16.7 million Belgian Francs (DM 1 222 500; Fl. 1 209 000). The Foundation can count today 1 142 beneficiaries, 394 of them have already completed their university school or vocational studies with better facilities thanks to the financial aid received.

AGRICULTURAL POLICY

Structures and Prices

35. On 17 April 1972¹ the Council formally adopted the three directives on:

- (i) Modernization of farm holdings.
- (ii) Inducement to withdraw from agricultural activity and earmarking of agricultural surface area used for improving structures.
- (iii) Socio-economic induction and industrial training of agricultural workers.²

Member States were notified in writing of these Directives by the Council on 19 April 1972. On the same day the various Regulations were adopted³ on prices and amounts of aid to be applied during the crop year 1972/1973 for cereals, rice, sugar, olive oil, pigmeat, wine, tobacco, flax, hemp and cotton seeds.⁴

Measures Adopted After Monetary Decisions

36. After Council decisions on reducing fluctuation margins⁴ the Commission adopted a Regulation on 24 April 1972⁵ concerning the cereal sector. The Regulation aims to avoid serious difficulties in trade with non-Member countries, stemming from cuts in the compensatory amounts resulting from a new system proposed by the Commission, when prefixation, levies or refunds are involved.

Joint Organization of the Market

Cereals and Rice

37. On 17 April 1972 the Council decided⁶ to amend the basic Regulation covering the joint organization of the market in the cereal sector or for some items there. The basic intervention price for Durum wheat, fixed annually by the Council, will be superseded as from the 1972/1973 crop year by a single

¹ Official Journal L 96 of 23.4.1972.

² See Bulletin 4-1972, Part One, Ch. I and Bulletin 5-1972, Part Two, sec. 36.

³ Official Journal L 94 of 21.4.1972.

⁴ Ibid. C 38 of 18.4.1972.

⁵ Ibid. L 98 of 25.4.1972 and L 99 of 26.4.1972.

⁶ Ibid. L 94 of 21.4.1972.

intervention price, as in the case of maize adopted in the previous crop year. As regards the temporary provisions for imports into Italy by sea of cereal fodders (barley, oats, maize, sorghum or millet) and involving a cut in levy of 7.5 u.a., the Council scheduled these provisions again for the year 1972/1973. Afterwards it will fix this amount on a proposal from the Commission at the same time as the crop year prices.

After fixing the target price of husked rice for the crop year 1972/1973, the Council adopted on the same day 17 April 1972¹ the intervention prices of paddy rice for Arles and Vercelli (13.00 u.a. per 100 kg). Gauged by criteria written into the basic Regulation on the joint organization of the rice market, the intervention prices, fixed at equal amounts for Arles and Vercelli, were increased as against those adopted for the previous crop year.

Milk and Dairy Produce

38. The current situation in the Community and international market for dairy produce allows the validity of the export certificates for most dairy produce to be extended. This is the aim of the Commission's Regulation of 7 April 1972,² in force from 10 April 1972, prolonging validity up to 30 days for butter, exported to zone E (mainly Great Britain), up to three months for Cheddar and Chester exported to zone E, and up to five months for other dairy produce. The validity time laid down for milk powder remains unchanged by this Regulation. The time value of certificates issued before this date is not affected by the new provision.

Reckoning with the increases in intervention prices applying for the dairy year 1972/1973, the Commission decided on 27 April 1972³ to raise the amount of aid for private storage of Grana Padano and Parmigiano-Reggiano cheese by fixing it at 2.18 u.a. (instead of 2.04) per 100 kg and per month.

Pigmeat

39. The Council Regulation of 17 April 1972⁴ formally adopting for the period 1 November 1972 to 31 October 1973 the basic price of slaughtered pork of the standard type specifies this as the quality of pork carcasses in Class II of the Community grid for grading pork carcasses, except carcasses lighter than 70 kg or equal to and heavier than 160 kg.

¹ Official Journal L 94 of 21.4.1972.

² Ibid. L 84 of 8.4.1972.

³ Ibid. L 101 of 28.4.1972.

⁴ Ibid L 94 of 21.4.1972.

Sugar

40. Relative to the yearly fixing of prices for sugar and sugar beet for the crop year 1972/1973, the Council on 17 April 1972¹ in the terms of three Regulations, laid down the provisions tied in with the fixing of these prices, concerning in particular:

- (i) The standard type and greatest surplus zone for white sugar, for which the target price is specified.
- (ii) The standard type of beets, for which the minimum price is fixed.
- (iii) The co-efficient of processing for beets into white sugar.
- (iv) The intervention prices for sugar.
- (v) The threshold prices for white sugar, raw sugar and molasses.
- (vi) The various minimum prices for quantities of beets.
- (vii) The guaranteed quantity of white sugar for the Community.
- (viii) The contribution to production.

Fruit and Vegetables

41. On 27 April 1972² the Council adopted provisions for easing the disposal of tomatoes subject to intervention measures on the market, by anticipating, alongside the normal current tendering procedure, scope for assigning the processing operations by ad hoc agreement. This procedure has proved necessary since this rapidly perishable produce can be subject to surprise withdrawals over a short period and the tendering procedure, due to the delay necessary for its application, would not allow maximal usage of the tomatoes withdrawn from the market.

Regarding systems covering certain fruit and vegetables originating from the AASM and PTOM as well as Tanzania, Uganda and Kenya, the Council decided on 25 April 1972³ to authorize this produce to be imported duty-free from 1 May 1972.

The application provisions laid down by the Commission⁴ about measures directed to promote processing of Community grown oranges specify that the processing contracts must be concluded before 20 January. For some varieties

¹ Official Journal L 94 of 21.4.1972.

² Ibid. L 100 of 27.4.1972.

³ Ibid. L 101 of 28.4.1972.

⁴ See Bulletin 4-1972, Part Two, sec. 37.

and under exceptional circumstances, it may be necessary to put back this date. The Commission adopted a Regulation to this effect on 13 April 1972.¹

Fishery Products

42. On 28 April 1972² the Commission set up a temporary system, extending to the whole Community, for the marketing of "Crangon" shrimps. The system will apply from 1 May to 31 December 1972. This move springs from the current short supply of shrimps. The scarcity is affecting only certain regions of the Community. But a special system will not have any effect unless it covers all the Community markets.

Wine

43. In a text of 17 April 1972, the Council laid down³ the general rules on the distillation of table wines for the period 24 April to 27 May 1972. The joint organization of the market in these products does in fact offer scope for proceeding with such operations when a simple grant of aid for private stockage may not be effective in rectifying prices. On the same day, the Commission adopted⁴ the terms of application of these general rules.

On 14 April 1972, the Commission amended⁴ for the second time the application terms⁵ for recording the rates, and fixing the average prices for table wines. The amendments affect quotations, the quantities affecting them, the communication to the Commission of prices noted, quantities used in fixing the average prices and the procedure to apply if there is no record of price.

Tobacco

44. Relative to the annual determination of target and intervention prices for the 1972 crop, the Council laid down on 17 April 1972⁶ the reference qualities of tobacco for which these prices are specified.

¹ Official Journal L 88 of 14.4.1972.

² Ibid. L 102 of 29.4.1972.

³ Ibid. L 91 of 18.4.1972.

⁴ Ibid. L 89 of 15.4.1972.

⁵ See Bulletin 7-1970, Part Two, sec. 30.

⁶ Official Journal L 94 of 21.4.1972.

Silkworms

45. Silkworms are subject to the joint organization of the markets for certain products listed in Appendix II of the Treaty.¹ On 27 April 1972, the Council also² laid down special measures to encourage silkworm breeding, of special importance in the agricultural economy of some Community regions and representing a sizeable source of income for the farmers there.

To stimulate trade and inter-trade initiative and thus smoothe adjustment of supply to market demands, Community action can be taken to improve the quality of silkworms and silkworm eggs. These measures can be taken within the compass of joint action.³

Moreover, the Council decided to grant aid to silkworm breeding and thus replace any national aid schemes for this activity. It has also provided for the Community to be financially responsible for this measure. The aid is granted as from the 1972/1973 crop year (1 April to 31 March). The amount is fixed each year by the Council before the 1st of August for the breeding year commencing in the following year. For the first year it is determined before the 1st June 1972.

The Member States and the Commission are also expected to relay to each other the data required for applying the provisions laid down.

The European Guarantee and Guidance Fund

Guidance Section

46. Following the Council's adoption of the three Directives on agricultural reform quoted above,⁴ the Commission must lay down some Application Regulations on the terms for reimbursement to the Member States of part of the "eligible" expenses, as well as the form which application for reimbursement must take.

On 24 April² the Council adopted a Regulation concerning aid by the EAGGF, Guidance Section, for 1972. This Regulation extends till 30 June 1972 the time limit for submitting applications for aid for 1972. It also determines the breakdown of the 285 million u.a. available in 1972 for

¹ See Bulletin 8-1968, Ch. III, sec. 47.

² Official Journal L 100 of 27.4.1972.

³ See Bulletin 5-1970, Part One, Ch. I.

⁴ See sec. 35 and Bulletin 4-1972, Part One, Ch. I.

the Guidance Section, between special measures, individual projects corresponding with the provisions of Regulation 17/64/EEC, for which 150 million u.a. is allotted, and joint activities.

Lastly, for individual projects, the Regulation schedules the minimum share to be borne by the beneficiaries at 20 % or 38 %, according to cases, of the investment cost and it authorizes in some cases maximum aid from the Fund up to 45 % of the "eligible" costs.

Guarantee Section

47. On 12 April¹ and 14 April² 1972, the Commission adopted two Regulations on the activities of this section.

The first concerns reimbursement applications for the accounting periods 1967/1968 to 1970 and (to allow the accounts for these periods to be closed) the submission of applications for reimbursement of expenditure amounting to about 7 000 million u.a. This Regulation also contains provisions representing an initial application of provisions laid down by the Council and concerning in particular occasional transactions.³

The second Regulation concerns the method and interest rates to be applied in calculating the financial expenditure of interventions on the internal market in the beef and veal and dairy produce sectors.

On 12 April the Commission also adopted a decision on fixing the lump sums as from 1 January 1971 for financing net losses by intervention agencies in the sectors of oils and fats, cereals, rice, pigmeat and sugar.

Harmonization of Legislation

Phytosanitary Legislation

48. On 14 April 1972, the Commission laid down three Directives⁴ on the minimal character and condition requirements for examining species of vegetables, varieties and species of agricultural plants and varieties of vines. The purpose of these texts is to fix the characteristics on which examination of the various species must be based and the minimum requirements for performing the examinations which are to govern admission of the varieties

¹ Official Journal L 97 of 24.4.1972.

² Ibid. L 87 of 13.4.1972.

³ See Bulletin 4-1972, Part Two, Ch. II.

⁴ Official Journal L 103 of 2.5.1972 and L 108 of 8.5.1972.

into the national catalogues. On 19 April 1972¹ the Commission also adopted four decisions authorizing certain Member States to allow marketing of young coniferous plants under the lowered quality requirements.

Zootechnic Legislation

49. On 27 April 1972² the Commission laid down a Directive specifying the Community analysis methods for the official control of animal foodstuffs. These provisions represent a further stage towards harmonization of analysis methods for controlling the makeup and quality of animal foodstuffs marketed in the Community.

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50. During the session of 17-20 April 1972³ the *European Parliament* adopted a Resolution approving in general, subject to a few amendments, a proposal made by the Commission on financing by the EAGGF, Guidance Section, for redevelopment in the codfishery sector. The resolution also insists "on the Commission offering as soon as possible suitable proposals for common measures in structure policy to be taken in the other sectors also meeting difficulties."

INDUSTRIAL, TECHNOLOGICAL AND SCIENTIFIC POLICY

Industrial Policy

Conference: "Industry and Society"

51. The Conference on "Industry and Society" in the Community was held in Venice from 20 to 22 April 1972. Mr Altiero Spinelli was present and more than 350 people attended, representing both sides of industry, the national authorities, Community institutions and independent experts.⁴

Nuclear Industry

52. As part of Chapter IV of the Euratom Treaty, the Commission has drawn up its views on *two nuclear investments* to be made in Germany.

¹ Official Journal L 112 of 14.5.1972.

² Ibid. L 123 of 29.5.1972.

³ See sec. 97.

⁴ See Bulletin 5-1972, Part One, Ch. II.

The investments involve two new nuclear power stations to be installed on the right bank of the Rhine. One of them with a net electrical power of 1180 MWe and a pressurized water reactor and the other with 860 MWe and a hot water reactor will be put up at Biblis and Philippsburg respectively, where two identical installations have been under construction since 1969 and 1970. The contract for these nuclear power units has been awarded to the company Kraftwerk-Union AG.

The Biblis power stations are two of the world's biggest under construction. The investments show the effort made by the Federal Republic to develop the generation of nuclear electricity. The light water nuclear power stations now running, under construction or on order, now number 16 which represents a total nuclear power of 11,000 MWe.

General Research and Technology

Carrying out Non-Nuclear Projects in 1972

53. On 24 and 25 April 1972, the Council adopted a Resolution on carrying out non-nuclear projects in 1972.¹ Four million units of account and 213 people will be involved annually in the protection of the environment and the Member States' representatives have delegated ad hoc expert groups to evaluate the importance to be attached to the various activities concerned and to study the scope for financing action in other areas within the limit of means granted and the disposable potential of the JRC. As part of the programme to be laid down, the performance of these activities will be assigned to the JRC based on a contract to be drawn up between the Six and the JRC. The juridical instruments required to implement these contracts must therefore be worked out as soon as possible. The Management Committees will follow the progress of this work and ensure the collaboration required with national laboratories.

During the same session, the Council also formally adopted² the EAEC research and education programme for 1972 (consisting of a joint programme and additional ones).

¹ Official Journal C 44 of 4.5.1972.

² Ibid. L 112 of 14.5.1972.

ENERGY POLICY

Hydrocarbons

54. At its meeting of 17 to 20 April 1972, the European Parliament approved, subject to some amendments, the Commission's proposal to the Council on application of the statute of "joint enterprise" to activities concerned with the hydrocarbons industry. In its Resolution Parliament again stressed "the Community's increasing dependence on its foreign suppliers for crude oil." Parliament thought "that the only remedy for this situation was to set up as soon as possible an overall Community level strategy for improving the security of supply." This should be done by diversifying resources, by activating a real Community commercial policy, by developing sources of power other than oil, by more rational use of power and by setting up a crisis procedure. Parliament considered that the Commission's proposal fitted in with such an overall policy, by helping to raise the financial capacity of companies in the EEC and affording a suitable means of inducement for companies to cooperate.¹

Nuclear Energy

Euratom Supply Agency

55. Authorized by the Commission, the Euratom Supply Agency drew up and signed in April *an enrichment contract* with the American Atomic Energy Commission (USAEC) on behalf of Ente Nazionale per l'Energia Elettrica (ENEL). The contract involved a quantity of 1 700 kg. net of uranium-235, to be delivered between 1972 and 1973 and used in making the first "core" of the Caorso reactor.

TRANSPORT POLICY

Access to the Market

56. A meeting was held on 13 and 14 April 1972 in Brussels between the Commission services and Member States' representatives to review a Commission draft regulation. This concerns drawing up control documents,

¹ See sec. 91.

foreseen by the Council Regulations of 28 February 1972, on setting up joint rules for ferry services plus the regular and special *coach* and *bus* services running between Member States.

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57. During its session of 17-20 April 1972¹ the *European Parliament* passed a Resolution on the Council's directive proposal concerning the minimum training for road haulage drivers. Parliament approved without amendments the text of the Commission's proposal which represents the first step forward.

