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**Bulletin**  
of the  
**EUROPEAN  
COMMUNITIES**

Commission

**No 7/8**  
**1976**  
9<sup>th</sup> year

The Bulletin of the European Communities gives details every month (eleven numbers per year) of the activities of the Commission and of the other Community institutions. It is edited by the Secretariat of the Commission of the European Communities (rue de la Loi 200, 1049 Brussels) in the official languages of the Community and also in Spanish.

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*The Supplements are published separately as annexes to the Bulletin. They include the official texts of the Commission (communications to the Council, reports, proposals) of the documents published under the double responsibility of the Council and of the Commission. The Supplements are not published in Spanish.*

# BULLETIN OF THE EUROPEAN COMMUNITIES

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

Commission of the European Communities  
General Secretariat  
Brussels

No **7/8**  
**1976**  
9<sup>th</sup> year

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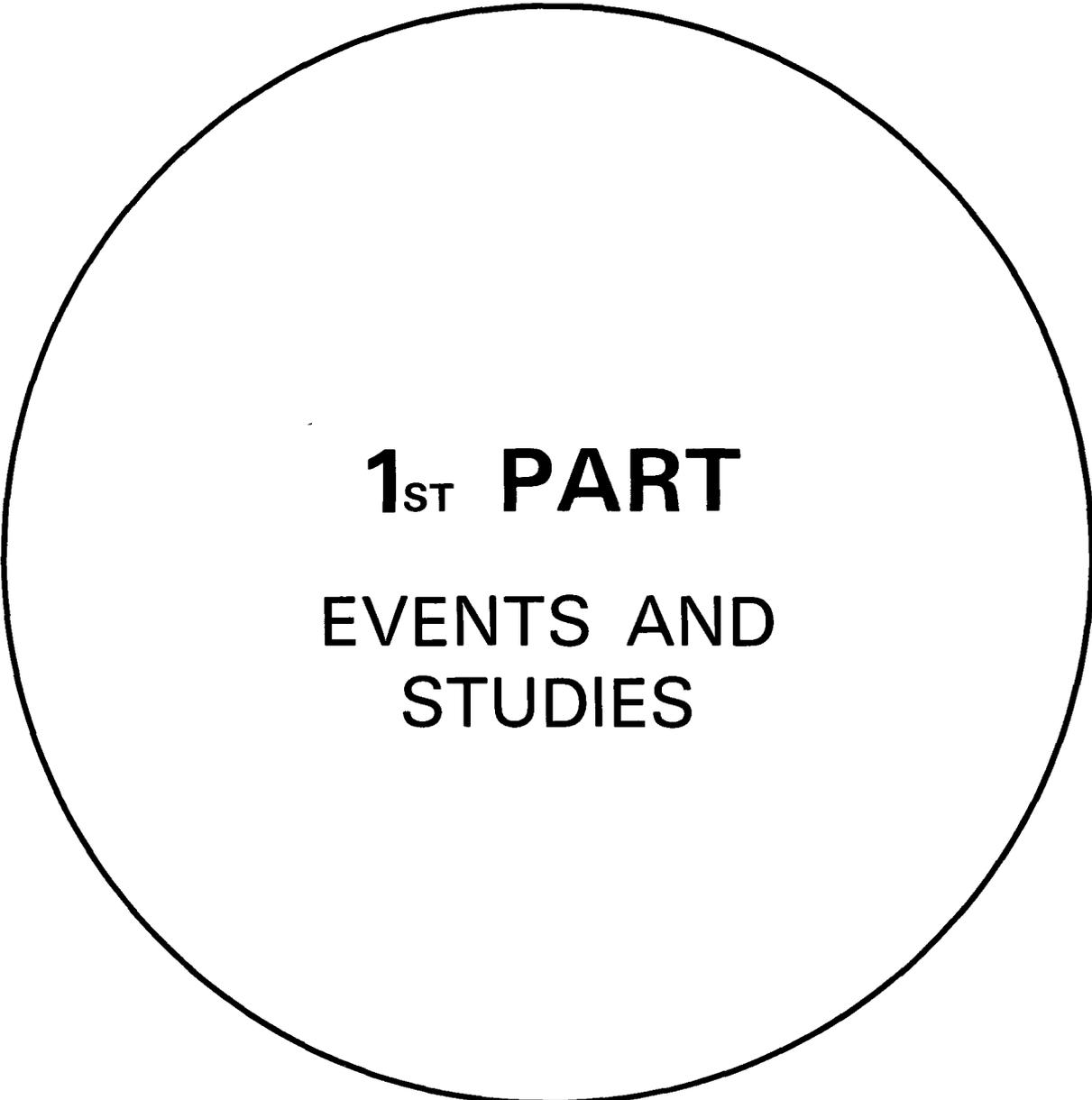
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**1<sup>ST</sup> PART**

**EVENTS AND  
STUDIES**

# 1. The election of the European Parliament

1101. From 1978 the European Parliament is to be elected by direct universal suffrage. The vital issue concerning the distribution of seats between the Member States was settled at the European Council meeting in Brussels on 12 and 13 July.

The Council published the following statement on the outcome of its deliberations:

'The European Council agreed that the number and distribution of seats in the European Parliament which is to be elected by direct universal suffrage in 1978 should be as follows:

Luxembourg	6
Ireland	15
Denmark	16
Belgium	24
Netherlands	25
France	81
Italy	81
United Kingdom	81
Germany	81
	—
	410

The European Council also took note of a statement by the Federal Chancellor on the application to Land Berlin of the Act introducing election of the members of the European Parliament by direct universal suffrage.

The United Kingdom and Danish Prime Ministers confirmed the statements they made at the European Council meeting in Rome on 1 and 2 December 1975.

The European Council asked the Council to take an overall decision on the election of the members of the European Parliament by direct universal suffrage before the end of July 1976.'

1102. Mr Georges Spénale, President of the European Parliament, made the following public statement which had been approved by the enlarged Bureau:

'The twelfth of July 1976 will be an important date in the history of Europe. The Treaties estab-

lishing the European Communities make provision for the election of the European Parliament by direct universal suffrage. It has taken a long time to achieve this aim.

The decision of the European Council, which eliminates the last remaining difficulties, represents a victory for parliamentary democracy, and for closer relations and cooperation between the nations of Europe: the "European citizen" is now a potential reality. This is a victory for all the institutions of the Community, particularly Parliament and the Council, which have discharged their individual responsibilities. It is also a victory for the Member States, who have managed to achieve unanimity on an exceptionally important and difficult matter. Above all, it is a victory for the peoples of Europe, who will now bring their influence to bear; it is a victory by Europe over Europe and for Europe. It represents the completion of the Community procedure and as such the end of an era. At the same time, it heralds the opening of the national ratification procedures—and this is where everything begins.

Parliament urges the Council to ensure that the convention on direct elections is submitted to the Member States as soon as possible for constitutional approval, and asks the national parliaments, when the time comes, to speed up the ratification procedures, so that the election can be held in May or June 1978.

Time is pressing and we still have a long way to go. The European activists to whom we owe so much must not relax their efforts. It is the duty of everyone to ensure that the first civic act of the European citizen in two years' time is an overwhelming success, gives promise for the future and represents the first step towards a European renaissance.'

The Commission warmly welcomed the Council decision, which would enable the Community to continue developing as was essential.

1103. Thus in spring 1978 Community citizens will be called upon for the first time to elect their

representatives to the European Parliament by direct universal suffrage—twenty-seven years, just about one generation, after the signature of the Treaty of Paris. In this connection, the ECSC Treaty, signed on 18 April 1951, laid down that ‘the Assembly shall consist of delegates whom the Parliaments of each of the Member States shall be called upon to appoint once a year from among their own membership or who shall be elected by direct universal suffrage, according to the procedure determined by each respective High Contracting Party’.<sup>1</sup>

The Rome Treaties, signed on 25 March 1957, stated that ‘the Assembly shall draw up proposals for election by direct universal suffrage in accordance with a uniform procedure in all Member States. The Council shall, acting unanimously, lay down the appropriate provisions, which it shall recommend to Member States for adoption in accordance with their respective constitutional requirements’.<sup>2</sup> Under the Convention on certain Institutions common to the European Communities, this same text was incorporated in the ECSC Treaty.

1104. After the Rome Treaties came into force, in 1958 the European Parliament set up a Working Party under the chairmanship of Mr Fernand Dehousse. On 17 May 1960 Parliament adopted a draft Convention, based on the deliberations of this Working Party, which was transmitted to the Councils.

No decision was taken on this draft. Over the years Parliament made numerous attempts to bring the Council to take a decision on the draft Convention. Meanwhile, draft laws on direct elections of national delegations were introduced in the Parliaments of various Member States, but none was adopted.

1105. After the enlargement of the Community, the draft drawn up in 1960 had to be adapted. Parliament therefore decided on 4 June 1973 to draw up a new report on the organization of elections by direct universal suffrage. Mr Patijn was appointed rapporteur.

1106. At the Hague Summit on 1 and 2 December 1969, the Heads of State or Government reaffirmed that ‘the problem of direct elections will continue to be studied by the Council of Ministers’.<sup>3</sup> However, the Heads of State fixed neither the timetable nor the deadline for this study.

At the Conference held in Paris on 9 and 10 December 1974, the Heads of Government noted that ‘the election of the European Assembly by universal suffrage, one of the objectives laid down in the Treaty, should be achieved as soon as possible. In this connection, they await with interest the proposals of the European Assembly, on which they wish the Council to act in 1976. On this assumption, elections by direct universal suffrage could take place at any time in or after 1978’.<sup>4</sup>

1107. On 14 January 1975, Parliament adopted a new draft Convention on the election of members of the European Parliament by direct universal suffrage<sup>5</sup> which was based on Mr Patijn’s report.

1108. While this draft was being examined by the Council, a number of differences came to light between the Member States, but they were settled during negotiations. One of the knottiest problems concerned the number of seats in the elected Parliament and their distribution between the Member States. Many proposals and compromise formulas were put forward but the European Council did not manage to reconcile opinions at its meeting on 1 and 2 April 1976 in Luxembourg. Final agreement was achieved only on 12 July.

<sup>1</sup> Article 21.

<sup>2</sup> Article 138 of the EEC Treaty, Article 108 of the Euratom Treaty.

<sup>3</sup> Point 5 of the final communiqué, Bull. EC 1-1970, Part One, Chapter I.

<sup>4</sup> Point 12 of the communiqué, Bull. EC 12-1974, point 1104.

<sup>5</sup> Bull. EC 1-1975, point 2501.

## 2. Greece: Opening of negotiations

Election of European Parliament

1109. The Council had been instructed by the European Council to take an overall decision on elections to the European Parliament by direct universal suffrage by the end of July, but could not respect this deadline. Nevertheless, all the delegations expressed the desire to overcome the final difficulties concerning the form and legal basis of the act. With this in mind, the Council announced its intention of finding a solution to the matters which had remained unsettled at its meeting on 20 September. It is expected that the act concerning election of the members of the European Parliament by direct universal suffrage will be signed by the representatives of the Member States at this meeting.<sup>1</sup>

1201. Negotiations for Greece's accession to the Community formally opened on 27 July in Brussels, about thirteen months after the Greek Government had presented its application.<sup>1</sup>

The Community was represented by Mr Max Van der Stoel, President of the Council, and by Mr François-Xavier Ortoli, President of the Commission. The Greek Delegation was led by Mr Papaligouras, Minister for Economic Coordination and Planning. In the statements made at this meeting, the delegation merely outlined their starting positions.

### Mr Van der Stoel, President of the Council

1202. Mr Van der Stoel—spokesman for the Communities—after emphasizing that the Council was very happy to welcome the representatives of Greece in a new legal context, began by briefly summarizing the history of the association between Greece and the Community. He then went on to recall that on 12 June last year, less than a year after democracy was restored to the country, Greece officially applied to join the Communities. On 9 February this year the Council of the European Communities approved the application.<sup>2</sup>

He went on to say, 'Today, on this historic day which sees us gathered together for the official opening of the negotiations on accession, the hopes which we expressed fifteen years ago are beginning to materialize'.

The President of the Council then situated the specific framework within which these negotiations for accession would take place and explained how the Community intended to conduct them.

The Institutions were involved in a process of continual evolution; the first principle underlying

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<sup>1</sup> At the 408th meeting of the Council on 20 September the instruments on the election of the members of Parliament by direct universal suffrage were approved and signed.

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<sup>1</sup> Bull. EC 6-1975, points 1201 to 1212.

<sup>2</sup> Bull. EC 1-1976, points 1109 to 1110.

the negotiations therefore, was that Greece would have to accept the Treaties, their political objective, the decisions of all kinds taken subsequent upon the entry into force of the Treaties and the options taken as regards the development of the Communities: in short, all that the Community has already achieved. This was because the new enlargement could be conceived of only as a further contribution to the strengthening of this process of continuous creation of the Community.

The second principle, proceeding from the first, was that the following rule must be observed in the negotiations: the solution to any problems of adjustment which may arise on either side must be sought through the establishment of transitional measures and not through changes to the Community rules, so as to ensure an overall balance of reciprocal benefits. As a general rule, these transitional measures should incorporate detailed timetables and their duration could be varied according to the subject matter.

Lastly, the negotiations would be conducted by the Community, according to a uniform procedure, within the framework of a conference between the Communities and Greece.

Mr Van der Stoep concluded by expressing his conviction that the negotiations would succeed, thanks to a common political resolve to make every effort to achieve an enlargement of the Communities which would offer new dimensions and new prospects to the European enterprise.

#### **Mr Ortoli, President of the Commission**

*1203.* President Ortoli then spoke and expressed first of all the Commission's genuine satisfaction at the formal opening of negotiations for Greece's full accession to the Community.

The Commission, in full agreement with what the President of the Council had said, was delighted that the Community to which Greece was acceding was a living and dynamic Community

with the solid foundation of its past achievements, a Community which would develop more strongly if these achievements were scrupulously respected.

The Commission, fully backing the Community approach to the negotiations, intended for its part to contribute all the resources of its experience as well as the energy, imagination and goodwill needed to solve the difficulties of all kinds which will arise.

The Community was, admittedly, far from having achieved all the objectives which it set for itself, in spite of the progress that had been made: there was still a long way to go in many sectors to reach the ultimate goal, namely a reconciled and united continent with its own institutions, its own laws, strong in itself, generous to those outside: the grandeur of the goal and the political will to attain it would be the incentive to resolve the undeniable difficulties of the task and bring the negotiations to a successful conclusion.

The Community was taking a further step towards this goal as it began the process for admitting Greece to membership: a Greece which, having become so closely acquainted with Community working procedures, would be able to fit harmoniously into the framework of the Treaties on which the Community was founded.

In conclusion President Ortoli affirmed that it was with this deep conviction that the Commission wanted to assure the member countries of the Community and Greece that it would do its utmost to help reach a common goal which had been so solemnly proclaimed.

#### **Mr Papaligouras, Head of the Greek Delegation**

*1204.* Replying to the statements made by the President of the Council and the President of the Commission, Mr Papaligouras expressed Greece's determination to begin the process of adopting Community rules and stressed the need for a transitional period after accession, to enable

Greece to carry out its obligations to the full without being too severely buffeted.

In his speech, Mr Papaligouras made special reference to a number of problems which Greece will probably have to contend with on accession:

1. In accepting all Community rules, Greece would undertake to abide by decisions on the political development of Europe and any others that may be taken; in order to counter any difficulties which might arise, Greece would like certain consultation procedures provided for in the Association Agreement to be considered.

2. The extension to Greece of the rights and obligations provided for in the preferential systems granted by the Community to certain non-member States would require the signature of additional protocols with the countries in question. These protocols would, in certain cases, have to include practical arrangements regarding Greek products which are particularly sensitive.

3. There was a vital need to make further progress under the Association Agreement, thereby consolidating present achievements; the harmonization procedure must be carried out, and with a view to accession, consultation procedures on the development of common agricultural and commercial policies must be intensified.

4. As regards transitional measures, Greece considers that in general they should be spread over a maximum of five years and should have definite timetables attached; these need not, however, be uniform and could vary with the subjects involved and the reasons why they are required.

In some specific cases relating to the import arrangements applicable to sensitive products coming from non-member countries the solution could be to postpone Greek commitments until the end of the transitional period.

But, just as the Community had its established rules to protect, so also had the association and no formula should be adopted for the transitional

period, even temporarily, either in industrial matters or in agriculture, which might represent a step backwards in relation to the progress made under the Association Agreement.

5. Greece proposed that the timetable for achieving customs union in the industrial sector should be as provided in the Association Agreement, with full union to be achieved by the end of the transitional period.

6. Since Greece still has a long way to go in terms of industrialization and modernization to catch up with the rest of the Community, it is important that it should be accommodated under both regional and social policy and their instruments. Greece would like to be recognized as a special development area and so qualify for maximum national development aid, and it wanted special arrangements to enable it to maintain certain tax concessions for its industries.

7. In agriculture, Greece was mainly concerned with the rationalization of structure, the specific features of Greek agriculture resulting from the size of farms, the high cost of transport to Community markets and the special position of certain products such as cotton.

8. Greece feels that special arrangements will be necessary if its steel industry is to be integrated without difficulty into the European Coal and Steel Community. The existing industry will have to be developed under the 1980-85 programme for developing the Community steel industry; technical discussions should be started with a view to incorporating in this Community programme practical plans for developing the Greek steel industry.

9. Lastly, Greece feels that temporary correcting measures will have to be worked out to enable it to fit into the own resources system, in particular its contribution during the transitional period would have to rise in stages and a ceiling would have to be set to take into account the size of Greece's GNP compared with that of all 'ten' Community countries together.

### 3. Consequences of the drought: A first estimation

Negotiations with Greece

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In conclusion, Mr Papaligouras once again expressed Greece's desire to 'add its voice' to that of the Community; as evidence he pointed to the considerable efforts already expended and the profound feeling that they were well worthwhile.

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1205. Before closing the ceremony, the two delegations agreed to meet again at ministerial level, if possible before the end of the year.

1301. The prolonged drought, which has directly affected several regions of the Community, has been a source of great concern this summer to the Community institutions as well as to the general public and to farmers and governments.

A number of measures have been taken, both by individual governments and by the Community, in an attempt to lessen its more severe consequences. A provisional report prepared by the Commission for the Council (which held a special meeting to discuss the situation on 9 september) indicates how widespread and serious its impact has been on agricultural production, and helps give an idea of what action is necessary to cope with the situation.

#### The drought

1302. The summer of 1976 brought the worst drought in living memory to many regions of the Community. A drier-than-normal winter was followed by long periods without rain coupled with scorching temperatures.

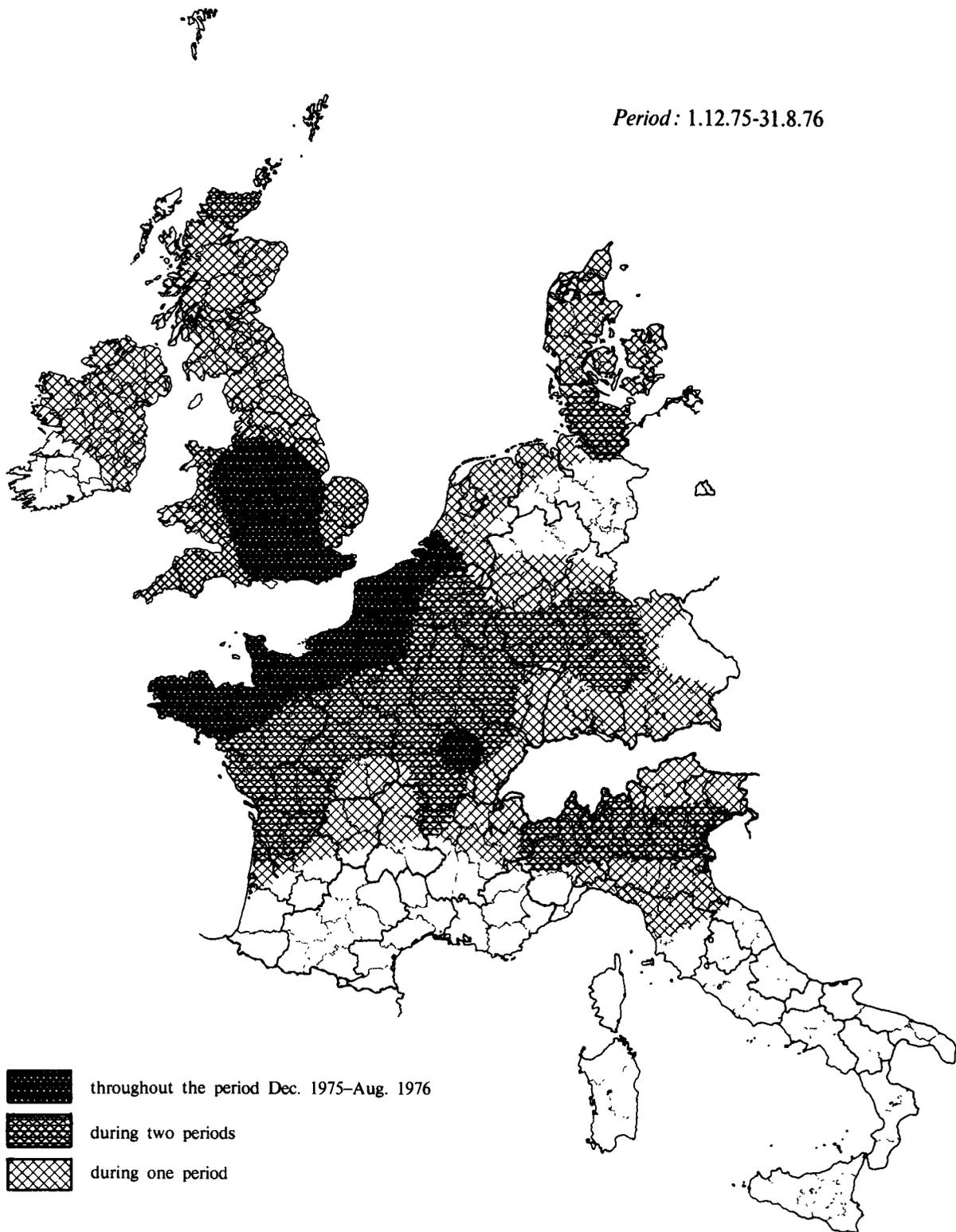
At first the dry winter helped many farmers, who were able to plant crops or gather winter fodder for cattle in ideal conditions. But as the dry weather continued growing crops were affected, pastures became burned and a year that promised to be better than average finally posed a threat to some farmers' incomes and to food supplies.

The drought began in winter 1975/76. Between 1 December and 31 March, rainfall in parts of Belgium, England, France, Germany, Italy and Luxembourg was less than two-thirds of normal (first map). At first there was no danger to food production. But as this abnormal dryness continued into the harvest season, danger signs began to appear in these regions.

Spring-sown cereals began to suffer from lack of moisture, grass stopped growing, livestock farmers were forced to sell animals. The drought continued through July and August and regions

*Drought affected regions*

*Period: 1.12.75-31.8.76*

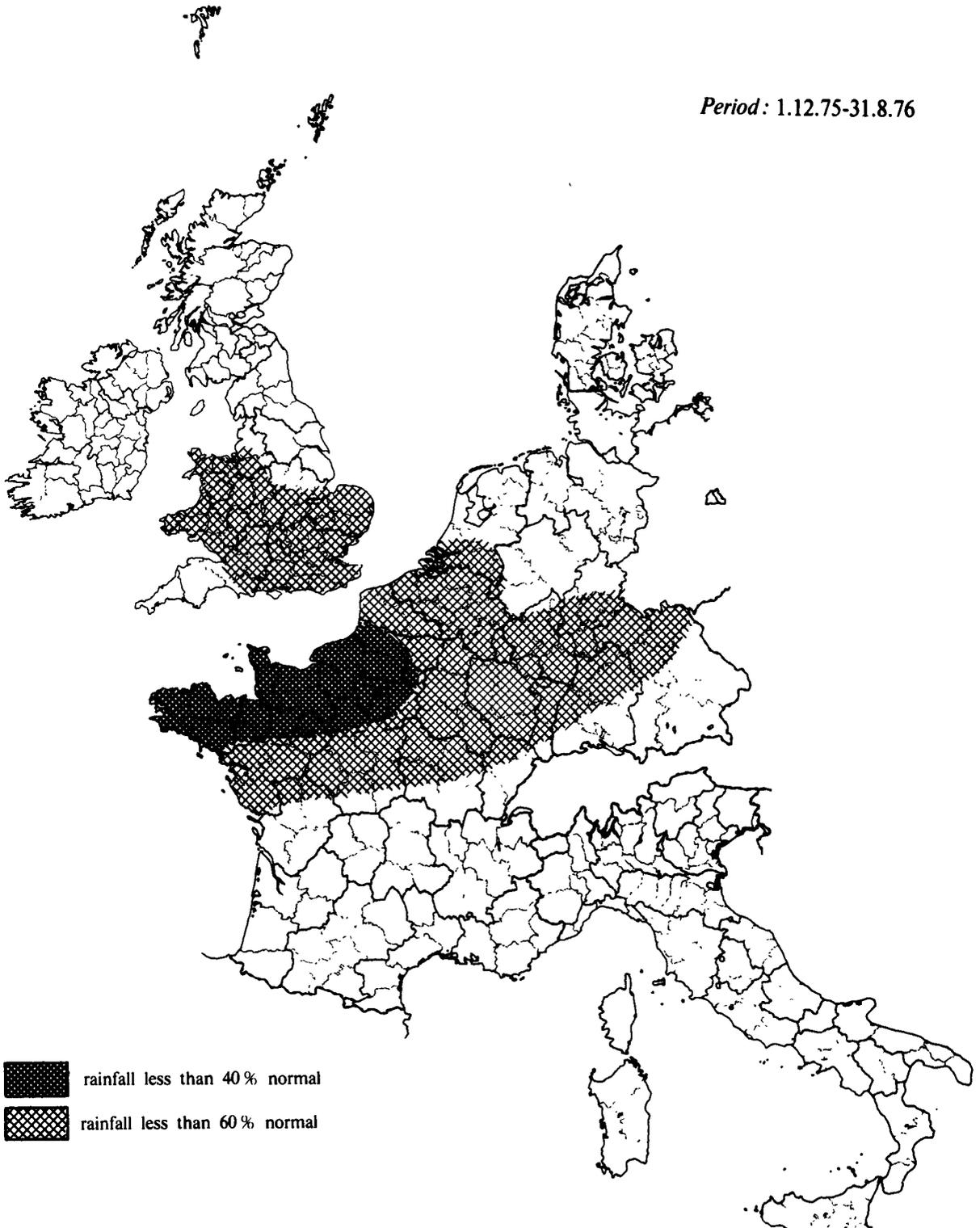


-  throughout the period Dec. 1975–Aug. 1976
-  during two periods
-  during one period

*Periods:* 1. December 1975–March 1976 (rainfall less than 2/3rds normal)  
2. April–June 1976 (rainfall half of normal)  
3. July–August 1976 (rainfall half of normal)

*Drought affected regions*

*Period: 1.12.75-31.8.76*



 rainfall less than 40 % normal  
 rainfall less than 60 % normal

which had had near normal rainfall in the spring also began to suffer.

Between 1 December and 31 August, rainfall in north-west France was less than 40 % of normal (second map). Over a large part of France, in Belgium, Luxembourg, Wales and parts of England, Germany and the Netherlands rainfall was less than 60 % of normal.

### Effect of the drought on food and feedstuff supplies

1303. The effect of the drought will be to reduce farm output but the Commission is sure there is no serious danger to the provision of basic foods at reasonable prices. A possible exception to this is potatoes where the crop is expected to be 25 % lower than normal.

The yield of common *wheat* was considerably reduced by the drought but this has been more than offset by an increase of 800 000 hectares in the area sown. Provisional figures are for a wheat harvest of 35.5 million tonnes, almost 5 % above last year's low figure.

*Barley* production will, however, be reduced by about 2 million tonnes to 30 million tonnes—a fall that is partly due to a reduced acreage but mainly to the drought. *Grain-maize* is the cereal most affected and the harvest is provisionally forecast at between 11.5 and 12 million tonnes against about 14 million last year.

Increased demand for all cereals—mainly due to the shortage of fodder—must be set against these reduced supplies. This will give rise to increased imports and first estimates are that demand for imported feed and malting barley will rise by about 1 million tonnes and for maize by about 5 million tonnes.

The shortfall in the supply of fodder cereals will be made worse by the fall in production of *dehydrated* fodder—forecast at 40 % for France. These shortages will lead to increased demand

for soya beans and cake and other types of oilseed and cake.

Community *sugar* production in 1976/77 will be between 9.2 and 10 million tonnes—about 14 % less than could have been expected given normal yields. But added to this domestic supply will be 1.3 million tonnes from the ACP countries, as well as small imports in the form of processed products. Community consumption (forecast at 9.6 million tonnes) will certainly be well covered with considerable quantities being available for export.

For *potatoes*, the effect of the drought will be more serious. The harvest is forecast at 30 million tonnes—10 % down on last year's reduced harvest. The most serious shortages are likely to be in Germany (where the harvest is expected to be reduced by about one-third), France (down 30 %) and the United Kingdom (where it is expected to be less than 80 % of normal). But it is expected that the shortages will not give rise to consumer prices as high as last year—there are good harvests in exporting countries and a more rational use of the domestic crop can be expected with smaller amounts being used for fodder and for starch production.

Supply of *other vegetables* is more difficult to forecast. But it is already clear that the pea harvest was badly damaged and the harvest in the drought-affected areas has been as low as 20 % of normal. Many other vegetables were sown in unsatisfactory conditions and reduced production is tentatively forecast.

In the livestock industries, the drought has affected both beef and milk production. In the *beef* sector, the drought and its effect on fodder supplies has caused increased slaughterings (especially of cows) in some regions. This has reduced the downswing in the beef production cycle to about 3 % in 1976 but will increase the fall in production next year.

One consequence of the increased slaughterings will be that large amounts of beef will be in pri-

vate and public stores at the end of the year. This will assure beef supplies for 1977.

The drought has reduced *milk* supplies. From levels 6% higher than 1975 in the first part of the year, milk production has fallen back and output in 1976/77 is expected to be slightly down on the previous year. Skimmed-milk powder stocks will probably total 1.25 million tonnes at the end of 1976 and butter stocks between 275 000 and 300 000 tonnes.

### Emergency measures

1304. The Commission and Member States' governments reacted quickly to the threat posed by the drought to some farmers' incomes and to reasonably-priced food supplies. The first measures were taken in June and others followed throughout the summer, culminating in a special meeting of the Council—called for by the Commission—in September.

Two dangers to farmers' incomes were apparent by the end of June and drew immediate action from the Commission. By that time *beef* prices were falling as farmers slaughtered cows early owing to fodder shortages. The Commission responded by raising the quantity of beef eligible for private storage premiums and by extending intervention-buying in France to cow beef. Later the Commission extended these emergency forms of intervention to other Member States and lengthened the period for which emergency measures would apply.<sup>1</sup> It also sought to strengthen the beef market by raising export refunds from 1 August.

To improve *fodder* supplies, the Commission imposed export taxes on dried fodder and hay. Later, straw was brought under the scheme and the tax was raised.<sup>2</sup> It also recommended Member States to consider straw as an animal feed and to ban straw burning and ploughing-in.<sup>3</sup>

The period of validity of import certificates for maize and some fodder cereals was extended and

hay was dropped from the list of vegetable proteins covered by the scheme for the compulsory purchase of skimmed-milk powder.<sup>4</sup> By Regulations approved at the July meeting of the Council, and by the Commission, a special subsidy of 5.5 u.a./100 kg (against the normal subsidy of 4 u.a./100 kg) was fixed for liquid skimmed milk going for animal feed in drought-affected regions.<sup>5</sup> To help meet difficulties in Italy, the Council authorized the intervention agencies of the other Member States to transfer to the Italian agency from their stocks a total of 100 000 tonnes of feeding cereals.<sup>6</sup>

As a further measure to protect farmers against the effects of fodder shortages, the Commission declared that it would take a positive attitude to national measures to aid the transport of fodder to drought-affected areas. It also suggested that Member States should study seriously the possibility of taking measures to encourage the planting of catch-crops.

Throughout the summer, the Commission monitored the possible supply-demand effects of the drought, so as to safeguard reasonably-priced food supplies. On 25 August—following a proposal from the Commission—the Council suspended until 30 September the autonomous Common Customs Tariff duties on a number of fresh or chilled *vegetables*.<sup>7</sup> The suspension of the duties on ware *potatoes* was also extended.<sup>8</sup> Measures to safeguard vegetable supplies were extended—again on the basis of a Commission proposal—at the Council meeting on 9 September.

<sup>1</sup> OJ L 182 of 8.7.1976, L 192 of 16.7.1976, L 199 of 24.7.1976 and L 206 of 31.7.1976.

<sup>2</sup> OJ L 185 of 9.7.1976, L 203 of 29.7.1976, L 221 of 14.8.1976 and L 233 of 24.8.1976.

<sup>3</sup> OJ L 195 of 21.7.1976.

<sup>4</sup> OJ L 207 of 31.7.1976 and L 241 of 2.9.1976.

<sup>5</sup> OJ L 202 of 28.7.1976.

<sup>6</sup> OJ L 206 of 31.7.1976.

<sup>7</sup> OJ L 235 of 26.8.1976.

<sup>8</sup> OJ L 203 of 29.7.1976.

## 4. ACP States: Stabilization of export earnings

At that Council meeting, the Commission also announced its intention to present in the near future a list of feed products in respect of which suspension of customs duties and a reduction in levies might help boost supply on the Community market. The Council also noted that the Commission intended to release supplies of skimmed-milk powder at favourable prices to producers affected by the drought and to make certain technical improvements to the intervention arrangements for beef and veal.

### First implementation of the 'Stabex' system

*1401.* On 8 July, just three months after the entry into force of the Lomé Convention, the Commission and sixteen ACP States signed twenty-four transfer agreements designed to offset a drop in these countries' export earnings from one or more commodities in 1975.

Following the implementation of the trade provisions of the Convention in July 1975, the completion of the programming missions in all the ACP countries and the signing of the first financing agreements under the fourth EDF, the most innovatory mechanism provided for in the Lomé Convention is now starting to operate: namely 'Stabex'. The results of this first operation illustrate the advantage, for countries which are largely dependent on their commodity exports, of a guarantee covering both drops in production due to natural or climatic circumstances and a falling-off of sales owing to fluctuations in the economic situation.

### The main features of the system

*1402.* The main features of the 'Stabex' system established under the ACP-EEC Lomé Convention are as follows:

*Appropriation:* 375 million u.a. for the duration of the Convention, divided into five annual instalments of 75 million u.a. each with an automatic carryover of the balance to the following year. The annual authorized amount may be increased in certain circumstances.

*Products covered:* Twelve commodities (groundnuts, cocoa, coffee, cotton, coconut, palm, palm nut and kernel products, raw hides, skins and leather, wood, bananas, tea, raw sisal and iron ore) and certain of their by-products.