During the same session, Parliament passed another Resolution regretting the lack of a Community seaport policy. There was an urgent need to fill this gap and Parliament asked for a Community port policy to be set up based on lines indicated in the Resolution.¹

¹ See secs. 92 and 93.

III. ENLARGEMENT AND EXTERNAL RELATIONS OF THE COMMUNITY

ENLARGEMENT OF THE COMMUNITY

Relations with Denmark, Ireland, Norway and the United Kingdom

58. The European Parliament¹ *unanimously* passed on 19 April 1972 a Resolution in favour of the four applicant countries, signatories to the Treaty of 22 January 1972, joining the EEC, namely: Denmark, Ireland, Norway and the United Kingdom. Parliament asked for "swift ratification in the Member States and Acceding States of the Membership Treaty based on solid approval of the people towards the construction of a greater Europe, economically and politically united and forming a prime factor for peace and progress in the world." In its Resolution, Parliament especially underlined that the "increase in size will not strengthen and intensify the Community unless institutional structures are implemented which, respecting the diverse nature of Member States, are capable of promoting action and taking decisions in line with the more powerful role and greater responsibilities devolving on the enlarged Community...".

59. Moreover, on 24 April² the Council decided to *publish immediately special editions of the Official Journal* in Danish, English, Gaelic and Norwegian without waiting till 1 January 1973. This measure, applied from 28 April to 31 December 1972, is inspired by Article 155 of the "Membership Act." Under it, the texts of Community institution Acts adopted before the Accession and set down by the Council or the Commission in English, Danish or Norwegian are authentic as from the Accession under the same conditions as the texts set down in the four original languages. The Acts are therefore published in the Official Journal when the texts in these languages (German, French, Italian, Dutch) have been the subject of such a publication. Until this decision by the Council, all that was intended to be published as a special edition of the Journal in the four new languages were the Acts themselves covering Membership of the four countries.

Relations with Non-Applicant EFTA Countries and their Associate

60. After the negotiations in Brussels from 16-29 March 1972 with the non-applicant EFTA Countries, the Commission approved and sent to the

¹ See sec. 89.

² Official Journal L 101 of 28.4.1972.

Council on 11 April 1972 its Report on the outcome of the *first phase of the negotiations*.

The Council got down to a thorough scrutiny of the Report during its session of 24 and 25 April. It concentrated on the basic matters still open in the negotiations, namely:

- (i) The problem of product origin,
- (ii) Sensitive products (paper, clocks and watches, certain metals and metal products),
- (iii) Products subject to special regulations following the setting up of a common agricultural policy. Also products of chapters 1-24 other than those in Appendix II,
- (iv) Agriculture,
- (v) Problems particular to Portugal and Iceland,
- (vi) Protection clauses.

The Council was able to make solid progress on most of these matters. Either a solution emerged within the Council or the Council defined guidelines letting the Commission and the Committee of Permanent Representatives follow up finalization of the directives.

In agriculture, the Council debated the inclusion of an agriculture folio without, at this point, reaching joint conclusions and delegated the Permanent Representatives with the help of the Commission to follow up study of this problem in the light of the debates.

The joint solutions coming out of the current session will be submitted to the views of the applicant countries and then the negotiation directives will be approved as under written procedure. On this basis the Commission will shortly be able to carry on the next round of negotiations with the six EFTA countries involved.

On the problems needing further study by the Commission and the Permanent Representatives, as well as on other less basic points raised by the Commission's Report and not yet dealt with in the Council's present session, the latter briefed the Committee of Permanent Representatives to try, with the Commission's help, to finalize the remaining negotiation directives at its level and submit them in writing for the Council's approval. If need be, the Council did not rule out the chance of holding a session during May and fully agreed to make every endeavour to speak during its July session on all the points still giving difficulty.

The Council's aim is that the negotiations, shortly to be resumed, will be carried on without interruption. The Council did indeed confirm its political resolve to finish the negotiations before the summer.

RELATIONS WITH THE MEDITERRANEAN COUNTRIES

Malta

61. The *EEC-Malta Association Council* held its *first meeting* on 24 April in Luxembourg. This Association Agreement, which came into force on 1 April 1971 provides for setting up a Customs Union in two stages between the EEC and Malta. After approving its internal Regulation which set up the Association Committee and the Committee for Customs Cooperation, the Council went on to examine the results of the Association after one year's work.

During this meeting the Maltese Delegation—led by Mr Dom Mintoff, Prime Minister and Minister for Commonwealth and Foreign Affairs—made a request for completion of the Agreement by provisions for industrial cooperation as well as an agricultural folio. The delegation also asked for Malta to be included in the system of "generalized preferences" and demonstrated its concern over the impact on the Island by the enlargement of the Community.

As for other points raised by the Maltese Delegation and not covered by the Agreement, the Council asked the Commission to open exploratory talks immediately with the Maltese Government to investigate the problems. The "press bulletin" issued after the session stated, that on a report to be made by the Commission about these talks and the work of the Association Committee, the Council, after discussion with the new Members and considering the context of Community relations with other Mediterranean countries, would decide on a possible extension of the existing Agreement.

Lastly, concerning Malta's access to the benefits of generalized preferences, the Council reiterated and confirmed its commitment to take an overall decision before 30 June this year on the applications of various countries voicing similar requests.

Cyprus

62. The negotiations between Delegations from the Community and Cyprus took place on 17 and 18 April in Brussels. During this *second meeting*, within the compass of *negotiations* opened on 24 January, the two groups

proceeded to study a draft agreement. They found that their views were aligned on the principles of the text of the Association Agreement which should lead in two stages to setting up a Customs Union between the Community and Cyprus. The Cyprus Delegation reiterated the island's export interests in agricultural produce and stressed the importance it attaches to amplifying the Community's supply in this sector. The two Delegations agreed to carry on their work as soon as possible to conclude the negotiations.

Spain

63. Replying to written questions from two Members of Parliament on the preferential Trade Agreement made by the EEC with Spain, as well as the possible future association of Spain with the EEC, the Commission in its reply¹ to Mr Vredeling (Netherlands) expressed the view that the Community, in concluding the Agreement with Spain, had reckoned with all the factors in a very complicated situation. The Commission thought that the Agreement was in line with the view it expressed to the Council on 1 October 1969 where Community relations with the southern European countries "can assume the form of an Agreement as such only with countries of institutions and systems comparable with those of the founder States. Others might be offered agreements which allow the Community to bear in mind their future development." The Commission noted that adjustments, some technical and some economic in effect, are necessary to adapt this Agreement to an enlarged Community. Turning¹ to Mr Glinne (Belgium) the Commission also recalled its attitude of October 1969 where Community relations with southern European countries "can assume the form of an Agreement as such only with countries of institutions and systems comparable with those of the founder States."

Egypt

64. The *third session of negotiations* between Delegations from the Arab Republic of Egypt and the Community for concluding a preferential Agreement was held in Brussels on 27 and 28 April 1972. The Head of the Egyptian Delegation was H.E. Aly Hamdy Hussein, Ambassador Extraordinary and Plenipotentiary, Head of the ARE Mission with the EEC. He was assisted by Mr Mohamed Zulfioar, Under-Secretary of State at the Ministry of the Economy. During this third session, the two Delegations were able to record their full agreement on all general provisions in the text of the

¹ Official Journal C 35 of 11.4.1972.

Agreement and in the original Protocol and also on the schedule of reciprocal concessions. The ARE Delegation confirmed its requests for certain agricultural produce vital to its country's exports. The Community Delegation officially recorded these requests and will report to the Council with a full appraisal of the situation.

Yugoslavia

65. The *Joint Commission* set up by the Agreement of 19 March 1970 between the EEC and FSR of Yugoslavia held its second meeting on 10 and 11 April 1972 in Brussels. The Community Delegation was led by Mr Ralf Dahrendorf, Member of the Commission and the Yugoslavian Delegation by Mr Boris Snuderl, Member of the Federal Executive Council.

The Joint Commission reviewed trade developments between the EEC and Yugoslavia since the Agreement's inception and then discussed how the accession of four new EEC Members might affect it, especially considering that it would expire on 30 April 1973. Against this background, the Yugoslavian Delegation wanted as early as possible in 1972 to open negotiations for concluding a new Agreement with the EEC.

The Joint Commission also examined technical questions on applying the system of generalized preferences, some special questions in agricultural trade (especially beef and veal) and trade problems in cotton textiles.

RELATIONS WITH THE ASSOCIATED AFRICAN STATES AND MADAGASCAR

The EEC-AASM and EEC-OCT Associations

EUROPEAN DEVELOPMENT FUND

New Financing Decisions

66. One of these decisions was taken under the *1st Fund*. In line with Article 5 § 2 of the Application Convention covering the EEC-PTOM Association, the Council on 2 April 1972 gave final approval for additional financing of an economic project in favour of the Comoro Islands which the Commission had approved on 3 February. The extra financing of 70 million Frs. CFA (equal to about 253 000 u.a.) out of the balances of the 1st Fund is intended for completion of a road improvement project in the Comoros.

67. After a favourable opinion from the EDF Committee, the Commission on 12 April 1972 took four new financing decisions with non-repayable grants out of the 3rd EDF for a total amount of 2 087 000 u.a.¹

Tchad—Study on a Road Link between Moundou and Gidjiba (Ngaoundere) : 200 million Frs. CFA or about 720 000 u.a. The purpose of the project is a technical and economic survey on a road link 350 km. long, between Moundou in the Tchad and Gidjiba in the Cameroons.

Cameroons—Selection and Propagation Programme for Vegetal Material for a Tea Plantation: 38 105 000 Frs. CFA or about 137 000 u.a. The project involves Community participation in carrying out a programme of selection and propagation of vegetal material needed to set up a tea station of about 700 ha. at Djuttitsa (Eastern Cameroons).

Surinam—Additional Financing for the Civic Project at Paramaribo : 2 125 000 S.FL. or about 1 094 000 u.a. to increase the credit committed in 1965 in order to meet the overrun when the calls for tender were examined due to sizable price increases in the construction sector.

Member States of the Joint African, Madagascar and Mauritius Organization (OCAM): 37 768 000 Frs. CFA or about 136 000 u.a. The aim of the project is to bear the financial charge, over one or two years, of four non-Cameroonian African instructors, teaching at the Ecole des Cadres of the Pan African Development Institute in Douala (Cameroons).

Following the four financing decisions just taken, the total commitment of the 3rd Fund amounts to 275 555 000 u.a. for 114 decisions.

Meetings and Visits

68. Delegations from the six Member States, representing the EDF Committee, visited Surinam, the Dutch Antilles and areas in Africa. While one group on 16-31 March 1972 went to *Mauritania, Dahomey* and *Togo*, the second stayed in *Surinam* and the *Dutch Antilles* from 3-14 April 1972. Other Associated African countries were visited by Committee Members in 1967, 1969 and 1971. Asked to speak within the EDF Committee on investment projects submitted by the Associated States for Community aid and their opinion, the representatives of the Member States Delegations were able

¹ Official Journal C 42 of 28.4.1972.

to observe on the spot in direct contact with the projects and the authorities, how they are being carried out as well as the economic and social problems arising in the Associated countries visited.

TECHNICAL ASSISTANCE

69. The Commission agreed to a request made by the Secretary General of the Joint Africa, Madagascar and Mauritius Organization (OCAM). Under the terms of its Agreement, an expert was delegated to set up a draft system for multi-national companies, applicable in the Member States of OCAM and considering all the juridical, customs and fiscal aspects. OCAM hopes to stimulate in this way the industrial development of its Members. The study mission, carried out in close collaboration with the Secretary General of OCAM, has been assigned to a Belgian jurist.

TRADE PROMOTION

70. Twelve EEC Associated States took part in the 50th International Trade Fair in Milan. The stands manned by the services of the Commission, in the EDF "Fairs and Exhibitions" programme, were visited by the President of the Senegal Republic, Mr Léopold Sédar-Senghor. During the Fair, a meeting was held by ATDO (African Tourism Development Organization) on the topic: "Promotion of African Tourism in Italy." The meeting was organized with the help of the Commission's services and attended by tourism experts.

SYSTEM APPLICABLE TO IMPORTS OF CERTAIN FRUIT AND VEGETABLES

71. Under the terms of a Regulation adopted by the Council on 25 April¹ certain fruit and vegetables of AASM or OCT origin, may be imported into the EEC exempt from customs duty from 1 May 1972 to 31 January 1975. The exemption will be applicable, according to cases, over the whole or part of the year. It covers various fruit and vegetables subject to the joint organization of the market (in particular peas, beans, pimentoes or sweet peppers, aubergines, marrows, celery, papayas and melons).

TRAINING, COURSES, CONFERENCES

72. Two *conferences* organized in Brussels on problems of European integration and the AASM Association from 11-13 April brought together

¹ Official Journal L 101 of 28.4.1972.

42 EEC scholarship holders living in Germany and France and from 24-27 April, 54 nationals of non-associated countries.

EEC-East African Association

SYSTEM COVERING IMPORTS OF CERTAIN FRUIT AND VEGETABLES

73. On 25 April¹ the Council adopted a Regulation covering the system applicable to certain fruit and vegetables of Tanzanian, Ugandan and Kenyan origin. Similar to the system applied to kindred imports from the AASM² and adopted on the same grounds, it provides for the duty free import into the EEC of a series of produce (peas, beans, pimentoes, aubergines, marrows, melons, etc.) from 1 May 1972 until 31 January 1975 and over the whole or part of the year.

Mauritius

74. During its session of 24-25 April 1972, the Council approved the two Agreements, outcome of the Brussels negotiations of 1-8 March.³ One bears on Mauritius joining the EEC-AASM Association Agreement and the other amends the internal agreement on financing and aid by the Community signed on 29 July 1969 in Yaoundé. After reiterating the importance it attaches to the *Association agreement* with Mauritius, the Council appointed Mr G. Thorn, President of the Council, and Mr J. F. Deniau, Member of the Commission, as Council Plenipotentiaries for signing⁴ this Agreement.

RELATIONS WITH THE NON-MEMBER COUNTRIES

United States

Unofficial Talks between the Commission and the American Administration

75. As part of the regular contacts kept by the Commission with the American Administration to follow the development of reciprocal economic relations, new talks were held in Brussels on 27 and 28 April 1972. Both

¹ Official Journal L 101 of 28.4.1972.

² See sec. 71.

³ See Bulletin 5-1972, Part Two, secs. 84 and 87.

⁴ This was done on 12 May 1972.

questions of common interest and problems involved in preparing the multi-lateral negotiations gave rise to a thorough exchange of views in a spirit of mutual understanding and cooperation. The Commission Delegation, led by Mr Dahrendorf, included Mr Haferkamp and Mr Spinelli. The American Delegation, headed by Mr Samuels, Assistant Under-Secretary of State for Economic Affairs, included Mr John Irwin II, Under-Secretary of State, Ambassador Eberle, Special Representative for Trade Negotiations, and Mr Schaetzel, Ambassador to the EEC.

The talks bore on preparation for the coming multi-lateral negotiations within GATT, especially on the negotiation briefs of the two partners, on relations of the larger Community with the rest of the world in view of the coming European Summit, on relations with other non-Members (Japan and the East European countries), as well as on negotiation prospects with the non-applicant EFTA Countries. Moreover, a broad spectrum of reciprocal information bore on industrial policy problems, on energy policy questions, and in relations with developing countries.

The United States Delegation also made contacts with Member States' Permanent Representatives and Ambassadors of new Members.