*Dependence threshold:* For any one of these products to be taken into consideration, it must have represented at least 7.5 % of total exports to all destination in the preceding year. This percentage is reduced to 5 % for sisal, and to 2.5 % for all the least developed, landlocked or island ACP countries.

*Trigger threshold:* In order to be eligible for a transfer, actual earnings from exports to the Community of a given product must be less than the average of the corresponding earnings over the four preceding years by at least 7.5 % in normal cases or at least 2.5 % in the case of the least developed, landlocked or island countries.

*Nature of the transfers:* In general they are interest-free loans which are repaid by the recipient States when certain conditions have been fulfilled relating to the increase in their export earnings. In the case of the twenty-four poorest countries, however, the transfers take the form of grants.

### Examination of requests

1403. Although an entirely new and technically complex system, the conditions for its implementation were fulfilled quickly and satisfactorily, particularly as regards the launching and the operation of the statistical cooperation between the ACP States and the Community. This made it possible to examine under good technical conditions the requests presented by twenty-one ACP States, to verify to what extent these requests were admissible and to estimate the amounts of the transfers.

Following this examination and the consultations with the requesting States, it was observed that a number of requests did not correspond to the conditions laid down by the Convention (dependence threshold, fluctuation threshold or a significant change in the structure of export flows). Moreover, in some cases a reduction was made in the amount of the transfer requested, justified for example by an increase in exports to other destinations.

More generally, the experience of dealing with these initial requests enabled certain operational aspects of the system to be made more specific, in conjunction with the Member States and the ACP States. The progressive improvement of this new instrument of cooperation will help to increase not only its effectiveness within the context of the Lomé Convention but also the interest it is likely to arouse in international discussions.

Table 1 — *Transfers to be made for the financial year 1975*

Recipient ACP State	Product	Amount of transfer in EUA
Benin <sup>1</sup>	Groundnuts	464 330
	Coffee	11 174 883
	Cotton	4 299 556
	Oilcake	1 191 079
Burundi <sup>1</sup>	Cotton	965 602
	Rah hides	520 053
Cameroon	Wood in the rough	3 601 423
Congo	Wood in the rough	7 361 677
Ivory Coast	Wood in the rough	15 000 000
Ethiopia <sup>1</sup>	Coffee	9 339 683
	Raw hides	5 080 364
Fiji	Copra oil	615 140
Ghana	Wood in the rough	5 176 408
Upper Volta <sup>1</sup>	Groundnuts	685 239
	Cotton	175 936
Niger <sup>1</sup>	Groundnuts	5 441 294
	Raw hides	507 747
Somalia <sup>1</sup>	Fresh bananas	1 296 907
	Raw hides	635 238
Sudan <sup>1</sup>	Raw hides	1 658 579
Tanzania <sup>1</sup>	Cotton	1 887 082
Togo <sup>1</sup>	Coffee	2 680 324
Uganda <sup>1</sup>	Cotton	1 748 932
Wesern Samoa <sup>1</sup>	Cocoa	276 978
Total		71 784 454

<sup>1</sup> These are among the least developed ACP States and will therefore be receiving non-repayable transfers.

### A balanced operation

1404. Though this is only its first year of application, the nature of the protection offered by 'Stabex' is already clearly illustrated: it provides protection not only against export losses resulting from bad economic conditions—in this case, a fall in demand—but also against losses caused by a drop in production attributable to circumstances or natural disasters.

Cover for the first 'risk' accounts for 68 % of the total amount of the transfers to be made for 1975 (Table 1), the recipients being a number of countries whose exports of wood, hides, skins and leather, or cotton products, have suffered from an unfavourable market situation.

The remaining 32 % of the transfers corresponds to the 'second risk' and is designed to offset losses of earnings caused by various local circumstances: poor harvests due to disease (groundnuts in Niger, coffee in Ethiopia), drought (bananas in Somalia), a cyclone (copra oil in Fiji), etc.

A satisfactory balance has also been struck in allocation of the funds, with non-repayable transfers to the least developed countries accounting for 56 % of the total as against 44 % for transfers in the form of 'loans' to countries which have undertaken to contribute towards the reconstitution of the system's resources whenever there is an improvement in their export earnings as provided for in the Convention.

### Substantial support for export earnings

1405. The transfers to be made under Stabex represent, by comparison with the export earnings of the recipient countries, a contribution which varies in size depending on the loss suffered, the importance of the product or products in question in the overall exports of the country, and the structure of exports (the Community's share in total exports).

In a number of cases the contribution is remark-

ably large. Compared with total export earnings (all products—all destinations—1974) Stabex transfers represent 24 % for Benin, over 13 % for Niger, 6.5 % for Ethiopia, 5.5 % for Burundi.

The impact of Stabex can be seen even more clearly when the transfers made for a specific product and the export earnings (all destinations) corresponding to that product (1974) are compared. The following percentages are given as an example:

• Burundi (cotton)	63 %
• Togo (coffee)	39 %
• Niger (groundnuts)	39 %
• Somalia (hides and skins)	33 %
• Burundi (hides and skins)	33 %
• Benin (cotton)	27 %
• Ethiopia (hides and skins)	27 %
• Benin (groundnuts)	25 %
• Niger (hides and skins)	20 %
• Sudan (hides and skins)	16 %
• Ethiopia (coffee)	15 %
• Ghana (wood)	11 %
• Somalia (bananas)	12 %

The breakdown by product of Stabex transfers for 1975 (Table 2) shows that wood in the rough clearly takes the lead with 43.4 %, of the total,

Table 2 — Breakdown by product of Stabex transfers for 1975

Product	Amount in EUA	%
Groundnuts	6 590 863	9.18
Bananas	1 296 907	1.81
Wood in the rough	31 139 508	43.38
Cocoa	276 978	0.39
Coffee	13 194 890	18.38
Cotton	9 077 108	12.64
Copra oil	615 140	0.86
Raw hides and skins	8 401 981	11.70
Oilcake	1 191 079	1.66
	71 784 454	100.00

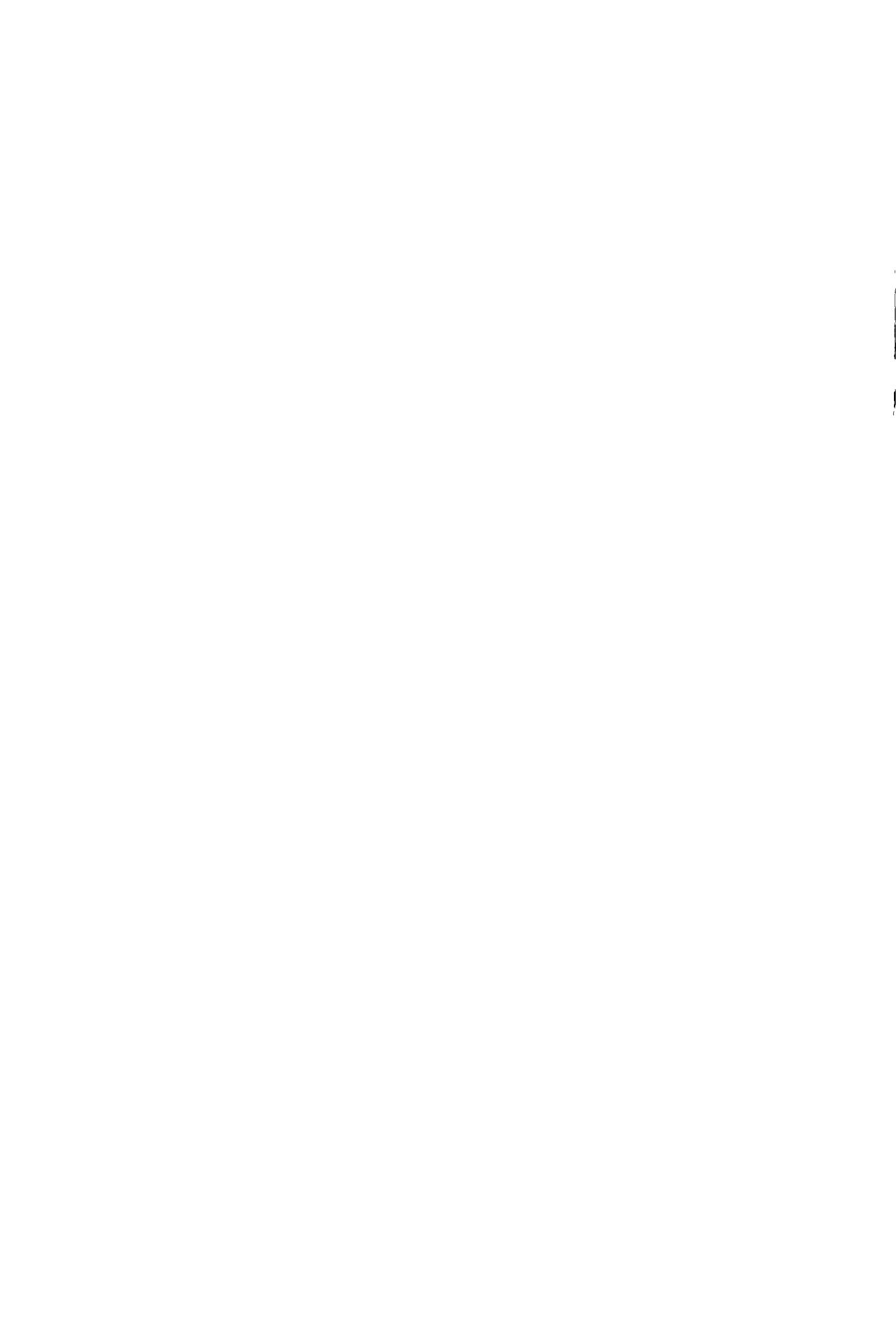
'Stabex'



followed at a distance by coffee (18.4 %), cotton (approximately 12.6 %), raw hides and skins (11.7 %) and groundnuts (9.2 %); these five products account for more than 95 % of total transfers.

\*

1406. This analysis shows that the system is viable and fulfils to a large extent the hopes the Contracting Parties placed in it. This first operation and those to come will no doubt be followed with attention and interest in the international forums where attempts are being made to find solutions to problems some of which are being dealt with in a practical and effective manner by 'Stabex'.





**2<sup>ND</sup> PART**

**ACTIVITIES  
IN JULY-AUGUST 1976**

# 1. Functioning of the common market

Customs union

## Customs union

### Tariff economy

#### *Suspensions*

2101. On 27 July<sup>1</sup> the Council decided to extend for a further two-month period—that is, until 30 September—the total suspension of the autonomous CCT duty on ware *potatoes* (subheading 07.01 A III b) in order to cope with the problem of insufficient supplies.

2102. On 25 August<sup>2</sup> the Council, acting on a proposal from the Commission, decided to suspend, temporarily and totally, the autonomous CCT duties on a number of fresh or chilled *vegetables* in order to offset the considerable reduction in the quantities available in the Community as a result of the drought;<sup>3</sup> this suspension is valid until 30 September.

On the same date<sup>2</sup> the Commission authorized the new Member States to suspend totally for the same period the duties applicable to imports of these vegetables from other Member States.

#### *Tariff quotas*

2103. In the context of the Community's generalized system of tariff preferences for 1976, the Council, acting on a Commission proposal, adopted the following in July:

a Regulation partially suspending CCT duties for *jute manufactures* originating in India, Thailand and Bangladesh and for *coir manufactures* originating in India and Sri Lanka,<sup>4</sup> for the second half of 1976;

a Regulation extending the Community tariff quota of 38 000 tonnes opened for *raw or unmanufactured flue-cured Virginia type tobacco*<sup>5</sup> (subheading ex 24.01 B of the CCT) by the Regulation of 17 November 1975<sup>6</sup> to include tobacco of

the same type falling within subheading ex 24.01 A I of the CCT. Within this quota the customs duty for tobacco falling within subheading ex 24.01 A I was suspended as from 1 August at 7% with a maximum levy of 45 u.a. per 100 kg net weight.

#### *Duty-free entry*

2104. On 15 July<sup>7</sup> the Commission decided to prolong until 15 September the duty-free importation of goods for free distribution to the earthquake victims in the Friuli region.

### Harmonization of customs legislation

2105. On 22 July the Council adopted a Regulation on the tariff treatment applicable to *goods imported for testing*.<sup>8</sup> The provisions of this Regulation are based upon a Customs Cooperation Council recommendation of 5 June 1972 aimed at promoting the activities of bodies which, in the interest of the consumer, monitor the quality of products put on the market. Under the Regulation goods may be imported for testing free of Common Customs Tariff duties and other Community import charges (agricultural levies, etc.), provided they do not exceed the quantities strictly necessary for the testing in question.

<sup>1</sup> OJ L 203 of 29.7.1976.

<sup>2</sup> OJ L 235 of 26.8.1976.

<sup>3</sup> Points 1301 to 1304.

<sup>4</sup> OJ L 185 of 9.7.1976.

<sup>5</sup> OJ L 196 of 22.7.1976.

<sup>6</sup> OJ L 310 of 29.11.1975.

<sup>7</sup> OJ L 195 of 21.7.1976.

<sup>8</sup> OJ L 219 of 12.8.1976.

## Origin and methods of administrative cooperation

2106. Under a Regulation adopted by the Council<sup>1</sup> a derogation from the rules of origin laid down in the EEC-Morocco Agreement has been authorized in respect of certain textile products for the period 1 July 1976 to 30 June 1977 in order to enable the industries concerned to adapt their production to the conditions required by the Protocol on the definition of the concept of 'originating products'.

2107. The Council also adopted a Regulation<sup>2</sup> concerning the application of an EEC-Malta Council of Association Decision (1/76) derogating from the rules of origin for reception apparatus falling within heading No 85.15 of the Common Customs Tariff.

2108. On 29 July<sup>3</sup> the Council adopted a Regulation concerning the application of an ACP-EEC Council of Ministers Decision (3/76) derogating from the rules of origin for certain textile products from Mauritius. For its part the Commission adopted on 26 July<sup>4</sup> a Decision authorizing the French Republic to exclude from the application of that Regulation the products in question imported into the department of Réunion.

2109. On 8<sup>2</sup> and 28 July<sup>5</sup> the Council adopted two other Regulations concerning the rules of origin applicable to products from *developing countries* which benefit from the generalized tariff preferences granted by the Community. The products in question are jute products originating in India, Thailand and Bangladesh, coir products from India and Sri Lanka, and flue-cured Virginia type tobacco, which are to benefit from tariff preferences under Regulations adopted by the Council.<sup>6</sup>

2110. On 20 July<sup>7</sup> the Council adopted a number of Regulations on the application in the Community of the Decisions (1/76) taken by the EEC-EFTA Joint Committees concerning the def-

inition of the concept of 'originating products' in respect of fuel elements falling within heading No 84.59 of the Common Customs Tariff. The effect of the Regulations is to extend the exception made for these elements until the end of 1984.

## Customs arrangements based on economic considerations

2111. On 20 July the Council adopted a Directive<sup>8</sup> on the application of the basic inward processing Directive of 4 March 1969<sup>9</sup> with regard to *inward processing* authorizations for certain products originating in EFTA States and the Faroe Islands.

2112. On 22 July<sup>10</sup> the Commission amended its Directive of 14 February 1972<sup>11</sup> fixing the standard rates of yield for certain inward processing arrangements. Now updated, the Annex to the Directive contains the new tariff subheading which was created for certain types of sorbitol by a Council Regulation in November 1975.<sup>12</sup>

2113. On 22 July<sup>13</sup> the Council amended its Directives of 1969 on the customs warehousing procedure and free zones and its Directive of 1971 on the usual forms of handling which may be carried out in customs warehouses and in free zones. The purpose of this amendment is to ex-

<sup>1</sup> OJ L 175 of 1.7.1976.

<sup>2</sup> OJ L 185 of 9.7.1976.

<sup>3</sup> OJ L 210 of 4.8.1976.

<sup>4</sup> OJ L 241 of 2.9.1976.

<sup>5</sup> OJ L 204 of 30.7.1976.

<sup>6</sup> Point 2103.

<sup>7</sup> OJ L 215 of 7.8.1976.

<sup>8</sup> OJ L 199 of 24.7.1976.

<sup>9</sup> OJ L 58 of 8.3.1969.

<sup>10</sup> OJ L 231 of 21.8.1976.

<sup>11</sup> OJ L 45 of 21.2.1972.

<sup>12</sup> OJ L 306 of 26.11.1975.

<sup>13</sup> OJ L 223 of 6.8.1976.

tend the terms of reference of the Committee for Customs Processing Arrangements to include the customs warehousing and free zone arrangements in order to ensure the necessary administrative cooperation between Member States.

## Internal common market

### Free movement of goods

#### Elimination of technical barriers to trade

##### *Directives adopted*

2114. On 27 July, the Council amended its Directive of 18 October 1971 relating to *units of measurement*,<sup>1</sup> updating it in respect of:

- (i) units included in a specific chapter of the original Directive, whose authorization was to be reviewed before 31 December 1977;
- (ii) units of the imperial system listed in Annex I to the Act of Accession;
- (iii) additional SI units defined at the Fifteenth General Conference on Weights and Measures held in Paris in May and June 1975.

The new Directive classifies the units under four chapters: those whose use is definitively authorized, those which are to disappear from use as soon as possible, by 31 December 1977 at the latest or on 31 December 1979, and those to be reviewed before 31 December 1979.

The fourth chapter includes some units of the imperial system which cannot be abolished at present because of administrative complications (for example, road signs giving distances in miles) or psychological reasons (use of the pint, etc.). This chapter has been drawn up on the principle that considerations of efficiency cannot be allowed to lead to a drastic upheaval of long-standing customs or the risk of errors occurring with unpleasant or even dangerous consequences.