Customs Waivers on American Citrus Fruits

76. On 17 April 1972¹ the Council adopted a Regulation waiving the autonomous common customs duties on sweet oranges, grapefruit, and pomelos from the USA. This is in line with the proposal from the Commission on 13 March² and represents the application of certain tariff waivers provided in the Agreement of 11 February 1972 between the Community and the USA.

Uruguay

77. On 25 April in Brussels *negotiations for the conclusion of a Trade Agreement* between the EEC and Uruguay began. They are based on directives adopted by the Council at its session of 28 February 1972.³ The first phase of the negotiations, lasting two days, was given over to a review of all matters likely to figure in the Agreement. The two Delegations have already reached agreement on some of them including the beef and veal sector.

¹ See sec. 1 and Official Journal L 93 of 20.4.1972.

² See Bulletin 5-1972, Part Two, sec. 2.

³ See Bulletin 4-1972, Part Two, sec. 79.

The negotiations are to resume in mid-June and the success of work done already gives hope that complete agreement will be reached during the second session.

Mauritius

78. Against the background of Community relations with Mauritius, the Council during its session of 24-25 April 1972 approved the Association Agreement on Mauritius' joining the new Yaounde Convention between the EEC and the AASM. These approved texts had been under negotiation at Brussels from 1-7-March 1972.¹

COMMERCIAL POLICY

Formulating and Implementing the Common Commercial Policy

Trade Agreements: Renewals, Waivers or Authorizations

79. On a proposal from the Commission, the Council authorized several Member States to negotiate with certain Eastern European countries the conclusion of Trade Protocols for 1972. Negotiations in question are *Germany-Bulgaria, Italy-People's Republic of China, Benelux-Poland, Italy-Hungary*.

During the session of 24-25 April,² the Council authorized the *tacit renewal of certain Trade Agreements* concluded by Member States with non-Members.

80. During its session of 17-20 April 1972,³ the *European Parliament* passed a Resolution on a proposal specifying certain temporary measures for progressive standardization of Member States' import systems relative to non-Members. Parliament "keenly regrets that the replacement of national Agreements, concluded with the GATT partners, by Community Agreements is progressing so slowly and considers that the process could be speeded up." In its resolution, Parliament insists on its request to the Commission and the Council "to reexamine soonest the trade relations with countries outside GATT, to reach a *Community policy* in this sphere."

¹ See sec. 74 and Bulletin 5-1972, Part Two, secs. 84, 87, 91.

² Official Journal L 112 of 14.5.1972.

³ See sec. 98.

COMMODITIES AND WORLD AGREEMENTS

Tin

81. Since the beginning of April, the Community as such is a full member of the International Tin Agreement. On 22 March 1972¹ the Council had decided to approve the Community's sharing in the Fourth International Agreement and on the 28th March the approval instrument had been lodged with the United Kingdom Government.

The special interest of this event deserves to be highlighted, for it represents one of the first cases where the Community was able to run through all the procedural phases to reach a juridical situation identical to that of the countries sharing in an international agreement on a commodity.

The course of the procedure involved three main phases:

- (i) Participation by the Community in the Negotiation Conference for renewal of the 3rd International Agreement on Tin, held in Geneva from 13-15 May 1970, after a Council decision of 21 April 1970 to recognize the Community's authority for certain commercial policy measures anticipated by the draft agreement;
- (ii) Action taken by the Community to write into the Agreement an article or clause allowing it to join with the same rights and obligations as a State. Thus the Conference retained Article 50 which expressly provided that an "intergovernmental organization with special authority in negotiating international agreements" may take part in the Agreement;
- (iii) The practical participation by the Community in the 4th Agreement by the procedures anticipated by Articles 44 and 45 covering respectively the procedures for signature, ratification, approval or acceptance.

Thus the Council's Decision of 14 December 1970 approving the Community's taking part in the Agreement found its application first in the signature made on behalf of the Community on 27 January 1972 and then in the approval on 28 March 1972.

The part taken by the Community in the work of the various organs of the Agreement during a year of debates supports the claim that the Community is fully capable of carrying its rights and obligations. This is a happy outcome all the more that, for non-Member countries, the Community's access to the

¹ Official Journal L 90 of 17.4.1972 and Bulletin 5-1972, Part Two, sec. 96.

oldest international commodity agreement represents a precedent and proves its interest in such regulation and promotion formula for the international commodity market.

THE COMMUNITY AND THE DEVELOPING COUNTRIES

Third Session of the United Nations Conference on Trade and Development

82. The third session held in Santiago, Chile, began operations on 13 April after a speech by Mr Salvador Allende, President of Chile, and an address by the Secretary General of the United Nations, Mr K. Waldheim.

Mr G. Almeyda (Chile) was elected Conference Chairman. After the opening speech by the General Secretary of the UNCTAD, Mr Perez-Guerrero, the Conference heard statements from representatives of nations and international organizations.

Mr Gaston Thorn, Minister for Foreign Affairs, Luxembourg, and President of the Council of the EEC, spoke on behalf of the Communities. He said that the Community attended the Conference, economically stronger but with greater responsibilities and the Community was ready to assume them effectively. Thus it was prepared, especially in the commercial field, to share positively in seeking ways and means to improve the export receipts of developing countries, both in the way of opening the markets of the industrialized countries and of concluding, as appropriate, international product agreements.

During the plenary meeting of 17 April 1972, Mr Sicco Mansholt, President of the Commission, reviewed the Commission's position in face of the Third World problem. He declared that even if the Community affirmed its economic influence in international relations to discharge its obligations deriving from these conditions, it cannot complacently presume on the results. "I take the view that the most fitting frame for studying the reform of the international monetary system is the IMF. My Commission considers that, in a coming distribution of special drawing rights, a special issue to the developing countries could be considered to compensate the losses they incurred by the reduction in buying power of their reserves, the aftermath of the last monetary crisis. We also believe that at a later stage we should study ways to ensure a better distribution of international liquidity to prop the efforts towards growth of the less developed countries, and especially ways to reduce the ill effects of price instability on the commodity markets."

Statements on particular points on the agenda were made by the Community in the various Committees and working parties set up by the Conference.

Food aid

83. Following new requests addressed to the Community by Bangla-Desh, Dahomey and Peru, in addition to those already sent in, the Commission on 14 April sent the Council *a new Communication on carrying out commitments written into the 2nd Convention on Food Aid (cereals)*—over the financial year 1971/1972. This Convention is to adapt the initial proposals and make a new breakdown of the tonnages, reckoning with the new factors in the picture.

Concerning *Bangla-Desh*, in particular, the second Communication of the Commission suggests a total amount of 100 000 tons (52 000 tons at Community level, 48 000 tons bilaterally). The Commission considers this figure as an absolute minimum, seeing the size of the needs to be met. Although it is difficult to raise it within the 1971/1972 programme (owing to the many other requests put in), the Commission has still allowed the possibility of a further 28 000 tons of cereals through the International Red Cross. A Communication to this effect was sent to the Council on 18 April 1972.

Lastly, two Agreements for the supply of wheat under the financial year 1970/1972, 7 500 tons for *Syria*¹ and 11 640 tons for *Afghanistan*,² were signed on 11 April in Brussels. The conclusion of these Agreements had been the subject of a Council decision on 22 March 1972.

RELATIONS WITH THE INTERNATIONAL ORGANIZATIONS

General Agreements on the Customs Tariffs and Trade

84. The joint EEC-USA and Japan-USA statements which many other contracting parties have endorsed gave fresh impetus to the work of GATT for the preparatory work of the coming multi-lateral negotiations to begin in 1973. The Agricultural and Trade Committees for industrial products have in fact decided to focus their attention on the "ways and means" of the future negotiations.

¹ Official Journal L 95 of 22.4.1972.

² Ibid. L 108 of 8.5.1972.

The *Agricultural Committee* has set up a working party for this which has held its first meeting. The party reviewed possible ways and means of negotiation on export measures (subsidies and miscellaneous aid) and began a similar examination of import measures (various levies, customs duties, etc.) At this stage, there is no thought of committing the negotiations (nor even of pre-negotiation on the negotiation processes to be retained), but simply to weigh as objectively as possible the advantages and drawbacks of various methods and lines which could be used when the time comes.

The *Trade Committee for Industrial Products* adopted a programme of work to examine the various ways and means of future negotiation. Here again as with the *Agricultural Committee* there is no thought for the moment of actual negotiations or even pre-negotiations. The Committee is to discharge the following specific tasks:

- (i) Analyse and evaluate possible methods and terms for reducing customs duties, for seeking solutions to non-tariff obstructions, for participation by the developing countries (the negotiations having to grant effective advantages for their trade).
- (ii) Study various approaches, including possibilities at sector level.
- (iii) Review provisions for adequate safeguards.

It is anticipated that the review of ways and means should be finished before the next session of the contracting parties.

United Nations Economic Committee for Europe

85. The 27th session of this Committee (ECE) was held from 16-29 April in Geneva. As every year, its work was specially focussed on East-West economic relations. The session coincided with the 25th anniversary of the ECE. For the commemoration of this event, from 17-19 April, the ECE received many messages from many personalities.

In one of these messages read by the Commission representative, Mr Ralf Dahrendorf said on the Commission's behalf: "It is a vital concern of the EEC Commission that the harmonious development of trade be promoted according to processes suitable to the economic and technical changes which constantly alter the nature of our problems.

The EEC has always shown that it is ready to work in close cooperation with all countries Members of the EEC including the East European countries, by recognizing their interests on an equal and non-discriminatory footing. The Common Commercial Policy within the compass of the Rome Treaty and

which will fully apply from 1 January 1973 offers very broad scope for cooperation with these countries. This is why the EEC Commission, fully approving the priority ideas which the ECE has specified, will strive to share actively in the work already initiated or to be started from now."

During the session, the Commission representative intervened to explain what were, for the Community, the main obstacles to the development of trade and the action to be undertaken to conduct a vigorous and up to date policy.

Meeting of UNESCO and the Commission

86. On 19 April in Brussels an initial informative meeting took place between the EEC and a Delegation of the UNESCO Secretariat. The meeting fits in with a series of newly initiated contacts between the Commission and the international organizations with whom the Commission maintains an especially close relationship. A discussion on all problems of mutual interest allowed them to take stock of cooperation between the two institutions in certain particular sectors. The meeting was followed by a working session on problems of joint interest to the EDF and UNESCO.

IV. ACTIVITIES OF THE COMMUNITY INSTITUTIONS

THE EUROPEAN PARLIAMENT

87. The European Parliament, meeting at Strasbourg from 17 to 20 April,¹ heard a statement by Mr Mansholt, the new President of the Commission. It also expressed a favourable Opinion on the accession of four more European States to the Community and declared itself in favour of getting a European environment policy underway. Parliament approved the setting up of joint enterprises within the EEC, asked for a seaport policy to be defined within the compass of the common transport policy, expressed its concern on the effects of a concentration operation within the textile industry and expressed various other opinions. Parliament also adopted a Resolution on the settlement of its accounts for the financial year 1971.

President *Behrendt* told Parliament that after Mr Malfatti had left, the Member States' government representatives appointed Mr Mansholt, President of the Commission and Mr Scarascia-Mugnozza, Vice-President, to replace Mr Mansholt. The President of the Parliament congratulated Mr Mansholt and Mr Scarascia-Mugnozza and paid tribute to the latter's work in Parliament, especially as Chairman of the Political Committee. Mr Scarascia-Mugnozza resigned as Member of the European Parliament as from 21 March 1972.

Statement by the President of the President of the Commission (19 April)

88. Mr *Mansholt*, recently appointed President, made a statement before Parliament on current problems bound up with the development of the Community. Mr Mansholt mentioned the main guidelines of the Community which must be defined during the coming Summit Conference. For the Economic and Monetary Union to become a reality, we must consider setting up a monetary fund and new organizations. We must develop a regional policy and a social policy by defining the blueprint for improving living conditions. The environment and the effects of population expansion are problem areas for Europe which has a job to do here. Community citizens

¹ For the complete text of Resolutions voted by Parliament at this session, see Official Journal C 46 of 9.5.1972.

These minutes were taken from the French edition of "Informations" published by the General Secretariat of the European Parliament. The political group and nationality of Members taking part in the debates are shown in brackets after their names. The political groups of the European Parliament are shown by the following abbreviations: C-D (Christian-Democrat Group), S (Socialist Group), L (Liberal and Allied Group), DE (European Democratic Union Group).

must also become aware of the Community's reality and for this they must be able to move freely throughout it. Concerning external relations, the Commission is very interested in Mr Brezhnev's statement on Europe. The Community is ready to recognize on an equal footing the interests of all non-Member countries and especially those with State-run economies. As regards relations with the developing countries, Mr Mansholt mentioned the work of UNCTAD in which he had just shared and he stressed the importance for the Community of defining a joint position and making practical proposals, particularly on monetary problems which had been the core of concern at the Conference. On institutions, Mr Mansholt underlined the value of the Vedel report on Parliament's powers and he thought that the European Commission ought to take part in the preparatory work for the Summit Conference on developments towards the Political Union of Europe.¹

During the debate after Mr Mansholt's statement, all the representatives of the political groups congratulated the new President, offered him their best wishes in his new job and paid tribute to his sustained and productive efforts in agriculture.

Mr *Lücker* (Germany), Chairman of the Christian Democrat Group, was pleased to note, regarding appraisal of the main political themes faced by the Community, that Mr Mansholt had followed the statements made in Parliament by Mr Malfatti in his February action plan. Mr Lückner then concentrated on some particular points in the President's address. On Economic and Monetary Union, he stressed that he shared Mr Mansholt's outlook on the need to maintain the parallel between the "economic" and the "monetary". But he thought he could detect a certain optimism in Mr Mansholt's verdict on the Community's economic situation. Far from being optimistic, Mr Lückner insisted on the need to rally all the forces to bring the tasks pointed out by the Commission to a successful conclusion. About the "letter to Mr Malfatti", he said he was certain that the argument would also be transposed into Parliament who would have to take a stand. Regarding the Community's recognition by the USSR, he said that we should not look at Mr Brezhnev's statements alone but also consider the other aspects of the problem. One such, said Mr Lückner, was the rumours recently heard about the forces which were working against Denmark's joining the Community, including remarks by Mr Beglov in the Soviet paper "The Soviet Union Today", a fortnight after Mr Brezhnev's words. Mr Lückner went on to stress the fact that Mr Brezhnev's statement said that recognition of the Community would hinge on recognition of COMECON. Without thoroughly examining all these factors, a solid judgment could not be made. We would

¹ For the complete text of Mr Mansholt's speech, see Bulletin 5-1972, Editorial.

be the first to rejoice, he concluded, on what scrutiny of the dossier may yield towards a positive judgment. Concerning UNCTAD, he highlighted the disparities noticeable between the Santiago statements by the President of the Council and the President of the Commission. He wondered whether the Community had adequately prepared itself for the Conference and whether the Community would not have been better advised to go to Santiago with perhaps a narrower brief but which contained a joint outlook on all matters, especially on the question of special drawing rights.

Mr *Vals* (France), Chairman of the Socialist Group, mentioned the problems of the quality of life and working conditions, problems which must be crystalized into recommendations. Moreover, he claimed that Mr Mansholt should specify the ideas in the "letter to Mr Malfatti". Mr Vals also spoke of the interventions made at the Santiago UNCTAD Conference, by the President in office of the Council and the President of the Commission, and he expressed concern that the Community had not presented a united front on all matters.

Mr *Berkhouwer* (Netherlands), Chairman of the Liberal and Allied Group, brought up the ecological problems and the well-being of mankind and stressed the need for these questions to be debated. The MIT Report was not cause for overpessimism since, according to the Report, today's imbalance, if appropriate measures are adopted, could be converted into economic and ecological stability. Mr Berkhouwer wondered what could be done within the existing Treaties. He put the same question about institutional reform and queried the situation concerning activation of Article 138 of the EEC Treaty, reiterating that the Commission must put forward proposals to amplify Parliament's powers, on the basis of the Treaty of 22 April 1970.