2115. Two further Directives concerning adaptation to technical progress were adopted by the Commission during the month. The first concerns the classification, packaging and labelling of *dangerous substances*. It is designed to adapt the Council Directive of 27 June 1967<sup>2</sup> to the latest scientific and technological developments, in the light of the work carried out by the Council of Europe. The second one concerns *non-automatic weighing machines*.<sup>3</sup> It updates the Council Directive of 19 September 1973<sup>4</sup> in the light of the appearance of new and more advanced weighing systems developed since the original Directive was passed.

##### *Commission proposals*

2116. The Commission transmitted two proposals for directives to the Council during July and August.

The first, sent on 2 August,<sup>5</sup> concerns *boats* and their *fittings*. It is designed to harmonize the technical specifications and testing methods, introduced for safety reasons, but which vary from one Member State to another. There is to be an EEC type-approval procedure for parts, features and fittings, together with an EEC approval procedure for pleasure craft. The technical specifications and testing methods covering in particular the construction and performance of parts as well as their installation and functioning will be covered by specific directives. These procedures will be completed by mutual recognition in the Member States of inspections carried out.

The optional method of harmonization has been used in this proposal, but the total method may

<sup>1</sup> OJ L 243 of 29.10.1971.

<sup>2</sup> OJ L 196 of 16.8.1967.

<sup>3</sup> OJ L 236 of 27.8.1976.

<sup>4</sup> OJ L 335 of 5.12.1973.

<sup>5</sup> OJ C 198 of 24.8.1976.

be used in certain clear-cut cases, for example, in specific directives where safety and environmental protection are particularly important.

2117. The second proposed directive, transmitted on 26 July,<sup>1</sup> concerns the ranges of *nominal quantities permitted for certain prepackaged goods*. It follows on from those already adopted by the Council on prepackaged goods and lays down quantities which must be accepted on the market for a list of specified goods.

Both consumers and producers felt the need for this proposal. Because of the current proliferation of quantities permitted by various national laws, the consumer can be faced with packages whose contents vary considerably, making it difficult to compare the prices of products. Moreover, unscrupulous producers may attempt to disguise price increases by altering the contents of the packages. This proposal will also bring greater clarity and uniformity by opening up the whole internal market, with obvious advantages in economies of scale; a wider range of products may be offered throughout the Community. This is an optional proposal and does not affect local specialities or products coming from non-member countries.

## Protective measures

### Ireland

2118. On 22 July,<sup>2</sup> the Council decided to extend until 31 December 1976 its Decisions of 24 February 1976<sup>3</sup> laying down rates of duties on imports to Ireland of *footwear* with uppers of leather originating in six EFTA member and associate countries: Austria, Finland, Iceland, Norway, Sweden and Switzerland.

These Decisions follow on from that taken by the Commission on 25 June to extend for six months the authorization granted to Ireland to levy import duties on footwear from the other Member States.<sup>4</sup>

## Commercial and economic law

### Product liability

2119. On 23 July the Commission adopted a proposal for a Council Directive relating to the approximation of laws, regulations and administrative provisions of the Member States concerning liability for defective products which has meantime been transmitted to the Council.<sup>5</sup>

This proposal comes under the programme for protecting and informing consumers<sup>6</sup> and is also aimed at approximating the laws of Member States as requested for the proper functioning of the common market.

The producer of a movable article, whether of industrial, handicraft or agricultural origin, will be liable for all damages caused by a defect in his product, whether or not he knew or could have known of the defect. Adoption of this rule means that the traditional principle of liability based on fault has been abandoned, for liability does not depend on the cause of the fault. The manufacturer is liable even if, in the light of scientific and technological development when the product was marketed, nobody could have known of the defect (development risks).

This rigid, but necessary liability must be counterbalanced by a twofold limitation in respect of the amount of damages paid and the period of liability.

The Commission proposes to limit total liability for personal injuries to 25 million EUA. This sum would constitute, for all individual injuries, an unlimited liability and would cover most of the damages caused by mass-produced articles

<sup>1</sup> OJ C 193 of 18.8.1976.

<sup>2</sup> OJ L 223 of 16.8.1976.

<sup>3</sup> OJ L 58 of 5.3.1976.

<sup>4</sup> OJ L 182 of 8.7.1976 and Bull. EC 6-1976, Point 2120.

<sup>5</sup> Supplement 11/76 — Bull. EC.

<sup>6</sup> Council Resolution of 14.4.1975: OJ C 92 of 25.4.1975.

with the same defect. In case of damage to property, provisions have been made for a case-by-case limitation of 15 000 EUA for damage to movable property and 50 000 EUA for damage to immovable property. In addition, the manufacturer is no longer liable after ten years.

As far as property damage is concerned, only damage to property which has been acquired and used for private purposes by individuals will be covered. This provision excludes the whole sphere of product liability in industrial and commercial relations. Consumer protection covers only the private individual.

Only the manufacturer will be liable and not the dealer, unless he takes the place of the manufacturer by putting his name or other distinguishing feature on the article, as is often the case with department stores or imports to the Community of goods from non-member countries.

### Community trademark

2120. On 6 July the Commission adopted a memorandum on the creation of a Community trademark.<sup>1</sup> The object of the Memorandum, which is addressed to the Governments of the Member States and interested parties, is to recommence the work undertaken on trademark law following the signing of two conventions of the European patent and the Community patent.<sup>2</sup>

In its Memorandum the Commission states that it favours the creation of a Community system of trademark protection on the basis of a regulation based on Article 235 of the EEC Treaty which will enable firms to market their products under a single trademark throughout the common market. The Community trademark thus created will also serve to inform and protect consumers on a Community-wide basis and as a result trade in consumer products within the Community will be considerably encouraged.

Since the scope of the various systems of trademark law is at present defined on a territorial ba-

sis, firms wishing to market their products in several Member States must register their trademarks in each of them, a process involving a great deal of expense and serious legal difficulties even thereafter.

The Community trademark would be of benefit not only to manufacturers and distributors; it would enable consumers to obtain a larger number of products originating in various parts of the common market, and provide them with a much wider choice while protecting them against the risk of confusion which would inevitably result from the appearance on the market of products bearing identical or similar trademarks. The number of trademarks in the nine Member States of the Community is currently estimated at more than one and a half million.

The Community trademark system must also be sufficiently attractive: thus in addition to a simple registration procedure which is flexible and relatively inexpensive, it is envisaged that the Community Trademark Office will participate in researching earlier trademarks and solving conflicts arising in such cases in order to strengthen legal certainty for applicants. Not only is it intended that Community trademarks should enjoy a wide measure of protection because of the functions they fulfil, but also that this protection should be granted only to trademarks which are in fact in use, by imposing a strict obligation on proprietors to make use of them.

The Memorandum also proposes specific measures to ensure, as far as possible, the free movement of products protected by national trademarks. Since national laws will remain in force, it is essential to approximate them on the basis of Article 100 of the EEC Treaty in order to resolve conflicts resulting from the existence, in different Member States, of national trademarks which are easily confused.

<sup>1</sup> Supplement 8/76 — Bull. EC.

<sup>2</sup> OJ L 17 of 26.1.1976.

## Criminal law

2121. An amendment to the Treaties establishing the European Communities and the Merger Treaty of April 1965—consisting in the addition of two Protocols—was presented by the Commission to the Council on 10 August.<sup>1</sup> The purpose is to have common rules adopted on the protection under criminal law of the financial interests of the Communities and the prosecution of infringements of Community law, and the liability and protection under criminal law of Community officials.

Observance of obligations for private individuals arising out of Community law is an integral part of the Community legal system. Under national laws, criminal proceedings are one of the most important sanctions which can be used in this respect.

National legal systems fail to cover a number of important matters and therefore adequate action cannot be taken against infringements of Community law. Since national criminal laws are generally applicable only within national territory, there are loopholes in the sanctions for infringements of Community law. There is a further gap in the lack of protection under criminal law of the Communities' financial interests and also in the liability of Community officials under criminal law.

Work on this question had begun before the enlargement of the Communities and was recommenced by government experts from the nine Member States. In 1974 the Council and the Conference of the Representatives of the Governments of the nine Member States (Ministers of Justice) took note of the results of the experts' work and agreed with their guidelines.<sup>2</sup> Using this work as a basis, the Commission has put two proposals to the Council intended to close the present loopholes.

In order to solve the problems stemming from the absence of jurisdiction in respect of infringements committed outside national territory, the

most suitable procedure, among the various possibilities considered, seemed the *transfer of proceedings*, already accepted in international criminal law. The member country having legal jurisdiction can request that proceedings be brought in the State which the accused person is resident or present, under its own criminal law and procedures. Existing jurisdiction of Member States in respect of infringements committed outside its territory remains unaffected by the rules proposed. The system chosen would solve the problems involved while respecting to the utmost the existing national legal systems.

To cope with the problem of the lack of penal sanctions for the protection of Community funds, the *principle of assimilation* was considered the most useful. Thus, the rules provide for each Member State to apply in cases of fraud involving Community funds those provisions of its own criminal law by which it protects its own public funds against fraud. Provision has also been made for a flexible form of mutual assistance for judicial purposes to furnish practical solutions for certain problems which could arise where the authorities of a Member State are required to prosecute an infringement of Community law committed outside its frontiers.

As regards protection for Community staff under criminal law, the pragmatic solution proposed should prove a sufficiently effective instrument in case of need.

It consists in the assimilation, as regards their criminal liability for certain infringements, of Community officials to national officials. Those mentioned in the proposal are the most serious and most detrimental to the proper functioning of Community institutions (taking of bribes, forgery and uttering forged documents, embezzlement and wrongful conversion of public funds and breach of professional secrecy). Assimilation

<sup>1</sup> OJ C 222 of 22.9.1976.

<sup>2</sup> Bull. EC 11-1974, point 1110.

also ensures that Community officials are protected under criminal law.

The courts of the Member State of his origin, or in certain circumstances, those of the State in which the infringement has been committed, would have primary jurisdiction over a Community official. Other courts would be competent in certain specific cases (offences committed outside the territory of the Communities or by officials who are nationals of non-member countries).

Since these rules are to form an integral part of the Community legal system, the Commission decided that they should take the form of Protocols to be annexed to the Treaties.

Parliament will have to be consulted on the proposed amendments, and if the Council delivers a favourable opinion, a meeting of the representatives of the Governments of the Member States will be called to adopt them.

## Competition policy

### Restrictive practices, mergers and dominant positions: specific cases

#### *Alteration of a contract restricting the use of goods after sale*

2122. As a result of representations made by the Commission, two German firms—*Hoechst AG*, Frankfurt, and *Beecham Pharma GmbH*, Mainz, a subsidiary of *Beecham Ltd.*, Brentford, UK—have terminated infringements of the rules on competition in the EEC Treaty by deleting certain provisions from a supply contract which had been notified to the Commission.

The contract is for the supply of bulk ampicillin by *Beecham Pharma* to *Hoechst*. Ampicillin is a raw material used in the manufacture of pharmaceutical specialities (antibiotics). The contract originally stipulated that the ampicillin was to be

resold only in the form of medicines packaged for consumer sale, so that bulk resales were in effect prohibited; furthermore, the medicines could be sold only for human consumption and only in the Federal Republic of Germany and in Austria.

This prohibition on bulk resales amounted to a substantial barrier to prevent competitors entering the Community ampicillin market. The fact that *Hoechst* was barred from disposing as it wished of goods which it had bought, and particularly from putting ampicillin up for sale in Community countries other than Germany, restricted its business freedom. Likewise, other firms, which had the capability to process ampicillin and might have obtained it from *Hoechst*, were also deprived of the opportunity to penetrate the relevant market or to improve their competitive position.

The Commission further considered that the prohibition upon *Hoechst* from further processing or selling ampicillin for veterinary medicines amounted to an unjustifiable restriction on its freedom of use of goods which it had bought. The existence of patents for the manufacture of ampicillin in the several Member States could not be adduced in defence of the obligation on *Hoechst* to confine its sales to the German market, which was in effect an export ban.

These three provisions gave the seller complete control over the use of the product by the buyer. In the Commission's view, already expressed on several occasions,<sup>1</sup> restrictions on the form in which a raw material may be resold or on the uses to which it may be put are quite as prejudicial to the maintenance of free competition in the Community as the geographical partitioning of markets.

In view of the scale of the restrictions, the Commission informed the two firms that it was going

<sup>1</sup> See the Commission Decision in the European Sugar Industry case (OJ L 140 of 26.5.1973), the Chiquita case (OJ L 95 of 9.4.1976), and the Brazilian Coffee case (Bull. EC 12-1975, point 2128).

to issue a provisional decision, requiring them immediately to abandon the restrictions on pain of fines. The contract was amended in response to the Commission's objections, and Hoechst is now free to dispose of the ampicillin it buys from Beecham Pharma in accordance with its own business policy. The Commission has therefore concluded that there is no need for a formal decision.

*Firm ordered to provide information*

2123. In the course of an investigation into a restrictive practice the Commission requested *Centraal Stikstof Verkoopkantoor BV (CSV)* a Dutch joint selling agency for straight nitrogenous fertilizers, to supply certain information relating to its commercial activities and its relations with the manufacturers whose products it sells.

Following CSV's refusal to comply, the Commission issued a decision<sup>1</sup> under Regulation No 17<sup>2</sup> ordering CSV to supply the information within eighty days and imposing a periodic penalty payment of 1 000 u.a. per day of delay.

CSV's ground for refusal was that the members of its staff authorized to supply the information were also directors of the European cartel of manufacturers of nitrogenous fertilizers—*Nitrex AG*—with headquarters in Switzerland. CSV considered that compliance with the Commission's request could lead to criminal proceedings against CSV staff under Swiss law for disclosure to a foreign public or private organization of business secrets relating to a Swiss undertaking.

The Commission considered, however, that the information was required to assess the effects of CSV's behaviour on competition within the Community. In the Commission's view the fact that the information has been supplied voluntarily to an international cartel governed by the law of a non-member country in no way affects the right of the Commission to receive such information.

*Action taken against a supply ban*

2124. In response to a complaint by German armagnac importers *Pabst & Richarz, Elsfleth*, the Commission has come out against a ban imposed by the *Bureau national interprofessionnel de l'armagnac (BNIA)*, Eauze, France on sales of armagnac of certain age grades.<sup>3</sup>

BNIA represents the interests of armagnac producers and dealers. By Government Decree it has legal personality and is responsible for, quality control. BNIA contended that the ban it imposed on 28 May 1974 did not offend against Article 85 of the EEC Treaty. It was not a private association of undertakings for the purpose of that Article. The temporary supply ban was in the public interest, since it was the necessary means of improving quality control and of seeing that false indications of quality would cease to be the everyday occurrence they had become.

In its Decision the Commission states that BNIA is indeed an association of undertakings, that it acted outside the powers conferred on it by Decree, that it took a measure of a private nature which had nothing to do with quality control, and that any improvement in quality control was the result of other measures (tighter checks on indications of quality through sample testing).

The Commission makes it clear that associations may not evade the rules of competition and hold the government responsible by claiming to have fulfilled the tasks entrusted to them by decree. Whenever they act outside these tasks and take measures to regulate the market, the object or effect of which is the uniform conduct of member firms and hence a restriction of competition, the antitrust rules of the EEC Treaty will be applied against the infringement.

<sup>1</sup> OJ L 192 of 16.7.1976.

<sup>2</sup> OJ 13 of 21.2.1962.

<sup>3</sup> OJ L 231 of 21.8.1976.

*Prohibition of a clause in restraint of trade*

2125. In another Decision<sup>1</sup> the Commission stated its views on the compatibility of clauses in restraint of trade in contracts for the sale of a business with Community antitrust law.

The case concerns an eight-year ban on competition imposed on Mr Gottfried Reuter, an inventor and business man, in a contract for the sale of the Elastomer Groups of companies to BASF. In response to a complaint from Mr Reuter the Commission found the ban to be in violation of Article 85. Its Decision states that in such contracts clauses in restraint of trade are not caught by Article 85 where they are necessary to safeguard the business assets being sold. It also declares that the seller cannot be required to accept any such restrictions unless they are indispensable for this purpose and continue no longer than is absolutely necessary to protect the transferred assets. This applies to the transfer of goodwill as well as to the transfer of knowhow.

The following are the main facts of the case. Between 1969 and 1971 Mr Gottfried Reuter, of Lemförde/Hanover, sold his entire shareholding in the Swiss limited company Elastomer AG to BASF AG, Ludwigshafen. Elastomer AG was the holding company of a group of firms with plants in several countries both inside and outside the Community.

The group manufacture polyurethanes. These are synthetic substances of versatile application and are being used more and more in a large number of industries. The assets transferred consisted primarily in the knowhow and goodwill built up by Mr Reuter.

In the contract of sale dated 25 June 1971 Mr Reuter undertook that for a period of eight years he would refrain from engaging in any direct or indirect activities in the field covered by the contract, whether in Germany or elsewhere. All activities relating to polyurethanes were covered: manufacture, use and sale and R&D. Every form of activity was prohibited, including holdings in

other firms, association arrangements and consultancy agreements.

The Commission found that the ban on R&D was not indispensable to the protection of the Elastomer goodwill transferred to BASF. The aim was rather to exclude Mr Reuter as a potential competitor from the polyurethanes market, so there was a clearcut infringement of Community law. But the Commission struck down the offending clause for another reason too; for eight years Mr Reuter was prevented from engaging in manufacturing, application and sales activities in the relevant field. The two sides had already operated the ban for five years. By the time the Commission issued its Decision the period necessary to achieve the purpose of the contract had therefore long since expired.