Mr *Couveinhes* (France), for the European Democratic Union Group, devoted his remarks to the "letter to Mr Malfatti". While recognizing the doubtless altruistic inspiration of the text, he expressed certain reservations on the personal initiative taken by Mr Mansholt and on the contents of the letter. But he did allow that some of Mr Mansholt's thoughts must be considered, studied and discussed by Parliament insofar as they would be taken up by the Commission itself. And beyond the question of form, there are certainly questions on the content which must be examined, even if only to refute them. For Mr Couveinhes, however, the Union of Europe must be based on expansion and social progress into plenty; a plenty from which we must see that the rest of the world benefits in a spirit of "brotherly love", which, said the speaker, is not to be found in the concept of "gross national happiness".

In reply, Mr *Mansholt*, speaking in particular of Summit preparation, declared that in liaison with Parliament the preparatory work should be well organized, seeing the little time left. Before the discussion in a plenary session of

Parliament, there will have to be contacts with the Political Committee and, if institutional problems are involved, with the enlarged Office. On the questions involved in the Economic and Monetary Union, Mr Mansholt pointed out, in reply to Mr Lückner, that far from displaying excessive optimism, he considered that if in the coming months we did not reach agreement on fixing exchange rates and dollar convertibility, we must expect difficulties later. About the questions raised by Mr Brezhnev's statements, Mr Mansholt, replying in particular to Mr Lückner, wanted to clear up any misunderstanding on the comments he had recently made on this matter. These comments allude in no way whatever to COMECON, nor even more to recognition of COMECON as such. Mr Mansholt shared Mr Berkhout's view on an expansive interpretation of some of the Articles in the standing Treaties. This still does not obviate the need in certain areas such as external relations in foreign policy to amplify authority and even consider setting up new organs. As for the "letter to Mr Malfatti", Mr Mansholt was astonished that some people claimed to see an action programme in an internal document which only intended to point out to the Commission developments from which conclusions for Community policy might be drawn. The letter was not inspired by technocratic considerations. On the contrary, it raised political problems. Problems like the preservation of the biological balance in the face of forecasted population growth (and the MIT Report is moreover not the only source of information) imply the need for political answers and options. To know, whether we wish through economic growth running wild, to let the gulf between the affluent and the developing countries get wider, is a political question. Mr Mansholt said he would like the Commission to think about some specific proposals on this question. Possibly a more thorough debate could be opened this year in Parliament.

Enlargement of the Community (18 and 19 April)

89. Parliament gave a favourable Opinion on the accession to the EEC of Denmark, Ireland, Norway and Great Britain. In a Resolution, Parliament expressed its conviction that the enlargement complied with the interests of all the signatory States and represented a positive factor for Community action. Parliament was happy to affirm that the enlargement was based on the practical achievements of the Community and on recognition of the goals written into the Treaties. Parliament highlighted the need to invigorate the Community's institutional structure and asked for itself wider powers in initiative, decisions and control, including the definition of clear objectives and an action timetable guaranteeing Community progress in all sectors.

Parliament hoped for swift ratification by the Member States and new Members of the Accession Treaty backed by the solid approval of the people in the building of a bigger Europe, economically and politically united and forming a prime factor for peace and progress in the world.

Mr *Radoux* (S, Belgium) presented the Report made on behalf of the Political Committee, stressing the importance of the enlargement of the Community and emphasizing the fresh responsibilities which Europe will assume. Mr *Broeksz* (S, Netherlands), Mr *Schuijt* (C-D, Netherlands), Mr *Furler* (C-D, Germany), Mr *Berthoin* (L, France), Mr *Habib-Deloncle* (DE, France), approving the Resolution for their groups, declared themselves in favour of the Accession of the four countries.

Mr *Broeksz* wondered whether Parliament ought not to be obligatorily consulted on the revision of the Treaties incurred by enlarging the Community. Mr *Schuijt* emphasized the institutional problems and wished for effective institutions with constantly improving structures. Mr *Furler* asked for Parliament's powers to be strengthened and said he was sure that the enlargement would be a new springboard for integration. Mr *Berthoin* enthusiastically welcomed this historic event, recalling that, despite the problems, the enlarged Community would have to forge ahead, which would necessarily mean deeper and deeper interpenetration. To Mr *Habib-Deloncle* what mattered was for Europe to be a real independent entity, to be mistress of her own destiny and not submit to any hegemony. We must trust in the new Members who have irrevocably accepted the goals of Europe.

Mr *Deniau*, Member of the Commission, spoke of the spirit of understanding and solidarity which had inspired the negotiations. The larger Community would have to face new problems and in particular succeed in defining its place in the world. Mr *Deniau* was optimistic because his experience of the negotiations had shown him everyone's concern to treat problems positively, without trying to find alibis for the unavoidable difficulties. The great danger for the Community was the loss of movement or freedom of movement.

European Policy on Environment (18 April)

90. Parliament debated two Reports. The first was made by Mr *Jahn* (C-D, Germany) on behalf of the Committee for Social Affairs and Public Health, and bears on the Commission's first communication on Community for environment. The second was made by Mr *Armengaud* (L, France), for the Juridical Committee. It studies the scope available in the Community Treaties for fighting pollution of the environment and describes amendments which would have to be made to the Treaties.

The Social Affairs Committee approved the objectives set out in the Commission's Communication for protecting and enhancing the environment, namely:

- (a) Limit and if possible eliminate the ill effects of economic and social activity without slowing progress and economic growth.
- (b) Conserve natural resources.
- (c) Develop natural space.
- (d) Guide future progress to fulfill the real needs of mankind.

In demonstrating the overall action programme and the priority measures, Mr *Jahn* insisted on the need for Community action to reach these objectives. His conclusions were reiterated in the Resolution passed at the end of the debate.

Mr Armengaud in his Report studied the juridical means within the Treaties for Community action in the field of environment and emphasized the indispensable political resolve to lay down a really effective Community policy. His conclusions were also reiterated in Parliament's Resolution.

For the Christian-Democrat Group, Mr *Memmel* (Germany) backed the two Resolutions and asked that the vital protection of the environment might not restrict progress and cramp economic growth. Mr *Oele* (Netherlands) for the Socialist Group stressed the vital importance of environment problems and thought that the European Commission was the institution to coordinate and settle all the problems involved. But we must know quite clearly what authority it would have. In his last words, Mr *Oele* said that an adjustment of Community economic needs to ecological requirements was absolutely necessary. Mr *Baas* (Netherlands) for the Liberal and Allied Group asked for the Commission's actions to be guided by imagination, political resolve and moral courage. He mentioned the problems of safeguarding natural resources and the pollution of the Rhine. For the UDE Group, Mr *Ribière* (France) reminded Parliament of the French Government's proposals in its Memorandum on getting European cooperation underway for protection of the environment. He stressed the important problems set by competition and international trade and asked for arguments on the respective powers of Commission and Council to be avoided. We must seek the means for the best results. Mr *Notenboom* (C-D, Netherlands) came out in favour of granting fiscal advantages to companies for investments backing the anti-pollution campaign.

Mr *Spinelli*, Member of the Commission, urged Members of the European Parliament to act in their national assemblies for the promotion of a European environment policy and he mentioned the chief proposals retained by the

Commission. Mr Spinelli felt that we must take real Community action as regards ecology, action which must emerge in financial solidarity. The importance of the environment problem was twofold. Certain human values must be respected and a qualitative change was needed in the Community which should have its own legislative power resting obligatorily with Parliament.

In the resolution following Mr *Jahn's* Report, Parliament reminded the Commission and the Council that now was the time to lay down general rules at Community level (skeleton laws for ensuring the protection or improvement of the environment) and entrust their practical application to national and local authorities. Parliament considered that the Treaties would allow action to be initiated at Community level. Parliament deplored the lack of political resolve on the part of the Council who must immediately adopt the proposals already made by the Commission, and advocated a severe application of the principle, "he who pollutes, pays". Parliament urged the Commission, in all its spheres of action, to take care about safeguarding the environment and consider the setting up of a European environment organization as a must. Lastly, Parliament insisted on the Rhine anti-pollution campaign and on the basic role of agriculture in keeping the biological balance and asked the Community to share in the international anti-pollution moves.

Parliament passed a second Resolution moved by Mr Armengaud after approving several Amendments moved by Mr Jahn. The importance of Community action to safeguard the environment was again reiterated and Parliament took the view that the Treaties themselves offered considerable scope. Where the Treaties did not provide power to act, Article 235 could be used to bring in powers of direct settlement in the Community and to appraise the scope, in the long term, for writing a special Chapter into the Treaties covering the environment. Parliament asked for the Community to collaborate with the international organizations and mentioning the French Memo on activating European cooperation to safeguard the environment, took the view that the Commission should attend inter-government talks as an independent and coordinating agent for the Member States. The latter must see that provisions adopted for defending the environment were strictly observed.

Setting up Joint Enterprises in the EEC (18 April)

91. Parliament expressed a favourable Opinion on two Regulation proposals. The first concerns setting up joint enterprises in the field of application of the EEC Treaty (Report presented by Mr *Lautenschlager* (S, Germany) for the Juridical Committee). The second concerns application of the Statute of joint

enterprise to activities deriving from the hydrocarbon industry (Report made by Mr *Hougardy* (L, Belgium) for the Committee on Energy, Research and Atomic Problems).

In the Resolution following Mr Lautenschlager's Report, Parliament noted that the Regulation proposal on setting up joint enterprises fitted into a European industrial policy. Parliament approved this move by the Commission which will extend the benefit of the privileged statute of joint enterprise provided by the Euratom Treaty, to public service activity as well as to enterprises engaged in important activity of European interest in the field of technological development or raw material supply. Transnational cooperation in these fields would be eased. Parliament considered that this Regulation did not rule out other forms of transnational cooperation and pointed out the main provisions which it welcomes:

- (a) Joint enterprises allow the participation of companies based in non-Member countries.
- (b) The criteria for awarding the Statute must be fixed with a carefully applied appraisal margin.
- (c) Fiscal advantages must be neutral as far as competition is concerned.
- (d) The joint enterprise enjoys in each Member State the broadest possible juridical capacity.

In the second Resolution, following Mr Hougardy's Report, Parliament thought that the regulation on applying the Statute of joint enterprise to activities deriving from the hydrocarbon industry represented one element in a more extensive policy to ensure security of the Community's crude oil supply. This policy must be the subject of an overall strategy for reducing Community dependence on oil imports from the traditional producer countries and for implementing a real Community commercial policy. In Parliament's view, the Regulation could help to improve the financial capacity of Community enterprises, attenuate the difference in their expenditure in relation to certain international oil companies and induce them to a needed cooperation in the hydrocarbon sector. But, in the long term, none of the aims of the Regulation could be achieved without harmonizing fiscal law. Seeing the non-availability of predetermined criteria for granting the statute of joint enterprise and to avoid any risk of arbitrary application of the Regulation, Parliament asked the Commission for periodic reports on criteria obtained. Lastly, Parliament suggested several other measures for increasing the security of the Community's supply, exempting Community produced oil from the obligation of stockage, inducing deep sea exploration, modifying prospecting conditions and concession terms.

While presenting his Report, Mr *Lautenschlager* carefully considered the protection of workers in case of concentrations or the creation of joint enterprises. On behalf of the Socialist Group, he brought up the problems of co-management and participation by operatives in the joint companies. Mr *Berkhouwer* (L, Netherlands), deputizing for Mr *Hougardy*, presented the Report on hydrocarbons insisting on the need to safeguard the Community's supply. Mr *Armengaud* (L, France) would have liked the Commission to define its objectives on the regrouping of European economic interests and the solutions recommended against the various cases: European Limited Company,¹ Joint Company, Grouping by Economic Interest.² Mr *Armengaud* did not understand the rush to set up joint enterprises of indeterminate status and feared the onset of "single shot" transactions based on the "customer's pocket". In view of these remarks, he abstained from voting on the Resolutions. Mr *Berkhouwer* thought the debate left much doubt and wondered whether Parliament would grant the Commission the "blank cheque" it was asking for.

For the Christian-Democrat Group, Mr *Springorum* (Germany) supported the adoption of the two Resolutions, although he regretted the lack of criteria for setting up joint enterprises. But the Commission had given adequate assurances. As for oil supplies, the Community must not be absent from the international concert, otherwise Europe could remain empty-handed. Mr *Cousté* (France) for the UDE Group, described the situation of public enterprises in the Community and reminded Parliament that the problem of joint enterprises must be studied within the horizon of European industrial policy and not lose sight of the Treaty objectives, namely: harmonious development, continued expansion and greater stability. For the Socialist Group, Mr *Flämig* (Germany) regretted the lack of a common energy policy and stressed that his Group would not endorse any solution which might jeopardize the rights of workers. Mr *Vredeling* (S, Holland) asked for co-management to be controlled on a Community basis and for the Commission to present a report on the right of survey of trade unions in the management of joint enterprises.

Mr *Spinelli*, Member of the Commission, agreed with the amendments attached to the two regulation proposals by the Parliamentary Committees and he accepted the problem should be examined in its entirety. The Commission certainly had not given up making proposals concerning the European Limited Company¹ and the harmonization of social and labour law. The texts being

¹ Société Anonyme Européenne.

² Groupements d'intérêt économique.

debated would facilitate cooperation of considerable public interest. We should make the most of the scope available, even if it was limited.

Common Transport Policy (17 April)

European Seaport Policy

92. Parliament debated the Report presented by Mr *Seefeld* (S, Germany) for the Transport Committee on the Community seaport policy. Mr Seefeld recalled that twice before (in 1962 and 1967) Parliament had debated reports on seaport problems and had approved the formation of a European port policy. This was getting even more urgent due to new factors such as new methods of transport, the larger Community and protection of the environment. Mr Seefeld outlined some principles which must form the basis of a European port policy and asked the Commission to offer the Council a proposal for a joint seaport policy. Mr Seefeld's conclusions were reiterated in a Resolution approved by the Christian-Democrat, Socialist and UDE Groups and passed by Parliament after the debate.

Parliament noted that up to now it had not been possible to get a really systematic common transport policy underway and emphasized that the fragments of common policy measures applying to the various types of transport were rebounding directly or indirectly on the competition between the European seaports. Fear of prejudicing the competitive position of their ports explained the resistance by Member States to proposals for achieving a common transport policy. We should therefore work out an overall plan to reach a common policy on port traffic which must be based on the following principles:

- (a) Non-discrimination,
- (b) Competition between European ports,
- (c) Port receipts to cover all their expenses,
- (d) Retain in the ports enough capacity to absorb the ever-increasing traffic,
- (e) Keep subsidies transparent and work towards abolishing them,
- (f) Cooperation between ports concerning investments,
- (g) Port taxes must be rated on the basis of costs to arrive at a mutual alignment of taxation,
- (h) Cooperation over working conditions in ports,

- (i) Creation of a Standing Committee with the Commission as Chairman and made up of responsible representatives from the various ports,
- (j) Scope for promoting port development within the lines of regional policy,
- (k) Improvement of the transport cost situation through the hinterland of ports and a policy for expanding the lines of communication serving them.

Parliament also asked the Council to adopt as soon as possible procedures for shipping and requested the Commission to come up with a systematic proposal for a common port policy.

For the Christian-Democrat Group, Mr *Meister* (Germany) stressed the impact of air transport development on port traffic and wondered whether we should wait for the entry of the new Members to take decisions here. For the Socialist Group, Mr *Oele* (Holland) said we urgently needed to activate a balanced policy for Community port facilities in close collaboration with all those affected. The giant tankers and development in container transport were priority problems to reckon with. For the UDE Group, Mr *Couste* (France) emphasized the need for simplifying port management as well as the value of setting up a standing committee. He also stressed the importance of the political drive needed to achieve a common sea and port policy. Mr *Leonardi* (NA, Communist, Italy) who voted against the Resolution, thought that a port policy could also be a development policy. The utilization of ports must be adapted to Community objectives. Mr *Outers* (NA, FDF, Belgium) condemned the economic confusion due to the lack of a common transport policy and especially as far as the links between ports and their hinterlands and disparities in their status were concerned. Mr *Richarts* (C-D, Germany) thought that all efforts should be bent towards achieving a common shipping policy and harmonization of infrastructure costs. Mr *Bertrand* (C-D, Belgium) asked the Commission to define, on the basis of Mr Seefeld's Report, a real port philosophy allowing for the need to promote economic expansion.

Mr *Coppé*, Member of the Commission, noted the pressing need to define a common port policy difficult though it might be. He was in general agreement with the aims of Mr Seefeld's Report included in the Resolution passed by Parliament. Mr *Coppé* pointed out that action taken must be careful and balanced and he indicated that the Commission was already engaged in calling together responsible people from the ports for talks.

Training Drivers for Road Haulage

93. Parliament approved, without amendment, a proposed Directive concerning the minimal level of training for road haulage drivers. In his Report on behalf of the Transport Committee, Mr *Couste* (DE, France)

explained that the Directive would standardize the occupational training of drivers from age 18-21 and over. It would also give them the chance to make up for lack of professional driving experience by holding a certificate of proficiency under conditions defined by the Directive. In a Resolution, Parliament asked the Commission to work out general lines for standardizing the training of professional drivers and thought that this job should rank as a skilled one.

Mr *Kollwelter* (C-D, Luxembourg) and Mr *Seefeld* (S, Germany) approved the directive on behalf of their Groups. Mr *Oele* (S, Netherlands), Chairman of the Transport Committee, emphasized that the transport sector was a vital one in economic activity. Mr *Coppé*, Member of the Commission, stressed the urgency of the Directive to raise the safety and social standing of road haulage drivers.

Concentration in the Textile Industry (19 April)

94. In a verbal question for debate, Mr *Lange* (S, Germany) and several of his colleagues asked the Commission for explanations on the concentration moves in the company "Enka-Glanzstoffe-Gruppe" of the Akzo group. The group is intending rationalization measures affecting 6,000 operatives in Belgium, Germany, the Netherlands and Switzerland. What conclusions did the Commission think it could draw from this case for its investment, merger, competition and social policies? Mr *Lange* put the verbal question, stressing that this affair brought to light loopholes in the Treaties at social level and in the field of investments. The Commission must clearly demonstrate its viewpoint on concentrations within multinational companies.

Mr *Coppé*, Member of the Commission, explained to Parliament the measures taken in the Akzo company. He pointed out that rationalization measures taken inside a group were not covered by Articles 85 and 86 of the EEC Treaty and thus did not come under the merger and competition policy of the Community. On the social plane, the problem of layoffs in multi-national companies is very troubling and the Community must take action at two levels: harmonization in the progress of conditions for collective layoff and intervention by the Social Fund. In conclusion, Mr *Coppé* hoped it would be possible, thanks to the Social Fund, to guarantee the income of workers under retraining, as has been done within the ECSC.

Mr *Notenboom* (Netherlands), for the Christian-Democrats, said that the problem of multi-national companies must be studied at Community level. Mr *Vredeling* (Holland) on behalf of the Socialists highlighted the need to define a European social policy. The Community must be at the service of

mankind. Mr *Berkhouwer* (Netherlands), Chairman of the Liberal and Allied Group, felt that national laws in the social field must be aligned and practical measures applied in the textile sector. Mr *Bertrand* (C-D, Belgium) stressed the inadequacy of Community legislation. We must avoid recurrence of such incidents. Mr *Löhr* (C-D, Germany) said that hasty conclusions should not be drawn from a particular case. Company mergers often have interesting results. Mr *Oele* (S, Netherlands) said that other sectors besides textiles had overcapacity problems. The Community must look into them. Mr *Burgbacher* (C-D, Germany) noted that the Community was now leading the field in social matters. The workers were not to hold onto their jobs at any price, otherwise the economy would be frozen. M. *Lange* (S, Germany) felt that concentrations and rationalization must be the subject of clear legislation with all ambiguity eliminated. Mr *Giraud* (S, France) said that in the balance sheet of concentration operations the human aspect must be reckoned with. The Community must prove that social and human concern weighs as heavily as the striking of economic and financial balances.

In reply to the speakers, Mr *Coppé* highlighted the following points: aid to textile industries must not be modified, but controlled; harmonization of layoff legislation must be followed up; improvement in sectoral forecasts must be speeded up; a solution must be found for the intervention of the Social Fund in the event of layoffs.

Introduction of VAT in Italy (20 April)

95. On the basis of a Report presented by Mr *Artzinger* (C-D, Germany) for the Finance and Budget Committee, Parliament greatly regretted that the Italian Government had had to ask again for authorization to postpone the introduction of VAT in Italy (anticipated for 1 July 1972) until 1 January 1973. This will involve delaying the work of fiscal harmonization and in turn realization of the Economic and Monetary Union. Parliament officially recorded the reasons behind the Italian Government's request and insisted that VAT be listed among the Government's priority obligations, any further postponement being formally ruled out.

For the Socialist Group, Mr *Koch* (Germany) much regretted the postponement of VAT in Italy for it was an essential factor in achieving the Economic and Monetary Union. Mr *Haferkamp*, Vice-President of the Commission, also regretted the delay and said that the implementation of VAT in Italy was well on the way, which allowed one to hope that the reprieve requested would be the last.

Other Opinions

Coordination of Procedures for Awarding Public Supply Contracts (20 April)

96. Subject to a few amendments, Parliament expressed a favourable Opinion on a Directive for coordinating procedures for awarding public supply contracts. This was based on an additional Report presented by Mr *Broeks* (S, Netherlands) on behalf of the Juridical Committee. In a Resolution, Parliament asked the Commission to encourage harmonization in all sectors of public services, approved an increase, from 60 000 u.a. to 200 000 u.a., in the value of contracts to be ruled by the Directive's provisions and also took a hard look at the language problems deriving from documents involved in public supply contracts. Mr *Lange* (Germany) for the Socialists, approved the overall amended Directive and drew attention to safeguards against fluctuation in the rates of exchange. This matter also engaged the attention of Mr *Burgbacher* (C-D, Germany) and Mr *Meister* (C-D, Germany). Mr *Haferkamp*, Vice-President of the Commission, informed Parliament that most of the proposed Amendments could be retained by the Commission, though it can accept an increase only up to 100 000 u.a. on the value of contracts subject to the Directive.

Redeveloping the Cod Fishery Sector (19 April)

97. Parliament approved a Regulation on financing by the EAGGF, Guidance Section, of action for reconversion in the cod fishery sector in order to encourage the production of refrigerated fish (fresh cod) and tunny. This action requires investments in technical changes and implies new or additional occupational training of operatives. In a Resolution passed after debating the Report presented by Mr *Kriedemann* (S, Germany), for the Agricultural Committee, Parliament asked the Commission to offer proposals on joint policy and structural measures for other fishery sectors. It also considers it necessary to amend the Regulation under discussion so as to bring out clearly the existence of a structural problem which it is the Community's province to solve. Parliament also drew the Commission's attention to the problem of supplying tunny fish preserve companies and asked for special measures in this sector. Mr *Bourdelle* (L, France) who drafted the view of the Social Affairs and Public Health Committee, speaking for the Liberal and Allied Group, approved the Resolution and most of the Amendments, emphasizing today's problems in the cod fishing industry. Mr *Aigner* (C-D, Germany) expressed the favourable opinion of the Finance and Budget Committee on the financial aspects of the Regulation. Mr *Dahrendorf*, Member of the Commission, explained that most of the proposed Amendments had aroused reservations on

the part of the Commission. Before passing the Resolution, Parliament had rejected the Amendments proposed by Mr *Terrenoire* (France) and Mr *Couveinhes* (France) for the UDE Group and Mr *Bourdelles* (France) for the Liberal and Allied Group, who were anxious lest tunny fish be excluded from the Regulation as proposed by the Agricultural Committee in the text finally approved by Parliament. Mr *Houdet* (L, France), Chairman of the Agricultural Committee, indicated that special measures for tunny fishing were requested in the Resolution.

Standardization of Import Systems (19 April)

98. From a Report, presented by Mr *Kriedemann* (S, Germany) for the External Economic Relations Committee, Parliament gave a favourable opinion on a draft Decision specifying certain temporary measures for the progressive standardization of Member States import systems relative to non-Member countries. In a Resolution, Parliament keenly regretted that replacement of national agreements, concluded with the GATT partners, by Community agreements was progressing so slowly and thought that the process could be speeded up. Parliament also asked the Commission and the Council to restudy trade relations with countries outside GATT so as to reach a Community policy in this field.

Alignment of Legislation (20 April)

99. Parliament gave a favourable opinion on a directive concerning alignment of Member States legislation covering weights of 1 mg. to 50 kg of an accuracy above average (Report of Mr *Bermani* (S, Italy) for the Juridical Committee). In a Resolution, Parliament reiterated its reservation on the optional method used for harmonization.

THE COUNCIL

In April the Council held a session on general matters.¹

194th Council Session on General Matters (Luxembourg, 24-25 April 1972)

100. *President:* Mr *Thorn*, Luxembourg Minister for Foreign Affairs.
From the Commission: Mr *Mansholt*, President; Mr *Haferkamp*, Vice-President; Mr *Deniau*, Mr *Borschette*, Mr *Dahrendorf*, Members.

¹ For the various points reviewed during this session, see Chapters of this Bulletin referring to the problems dealt with.

The Governments of Member States were represented by: Mr *Harmel*, Minister for Foreign Affairs, (Belgium); Mr *von Braun*, Secretary of State for Foreign Affairs (Germany); Mr *Schumann*, Minister for Foreign Affairs (France); Mr *Moro*, Minister for Foreign Affairs, Mr *Pedini*, Under-Secretary of State for Foreign Affairs, (Italy); Mr *Thorn*, Minister for Foreign Affairs (Luxembourg); Mr *Westerterp*, Secretary of State for Foreign Affairs (Netherlands).

The Council examined the Commission's Report on negotiations with the Member States and Associates of EFTA not applying for EEC Membership. The Council made solid progress on most of the questions still open in the negotiations. The joint solutions which have already emerged from this session will be submitted to the applicant countries for discussion. The Council agreed to make every effort to pronounce on all the matters still pending in such time that the negotiations may be carried on uninterrupted. The council did confirm its political resolve to finish the negotiations before the Summer.

During these proceedings, the first session of the EEC-Malta Association Council took place. The EEC Council asked the Commission to start exploratory talks with the Maltese Government to study the problems involved in a possible extension of the Agreement with Malta. The Council also approved the Association Agreement bringing Mauritius into the Yaounde Convention and approved the seventh activity report of the EEC-Turkey Association Council.

Based on a Directive proposal from the Commission, the Council authorized Italy to postpone introduction of VAT until 1 January 1973. The Council also formally adopted two Regulations on reform of the European Social Fund. The Regulations allow the recast Fund to come into effect from 1 May.

The Council formally ratified the EAEC research and education programme for the financial year 1972. This is a five year programme of research and education by the EAEC in the data processing field. The Council also adopted the Resolution on carrying out non-nuclear activity in 1972, gave several Opinions under Articles 55 and 56 of the ECSC Treaty and formally adopted a Regulation on the Nomenclature of Goods (NIMEXE) as well as several Regulations concerning agriculture.

THE COMMISSION

Internal Organization

101. During the session of 12 April 1972 on the suggestion of the President, Mr Sicco Mansholt, the Commission adopted the following provisions:

- (i) Mr Mansholt, President of the Commission, is head of the following service branches of the Commission: General Secretariat, Juridical Service, Spokesman's Group and Security Office.
- (ii) Mr Scarascia Mugnozza, Vice-President of the Commission, is responsible for the Agriculture Sector.

In its previous session, the Commission had welcomed Mr Scarascia Mugnozza who, like his predecessors and without prejudice to his testament before the Court of Justice, was sworn in under the terms of Article 10 § 2 of the Treaty inaugurating a single Council and a single Commission of the European Communities.

Staff Movements

102. During April 1972, the following appointments were made by the Commission:

- (i) Mr Giuseppe *Jacoangeli* becomes Chief Executive Assistant to Mr Scarascia Mugnozza, Vice-President. Mr Jacoangeli, a Bachelor of Law, was an Embassy Adviser from March 1967. During his diplomatic career he has successively held the posts of First Secretary and Commercial Adviser to the Italian Embassies in Teheran, Lisbon and Rio de Janeiro.
- (ii) Mr Paul *Collowald* becomes a Chief Adviser in his capacity as Assistant Spokesman in the Spokesman Group. A Bachelor of Law, he joined the Information Service of the ECSC in April 1958. He was appointed to the EEC Commission's Spokesman Group in November 1959. In June 1968, after the Institutions were merged, he became Assistant Spokesman in the Commission's Spokesman Group.
- (iii) Mr Alberto *Emma* becomes Director of the Organization of Markets for products of specialized cultivation, fish and forests in the General Directorate of Agriculture. A Bachelor of Law, Mr Emma joined the Commission in January 1960. Since November 1966, he had been Dept. Head of Agricultural Affairs-Agreement of Union and Association.
- (iv) Mr Hans-Helmut *Waechter* becomes Director of the Organization of Markets for Vegetable Products in the Directorate General of Agriculture. An agronomist, Mr Waechter joined the Commission in August 1962. Since August 1968, he had been Dept. Head for the Reports and General Economic Questions concerning Agriculture.

- (v) Mr Nicola *Bellieni* becomes Dept. Head for the Documentation, Information and Distribution of Papers Service in the Directorate of Personnel and Administration. A Bachelor of Law, Mr Bellieni joined the Commission in January 1960. He was previously Assistant to the Director General of Transport.
- (vi) Mr Lucien *De Moor* becomes Dept. Head for Economic Customs Regulations in the Customs Union Management (GUD). Previously Inspector of Public Taxes in the Netherlands, he joined the Commission on 1 April 1964 and up to now had been Chief Administrator in the Customs Union Management.

THE COURT OF JUSTICE

New Cases

— *Case 12/72: Zuccherificio del Molise S.p.A., Termoli, vs. Commission*

103. On 5 April 1972 the Court received an appeal for annulment of the Commission's Decision of 1 February 1972 on the application of Article 3, § 2 a) of Regulation No. 142/69 laying down certain terms needed to apply the quota system in the sugar sector concerning the processing of part of the beets by another factory due to circumstances beyond control (*force majeure*).

— *Case 13/72: Dutch Government vs. Commission*

104. On 19 April 1972 the Dutch Government lodged an appeal with the Court to annul two Commission Decisions of 26 January 1972, on aid from the Guarantee Section against expenses incurred by the Netherlands in restitutions for exports to non-Member countries, for interventions in the internal market over the accounting period 1966/1967 and on specifying the lowest average restitutions to finance those for exports to non-Member countries over the same period. The Commission had left out of account the exports made as food aid.