In general terms the Decision establishes that the Commission will find clauses of this kind in contracts for the sale of a business unobjectionable only if they are of strictly limited duration. But restrictions on the seller's right to engage in R&D will not be allowed by Community antitrust law, whatever their duration.

*Mergers in the steel industry*

2126. On 29 July the Commission, acting under Article 66 of the ECSC Treaty, authorized *Guest, Keen & Nettlefolds Ltd* (GKN), Smethwick, Warley, West Midlands, to acquire 75 % of the capital of *Sachs AG*, Munich. The takeover gives GKN the power to control Sachs and the firms under its control.

GKN, which ranks thirteenth among British firms is a holding company heading a group of more than 200 firms, several of which are covered by Article 80 of the ECSC Treaty. The main activities of this group are, in order of importance, mechanical engineering (components

<sup>1</sup> OJ No. L 254 of 17.9.1976.

and fittings for the motor industry, industrial equipment), structural steel engineering, the manufacture and distribution of iron and steel products and the manufacture of fasteners. In 1974 GKN's consolidated turnover was £1 137 770 000, and its employees at the end of December 1974 totalled 120 340.

As a holding company, Sachs controls ten firms, the most important being Fichtel & Sachs AG, which, with its subsidiaries, mainly produces components for the motor industry, bicycles and motorcycles, stationary engines and agricultural machinery. Sachs also controls a scrap dealing firm. In 1974, the turnover of the Sachs group was DM 1 052 630 409 (£186 306 267), and its employees totalled 16 898 at the end of that year.

The main effect of the takeover will be a higher degree of vertical integration and a possible increase in the rate of self-sufficiency in iron and steel products without enabling the firms concerned to evade the rules of competition instituted under the ECSC Treaty by establishing an artificially privileged position involving a substantial advantage in access to markets. The transaction therefore satisfied the tests for authorization laid down in Article 66(2).

However, the market more particularly affected by this concentration was not the steel market but the market in components and fittings for the motor industry, which is covered by the EEC Treaty. Examination of the takeover in the light of Article 86 of the EEC Treaty showed that the Commission had no grounds for opposing the takeover on the facts in its possession.

2127. By another Article 66 ECSC Decision the Commission authorized *British Steel Corporation* (BSC) to acquire a 33.3% shareholding in *Six Hundred Metal Holdings Ltd* (SHMH), London, a holding company controlling several undertakings engaged in the scrap industry.

This transaction will enable BSC to exercise joint control over SHMH with the *George Cohen 600 Group Ltd* (600 Group), which has a 66.7% share-

holding in SHMH. The share of the British scrap market controlled by BSC and the 600 Group together will be around 10%.

## State aids

### General schemes

#### Denmark

2128. On 7 July the Commission decided to raise no objection to a draft law notified by the Danish Government extending the scope of an aid scheme in the form of *government guarantees* to certain financial institutions set up by trade associations to facilitate investment by *small and medium-sized firms*.

These guarantees, which, in the past, were limited to the retail trade, are now to be extended to artisanat, small and medium-sized business and services (notably distribution and road transport). The amount of the guarantee granted to any financial institution may not exceed its own capital.

Since the guarantees are to be given to small firms and will facilitate investment by the latter for restructuring and development purposes, the Commission felt that the scheme could be exempted under Article 92(3)(c) of the EEC Treaty as 'aid to facilitate the development of certain activities'.

On 22 July the Commission decided not to object to the extension for a further year (until 1 July 1977) of the *Medium-Term Financial Support Fund* set up by the Danish Government in 1975 to help firms in difficulties as a result of the economic situation.

The Commission originally agreed to the scheme operating for a period of one year ending on

1 July 1976.<sup>1</sup> It felt that under normal circumstances the scheme should have been considered incompatible with the common market since it involved general assistance designed, moreover, to preserve the status quo, but that, in view of the difficult situation in Denmark, the scheme should be allowed to operate as 'aid to remedy a serious disturbance in the economy of a Member State'.

Since the economic and social situation in Denmark is now showing signs of picking up, a trend which should continue and become stronger, the Commission agreed to the scheme being extended only on condition that the assistance granted from the Fund was used to help the firms concerned to reorganize and no longer served merely to preserve the status quo. In this case the assistance can be exempted under Article 92(3)(c) of the EEC Treaty.

## *Industry aids*

### **Shipbuilding**

#### *Italy*

2129. On 6 July the Commission decided to raise no objection to a new Italian aid scheme for shipbuilding, ship conversion and repairs. The purpose of the scheme is to extend the assistance in the form of grants for shipbuilding, ship conversion and repairs until 31 December 1977 and to make available loans to promote investment.

The Commission agreed to assistance for ship repairs being extended for one year only, and insisted that no further extension would be granted thereafter. The Commission also pointed out to the Italian Government that this aid scheme in general will have to be integrated into a Community approach once the details of this have been worked out. The Italian Government has been asked even now not to grant assistance for investment which could bring about an in-

crease in capacity and thus aggravate the crisis in this industry.

#### *United Kingdom*

2130. The United Kingdom Government has informed the Commission that it intends to grant assistance to the shipbuilding industry; this industry, which plays an important role in the British economy, is going through a difficult period as a result of the world shipbuilding crisis and the problems stemming from the current nationalization process.

The assistance would be of two kinds. Firstly, the Government would provide a guarantee against cost escalation in the case of ships built in the UK under fixed price contracts. In return for a premium of 1% of the amount insured, the Government would bear a large proportion of any price increase. Secondly, the Government would guarantee deposits paid by shipowners to UK shipyards scheduled for nationalization in respect of orders placed.

In the light of the Commission's comments certain aspects of these measures were changed, with the result that the Commission was able to propose to the Council on 9 August that the Directive of 10 July 1975 on aid to shipbuilding<sup>2</sup> (the third) be amended. The proposal is that insurance against cost escalation (price guarantee) in the shipbuilding industry be authorized for the period of validity of the Directive. The conditions set for the French scheme in the third Directive will also apply to the UK scheme.

The Commission pointed out, however, that this was merely a temporary solution and that, as a rule, it was opposed to schemes of this kind. It also made known that it had no objection to the guarantees in respect of deposits paid by shipowners to UK yards.

<sup>1</sup> Bull. EC 6-1975, point 2120.

<sup>2</sup> OJ L 192 of 24.7.1975 and Bull. EC 7/8-1975, point 2133

*Regional aid schemes***Italy**

2131. On 28 July the Commission took a decision under Article 93(3) of the EEC Treaty regarding proposed aid measures which the autonomous region of Sicily was intending to introduce to maintain the level of income and employment in the southern central part of the island (particularly the sulphur-mining areas), which have been affected by the difficulties facing this industry.

The proposed aid measures for small and medium-sized firms are to take the form of supplementary grants, 20 % higher than those provided for the same purpose by the Cassa per il Mezzogiorno, and grants of Lit 200 000 a year for three years for each existing job.

In view of the particularly serious situation of the areas concerned, the Commission considered the supplementary grants compatible with the common market under Article 92(3)(a) of the EEC Treaty, although this increase means that the ceiling of intensity for measurable aid set for the Mezzogiorno in the principles for coordinating regional aid will be exceeded. However, the coordination principles allow the Commission to grant exceptions to the ceilings in specific cases where there are good reasons.

The employment grant—the second proposed aid measure—is not measurable as defined in the common method of evaluating aid contained in the coordination principles and continues the long series of non-measurable aid granted in the Mezzogiorno and other regions of the Community. Although the Commission agrees that some of these aid schemes might be regarded as essential for the development of certain regions, it considered it necessary to continue the technical work being carried out jointly by its departments and national experts to define measurement criteria which could be used to compare and assess all forms of regional aid being granted in the

Community. Consequently, the Commission did not object to this grant pending completion of the work in question.

**State monopolies of a commercial character****France***Alcohol*

2132. On 15 July the Commission decided to continue the infringement procedure of Article 169 of the EEC Treaty, which had been initiated against France on 6 April<sup>1</sup> by means of a reasoned opinion.

The French Government does not dispute the validity of the legal points put forward by the Commission. However, from the purely economic and political points of view, it fears that the application of the rules of the Treaty on the free movement of goods might lead to the manufacturers in question being abandoned and at the same time, a number of acquired rights being called into question, thus creating a regrettable climate of insecurity.

The Commission feels, however, that respecting the basic principles of the Treaty is in no way incompatible with the need, on social grounds, to safeguard the acquired rights of the manufacturers concerned. But these rights must be protected by means other than those used at present, which conflict with the rules of the Treaty on freedom of movement and go against the interests of the users of the alcohol.

<sup>1</sup> Bull. EC 4-1976, point 2113.

## Taxation policy and financial institutions

### Taxation

#### *Indirect taxes*

##### *Excise duties on tobacco*

2133. On 5 July the Commission laid before the Council a proposal for a Directive<sup>1</sup> the purpose of which is to extend by six months the first stage of harmonization of excise duties on manufactured tobacco as laid down by the Directive of 19 December 1972.<sup>2</sup> This first stage has already been extended on two occasions, in 1974 and 1975.<sup>3</sup>

Pursuant to the Directive of December 1972, the Council was to adopt at least one year before the expiry of the first stage (i.e. 30 June 1976) a directive laying down the criteria applicable during a second stage of harmonization beginning on 1 July 1977. A proposal regarding these criteria was laid before the Council by the Commission on 10 February 1976.<sup>4</sup> The Council, however, had not been able to take a decision on this proposal within the deadlines set since Parliament and the Economic and Social Committee had not yet delivered their opinions.<sup>5</sup> Consequently, it was necessary to extend the first stage once again.

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2134. At its part-session from 5 to 9 July, *Parliament*<sup>6</sup> delivered opinions on the progress of work within the Council on the adoption of the sixth VAT Directive.

<sup>1</sup> OJ C 168 of 22.7.1976.

<sup>2</sup> OJ L 303 of 31.12.1972.

<sup>3</sup> OJ L 180 of 3.7.1974 and L 330 of 24.12.1975.

<sup>4</sup> OJ C 45 of 27.2.1976.

<sup>5</sup> Parliament delivered its opinion on 6 July.

<sup>6</sup> Point 2416.

## 2. Economic and monetary union

### Economic, monetary and financial policy

#### Coordination of economic policies

2201. In accordance with the wish expressed by the European Council at its meeting on 12 and 13 July,<sup>1</sup> the Ministers of Economic and Financial Affairs met within the Council on 26 July in Brussels, with Mr Duisenberg, the Minister of Finance of the Netherlands, in the chair.

As provided for in its Decision of 18 February 1974,<sup>2</sup> the Council carried out the second annual review of the economic situation in the Community on the basis of a Communication laid before it on 30 June by the Commission on *the economic policy to be followed in 1976 and on the preparation of public budgets for 1977*.<sup>3</sup> Following this review, which enabled the guidelines on the preparation of public budgets for 1977 to be agreed, the Council adopted a Decision<sup>4</sup> to the effect that Member States would pursue economic policies which conformed to the guidelines.

The Council also held an exchange of views on a number of financial matters (notably the problem of the indebtedness of the developing countries) which were of particular relevance to the present phase of the work of the Conference on International Economic Cooperation (CIEC).

Finally, Mr Duisenberg, who is President of the Council (Economic and Financial Affairs) during the second half on 1976, put forward a number of *suggestions aimed at reinforcing the Community's policies and procedures in the two related areas of economic policy coordination and monetary relations*. The Council instructed the Economic Policy Committee, the Monetary Committee and the Permanent Representatives Committee to study

<sup>1</sup> Point 2434.

<sup>2</sup> OJ L 63 of 5.3.1974.

<sup>3</sup> Bull. EC 6-1976, point 2203.

<sup>4</sup> OJ L 229 of 20.8.1976.

these suggestions, while also taking into account those put forward in September 1974 by Mr Fourcade, the then President of the Council,<sup>1</sup> and to report back to it in time for its meeting in October.

Mr Duisenberg's suggestions, which were a response to the need voiced by the European Council on 12 and 13 July for a greater convergence of Member States' economic and monetary policies, are in line with the views which the Commission has been advocating for many months, most recently in the Communication on Economic and Monetary Action which it laid before the European Council on 1 and 2 April 1976.<sup>2</sup>

On economic policy in particular, Mr Duisenberg suggested that the Community's medium-term economic policy programme should be made to play a central role in the periodic review of national programmes. These national programmes should be examined in the light both of their consistency with the agreed Community programme and of the objective that national measures should not jeopardize the functioning of the common market. The results of these reviews should be set out in the Annual Report on the Economic Situation in the Community.

The utilization of Community funds should be geared as much as possible to the objectives and measures agreed to in the medium-term economic policy programme. All Member States should undertake to comply with the guidelines of the medium-term programme. In order to reinforce the process of convergence of economic policies, Mr Duisenberg further suggested that the Community's credit mechanisms be adjusted to this goal and in particular that the possibility of granting credits in tranches be examined, the release of follow-up tranches to be made conditional upon the countries concerned satisfying the conditions determined by the policy envisaged.

With regard to monetary relations, Mr Duisenberg was against any weakening of the present 'Community snake' arrangement. With a view to

improved coordination between the countries in the 'snake' and the countries with floating currencies, he suggested the setting up of general Community arrangements for consultation and monitoring of exchange rate policies based on the 'guidelines for floating', which centre around the concept of agreed 'target zones' for exchange rates.

The guidelines would not commit a country to keeping its exchange rate within the target zone, but they would mean that the countries concerned would not take any policy measures designed to take the rates out of the agreed target. Periodic reviews of the zones and Community monitoring of national policies on the basis of such guidelines could provide the foundation for an effective framework for Community action in this area.

### Protective measures in Italy

2202. Prior to the deadline of 5 August 1976, the Italian Government asked the Commission for authorization to maintain, for a period of three months, the deposit requirement authorized, in accordance with Article 108(3) of the EEC Treaty, by the Commission in its Decision of 5 May 1976.<sup>3</sup> This temporary (three months), non-interest bearing deposit of 50 % of the amount involved in the transaction has to be lodged whenever foreign exchange is purchased or whenever lire are deposited on foreign accounts.

The Commission had carried out a detailed examination of the economic situation in Italy. It had noted in particular that, although there had been some improvement since May, Italy's balance of payments situation was still precarious and that domestic liquidity remained abundant, in spite of the introduction of the deposit. By contrast, the fall in the lira had been stemmed,

<sup>1</sup> Bull. EC 9-1974, point 1301.

<sup>2</sup> Bull. EC 4-1976, point 2204.

<sup>3</sup> OJ L 120 of 7.5.1976; Bull. EC 5-1976, point 2205.

with the currency staging a recovery of almost 10% against the dollar in the period May-July; this had doubtless been a factor in the appreciable slowdown in the upward movement of prices recorded during that same period. In conclusion, the Commission had taken the view that if the monetary measures adopted in May by Italy with its authorization were allowed to lapse the country's external imbalance could well suffer.

Accordingly, it adopted on 21 July a Decision<sup>1</sup> authorizing Italy to maintain until 5 November the deposit requirement it had authorized by its Decision of 5 May. In accordance with Article 2 of the new Decision, the Italian authorities 'shall act in close concert with the Commission with a view to the formulation and implementation of the measures needed to redress the Italian economy, and in particular to ensure compliance with the economic policy conditions laid down for 1976 by Council Decision 76/324/EEC of 15 March 1976'.<sup>2</sup>

### Protective measures in the United Kingdom

2203. The Commission carried out a searching examination of the economic situation in the United Kingdom, as provided for in its Decision of 23 July 1975<sup>3</sup> authorizing the United Kingdom to take certain protective measures in accordance with Article 108(3) of the EEC Treaty in respect of the capital movements referred to in Article 124(1)(a) and (b) of the Act of Accession. The capital movements in question are the following: direct investments in other Member States by United Kingdom residents, and their liquidation; transfers of capital belonging to United Kingdom residents who are emigrating, other than transfers connected with freedom of movement for workers, liberalized from the date of accession; gifts and endowments, dowries, succession duties, and real estate investments other than those connected with freedom of movement for workers liberalized from the date of accession.

This review revealed in particular that the United Kingdom's current account deficit would probably widen in the second half of 1976 but that there might be some improvement—the scale of which was still difficult to assess—as exports picked up. The tendency for the rate of inflation to slacken would probably persist throughout the year; between 1976 and 1977, however, prices were expected to continue their quite sharp upward movement although labour costs per unit of output would probably be rising more slowly in the first half of next year.

The Commission concluded from this review that the circumstances which had prompted its Decision of 23 July 1975 had not altered, this conclusion moreover being in line with the findings of a survey of the economic situation in the United Kingdom carried out last June by the Monetary Committee.

Accordingly, the Commission decided on 27 July to maintain until 20 June 1977 the authorization it had given to the United Kingdom in July 1975 to take certain protective measures in accordance with Article 108(3) of the Treaty. It also decided to keep under close review the development of the economic situation in the United Kingdom and to examine the situation before 30 June 1977. The Commission reserved its right to revoke or amend the Decision prior to its expiry should the economic situation in the United Kingdom show a significant improvement.

Pursuant to Article 108(1) of the EEC Treaty, the Commission further notified the United Kingdom Government on 30 July of a Recommendation on the economic policy to be followed in 1977.

<sup>1</sup> OJ L 196 of 22.7.1976.

<sup>2</sup> OJ L 77 of 24.3.1976; Bull. EC 3-1976, point 2201.

<sup>3</sup> OJ L 211 of 9.8.1975; Bull. EC 7/8-1975, point 2212.