Judgements

— *Case 83/71: Eschweiler Bergwerks-Verein, Kohlscheid, vs. Commission*

105. On 24 September 1971 a German company had filed an appeal against the Commission to annul Article 2 of the Decision ref. 71/293/ECSC, 22 July 1971, by the Commission. This concerns the tariffs applicable to the transport of solid fuels from Lorraine to certain destinations in West Germany.

At the request of the plaintiff, the Court by its judgment of 25 April 1972 struck the case from its record.

— *Case 89/71: The Union of European Organizations' Staff vs. the Commission*

106. This case, involving annulment of an appointment, was struck from the Court record by the judgment of 26 April 1972.

— *Case 92/71: Firma Interfood GmbH, Hamburg, vs. Hauptzollamt Hamburg-Ericus*

107. On 9 November 1971 the Hamburg Finanzgericht had applied to the Court of Justice to get a preliminary ruling on the customs classification of fruit with a sugar content of 9-13% by weight.

By its Decree of 26 April 1972 the Court specified the customs classifications for these products.

THE ECONOMIC AND SOCIAL COMMITTEE

108. The Economic and Social Committee held its 102th general meeting on 26 April 1972 in Brussels with Mr Bouladoux, Vice-Chairman, in the Chair. At the outset of the meeting, Mr Bouladoux paid tribute to Mr Otto Brenner who died on 15 April. Mr Brenner had been an Adviser since 1958, Vice Chairman of the Committee from 1968 to 1970, and Chairman of the Workers' Group.

During this meeting, the Committee formulated five Opinions and officially recorded a study made.

Opinion on the *"Council Directive proposal to abolish the restrictions on the transfers and residence of Member States' nationals within the Community relevant to establishment and supply of services"*.

109. The Committee unanimously adopted its Opinion on the report from Mr Kolbensschlag (Germany, Miscellaneous Activities Group) and asked the Commission to look into the possibility of providing these workers with detailed information on the economic conditions in the Member State, to which they wished to relocate.

Opinion on the "*Directive proposals*

- (i) *fixing the terms for realizing the right to establishment and freedom to supply services for certain non-wage earning fiscal activities;*
- (ii) *fixing temporary measures for certain fiscal activities" and the "Recommendation proposal of the Council concerning the Grand Duchy of Luxembourg".*

110. These opinions formulated on the report from Mr De Bruyn (Belgium, Miscellaneous Activities Group) were adopted unanimously save for four abstentions.

On the first text, the Committee nevertheless regretted that the Council had not yet ruled on many Directive proposals bearing on the right to establishment and the freedom to supply services for both non-wage earning activities and services.

Concerning the proposal on temporary measures, the Committee stressed the need to reach, as soon as possible and in general terms, a reciprocal recognition of diplomas awarded in the Member States.

Opinion on the "*Council Directive proposals*

- (i) *towards coordinating certain legislative, regulatory and administrative provisions on cinematography, and*
- (ii) *concerning the realization of the freedom to supply services for non-wage earning activities in film distribution".*

111. These Opinions based on the report from Mr Masprone (Italy, Employers Group) were approved unanimously by the Council save for two abstentions.

The measures in view would abolish the restrictions still involved, in the supply of services in the film distribution sector.

Based on the report from Mr Kok (Netherlands, Workers' Group), the Committee was presented with a study made by the "Environment" Sub-Committee on the Commission's first Communication on Community environment policy. The Committee decided to send the study to the Council and the Commission.

Official Visit to Turkey

112. Mr Kuipers, Chairman, and Mr Bouladoux, Vice-Chairman of the Economic and Social Committee, made an official visit to Turkey. The

purpose of the visit was to get the cooperation procedure underway between the Committee and the corresponding agency in Turkey, as provided in Article 27 of the Association Treaty. In Ankara, Mr Kuipers and Mr Bouladoux were received by the President of the Republic, Mr *Sunay*. They also had talks with members of the government and with representatives of employers and workers organizations.

THE ECSC ADVISORY COMMITTEE

Constitutional meeting (24 April 1972)

(24 April 1972)

113. Following renewal of its members, the Advisory Committee held its 148th session on 24 April 1972 in Luxembourg with its doyen, Mr Taccone, as Chairman. During this constitutional meeting, the Committee appointed¹ the new members of its office as well as the four Standing Committees (General Objectives, Market and Prices, Work Problems, Research Projects) for the financial year 1972/1973.

The Committee heard an address by Mr Taccone and acknowledged a message from Mr Sicco Mansholt, President of the Commission, paying tribute to the work done by the departing Chairman, Mr Jean Picard (France, "coal users" group). The Advisory Committee then appointed its new office. Mr Karl Hawner (Germany, "coal producers" group) was elected Chairman; Mr Antoine Weiss (Luxembourg, "steelworkers" group) and Mr Servatius Wijnands (Netherlands: "steel users" group) were elected Vice-Chairman.

The new Chairman, Mr Hawner, asked the Commission not to lose sight of the ECSC Treaty and especially the Articles 2 and 3 concerning the goals and tasks of that Community. He stressed the importance of defining general objectives. By virtue of the fact that coal and fuel oil would have to meet our power needs for some time to come, he wondered whether the Commission should not set down some general "coal" objectives as soon as possible.

Mr Hawner also reviewed the question of long-term supply of coke coal for the cokeries and of Community coal for the electric power stations. He ended by saying that from now on all these matters would have to be studied against the future background of the ECSC when the four acceding States (U.K., Ireland, Denmark and Norway) will be Members.

Lastly, the Committee set up its timetable of meetings for the financial year 1972/1973.

¹ Official Journal C 59 of 8.6.1972.

THE EUROPEAN INVESTMENT BANK

Lowering of Interest Rates

114. During its meeting of 28 April 1972 the Administrative Council of the European Investment Bank decided to lower its interest rates on the Bank loans and fix them at:

- (i) 7.5% per year, when the loan time is under 9 years;
- (ii) 7.875% per year, when the loan time is over 9 years.

The previous rate was 8.125% per year regardless of the time limit.

Loans Granted

Italy

115. The EIB has granted a loan to the "Autostrade Concessione e Costruzioni Autostrade SpA" of Rome. The equivalent value is 18.75 thousand million Lits. (30 million u.a.), for financing the construction of an additional lane on the Multedo-Albisola section of the Genoa-Savona autoroute. The new lane to be 29 km long and costing at current estimates about 50 thousand million Lits. (80 million u.a.), will have many tunnels and engineering works. It is expected to be finished by 1974. The Bank loan is guaranteed by the "IRI-Instituto per la Ricostruzione Industriale". The contracts were signed on 28 April 1972.

Guarantees Granted

Germany

116. The Bank gave its guarantee for a loan of an equivalent value of 60 million DM (16.4 million u.a.) granted to Gelsenberg AG, Essen, by the Deutsche Centralbodenkredit-AG, Cologne, and the Frankfurter Hypothekenbank, Frankfurt. This loan is to finance construction of an oil refining plant at Münchmünster (Pfaffenhof district, Bavaria), a project of great value for regional development.

The district of Ingolstadt and Burghausen, about 100 km away, already boasts important refineries supplied with crude oil by three pipelines from Marseillès, Genoa and Trieste. In Bavaria there are also a certain number of organic

chemical plants (synthetic fibre manufacture, etc.), but installations for making basic and intermediate materials such as ethylene and propylene have been lacking up to now although local refineries can supply the necessary raw material (crude oil).

The project in question, involving the building of a cracking unit chiefly for ethylene and propylene manufacture, is a first step towards completing the processing cycle between refining and the manufacture of finished synthetic materials.

FINANCING OF COMMUNITY ACTIVITIES

Research and Investment Programme

117. An overall agreement having been reached on all matters concerning the implementation of decisions in principle taken by the Council in its session of 20 December 1971 on the Euratom Budget, the Council in its meeting of 24/25 April 1972¹ adopted:

- (i) A Decision which lays down an EAEC research and education programme for the financial year 1972 including a joint programme and supplementary programmes.
- (ii) Another Decision establishing a five year EAEC programme of research and education in the field of data processing.
- (iii) A Resolution concerning non-nuclear activities in the field of environmental protection, reference standards and substances.

The credits for research and investment are for the first time laid out according to the new functional structure² and contained in a Budget Appendix divided into two parts. *The first part based on research objectives*, represents the Budget as such. *The second, covering joint resources*—personnel, infrastructure, technical backup and large installations—consists of the appropriation accounts which throw up the cost of all these resources, and provide a breakdown of joint charges set against the various research objectives or the other resources.

For the financial year 1972, the total expenditure amounts to 65 377 466 u.a. on credits for commitments and 75 820 543 u.a. on credits for payments.

The staff paid out of the research and investment credits (2 277 people) are covered by programmed projects which were subject to Council Decisions.

Overall Budget for the Financial Year 1972

118. Counting the payment credits of 75 820 543 u.a. for the EAEC research and investment activities, the total of the overall Budget of the EEC in terms of receipts and expenditures for the financial year 1972 comes out at 4 104 634 863 u.a.

¹ See sec. 100.

² See also Bulletin 12-1971, Part Two, sec. 173.

Breakdown of the 1972 Budget into its main constituents:

	<i>Units of Account</i>
Administrative, operational and miscellaneous expenditure (of which 185 175 000 u.a. is for the reimbursement of Member States of the collection charges of own resources)	367 690 020
EAEC Research and Investment Expenditure	75 820 543
European Social Fund	97 750 000
European Agricultural Guarantee and Guidance Fund . .	3 526 551 300
Food Aid	36 823 000
Total	4 104 634 863

Credit breakdown by Institutions:

	<i>Units of Account</i>
European Parliament	14 087 895
Council	22 311 685
Commission	4 064 417 963
Court of Justice	3 817 320
Total	4 104 634 863

According to forecasts, the Community financing for 1972 will be backed as follows:

	<i>Units of Account</i>
Own resources	1 851 750 000
Part of the proceeds of ECSC levies paid as under Article 20 of the Treaty of 8 April 1965	18 000 000
Retentions from remuneration of personnel	13 306 070
Contributions of Member States	2 210 181 063
Miscellaneous receipts	11 397 730
Total	4 104 634 863

PART THREE

Information and sources

I. "FROM DAY TO DAY"

5 April 1972

- The French Council of Ministers approved the wording of the question to be put to the electorate for the *Referendum of 23 April*: "In the new prospect opening before Europe, do you approve the draft law submitted to the French people by the President of the Republic and authorizing the ratification of the Treaty for Membership of the European Community by Great Britain, Denmark, Ireland and Norway?"
- Representatives of twenty developing countries, Members of the Commonwealth, met in London to discuss their future relations with the Community. The Secretary General, Mr Arnold Smith, urged these countries, who will be associated in one way or another with the Community, to act so that the Community as regards the poorest countries assumes the full responsibility which derives from its own economic strength.

6 April 1972

- In an interview published by the Flensburg Avis, Mr *Brandt*, the Federal German Chancellor, tried to calm Danish public opinion about the danger of an alleged German hegemony in the enlarged Community or the possible domination by the big powers. He insisted that there was no thought of German domination of the Community. Moreover, experience had shown that within the Community the smaller powers had never been bullied. The concept of European unity is such that each nation keeps its identity and even develops its own characteristics further.

7 April 1972

- In the German paper "Europa Union", Mr Hans Roser, Member of the CSU Party in the Bundestag, suggested that a Standing Parliamentary Committee be set up, responsible for coordinating all problems of European integration, whether they arise in the EEC, the Council of Europe, or the Union of Western Europe. This Committee should stimulate and supervise the Government's European policy, follow the work of the European organizations and serve as a link with the European institutions. The Committee should also make a report every year to the Bundestag on developments in European integration. Such Committees already exist in Belgium in the Chamber of Representatives, in the Netherlands in the First Chamber of the States General, and in the Italian Senate.

8 April 1972

- At a meeting in Nouakchott, the AASM Ministers decided on their strategy in view of the enlargement of the Community. The joint "platform" worked out at Nouakchott covers the following points:
 - (i) The Euro-African preferential tariffs are an indispensable factor in the Association and must be developed further.
 - (ii) Financial aid must be kept up and made firm.
 - (iii) The joint institutions are still an indispensable factor for safeguarding a real collaboration between aiding and aided countries.

9 April 1972

- The European Federalists meeting at a Congress in Nancy from 7-9 April decided with the Federalist European Action to set up a single Federalist organization. This must represent an effective instrument for political action and a herald of supernational, Federalist democracy. Mr Mansholt, President of the Commission, gave a message to the Congress in which he appealed "for the support of all goodwilled militants" for the Summit in 1972, "a vitally important European political year for the future of the Community." The Chairman of the Congress, Mr Hirsch, reiterated the objectives of the movement: to achieve "the creation of a real European Federation." For Europa-Union, Germany, Mr Krause reaffirmed the necessity to apply the Rome Treaty, "the Europe of States having shown itself incapable of meeting Europe's needs."

The Congress passed a general resolution on "the flagrant contradiction between the smug optimism of Europe's official spokesmen and the downgrading of Community structures set up by the Paris and Rome Treaties." A second resolution concerned the political systems of certain Mediterranean countries. It stresses that the use of "purely economic and technocratic methods by the EEC has been completely ineffective in preventing the spread and strengthening of dictatorships in the Mediterranean."

The Congress elected the 25 delegates of the EFM to the Central Committee of the "Joint Committee of European Federalists." Among those elected were Mr Spinelli, Mr Hirsch, Mr Albertini, Mr Gouzy, Mr Mommer, Mr Rigglet. 25 other delegates will be appointed by the EFA and 10 by the Federalist Youth.

After the deliberations of the Federal Committee of the European Federalist Action Centre (EFA) and the Congress of the European Federalist Movement, a new democratic and decentralized European organization will emerge. The EFA, Chaired by Mr Molenaar, included national federalist groups (in

particular Europa-Union Deutschland, Europese Beweging in the Netherlands, the British United Europe Association, Beweging voor de Verenigde Staten van Europa in Antwerpen. La Fédération, and the French Federal Movement). The EFM was a supernational organization of individual members, grouped in regional sections, with Mr Hirsch as President.

10 April 1972

- The Steering Committee of the European Union of *Christian Democrats*, meeting in Rome over two days, re-elected Mr Rumor as its Chairman.
- Drawing conclusions from the political differences opposing him to Mr Wilson, Mr Jenkins announced his resignation from the post of Deputy Leader of the Labour Party. Mr Jenkins, with Mr Thomson, former Minister responsible for negotiations with the Community and Mr Lever, former Under Secretary of State at the Treasury, have decided to leave the Shadow Cabinet. In their letter of resignation, the three leaders of the "pro-European" stream in the Labour Party, cited the "opportunism" of Mr Wilson, deeply regretting that the Party had rallied round "opposition in principle to Britain's Membership of the Community." Mr Jenkins and his colleagues could not accept the Shadow Cabinet's recent decision to support an amendment by some Conservative M.P.s in favour of a referendum on joining.

11 April 1972

- The Dutch KVP and the CDU of the Land of Nordrhein-Westfalen declared themselves in favour of a common transnational policy in the field of higher education.

The two parties will suggest moves to the Hague Parliament and the Dusseldorf Diet for coordinating investments in higher education and activating a cooperation between higher education establishments in the frontier regions.

Frankfurter Allgemeine Zeitung 12.4.1972.

- The Regional Council of Greenland, the island's Parliament, recommended that Greenland's Membership in the Community be subject to a referendum to take place on 2 October 1972, that is to say, after the Danish referendum. A referendum must also be held on the Faroe Isles. This one will probably not take place until 1975, before expiry of the three year remission granted to the Faroe Isles.

12 April 1972

- The House of Commons Labour Party came out by 129 votes to 96 in favour of holding a referendum on the United Kingdom's Membership of the Community.

13 April 1972

- In a speech at Nancy, Mr *Pompidou*, President of the French Republic, declared: "For France, Europe could be an alibi for her own abdication, a way of leaving to others the decisions on our future and destiny. We want no part of that Europe. We want France to enter Europe as a nation, a nation strong and prosperous, able to defend its interests and make its mark. The construction of Europe is not for France the beginning of resignation. It affirms our national ambition! It is because we are French that we shall be truly European..."

14 April 1972

- The *Bundesrat*, made up of government representatives from the German Länder, has been faced with the ratification law on the enlargement of the Community. In an unanimously passed resolution, the Bundesrat applauded the success of the negotiations and asked that the negotiations with the non-applicant Member States and Associates of EFTA be concluded within the time allowed for these agreements to come into force, at the same time as the enlargement. The Bundesrat also recommended the activation of the Economic and Monetary Union and strengthening Community institutions with the following provisions: improve the decision-making procedure of the Council, strengthen the Commission's position, strengthen the European Parliament's prerogatives by transfer of legislative authority, and by the direct election of its Members.
- At the end of his visit to Paris, Mr *Grabner*, Head of the Political Department of the Swiss Confederation, said at a press conference that his talks with the French leaders had been "useful and that they had run very freely with complete candour." The Swiss Foreign Minister's talks with his opposite number in France, Mr Schumann, hung on three pegs: the Swiss negotiations with the Community, monetary questions and international political problems headed by the Conference on Security and Political Cooperation. Mr Grabner was also received by President Pompidou and by Mr Chaban-Delmas, President of the Council.

- The Foreign Affairs Committee of the *Benelux* Interparliamentary Advisory Council approved the proposals for laws put down in the three countries with a view to organizing the direct election of European Parliament Members and urged the Government and Parliament of the three countries to adopt the proposals concerned and to take the necessary steps so that at the next general elections European M.P.s may be elected by universal suffrage.

- On the topic "For a larger Europe", the *Friedrich-Ebert-Stiftung*, Germany, organized an International Congress held on 13 and 14 April at Leverkusen with Mr Rosenberg as Chairman. Among the speakers were Chancellor Brandt, Mr Monnet, Chairman of the Action Committee for the United States of Europe, Mr Haferkamp, Vice-President of the Commission, and Mr Behrendt, President of the European Parliament. In his speech, Mr Brandt explained that European unity and cooperation between western and eastern Europe are not contradictory but complementary. He stressed that the German Government was carefully preparing for the Summit Conference of the larger Community and that the Summit must make the European institutions more effective. Parliament, the Council and the Commission must see their particular share in the Community decision process strengthened. This is a must, all the more that new spheres will have to be fitted into the Community activities, in particular the socio-political one. Social progress must become the rudder of Community policy which henceforth must serve mankind more directly. Mr Monnet said that the new foundations of Europe's future are not the quest for power, but the human condition and the organization of peace. "To set up and attain these goals of human progress and peace in the world by voice instead of force, we must press on with organizing the united Europe." Mr Haferkamp, drawing up a balance sheet on the realization of the Common Market, came to the conclusion that the conversion of economic reality into political action was only just beginning.

He expressed the hope that the Summit Conference would give a new impetus to European construction and pleaded for more effective Community decision procedures. Mr Behrendt deplored the downgrading of the Commission's importance relative to the Council which has certainly had an effect on Parliament's position. He brought up the problem of the democratic "legitimization" and control of the Council. The Community institutions must be democratized, he concluded, and to this end Parliament must be endowed with real legislative authority.

16 April 1972

- A group of 250 British Trade Unionists, several of them from the House of Commons, were not permitted to land at Calais. All members of an

organization against Great Britain joining the Common Market, they wanted to hold a meeting in Calais with the CGT militants. The meeting with its subject the Common Market was deemed a political demonstration by the French authorities and the participation of foreign subjects as "contrary to international practice."

17 April 1972

- Interviewed by the AFP, Mr *Chaban-Delmas*, Prime Minister of France, stated on the future of the enlarged "agricultural Europe" that France would not accept that the common policy be jeopardized. He recalled on this point how American attempts to control indirectly the Community's decisions on prices had been firmly repulsed.
- Count *Coudenhove-Kalergi*, Chairman of the Pan-European Movement, stated when interviewed that 1972 would mark the birth of the Political Union of Europe. But, he said, we should beware of a Political Union from "Lisbon to Moscow."

18 April 1972

- In London, the *House of Commons* rejected a Labour Amendment demanding a General Election so that the British people might speak on Great Britain joining the Community. An Amendment by a Conservative anti-Marketeer asking for a referendum was also defeated.

19 April 1972

- In a statement on the third UNCTAD, the Chairman of the Committee of Agricultural Labour Organizations of the EEC (COPA) said that the European land workers supported the conclusion of international agreements on "all produce of importance in international trade" and which would help to stabilize world prices at a profitable level.

20 April 1972

- In an interview with the "Républicain Lorrain," Mr *Thorn*, Luxembourg's Minister for Foreign Affairs, said about the Political Secretariat proposed by Paris that he had never been against it but he had not believed the creation of such a body to be urgent. The Grand Duchy had always taken the view that for the time being we should not create any further

European sites. If such a Political Secretariat was to be created, then it should be installed in one of three existing European capitals and not in Paris, as the French would like. In conclusion, Mr Thorn considered that there was no call to create a Political Secretariat independent of the Community.

- The *House of Commons* rejected an Amendment by the Labour Party which would prevent Great Britain joining the Community if the three other candidates did not join, or if the non-applicant EFTA countries had to abandon their trade with Great Britain.

21 April 1972

- At the close of his London visit, the German Chancellor, Mr *Brandt*, stated that complete agreement had been reached on all the matters dealt with by Mr Heath and himself. The two leaders supported a Europe outwardly open and free to cooperate closely with the United States. On the Political Secretariat they would prefer to see it placed in Brussels beside the Community institutions and not in Paris. But they thought that the choice of site for the Secretariat involved a collective decision by the larger Community.

- Mr *Bratteli*, Prime Minister of Norway, spoke to an Extraordinary Meeting of the Labour Party, concerned with Norway's Membership, to counter any attempt at creating "misconceptions and fears in respect of European societies and people." Mr Bratteli warned against splitting the Party over the question of Membership.

22 April 1972

- The Extraordinary Meeting of *Norway's Labour Party* approved by a large majority Norway's Membership of the EEC. A resolution passed after the ballot, the Party asked Norwegians to vote "yes" in the referendum on 24-25 September.

23 April 1972

- The referendum in France on the enlargement of the EEC yielded the following result: 10.5 million voted *yes*, corresponding to 67.7 % of votes cast (15.5 million), and to 36.1 % of the Electoral Register (29.1 million); 5 million voted *no*, i.e. 32.3 % of votes cast and 17.2 % of the Register; 11.5 million (39.5 % of the register) abstained, and 2.07 million (7.1 % of the Register) returned blank or spoiled papers.

24 April 1972

- In an interview, Mr Mansholt, President of the Commission, had this to say about the institutional strengthening of the Community: "I hope that we shall manage, especially at the Summit, to specify an objective and a time in which to attain it. But we must avoid a dogmatic construction. We must move forward, indicate a second phase, see by experience, avoiding crises, how the process may be completed. We want, in future, Parliament's powers to develop alongside Community developments. But the vital problem today is to equip ourselves with effective agencies capable of taking decisions, which the Council is doing less and less well. It is not easy. The problem is not in the qualified majority, for decisions cannot be taken against the interest of a country on problems of primary interest to it. We are open to any suggestion."

25 April 1972

- In Rome the Finance Ministers of Member States met for the first time ten strong with Mr Colombi, Italian Treasury Minister, as Chairman and accompanied by Mr Barre, Vice-President of the Commission. They dealt with the following matters: preparation of a directive on stability, balanced growth and full employment, shrinking the fluctuation margins, reform of the international monetary system and special drawing rights. The Ministers were pleased to note that the new system limiting to 2.25 % the spot variance between the Community currencies had come into force. This system would soon be extended to the new Members.

- In a televised interview, Mr *Spaak* spoke to the Danish people encouraging them to vote "yes" in the October referendum. Mr Spaak declared that the "small countries are in no way courting danger by belonging to big international organizations. I would even go so far to say, and it is no paradox to my mind, that it is simpler and better to direct the foreign policy of a small country by belonging to a big organization than to be and remain in isolation. The only way to have any influence is to belong to such organizations because then everyone is obliged to consider your outlook." Mr Spaak acknowledged that we are still very far from political and military integration and that things will develop slowly. But, with the entry of Great Britain, a new balance is emerging. Mentioning the relationship between socialism and the Common Market, Mr Spaak said, "I will be quite frank with you: I have never said to my Socialist friends that in creating Europe we are making it a socialist Europe. How could we since no country in Europe is truly socialist? It is difficult to see how a group of

countries, none of them socialist, could form a socialist Europe. I always told my friends as well that by making a united Europe, by broadening the scope of our activity, we make a socialist solution easier than by remaining centred on ourselves. One may well wonder if the socialist parties and especially the Trade Union Movement have done enough to understand one another in the Europe of "Six". Mr Spaak concluded by declaring that in any case a United Europe would in no way prevent socialist progress in any specific country.

- Speaking in Oslo, the Danish Minister for Economic Affairs, Mr Nørgaard, declared that Denmark would go into the Community whatever Norway's decision. Norway's particular problems are not Danish ones. This statement was afterwards confirmed when Mr Krag said that if the referendum is positive then Denmark would enter the EEC regardless of the situation in Norway.

26 April 1972

- At the meeting of the Dutch Organization Institute, Mr *Westerterp*, Dutch Secretary of State for Foreign Affairs, made the following comments. In the present Community, there are tendencies to weaken the Community's institutional framework. It goes without saying that in the enlarged Community, a strong Commission will be needed to guarantee that the interests of all will have priority over those of one or another country, however potent those interests might be.

- The Ministers for Foreign Affairs of the *Nordic* countries (Denmark, Sweden, Norway, Finland and Iceland) met in Reykjavik to review the development of international and particularly European politics.

- Speaking to the French press, the Soviet Ambassador in Paris, Mr *Zorine*, made it known that Moscow would not recognize the "reality" of the Common Market unless it sets up direct and collective contacts with COMECON.

- An Amendment by a Conservative M.P., aimed at preventing future Community legislation from automatically coming into force in Great Britain, was rejected by the *House of Commons*.

- *The Folketing*, the Danish Parliament, debated the first reading of the Bill on ratification of Denmark's Membership of the Community.

27 April 1972

- Mr *Giscard d'Estaing*, France's Minister of Finance and Economic Affairs, hoped that the Paris Stock Exchange would take up the challenge of London's Exchange and become one of the great finance centres of the larger Europe

- In an address to the Finance Committee of the French Senate, Mr *Barre*, Vice-President of the Commission, proposed the setting up of a European monetary cooperation fund. During his speech, Mr Barre said, "The reform of the international monetary system will be a long sustained job. The enlarged Community will guide this reform by its options and the positions it adopts. But it will also provide its true meaning, namely: either the creation of an international monetary system based on cooperation and governed by rules valid for all and accepted by all or acceptance implicit or explicit of a western dollar—standard with not only economic and monetary but also political consequences... The Economic and Monetary Union, in its specifically technical sense, means that the rates of exchange between currencies of countries involved in the Union are fixed and unchangeable. Creation of a real common currency would simply be the expression of this basic reality. Problems to be solved are therefore not, as is sometimes said, in superstructure (setting up a single central bank or a Community system of central banks—creation of a decision centre for economic and financial policy) but rather in infrastructure. We should ask, what are the conditions of economy policy and structures to be met so that the Union may work free of unendurable tension and not be liable to disintegrate when the first crisis looms?..."

II. PUBLISHED IN THE OFFICIAL JOURNAL

(1 to 30 April 1972)

EUROPEAN PARLIAMENT

Sessions

Session 1971-1972 (Session 1971-1972)

Procès-verbal de la séance du lundi 13 mars 1972 (Minutes of session, Monday 13 March 1972)

C 36, 12.4.1972

Question orale 20/71 avec débat, de M. Vals à la Commission des Communautés européennes sur l'importation dans la Communauté de vin en provenance d'Algérie (Verbal Question 20/71 with debate, by Mr Vals to the EEC Commission on imports into the EEC of wine from Algeria)

Question orale 23/71, avec débat, de MM. Liogier et Couveinhes à la Commission des Communautés européennes sur l'importation dans la Communauté de vins en provenance d'Algérie (Verbal Question 23/71 with debate, by Mr Liogier and Mr Couveinhes to the EEC Commission on imports into the EEC of wine from Algeria)

Résolution sur la proposition modifiée de directive concernant la modernisation des exploitations agricoles, et la proposition modifiée de règlement concernant les groupements de producteurs et leurs unions (Resolution on the amended proposal for a Directive on modernization of farm-holdings, and the amended Regulation proposal on grouping of producers and their fusion)

Avis sur les propositions concernant la fixation des prix pour certains produits agricoles et l'octroi d'aides aux revenus à certaines catégories d'exploitants agricoles (Opinion on the proposals for fixing the prices of certain agricultural produce and the grant of aid to income to certain categories of farm holdings)

Avis sur la proposition d'un règlement prévoyant des mesures spéciales en vue de favoriser l'élevage des vers à soie (Opinion on the Regulation proposal for special measures to encourage silkworm breeding)

Avis sur les propositions concernant : (Opinions on proposals for:

I. un règlement relatif à des conditions sanitaires et de police sanitaire auxquelles doit répondre le lait entier cru en tant que matière première pour la préparation du lait traité thermiquement et de ses dérivés (I. A Regulation on health conditions and health policy, to which raw milk must correspond as a raw material in processing thermally treated milk and its derivatives)

II. un règlement concernant des problèmes sanitaires relatifs à la production et à la commercialisation du lait traité thermiquement (II. A Regulation on health problems involved in the production and marketing of thermally treated milk)

Avis sur les propositions relatives à : (Opinions on proposals for:)

I. un règlement modifiant le règlement 1009/67/CEE portant organisation commune des marchés dans le secteur du sucre (I. A Regulation amending Regulation 1009/67/EEC on the joint organization of the sugar market)

II. un règlement établissant les règles d'application dans le secteur du sucre en cas de hausse excessive des prix sur le marché mondial (II. A Regulation fixing the Application Regulations in the sugar sector in the case of excessive price rises on the world markets)

Session 1972-1973 (Session 1972-1973)

Procès-verbal de la séance du mardi 14 mars 1972 Minutes of session, Tuesday 14 March 1972)

C 36, 12.4.1972

Election du président (Election of the President)

Election des vice-présidents (Election of Vice-Presidents)

Composition des commissions (Formation of the Committees)

Question orale 18/71 avec débat, de M. Berkhouwer à la Commission des Communautés européennes sur les relations commerciales entre la CEE et les États-Unis (Verbal Question 18/71 with debate, by Mr Berkhouwer to the EEC Commission on trade relations between the EEC and the USA)

Résolution sur la préparation de la troisième session de la CNUCED à Santiago du Chili, 13 avril-19 mai 1972 (Resolution on preparation for the third meeting of UNCTAD at Santiago, Chile, 13 April-19 May 1972)

Procès-verbal de la séance du mercredi 15 mars 1972 (Minutes of session, Wednesday 15 March 1972)

C 36, 12.4.1972

Exposé du président en exercice du Conseil des Communautés européennes (Review by the President-in-Office of the EEC Council)

Procès-verbal de la séance du jeudi 16 mars 1972 (Minutes of session, Thursday 16 March 1972)