### Economic Policy Committee

2204. The Economic Policy Committee held its thirty-sixth meeting in Brussels on 1 July, with Mr Middelhoek in the Chair. The meeting was mainly devoted to the preparation of the second annual review of the economic situation in the Community to be made by the Council, and in particular to an examination of the quantitative guidelines for the draft public budgets for 1977.<sup>1</sup>

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2205. On 9 July, *Parliament* adopted a Resolution on the Puerto Rico summit conference.<sup>2</sup>

## Regional policy

### Financing operations

#### European Regional Development Fund

*Third allocation for 1976: 108.86 million u.a.*

2206. On 14 July, the Commission approved the third allocation of grants for 1976 from the European Regional Development Fund, totalling 108.86 million u.a. The aid has been allocated to 471 investment projects costing a total of 897.95 million u.a.

In accordance with the Regulation of 18 March 1975<sup>3</sup> establishing the ERDF, the Fund Committee had endorsed the projects concerned on 8 and 9 July, the Regional Policy Committee having been consulted on 30 June on those infrastructure projects costing more than 10 million u.a.

This new allocation—the fifth since the Fund was set up—brings the total amount committed to 568.75 million u.a. and the total number of projects assisted to 2 115. So far, about 54 % of the 500 million u.a. available for 1976 has been committed, the first and second 1976 allocations having been approved by the Commission in January<sup>4</sup> and April.<sup>5</sup>

Table 3 gives a breakdown of the amounts granted.

The 108.86 million u.a. break down as follows:

(a) 80.67 million u.a. to help finance 316 infrastructure projects required to develop industrial 'artisanat' and service activities, comprising:

<sup>1</sup> Point 2201.

<sup>2</sup> Bull. EC 6-1976, Third Part ('Documentation').

<sup>3</sup> OJ L 73 of 21.3.1975.

<sup>4</sup> Bull. EC 1-1976, point 2204.

<sup>5</sup> Bull. EC 4-1976, point 2210.

Table 3 — *Grants from the Fund (third 1976 allocation)*

Member State	Number of grant decisions	Number of investment projects	Investments assisted (million u.a.)	Assistance granted (million u.a.)
Denmark	4	25	23.52	2.57
Germany	26	92	143.44	6.63
Ireland	4	37	27.54	6.56
Italy	15	232	447.90	69.73
United Kingdom	25	85	255.55	23.37
Total	74	471	897.95	108.86

42.07 million u.a. to help finance 5 projects costing more than 10 million u.a. each;

27.71 million u.a. to help finance 116 projects costing less than 10 million u.a. each;

16.89 million u.a. to help finance 195 infrastructure investment projects in the areas referred to in the Directive on mountain and hill farming and farming in certain less-favoured areas.

The infrastructure investments assisted from the Fund involved a total of 513.99 million u.a. The main Member States to benefit are Italy, receiving 59.65 million u.a., and the United Kingdom, receiving 12.73 million u.a.

(b) 28.19 million u.a. to help finance 155 projects relating to industrial, 'artisanat' and service activities, comprising:

8.03 million u.a. to help finance 5 projects costing more than 10 million u.a. each, and

20.16 million u.a. to help finance 150 projects costing less than 10 million u.a. each.

The industrial and services investments assisted from the Fund involved a total of 383.96 million u.a. The main Member States to benefit are the United Kingdom, receiving 10.64 million u.a., Italy, receiving 10.08 million u.a. and Germany, receiving 5.92 million u.a.

## Industrial conversion

### *Financing new activities*

2207. In July, the Commission decided to grant two conversion loans pursuant to Article 56(2)(a) of the ECSC Treaty for the reorganization of a steel undertaking in Sicily and one in the Saarland. The first, totalling 1.65 million EUA (about Lit 1 500 million), was granted to the *Acciaierie Megara SpA* (Italy), the other, amounting to 3.6 million EUA (about DM 10 million), to the *Dillinger Hüttenwerke AG* (Germany).

The Commission also forwarded three Communications to the Council for 'assent' to enable it to grant three conversion loans. The first, amounting to 4 million EUA (Lit 3 500 million), would enable the *Società Nazionale Cogne SpA* (Italy) to construct new precision engineering workshops and a heat treatment plant in the Val d'Aosta. The second, amounting to 222 000 EUA (136 000), would enable *Natural Gas Tubes Ltd* (United Kingdom) to enlarge its Ebbw Vale tube factory by constructing a spiral weld mill. Finally, the Commission asked the Council for its assent to enable it to grant an 1 152 000 EUA loan (FF 6 million) to *L'Unité hermétique* (France) to help build a plant for the manufacture of refrigerating compressors on the La Mure trading estate (Rhône-Alpes).

## Social policy

### Employment

#### *Unemployment among young people*

2208. On 9 August the Commission approved a draft Recommendation to the Member States on the vocational preparation of young people who are unemployed or who are threatened with unemployment. When the European Parliament and the Economic and Social Committee have given their opinion on this draft, the Commission will ask the Council to adopt a Resolution along the same lines and to lay down a policy to be followed in this sphere.

The background to this Recommendation was the appreciable increase in unemployment among young people since 1970 (in the spring of this year there were more than 1 500 000 'under twenty-fives' unemployed in the Community) and the fact that a large number of them arrive on the labour market every year without adequate preparation for the world of work. Since at

present they receive little guidance or training, they have difficulty in finding a job when the unemployment level is high. The aim of the recommendation is to encourage, at the end of compulsory school attendance, training schemes in the Member States which provide adequate vocational preparation for these young people.

The aim of this 'vocational preparation' is to facilitate the entry of young people into the labour market. It should include, as and where appropriate: vocational guidance, reinforcement of basic school skills, general knowledge of economic and social organization, initial vocational training, practical experience of work.

In order to reduce obstacles in the way of such vocational preparation, the Commission recommends two types of measures:

- (i) young people threatened with unemployment should enjoy facilities enabling them to attend training courses during their working hours;
- (ii) they should also be granted allowances to cover their maintenance, course fees and ancillary attendance costs.

If all unemployed young people are to be given adequate vocational preparation it will be necessary to utilize all present and potential resources of the educational and training system. Finally, the two sides of industry, which often have practical experience in this field, should be associated as far as possible in the organization of the programmes.

The recommendation also makes provision for coordination at national and local level between the guidance, vocational training and placement services, as well as employer and trade-union involvement in the training activities.

### *Employment prospects*

2209. A report on employment prospects in the Community until 1980 was submitted to the Commission in July by a group of independent

experts which it had decided to set up at the beginning of 1975. This document contained the results of the initial work of the group, which had been entrusted with the task of identifying major trends and prospects affecting employment in the medium term, of determining priority areas of action and measures to deal with the situation, and of working out, as and where required, specific guidelines and recommendations.

2210. At its meeting on 19 and 20 July, the Council approved the guidelines of the *programme of employment statistics* drawn up by the Commission, and it confirmed the importance which it attached to the effective implementation of the programme. In October 1975 these guidelines had been the subject of a Communication from the Commission to the Council.<sup>1</sup>

### **Free movement and social security for migrant workers**

2211. The *Administrative Commission on Social Security for Migrant Workers*, at its meeting on 8 July, had a broad discussion on its relations with the Advisory Committee on Social Security for Migrant Workers. It also adopted a draft amendment to the 1971 Regulation,<sup>2</sup> so that workers who, after being insured in the United Kingdom, go to work in another Member State and become disabled there, can receive invalidity benefits from the United Kingdom.<sup>3</sup>

2212. The *Advisory Committee on Social Security for Migrant Workers* held its fifth meeting on 9 July. After adopting its rules of procedure, the Committee examined the follow-up to be given to the Court of Justice's judgment in Case 24/75 (Petroni). After this examination, most of the members of the Committee concluded that Com-

<sup>1</sup> Bull. EC 10-1975, point 2211.

<sup>2</sup> OJ L 149 of 14.6.1971.

<sup>3</sup> Bull. EC 6-1976, point 2215.

munity rules should be laid down with a view to coordinating national provisions in respect of the unjustified drawing of similar benefits concurrently.

### Social Fund, re-employment and retraining

#### *Fourth Report on the activities of the Fund*

2213. On 6 August the Commission presented to the Council the Fourth Report on the activities of the European Social Fund, covering the 1975 financial year. In that year, *resources* available to the Fund totalled 376.56 million u.a., of which:

131.06 million u.a. were for retraining measures for agricultural and textile workers, migrant workers and young people aged under 25 years (Article 4);

245 million u.a. were for measures to help unemployed or underemployed workers in less developed regions, highly skilled workers, or groups of undertakings and industries which have to keep pace with technical progress (Article 5);

0.9 million u.a. were for studies and pilot schemes (Article 7).

Virtually all these *appropriations* were committed: 129.9 million u.a. under Article 5 and 241.9 million u.a. under Article 4. Fund assistance under Article 4 was extended to two new spheres: young people under 25 years of age who are unemployed or seeking employment, and persons employed in the clothing industry. In addition, the period of Social Fund assistance to persons employed in the textile sector was extended.

More applications were submitted under Article 4 than in 1974. The gap between the total amount involved in the applications and the available appropriations was particularly noticeable—a ratio of at least three to one—in the case of handicapped and young persons. Because of this, the

selection of applications was determined, more than in the past, by financial constraints and was based mainly on the following criteria: clear priority was awarded to well-defined operations, i.e. defined from their start to their finish, and to overall programmes comprising such operations. Furthermore, preference was accorded to operations which were complementary to programmes already decided on without the assistance of the Fund.

There were fewer applications relating to the regions, submitted on the basis of Article 5, than in 1974. Operations to help regions represented almost 85 % of the funds granted under Article 5. However, the launching of future new operations relating to 'technical progress' and 'groups of undertakings' should, in the medium term, ensure a better equilibrium within Article 5. For 1976 it is estimated that about 10 % of the appropriations will be utilized, for 'technical progress' operations and this rate should also be reached in 1977 for operations relating to 'groups of undertakings.'

A large proportion of the studies and pilot schemes undertaken in 1975 related to instructors, women and young people.

#### *Assistance from the Fund*

2214. On 28 July, the Commission approved the financing of the second series of applications in 1976 for assistance from the European Social Fund, submitted under Articles 4 and 5 of the Council Decision of 1 February 1971.

The applications, which had been examined by the Fund Committee on 25 June and classified as first priority, are as follows:

(a) under Article 4 (retraining operations to help ex-agricultural workers, workers in the textile and clothing industries, migrant workers, and handicapped persons):

Financial year	Amounts (million u.a.)
1976	70.9
1977	8.9
1978	4.5

(b) under Article 5 (retraining measures to help unemployed or underemployed workers in the less developed regions of the Community, training of workers to meet the needs of technical and industrial progress, and readaptation measures to help handicapped persons):

Financial year	Amounts (million u.a.)
1976	28.9
1977	12.6
1978	3.4

2215. On 27 July the Commission also approved the financing of seven *pilot schemes* (in preparation for Fund aid): two in the United Kingdom, four in France and one in the Netherlands.

#### *Readaptation measures*

2216. In July the Commission decided, under Article 56(2)(b) of the ECSC Treaty, to contribute towards the cost of readaptation of workers affected by the partial or total closure of undertakings in the iron and steel industry, in four Member States.

In *Germany*, an appropriation of 35 500 EUA was made available to help 176 workers affected by the final closure of a steel works. In *Belgium*, two appropriations totalling 113 683.47 EUA were made available to help 237 workers affected by the final closure of iron and steel plants. In

*France*, five appropriations were increased by 361 250 EUA for workers affected by the closure of iron-ore mines. Finally, in the *United Kingdom* four appropriations, totalling 356 500 EUA, were made available to help 425 workers affected by the closure of steel works.

#### **Vocational guidance and training**

2217. The *Advisory Committee for Vocational Training* met in Brussels, on 5 July, for the first time since it was renewed in June.

The Commission stressed its intention of strengthening the role of the Committee with a view to making the relaunched implementation of a common policy on vocational training fully effective. Moreover, the creation and commencement of operations of the European Centre for the Development of Vocational Training, in Berlin, implies the strengthening of the role of the Committee in order to help Community institutions to bring the common policy on vocational training up to date and to work out new guidelines in this field.

At this meeting the Committee expressed its agreement on the Commission's draft recommendation concerning the employment and training of young people,<sup>1</sup> stressing the advisability of such an initiative, which should encourage the adoption of measures enabling young people seeking employment or threatened with unemployment to obtain access to the world of work or to remain there after attending courses to prepare them for vocational training.

#### **Social security and social action**

2218. At its meeting on 27 July, the Council agreed on the guidelines of the action envisaged

<sup>1</sup> Point 2208.

by the Commission for setting up a permanent information system on social security in agriculture. These guidelines had been the subject of a report presented to the Council in December 1975.<sup>1</sup>

## Living and working conditions

### Housing

2219. As part of the second instalment of the seventh programme of financial aid towards the construction and modernization of low-cost housing for workers in the coal and steel industries, the Commission has approved the following projects: *Italy* (iron and steel industry) 74 dwellings: Lit 135 million (special reserve) and Lit 60 million (borrowed funds); *Ireland* (apart from other decisions cancelling and replacing previously approved projects), coal industry: 8 dwellings (£ 17 700 - balance of programme).

2220. Under the first instalment of the eighth programme, the Commission also approved the following projects: *Germany*, (coal industry) 934 dwellings (DM 3 855 000); *Belgium* (coal industry) 113 dwellings (Bfrs 24 295 000); (iron and steel industry) 38 dwellings (Bfrs 8 170 000); *France* (iron and steel industry) 277 dwellings (FF 2 644 000); (iron-ore mines) 19 dwellings (FF 88 000); (coal industry) 129 dwellings (FF 1 032 000). It also decided to grant the following loans: *Netherlands* (iron and steel industry): Fl 801 500; *Luxembourg* (iron and steel industry): Lfrs 22 688 760; *United Kingdom* (iron and steel industry): £ 348 000; (coal industry): £ 1 016 000.

2221. In order to help improve low-cost housing, on 29 July the Commission approved the idea of organizing, in collaboration with the Governments of the Member States, a competition to encourage the search for solutions to the problems posed by the need to consider housing as an

essential element of living and working conditions.

## Health protection

2222. On 23 July the Commission approved a memorandum on the establishment of a research programme on safety in the mines, which will be submitted to the ECSC Consultative Committee and the Council. The cost of carrying out this programme, over five years, will be about 7.5 million EUA.

The areas covered by the planned programme are: fires, explosions and rescue, telemetry and automation, methods of exploitation, electricity, metallurgy, accidents and accident information. It is planned that the programme should deal with research into the prevention of very serious or mass accidents and also into the more frequent individual accidents, which, in all, result in a greater number of deaths and injuries.

2223. On 23 July the Commission decided to grant aid amounting to 2 079 600 EUA to finance eleven research projects forming part of the third programme of the *technical campaign against pollution from steelworks*,<sup>2</sup> and 1 941 525 EUA, for the financing of nineteen<sup>2</sup> research projects under the second programme of the *technical campaign against dust in the mines* and the third programme on *health in the mines*.

2224. In the framework of the third research programme on *ergonomics*, the Commission decided, on 29 July, to finance two new projects, for a total of 178 000 u.a., in the 'ergonomics and readaptation' sphere, and to grant financial aid to continue a project planned in the 'ergonomics and human factors' sphere.

<sup>1</sup> Bull. EC 12-1975, point 2224.

<sup>2</sup> Bull. EC 1-1976, point 2217 and 4-1976, points 2230 and 2231.

2225. The Commission organized another meeting of the group of experts in virology and public health<sup>1</sup> for the purpose of continuing the examination of health problems which might arise from the appearance in Europe of the *swine flu virus*. No case has yet been recorded in the Community, and the conclusions of the first meeting, that a general vaccination of the population is unnecessary, remain valid. However, the experts recognize the need to review the situation regularly and will hold another meeting in December.

2226. On 9 July, *Parliament*<sup>2</sup> delivered its opinion on the Commission proposal on posting safety signs at work.<sup>3</sup>

### Paul Finet Foundation

2227. On 2 July, the Executive Committee of the Paul Finet Foundation held its last meeting of the 1975/76 school year; 305 cases were examined and financial aid granted in 197 of them, for about Bfrs 1 673 000. Up to now the Secretariat has received 8 297 requests, and financial aid has been granted in 5 805 cases, for a total of about Bfrs 47 646 000. With the help of the aid from the Foundation, 1 475 of the 3 361 young people assisted have successfully completed their vocational, secondary or university studies.

## Environment and protection of consumers

### Environment

#### *Toxic and dangerous wastes*

2228. On 28 July the Commission presented to the Council a proposal for a Directive on toxic and dangerous wastes.<sup>4</sup> The aim of this Directive—which is based on the principles laid down

in the programme of action of the European Communities on the environment<sup>5</sup>—is to obtain the implementation by the Member States of a system of controls and safeguard measures to ensure that toxic and dangerous wastes are disposed of without danger to human health or the environment.

The Commission's proposal, which contains a list of toxic and dangerous wastes, provides for the introduction of a system of prior authorizations to achieve this aim. The proposal lays down that the Member States will take the necessary measures to encourage the prevention, recycling and processing of these wastes. Special plans for the disposal of toxic or dangerous waste should also be drawn up by the competent authorities and forwarded by the Member States to the Commission; by comparing them it will be possible to ensure maximum coordination at national and Community level.

#### *Plant protection products containing certain active substances*

2229. On 5 August<sup>6</sup> the Commission presented to the Council a proposal for a Directive prohibiting the placing on the market and the use of plant protection products containing certain active substances whose use may be hazardous to human health and the environment.<sup>7</sup>

#### *Contamination by toxic products*

2230. Following the accident at Seveso, Italy, in July, which resulted in the contamination of the area by toxic products, the Commission placed

<sup>1</sup> Bull. EC 6-1976, point 2224.

<sup>2</sup> Point 2419.

<sup>3</sup> Bull. EC 4-1976, point 2228.

<sup>4</sup> OJ C 194 of 19.8.1976.

<sup>5</sup> OJ C 112 of 20.12.1973.

<sup>6</sup> OJ C 200 of 26.8.1976.

<sup>7</sup> Point 2256.

the expertise of its staff and specialized installations at the disposal of the Italian authorities at their request.

A Commission representative was sent to Rome to implement and coordinate any aid which the Commission might be able to provide.

Immediate action was taken by the Joint Research Centre at Ispra, which has specialized equipment and expert resources in the environment sector. It alerted the network of consultants in the ECDIN (Environmental Chemicals Data Information Network), which had been set up under the Community's programme on the environment to obtain information on TCDD (toxicity, teratogenic effects, metabolism, decontamination methods). As soon as this information was received it was passed on to the Ministry of Health in Rome.

Ispra also put at the disposal of the Italian authorities mobile equipment which can pinpoint local meteorological conditions, especially air turbulence and inversion layers. This information, which is useful for determining the extent of the pollution, is indispensable for choosing measures to prevent any spread of the chemical when decontamination measures are carried out, and for the supervision of such operations. This ultrasonic radar equipment (SODAR), connected to a mobile meteorological tower, the only unit of this type in Europe, began taking measurements in the area on 6 August. The Commission has also taken steps to facilitate contacts with experts on toxicology and with specialized laboratories.

The Commission stated in a communiqué at the beginning of August that it would not fail, in due course, to ascertain the medium-term implications of this accident for some of its policies.

#### *Quality of waters capable of supporting freshwater fish*

2231. A proposal for a Directive presented to the Council on 2 August<sup>1</sup> under the Communi-

ties' action programme on the environment is intended to establish the quality requirements for waters capable of supporting freshwater fish. The proposal states that limit values corresponding to certain parameters should be laid down and waters capable of supporting freshwater fish should be made to conform to these values within five years following notification of the Directive, once adopted.

The Commission's proposal sets the parametric values, lays down the minimum frequency for sampling of the waters in question, specifies the reference methods of analysis to be used and formally prohibits the degradation of the present quality of these waters. The Commission also proposes that where these waters cross national frontiers the riparian States should collaborate in determining the fresh waters to which the Directive should relate and the quality objectives which they should fulfil.

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2232. At its part-session from 5 to 9 July,<sup>2</sup> *Parliament* delivered its Opinion on the Commission's proposals to the Council concerning a new action programme on the environment, the exchange of information on the quality of surface fresh water and the limitation of noise emission from subsonic aircraft.

#### **Consumer protection**

##### *Survey on 'the European consumer'*

2233. In July the Commission published the results of a survey carried out in the nine Member States on the European consumer: what he is worried about, what he wants and how well he

<sup>1</sup> OJ C 202 of 28.8.1976.

<sup>2</sup> Points 2422 to 2424.

is informed. The survey deals in particular with the public's reactions to price increases, the consumer's attitudes to misleading selling techniques, public services, advertising, information media, comparative tests, public authorities, political parties and attitudes to the 'Common Market.'

### *Consumers' Consultative Committee*

2234. At its meeting in Brussels on 9 July, the Consumers' Consultative Committee noted the results of the opinion poll carried out among Community consumers, which revealed a growing concern on the part of consumers for protection of their interests and more information.

The Committee has set up two working parties to study the documents forwarded by the Commission departments on pharmaceutical products and abusive clauses in contracts. Finally, the members of the Committee who have held discussions with the Central Secretariat of the European Committee for Standardization have organized a meeting with the representatives of COPA and COGECA.

### *Food products*

2235. On 20 July<sup>1</sup> the Council adopted a Directive limiting human consumption of *erucic acid*, one of the constituents of colza oil and other *edible oils and fats*, pending the results of work on the possible danger of this acid to health. This precautionary measure<sup>2</sup> is to provide consumers with greater protection than they have been afforded up to now.

Under the Directive the maximum content of erucic acid in oils and fats intended for human consumption is fixed at 10% as from 1 July 1977 and at 5% as from 1 July 1979.

2236. Also with a view to ensuring more effective consumer protection, the Commission pres-

ented two proposals to the Council on *poultry*,<sup>2</sup> and on *pigmeat* imported from non-Community countries. The first proposal, which is accompanied by a report on chilling processes for poultry, concludes that the immersion chilling process offers satisfactory results as regards hygiene, provided, however, that certain alterations are made to the previous system, particularly with respect to the construction of installations and their operation, and that continuous verification is made of the correct functioning of chilling plants by means of microbiological examinations. The ban on the 'Spinchiller' process as employed in the past should take effect on 1 January 1978.

With the same aim in mind (consumer protection) the Commission also presented to the Council a proposal on the examination for trichinae of imports of fresh pigmeat from third countries.<sup>3</sup>

The proposal provides for a systematic examination of all pigmeat destined for the Community, either in the exporting country or on arrival in Community territory. In certain special cases, the meat may be treated to destroy any trichinae, instead of being examined.

### *Liability for defective products*

2237. On 23 July the Commission adopted a proposal for a Directive which would make the producer liable for comparatively serious injury caused to consumers by defective products whether or not he was at fault.<sup>4</sup> This proposal—which has since been presented to the Council—is based on the preliminary programme for a consumer protection and information policy<sup>5</sup> which calls for the protection of the health,

<sup>1</sup> OJ L 202 of 28.7.1976.

<sup>2</sup> Point 2257.

<sup>3</sup> Point 2255.

<sup>4</sup> Point 2119.

<sup>5</sup> OJ C 92 of 25.4.1975.

safety and economic interests of consumers against injury caused by defective products.

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2238. On 9 July Parliament<sup>1</sup> delivered its Opinion on the proposal for a Directive sent by the Commission to the Council on the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer.

## Agricultural policy

2239. Several main questions dominated the meeting of the Council of Ministers of Agriculture on 19 and 20 July. The Council was first and foremost concerned with the consequences of the *drought* afflicting several regions of the Community and the measures which should be taken immediately and in the longer term to deal with this situation. At the Commission's request the Ministers held a special meeting on 9 September when they examined the supply forecasts for 1976/77 and studied the measures already taken and those which might be envisaged.<sup>2</sup>

At the July meeting the Council held a first exchange of views on the action programme (1977-80) presented by the Commission with a view to restoring balance in the *milk market*.<sup>3</sup> The proposed interim common organization of the market in *sheepmeat* was also discussed in some detail.

The Commission fixed the first instalment of aid financed by the EAGGF Guidance Section in 1976 and submitted several proposals on the harmonization of legislation.

### Action programme to restore balance in the milk market

2240. On 9 July the Commission sent to the Council the outlines of an action programme

(1977-80)<sup>4</sup> aimed at restoring balance in the milk market. Although the drought also affected milk production, the Commission considers that the structural imbalance in this market continues to require corrective action. This diagnosis is confirmed by medium- and long-term forecasts which show that, in the absence of measures of restraint, the current surpluses can only worsen in future years. For that reason the Commission proposed to the Council a set of measures which would put a brake on production and at the same time stimulate stagnant consumption. These proposals will be worked out in detail and presented to the Council in the light of the assessment of the consequences of the drought from which Community agriculture has been suffering.

By way of correctives to surplus production, the Commission's plan includes a proposal to reduce the dairy herd by about 1.25 million cows by introducing premiums for the non-marketing of milk and for the conversion of the dairy herd, by suspending national and Community aid in the milk sector for three years and by introducing a co-responsibility levy on dairy farmers accompanied by a charge on Community and imported vegetable and marine fats. The proceeds of this levy will be used, in close cooperation with producers, to stimulate stagnant consumption. To that end the Commission is proposing measures to expand the market for milk and milk products.

With these proposals the Commission is renewing the efforts it has made over the last few years to achieve a better balance in the milk market. They are in line with the Council Decision of 6 March to take a decision before 1 September on the financial co-responsibility of milk producers to take effect from the beginning of the 1977/78 milk year. At the same meeting the Council undertook to implement, before 31 July, a system

<sup>1</sup> Point 2425.

<sup>2</sup> Points 1301 to 1304.

<sup>3</sup> Point 2240 and Supplement 10/76 — Bull. EC.

<sup>4</sup> Supplement 10/76 — Bull. EC.

of premiums for the non-marketing of milk and milk products.

## Monetary situation

2241. The last two months (August in particular) were marked by major changes in the exchange rates of the currencies of Member States involving numerous modifications of the monetary compensatory amounts and an increase in their volume. The rise in the German mark led to an appreciation of the currencies within the 'snake' compared with other Community currencies and the French franc in particular came under strong pressure. The exchange rates of currencies outside the 'snake' have altered considerably compared with those held together within the spot margin of 2.25 %.

At present there are sizeable mean differences between the reference rates and the spot exchange rates of the floating countries compared with Community currencies within the 'snake'. Thus, the monetary compensatory amounts applicable on 30 August were calculated on the basis of the following percentage differences<sup>1</sup>

French franc:	- 9.6 %
Italian lira:	- 7.4 %
Pound sterling:	-22.7 %
Irish pound:	-18.5 %

2242. Moreover, the implementation at the beginning of the 1976/77 marketing year of the new common agricultural prices and representative exchange rates for the agricultural sector<sup>2</sup> has involved the fixing of new monetary compensatory amounts with effect from 1 July for sugar, colza and rape, and from 1 August for cereals, poultrymeat and eggs.

## Application of the common agricultural policy in the enlarged Community

2243. In July and August the Commission fixed the accession compensatory amounts for several agricultural products: for the new 1976/77 marketing year in the case of cereals and for the quarter beginning 1 August for pigmeat, eggs and poultrymeat. On 20 July<sup>3</sup> the Council amended the special provisions applicable since July 1975<sup>4</sup> to trade in tomato concentrates between the Community as originally constituted and the new Member States. In order to safeguard the competitive position of producers in the six original Member States on the markets of the three new Member States it was necessary to increase the compensatory amounts for tomato concentrates and to introduce one for peeled tomatoes.

## Common organization of markets

2244. During July and August the Council and the Commission adopted a number of Regulations with the management of agricultural markets. In the Council a compromise was arrived at on the question of refunds to be granted to industries processing cereals into starch. Certain regulations in implementation of the compromise on agricultural prices were also adopted for the wine sector, including certain measures going beyond the March agreement in respect of market support (distillation for the production of potable spirits). A Resolution was adopted with a view to preventing the formation of structural surpluses in the hops sector. The temporary total suspension of the autonomous Common Customs Tariff duty on main crop potatoes was pro-

<sup>1</sup> Bull. EC 4-1976, points 2243 to 2246 and Table 2.

<sup>2</sup> Bull. EC 3-1976, point 2247 and 4-1976, point 2244.

<sup>3</sup> OJ L 199 of 24.7.1976.

<sup>4</sup> OJ L 198 of 29.7.1975 and Bull. EC 7/8-1975, point 2245.

longed by the Council until 30 September 1976;<sup>1</sup> in addition, on 14 July the Management Committee for Fishery Products voted to maintain the suspension of imports of whole frozen cod introduced on 12 June,<sup>2</sup> and the Commission decided that this measure would remain in force unchanged. On the other hand, the Council once more postponed discussion of proposals on structural policy.

2245. The Council fixed the production refunds in the *cereal and rice* sector applicable to products used in the starch industry from 1 August,<sup>3</sup> when the new marketing year starts, and also fixed the minimum price payable to the potato grower by the potato starch manufacturer. It discussed the advisability of abolishing production refunds in 1978 and noted that the Commission would examine this question in detail and report as soon as possible. The Council agreed in principle to the abolition as of 1 August 1977 of the refund for maize intended for the production of syrup with a high fructose content, which would meanwhile remain at its present level of 10 u.a./tonne.

The Council also fixed the threshold prices for husked rice (280.60 u.a./tonne)<sup>4</sup> and broken rice (182.40 u.a./tonne) for the 1976/77 marketing year. The Commission adopted several regulations applying the new prices for cereals and rice, while taking account of certain effects of the drought.

2246. Bearing in mind present prospects on the *sugar* market for 1976/77, it was considered desirable to modify<sup>5</sup> the standard invitation to tender for the export of white sugar, so that it would be possible as of 25 August to earmark white sugar from the new year's production for export from 1 October 1976 onwards together with any exportable surplus from the 1975/76 sugar year.

2247. In the *olive oil* sector, the system of fixing import levies by tender has been in force since mid-June.<sup>6</sup> Internal prices on the Community

market have led to a drop in consumption so that the Italian intervention agency has had to buy in 81 000 tonnes of olive oil. Since imports have been very low for several months, it appeared desirable, in order to ensure supplies to consumers without jeopardizing olive-oil production prices to offer for sale about 20 % of the oil held by the Italian intervention agency. This was done by the Commission Regulation of 20 July.<sup>7</sup>

In addition, as a result of the change in the system for fixing import levies, it was necessary, to enable the same criteria to be applied, to introduce a derogation from the Council Regulation of 26 January 1971 on the production refunds on olive oil used in the manufacture of certain preserved foods.<sup>8</sup>

2248. In the *wine* sector, the Council adopted on 20 July<sup>9</sup> three Regulations relating to distillation. The first set out the conditions under which producers must meet the obligation to distil by-products of wine-making and also defined the distillers' obligations to producers and intervention agencies. The second Regulation laid down the conditions governing preventive distillation operations,<sup>10</sup> the distillation of wine under storage contracts (price guarantees), additional by-products deliveries and the distillation of wines obtained from table grapes. The third Regulation determines the prices to be paid for these operations for the 1976/77 wine year and the maximum contribution from the EAGGF Guarantee Section.

On 27 July<sup>11</sup> the Council adopted general rules governing the import of wines, grape juices and

<sup>1</sup> OJ L 203 of 29.7.1976 and Bull. EC 4-1976, point 2252.

<sup>2</sup> OJ C 170 of 24.7.1976 and Bull. EC 6-1976, point 2235.

<sup>3</sup> OJ L 206 of 31.7.1976.

<sup>4</sup> OJ L 199 of 24.7.1976.

<sup>5</sup> OJ L 227 of 19.8.1976.

<sup>6</sup> OJ L 72 of 18.3.1976 and L 154 of 15.6.1976.

<sup>7</sup> OJ L 199 of 24.7.1976 and L 209 of 3.8.1976.

<sup>8</sup> OJ L 22 of 28.1.1971 and L 201 of 27.7.1976.

<sup>9</sup> OJ L 211 of 5.8.1976.

<sup>10</sup> Bull. EC 5-1976, point 2236.

<sup>11</sup> OJ L 204 of 30.7.1976.

musts. These covered the cases where no certificate or analysis report was required and the exceptions in the case of the importation of wine obtained by oenological practices not permitted in the Community.

2249. In July<sup>1</sup> the Council and the Commission adopted the rules for applying the new system of aid for *linseed*. From 1 August the flat-rate sum per hectare is replaced<sup>2</sup> by aid equal to the difference between the world market price and the norm price, as for soya.

2250. After discussion, the Council adopted on 20 July<sup>3</sup> a Resolution concerning new guidelines for stabilizing the market in *hops*, in particular guidelines on the prohibition of the extension of areas under hops for two years, on rules for conversions to new varieties within this period and on provisions for preventive measures related to the market situation.<sup>4</sup> These measures are to be the subject of a Commission proposal by 15 October 1976.

The amount of aid to hop producers for the 1975 harvest was fixed on 20 July.<sup>5</sup> Compared with 1974, two new varieties have been added to the list and one removed. For three varieties the amount of aid is unchanged, for eleven it is increased and for six reduced.

2251. During its examination of the action programme proposed by the Commission to restore balance on the milk market, the Council agreed to amend the Regulation concerning the financing of intervention expenditure on the internal market in *milk and milk products*; the aim is to increase exports of skimmed-milk powder by making available credit facilities, so that interest charges arising because the purchaser of intervention milk powder is allowed to defer payment are borne by the EAGGF.<sup>6</sup>

The Council also decided<sup>7</sup> to supply a further 95 000 tonnes of skimmed-milk powder as part of the Food Aid Programme for 1976.

The Commission adopted several regulations amplifying the arrangements for the obligatory buying-in of skimmed-milk powder for use as feed,<sup>8</sup> with special reference to Italy. Lastly, steps were taken<sup>9</sup> to encourage the export of about 150 000 tonnes of skimmed-milk powder for use as feed.

### Structural policy

2252. In July and August, the Commission adopted several Decisions<sup>10</sup> and issued several Opinions on the implementation of the *reform of agricultural structures* in the Community. Two decisions concern the modernization of farms in *Belgium* and the *Netherlands*; three concern the Council Directive of 28 April 1975 on hill farming in the *United Kingdom, Belgium and Luxembourg*. On 20 July<sup>11</sup> the Council brought the French overseas departments within the scope of this Directive. After examining the legal provisions communicated by the Member States, the Commission issued six Opinions concerning Italy (three), Germany, Ireland and the United Kingdom.