C 36, 12.4.1972

Avis sur la communication et les propositions relatives aux actions communautaires de politique régionale dans les régions agricoles prioritaires de la Communauté (Opinions on the communication and proposals for Community action for regional policy in the EEC priority agricultural regions)

Avis sur la résolution du Conseil et des représentants des gouvernements des États membres relative à l'application de la résolution, du 22 mars 1971, concernant la réalisation par étapes de l'union économique et monétaire dans la Communauté (Opinion on the Resolution of the Council and Member States' Government Representatives concerning the application of the Resolution of 22 March 1971 on the realization by stages of economic and monetary union in the Community Opinions on the proposals for:)

Avis sur les propositions relatives à :

I. une directive fixant les modalités de la réalisation de la liberté d'établissement et de la libre prestation de services pour certaines activités non salariées en matière fiscale (I. A Directive fixing the terms relative to fiscal matters for realization of freedom of establishment and freedom to supply services in certain non-wage earning activities)

II. une directive fixant les modalités des mesures transitoires pour certaines activités en matière fiscale (II. A Directive fixing terms and temporary measures for certain activities relative to fiscal matters)

III. une recommandation concernant le Grand-duché de Luxembourg (III. A Recommendation concerning the Grand Duchy of Luxembourg)

Avis sur les propositions relatives à : (Opinions on proposals for:)

I. une directive visant à la coordination de certaines dispositions graphie (I. A Directive for coordinating certain legislative and administrative provisions on cinematography)

II. une directive concernant la réalisation de la libre prestation des services pour les activités non salariées de distribution de films (II. A Directive on the realization of freedom to supply services for non-wage earning occupations in film distribution)

Procès-verbal de la séance du vendredi 17 mars 1972 (Minutes of session, Friday 17 March 1972)

C 36, 12.4.1972

Résolution sur les résultats de la huitième réunion annuelle de la conférence parlementaire de l'association CEE-EAMA (Resolution on the outcome of the 8th annual meeting of the Parliamentary Conference of the EEC-AASM Association)

Avis sur la proposition relative à un règlement portant modification, en matière de nomenclature tarifaire, des règlements (CEE) 522/70 et 653/71 relatifs aux régimes applicables aux produits transformés à base de céréales et de riz originaires des États africains et malgache associés ou des pays et territoires d'outre-mer et originaires de la république unie de Tanzanie, de la république de l'Ouganda et de la république du Kenya (Opinion on the proposal for a Regulation to amend, as regards tariff nomenclature, Regulations 522/70 and 653/71 EEC covering systems applied to processing products based on cereals and rice from AASM, PTOM, Tanzania, Uganda and Kenya)

Avis sur la proposition d'un règlement modifiant le règlement (CEE) 1059/69 déterminant le régime d'échanges applicable à certaines marchandises résultant de la transformation de produits agricoles (Opinion on the Regulation proposal amending Regulation (EEC) 1059/69 which governs the system of exchange applicable to some goods resulting from processing of agricultural produce)

Avis sur les prévisions des dépenses et des recettes du budget des Communautés européennes pour les exercices 1972, 1973 et 1974 (Opinion on Community Budget receipts and expenditure for the financial years 1972, 1973 and 1974)

Annexe (Appendix)

Composition des commissions (Formation of the Committees)

Written Questions with Answers

- Question écrite 209/71 de M. Boersma à la Commission des Communautés européennes. Objet: Application de la loi allemande sur la réduction de la teneur en plomb des carburants (209/71 by Mr Boersma to the Commission: Application of the German law on reducing lead content of fuels) C 32, 1.4.1972
- Question écrite 280/71 de M. Vredeling à la Commission des Communautés européennes. Objet: Certificats de préfaction pour les produits agricoles (280/71 by Mr Vredeling to the Commission: Prefixation certificates for agricultural produce) C 32, 1.4.1972
- Question écrite 416/71 de Mlle Lulling à la Commission des Communautés européennes. Objet: Achat d'un immeuble d'ambassade à Washington (416/71 by Miss Lulling to the Commission: Purchase of an Embassy building in Washington) C 32, 1.4.1972
- Question écrite 450/71 de MM. Spénale et Vals à la Commission des Communautés européennes. Objet: Prix d'orientation des vins de la campagne 1971/1972 (450/71 by Mr Spénale and Mr Vals to the Commission: Guide prices for wines in the crop year 1971/1972) C 32, 1.4.1972
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- Règlement (CEE) 668/72 de la Commission, du 30 mars 1972, fixant les prélèvements à l'importation dans le secteur du lait et des produits laitiers (Commission Regulation (EEC) 668/72 of 30 March 1972 fixing the levies on imports in the milk and dairy produce sectors) L 79, 1.4.1972
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- Règlement (CEE) 672/72 de la Commission, du 30 mars 1972, fixant les taux des restitutions applicables, à compter du 1^{er} avril, à certains produits laitiers exportés sous forme de marchandises ne relevant pas de l'annexe II du traité (Commission Regulation (EEC) 672/72 of 30 March 1972 fixing restitution rates, from 1 April 1972, to certain dairy products exported in the form of goods not covered in Appendix II of the Treaty) L 79, 1.4.1972
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- Règlement (CEE) 688/72 de la Commission, du 28 mars 1972, modifiant le règlement (CEE) 1767/68 de la Commission relatif au régime des prix minima à l'exportation vers les pays tiers des bulbes, oignons et tubercules à fleurs (Commission Regulation (EEC) 688/72 of 28 March 1972 amending Regulation (EEC) 1767/68 of the Commission concerning the system of minimum prices for exports to non-member countries of bulbs and flower tubers) L 82, 6.4.1972
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- Règlement (CEE) 711/72 de la Commission, du 7 avril 1972, fixant les primes s'ajoutant aux prélèvements pour les céréales et le malt (Commission Regulation (EEC) 711/72 of 7 April 1972 fixing the premiums supplementing levies for cereals and malt) L 84, 8.4.1972
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- Règlement (CEE) 713/72 de la Commission, du 7 avril 1972, fixant les prélèvements à l'importation pour le sucre blanc et le sucre brut (Commission Regulation (EEC) 713/72 of 7 April 1972 fixing import levies for white and raw sugar) L 84, 8.4.1972
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- Règlement (CEE) 715/72 de la Commission, du 7 avril 1972, modifiant le règlement (CEE) 2637/70 en ce qui concerne la durée de validité des certificats d'exportation dans le secteur du lait et des produits laitiers (Commission Regulation (EEC) 715/72 of 7 April 1972 amending Regulation (EEC) 2637/70 as regards the time validity of export certificates in the milk and dairy produce sectors) L 84, 8.4.1972
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- Règlement (CEE) 740/72 de la Commission, du 12 avril 1972, instituant une taxe compensatoire à l'importation de certaines variétés d'oranges douces en provenance d'Espagne (Commission Regulation (EEC) 740/72 of 12 April 1972 setting up a compensatory tax on imports of certain varieties of sweet oranges of Spanish origin) L 87, 13.4.1972
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- Règlement (CEE) 742/72 de la Commission, du 12 avril 1972, modifiant le règlement (CEE) 1053/68 en ce qui concerne le certificat pour les fromages fondus (Commission Regulation (EEC) 742/72 of 12 April 1972 amending Regulation (EEC) 1053/68 concerning the certificate for soft cheese) L 87, 13.4.1972
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- Règlement (CEE) 797/72 du Conseil, du 17 avril 1972, fixant les prix dans le secteur des céréales pour la campagne de commercialisation 1972/1973 (Council Regulation (EEC) 797/72 of 17 April 1972 fixing the prices in the cereal sector for the marketing year 1972/1973) . . . L 94, 21.4.1972
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L 91, 18.4.1972

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L 95, 22.4.1972

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Statistics

Periodicals and yearbooks

General statistics

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(Foreign trade: monthly statistics)

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[EEC Trading by Product Group and Area

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(The Eastern Bloc)

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(Iron and Steel)

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FB 550,—

Prix agricoles : Moyennes annuelles des prix des produits agricoles et des moyens de production dans les pays de la Communauté européenne 1961-1970

(Agricultural Prices: Annual average prices of agricultural products and production methods in the EEC 1961-1970

(17412) 1971. No. 12. Supplement (d/f)

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At irregular intervals (d/f)
(17548) 1972. No. 3

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(Monthly sugar statistics)
Monthly (d/f)
(17566) 1972. No. 3

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Notes rapides : Statistiques du charbon
(Coal statistics — Brief notes)
Monthly. 1972. March (d/f/i/n)

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(Iron and Steel — Brief notes)
Monthly. 1972. No. IV (d/f/i/n)

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(Gas Statistics — Brief notes)
At irregular intervals. 1971. November (d/f/i/n)

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Economic — Monetary and financial affairs

Short and medium-term economic trends

8068

Report on the results of the business surveys carried out among
heads of enterprises in the Community
Published three times a year: 1971. No. 3 (d/f/i/n/e)
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Annual subscription

FB 50,—
FB 125,—

Competition — Approximation of legislation

Proposal for a fourth Directive on the basis of Article 54(3)(g) for
coordination of the safeguards required from companies in the Member
States to protect the interests both of members and of third parties;
as regards the presentation and content of the annual accounts and
report methods of valuation and publication of those documents
(Supplement 7/71 — Annex to Bulletin 12-1971 of the European
Communities)
1971. 67 pp. (d/f/i/n/e)

FB 30,—

Studies — Competition — Approximation of legislation series

3337

N° 18 — Elaboration d'une méthode macro-économique pour le
calcul de la charge fiscale indirecte pesant en amont des exploitations
agricoles dans chacun des six pays de la Communauté
(No. 18 — A macro-economic method for calculating the burden of
indirect taxation on agricultural farm holdings in each EEC country)
(Goussy, P.; Abrahamse, J.; Hagemann, G.)
1971. 74 pp. (d,f,i,n)

FB 125,—

Competition

Rapport sur la capacité concurrentielle de la Communauté européenne
(Report on EEC competition capacity)
(Uri, Pierre: Président-Rapporteur; Bobba, Franco; Langer Wolfran;
de Paus, J.W.)
1972. pagg. diff. Vol. I + Vol. II + Annexe I
(f; d: *in preparation*)

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1971. 193 pp. (d/f/i/n/e)

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Health — Safety

8379

Notices d'information médicale sur les affections figurant dans la liste
européenne des maladies professionnelles
(Recommandations de la Commission de la CEE du 23 juillet 1962
— JO du 31.8.1962 n° 80 et du 20 juillet 1966 — JO du 9.8.1966
n° 147
[Medical information bulletins on disorders included in the European
list of occupational diseases
(EEC Commission Recommendations of 23 July 1962 — OJ of 31.8.1962
No. 80 and of 20 July 1966 — OJ of 9.8.1966 No. 147)]
1969. 284 pp. + 38 pp. index (d/f/i/n)

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EUR 4695

Colloquium on the identification of irradiated foodstuffs
Luxembourg, October 27, 1970
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FB 210,—

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 (Forschungsgesellschaft für Agrarpolitik und Agrarsoziologie - Bonn
 et Société centrale d'aménagement foncier rural (SCAFR) - Paris
 (No. 82 — The land market and rural leasing
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FB 250,—

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(M. Dollias, M. Brosson, C. Lefol et L. Portheos)

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(C. Vernimb)

1972. 62 pp. (e)

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5598

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Fortnightly. 1972. No. 7 (multilingual)

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IV. RECENTLY PUBLISHED

COMMISSION

5737 — Report of the Monetary Committee for 1971

1972 — 44 pages (d, f; i, n, e)
FB 25.—

The thirteenth report of the Monetary Committee covers the period from 1 July 1970 to the end of 1971. This period was profoundly influenced by the worsening position of the international monetary system, culminating in open crisis in August 1971 when the convertibility of the dollar was suspended.

In view of the important repercussions of international monetary events, the first chapter of this report is devoted to a description of these events. Chapter two deals with economic developments in the Community and principal non-Community countries, particularly in 1971. The final chapter describes in greater detail the activities of the Committee, which concentrated essentially on consultations on problems of current interest on the one hand and, on the other hand, on measures envisaged under the plan adopted by the Council of Ministers for the attainment of economic and monetary union.

Statistical studies and surveys No. 3/71 — Gas prices in the countries of the European Community from 1955-1970

1972 — 261 pages (d, f)
FB 100.—; FF 11.50; DM 7.50; Lit 1,250; Fl 7.50

The Statistical Office of the European Communities has just published a study of gas prices in the countries of the European Community from 1955 to 1970. It is the first time that a comparative and systematic examination, covering some twenty Community localities, has been made of this subject.

Publication of this study is justified by the increase recorded in sales of natural gas in recent years, which has given this source of energy such topicality. It follows previous studies, particularly on fuel oils, and marks a new stage in the ascertainment of actual prices paid by the final consumer.

The study covers consumer prices of natural and town gas, giving separately the prices for household and industrial use. Prices of household gas are compared according to annual consumption, whilst industrial prices are judged by the criteria of length of use as well as volume consumed. Thus the survey covered four prices for household use and seven for industrial use per year and locality selected.

The study is in four parts. Part 1 gives quantitative information; part 2 deals with the survey programme and procedure; part 3 with the organization of the gas industry, fixing of prices and taxation. The last part compares the development of prices in the different Community countries and, at the same time, price differences in relation to the distance between place of production and place of consumption. There are two annexes: the first deals with prices of liquid gas and the second tabulates all the prices ascertained for all the towns surveyed.

Particularly noteworthy among the figures quoted in this study are the comparative prices of natural gas in the various Community localities for the same type of consumer. A number of surprising differences are revealed. The price net of tax for private central heating in Lille, for example, is considerably lower than in Düsseldorf, although Lille is nearly twice as

far from Groningen. In Paris, this same consumer pays less for his natural gas than in Frankfurt and even in Brussels. The position is little different as regards industrial consumption. The prices net of tax paid by the large industrial consumers in the German Federal Republic, France, Belgium and the Netherlands are illustrated in a graph, which shows that by and large prices in the last three countries reflect the tendency of costs to rise in relation to the distance from the gas field. In Frankfurt, however, the price is 50% higher than in Lille, although the distance is practically the same. There is a similar discrepancy between the prices in Düsseldorf and Rotterdam/Antwerp and between those in Paris and Stuttgart. Revelation of these discrepancies is certainly one of the most interesting results of this study.¹

8349 — New processes in the Iron and Steel Industry — Volume 3: Steelworks

1972 — 283 pages (d, f, i, n)

FB 50.— DM 3.60; FF 5.60; Lit 620,—; Fl 3.60

The Commission of the European Communities has attempted to describe and summarize systematically in the form of a tuition manual recent processes and techniques resulting from technological progress in iron and steel production.

The material has been presented in such a way that the manual could be used in particular for the training and further training of highly skilled personnel such as first melter, first roller, control operators, foremen and technicians in the production departments of the iron and steel industry.

The need for such an educational aid arose from the fact that tuition manuals for personnel of this category in the six countries of the Community are virtually unavailable and those which can be obtained have been superseded by the advance of technology in the field.

This manual, which is the result of the efforts of many technological and educational experts from the six countries of the European Community, constitutes the first attempt to produce a comprehensive educational work which will make it possible to avoid much duplication of work but which also represents an important step towards the harmonization of vocational training in the Community.

Volume 1: The technique of measurement and automation in iron and steel works.

Volume 2: Mechanization, automation and measurement techniques in ironmaking.

(These two volumes appeared in 1967 and 1969 respectively).

¹ Orders may be sent to the sales offices listed on the back cover of this issue of the Journal officiel.