### European Agricultural Guidance and Guarantee Fund

#### Guidance Section

2253. In accordance with its agreement of December 1975, the Council adopted a Regulation<sup>5</sup>

1 OJ L 199 of 24.7.1976 and L 201 of 27.7.1976.

2 OJ L 67 of 15.3.1976 and L 94 of 9.4.1976.

3 OJ C 176 of 31.7.1976.

4 Bull. EC 6-1976, point 2240.

5 OJ L 201 of 27.7.1976.

6 OJ L 204 of 30.7.1976 and L 94 of 28.4.1970.

7 OJ L 224 of 16.8.1976 and point 2325.

8 Bull. EC 4-1976, point 2250.

9 OJ L 228 of 20.8.1976.

10 OJ L 231 of 21.8.1976 and L 236 of 27.8.1976.

11 OJ L 223 of 16.8.1976.

on the conditions under which Article 40(4) of the Treaty would be applied to the *French overseas departments*, providing for the extension of EAGGF (Guidance Section) aid for the improvement of agricultural structures to the French overseas departments, which will no longer receive aid from the European Development Fund. Similarly, the Council adopted<sup>1</sup> on the same date the Directive concerning the Community list of less-favoured farming areas in the French overseas departments, for the purposes of the directive of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas.

2254. On 29 July 1976 the Commission approved aid totalling 73 263 471 u.a. from the EAGGF, Guidance Section (first instalment 1976) for 201 individual projects,<sup>2</sup> as shown in Table 4.

The breakdown of projects by category of investment (production structures, marketing structures, mixed structures) shows that marketing structures have received most aid from the Fund, since nearly all the Member States have implemented the Directive of 17 April 1972 on the modernization of farms, accounting for about 54 % of the aid granted. Of the 102 projects in this category a large share of the aid went to

investment in the storage and processing of meat.

### Harmonization of legislation

2255. In the field of *veterinary legislation*, the Commission presented to the Council, pursuant to the Council Directive of 15 February 1971<sup>3</sup> on fresh poultrymeat as amended on 10 July 1975,<sup>4</sup> a report concerning chilling processes for slaughtered poultry. The report is accompanied by proposals<sup>5</sup> for amending the Directive to ensure that consumers are afforded adequate protection in connection with the chilling of poultry by immersion.<sup>6</sup> The Commission also presented to the Council a proposal regarding the examination for trichinae of imports of fresh pigmeat<sup>6</sup> from non-member countries.

2256. In the context of the general programme relating to the approximation of laws in the *plant health sector*,<sup>7</sup> the Commission presented to the

<sup>1</sup> OJ L 223 of 16.8.1976.

<sup>2</sup> OJ C 206 of 1.9.1976.

<sup>3</sup> OJ L 55 of 8.3.1971.

<sup>4</sup> OJ L 192 of 24.7.1975.

<sup>5</sup> OJ C 200 of 26.8.1976.

<sup>6</sup> Point 2236.

<sup>7</sup> OJ C 92 of 6.8.1974.

Table 4 — EAGGF Guidance Section

Member State	Number of Projects	Aid in national currency	Aid in u.a.
Germany	47	DM 63 122 053	17 246 462
Belgium	24	Bfrs. 254 492 932	5 089 859
Denmark	7	Dkr. 25 475 274	3 396 703
France	25	FF 71 467 347	12 867 285
Ireland	10	£ 1 728 484	4 148 358
Italy	41	Lit. 11 277 598 417	18 044 157
Luxembourg	1	Lfrs. 760 250	15 205
Netherlands	20	Fl. 20 745 134	5 730 700
United Kingdom	26	£ 2 801 978	6 724 742
Community	201		73 263 471

Council on 4 and 5 August two interrelated proposals concerning the placing of EEC-accepted plant protection products on the market, and the prohibition of the marketing and use of plant protection products containing certain active substances.

The first proposal seeks to establish conditions permitting the free circulation of plant protection products throughout the Community through the creation of an optional 'EEC-acceptance' to operate in parallel with existing national arrangements for authorizing plant protection products. It supplements the proposal on the approximation of the laws, regulations and administrative provisions of Member States relating to the classification, packaging and labelling of pesticides, presented to the Council on 31 December 1974.<sup>1</sup>

The second proposal provides the means whereby national prohibitions and restriction of hazardous or environmentally harmful plant protection products may be harmonized at Community level.<sup>2</sup> Like the first, it is a further contribution to the Community's environment protection policy.<sup>3</sup>

2257. In the field of *food legislation*, the Council adopted on 20 July<sup>4</sup> a Directive fixing the maximum levels of erucic acid in oils and fats intended for human consumption at 10% from 1 July 1977 and 5% from 1 July 1979. This preventive measure is designed to provide the consumer<sup>5</sup> in the Community with more effective protection than at present pending the conclusion of further research in progress.

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2258. At its part-session from 5 to 9 July, Parliament<sup>6</sup> adopted a Resolution on measures to be taken to alleviate the effects of the drought and delivered opinions on a number of proposals submitted by the Commission to the Council.

## Industrial and technological policy

### Industry

#### Iron and steel

##### *Commission guidelines*

2259. The development of the crisis in the steel industry has shown that the direct means of action provided for in the ECSC Treaty, namely production quotas, import restrictions and minimum prices, are difficult to implement. While the Commission may well, by indirect means, in particular in the forward programmes have helped to match output to demand and hence to check the fall in prices, for the future, Commission action can be considerably strengthened if its methods are improved in collaboration with the various parties concerned. As regards imports, contacts with non-member countries have produced satisfactory results.

Another serious crisis may, however, arise and the Commission must be in a position to take measures to put the market back on a sounder footing and to enable firms to weather the effects of a crisis as smoothly as possible. This is the subject of a paper on the problems in the steel industry adopted by the Commission on 27 July. After consulting all concerned, the Commission will take the appropriate measures on the basis of this document.

*On-going measures* — Regular statistical monitoring of the steel market is necessary, and could be based on a more rapid analysis of statistical data supplied periodically to the SOEC. This monitoring could be backed up by a breakdown of orders

<sup>1</sup> OJ C 40 of 20.2.1975.

<sup>2</sup> Point 2236.

<sup>3</sup> OJ C 112 of 20.12.1973.

<sup>4</sup> OJ L 202 of 28.7.1976.

<sup>5</sup> Point 2235.

<sup>6</sup> Points 2426 to 2432.

by consumer sector and by third country of destination outside the Community, and by data on turnover and costs.

An advanced econometric model based on the fundamental structures of the Community steel market would make it easier to detect the first signs of any cyclical imbalance and provide the Commission with a means of obtaining a more rapid and clearer picture of the actual market situation.

Furthermore, the extent of any crisis would depend in the first instance on the possible ways of avoiding short-term imbalances between supply and demand for steel. If need be, one of the ways of remedying this imbalance would be through the action and decisions which the Commission could take on *investments* and *credit*, such measures being based on the information coming from surveys and on its general objectives for steel. The Commission can strengthen its influence by actively discouraging individual or global investment proposals at an early stage where excess capacity can be foreseen. With prior consultation with the iron and steel industry, the Commission can also endeavour to prevent investments liable to provoke imbalances from reaching the stage of settled plans. In order to balance supply and demand for steel in the short-term, the Commission should also employ its credit policy to facilitate joint investments in heavy production equipment, at the same time ensuring that such measures are compatible with the rules of competition laid down in the Treaty. It should also encourage any rationalization measures which might help bring supply and demand into balance.

*Crisis measures* — The direct measures provided for in the ECSC Treaty to deal with a crisis, i.e. production quotas (Article 58) and minimum prices (Article 61), cannot be put into effect at short notice because of the complex procedures involved.

Ways must therefore be found for fast action so that, if a crisis arises, steps can be taken imme-

diately to contain the situation. The appropriate procedures should be set in motion by the Commission on the basis of pre-determined indicators.

As regards *production* the possibilities offered by the forward programmes, which have been worked out jointly by manufacturers, trade unions, consumers, dealers and representatives of the various countries, must be fully exploited. To this end, a more accurate, econometric forecasting model is currently being devised. The guidelines in the forward programmes should become more operational once the Commission has reached the necessary decisions on the basis of the abovementioned indicators. The Commission would make known the production and supply tonnages published for each market in the forward programmes right down to company level. Each company would be asked to undertake to comply with the tonnages listed in these programmes.

On *prices*, the Commission must receive the information it needs on company receipts if it is to give the right guidance to counteract the market deterioration. If the fall in prices within the common market was due essentially to low-price imports from non-member countries, the Commission ought to take the measures necessary in such a situation and, in particular, make contacts at international level as it did in 1975. If need be, the Commission would publish indicative minimum prices within the common market before considering the introduction of mandatory minimum prices as provided for in Article 61 of the Treaty.

*Community relations with non-member countries* — Since the 1975 crisis, moves have been made by the governments of some non-member countries to bring about some form of orderly marketing throughout the world and to draw up an international charter for steel.

In view of the increasing level of interaction between the major iron and steel concerns in the world steel economy, the Community should,

where appropriate, take part in joint efforts by the main steel-producing countries to find solutions to problems which arise at world level.

*Social and regional problems* — When there is a crisis, an overriding concern is to keep up employment levels. The Commission intends to examine with Member States and the various interested parties, especially the two sides of industry, the best means of solving these problems. Although the recent crisis has had social repercussions throughout the entire Community steel industry, certain structurally-weak areas have felt the effects more keenly than others. The Commission is prepared to contribute to an in-depth investigation of the economic and social conditions in which the conversion of such areas should take place. Aware of these problems, the Commission is in the process of drawing up new guidelines on conversion policy. A certain measure of expansion in Community aid for industrial conversion could further encourage the necessary restructuring of the steel industry.

#### *Forward Programme July-September*

2260. On 20 July the Commission formally adopted the Forward Programme for steel for the third quarter of 1976,<sup>1</sup> which had been approved at its first reading<sup>2</sup> at the end of May before being sent to the ECSC Consultative Committee. The original text of the programme was amended slightly following the opinion given by the Committee at its meeting in June.<sup>2</sup>

#### *Investment in the iron and steel industry*

2261. According to the Commission's latest annual survey of producers, the crisis which beset the steel market in 1975 did not prevent iron and steel companies from continuing to make large investments. Total expenditure on investment in 1975 amounted to 3 100 million u.a., slightly down on 1974 in real terms.

The utilization rate for blast furnaces and steelworks in the Community in 1975 was the lowest ever recorded, 65 % and 66 % respectively. Mills producing steel sections and thick sheets were used to greater capacity than the wire rod mills and the hot-rolled and cold-rolled wide strip mills.

Production capacity in the steel industry over the next four years should be very close to what was forecast in the previous survey: production of crude steel in 1979 should amount to some 216 million tonnes compared with about 190 million tonnes in 1975. With the speed-up of closure programmes and, possibly, the conversion of certain open-hearth and Bessemer steelworks, production capacity according to process should be more evenly distributed.

Projects for extending existing steelworks should increase the production potential of electric furnaces from 32.7 million tonnes to 43.3 million tonnes between 1975 and 1979. Over the same period, the production potential for steel by the oxygen process should also increase at a rapid pace, especially with the completion of schemes in North Rhine-Westphalia and in the North of England.

Production capacity for finished products should increase by an average of 2.8 % per year between now and 1979 to reach 173.9 million tonnes. Although for many years production capacity for sheet steel has increased much more rapidly than that for steel sections, the rate of increase should now be very similar for both. Production capacities for wire rods and thick sheet steel on the other hand should again increase much more rapidly than for other steel categories.

*Iron ore* mining capacity fell off considerably in 1975. With the general fall in demand, it fell to 66 million tonnes as against 77 million tonnes in 1974. Companies are planning to maintain a mining capacity of over 65 million tonnes a year be-

<sup>1</sup> OJ C 188 of 11.8.1976.

<sup>2</sup> Bull. EC 6-1976, points 2251 and 2461.

tween now and 1979, although there may be further closures.

### Aircraft

2262. On 6 July, *Parliament*<sup>1</sup> delivered its opinion on the Commission communication and proposals to the Council on the European aircraft industry.<sup>2</sup>

### Technology

#### Data-processing

2263. Under its Resolution of 15 July 1974 on a Community policy on data-processing,<sup>3</sup> the Council on 22 July<sup>4</sup> adopted three common projects on data-processing applications which had been proposed by the Commission. The total cost of these projects is 1.12 million u.a. They are:

a preliminary nine-month study on setting up a data bank for organ and blood-matching (60 000 u.a.);

an 18-month study on retrieval systems for legal documentation in the Community (437 500 u.a.); two studies on the application of computer-assisted design to electronic logic circuits (1 year) and management systems in construction (18 months) (618 500 u.a.).

Discussions are also taking place on a fourth study: the processing of export/import data and the management and financial control of the agricultural market. The Commission has supplied the additional information asked for by the Council (at the request of the French Delegation).

To help the Commission manage these projects, the Council has also decided<sup>4</sup> to set up an advisory committee consisting of representatives of the Member States and to be chaired by the Commission. It will deal especially with the

selection of project leaders and the organizations to carry out the work.

### Fast reactors

2264. The *Fast Reactors Coordinating Committee* (CCRR), set up by the Council in 1970 to coordinate the various national programmes as much as possible, held its tenth meeting on 16 June. The Committee decided to continue the cooperation between the Union of Electricity Producers (UNIPÉDE) and the Commission with the object of evaluating electrical energy requirements and production strategies over the next thirty years; this projection is essential for any planning in this area, especially as regards the introduction of fast reactors. The Committee also noted the annual report of its working parties on safety and codes and standards and is to strengthen their technical secretarial staff, which is provided by the Commission. Lastly the Committee discussed the recent cooperation ventures between Member States in the field of fast reactors.

### Technical research

2265. On 3 August the Commission submitted to the Council<sup>5</sup> a three-year programme of technological research in the footwear industry. The programme is designed to encourage collective research in this sector and includes three research topics:

rationalizing the use of the raw material;  
improving the manufacture of shoe uppers;  
adapting footwear technology to consumers' needs.

<sup>1</sup> Point 2414.

<sup>2</sup> Supplement 11/75 — Bull. EC.

<sup>3</sup> OJ C 86 of 20.7.1974.

<sup>4</sup> OJ L 223 of 16.8.1976.

<sup>5</sup> OJ C 209 of 4.9.1976.

The Community is contributing 235 000 u.a. to the first two projects out of a total cost of 1 355 000 u.a. for the whole programme. The third project will be financed entirely by the industry.

## Science, research and development, education, scientific and technical information

### Science, research and development

#### *Energy research*

2266. On 29 July the Commission forwarded a proposal to the Council for the revision of the *multiannual energy R&D programme* adopted by the Council on 22 August 1975.<sup>1</sup>

The proposal concerns the second stage of the programme (January 1977-June 1979) which is to receive an appropriation of 47 million u.a. It was drawn up in consultation with the relevant Advisory Committee on Programme Management (ACPM) and the CREST Subcommittee on Energy Research and Development;<sup>2</sup> it was approved by CREST in June 1976.<sup>3</sup>

The proposal contains no changes in the programme on energy conservation or systems analysis but provides for several new projects under the headings of hydrogen production and utilization, solar energy and geothermal energy; but it makes no changes in the ceilings laid down for these three sectors by the Decision of 22 August 1975.

2267. By an exchange of letters on 6 July, the European Communities (EEC and Euratom) and the OECD International Energy Agency (IEA) concluded an outline agreement concerning *coop-*

*eration between the Communities and the IEA in the field of energy research.*<sup>4</sup>

2268. The Energy Subcommittee of the European Committee for Research and Development (CERD) met in Brussels on 8 July and discussed the main results of an international conference on energy technology held in Washington at the end of March. They also discussed the most important results of the symposium on Community scientific and technological policy held by the Commission in Milan in May.<sup>5</sup>

The Subcommittee was also informed by the Commission of the present status of work under the energy R&D programme, and of the Commission's draft proposal for the revision of the programme.<sup>6</sup>

Finally, the Subcommittee briefly discussed policy regarding energy storage and mapped out a course of work to prepare for a thorough discussion of the question at its next meeting in December 1976.

#### *COST*

2269. The COST ad hoc Working Party on Agricultural Research met for the first time in Brussels on 6 July; Dr Flaig, the German delegate, was appointed chairman. After each delegation had reported on its objectives and work in the field of basic crop enrichment, the *ad hoc* Working Party voted its agreement in principle on the Yugoslav proposal<sup>7</sup> on this matter. The delegations would send detailed comments to the Secretariat and descriptions of their own work in

<sup>1</sup> OJ L 231 of 2.9.1975; Bull. EC 1-1975, points 1301 to 1308 and 7/8-1975, point 2263.

<sup>2</sup> Bull. EC 5-1976, point 2262.

<sup>3</sup> Bull. EC 6-1976, point 2256.

<sup>4</sup> Point 2333.

<sup>5</sup> Bull. EC 5-1975, point 2263.

<sup>6</sup> Point 2266.

<sup>7</sup> Bull. EC 3-1976, point 2271.

this field. The next meeting of the Working Party will be held at the end of October.

## Multiannual programme

### *JET Project*

#### *Council position*

2270. The press release published by the Council (Foreign Affairs) at the end of its meeting on 19 and 20 July runs as follows: 'The Council held an exchange of views on the JET research programme on controlled thermonuclear fusion. It formulated a favourable opinion on the rapid initiation of this project within the framework of the Community multiannual research and training programme (1976-80); the necessary decisions will be submitted to the next Council of Ministers responsible for research.'

#### *JET Steering Committee*

2271. The first meeting of the JET Steering Committee was held in Brussels on 7 July. The Committee forms part of the management structure envisaged for the building phase of the JET Project; it replaces the Supervisory Committee which was responsible for handling the planning phase.

The JET Steering Committee, which comprises eleven members representing the nine member countries, Sweden and the Commission, appointed Mr Pease, Director of the UKAEA Culham laboratory as its chairman. The Committee's task is to direct the JET project, particularly by determining the criteria and system of supervision which the project leader will apply in his management of the building phase.

During the present transitional phase, the Committee will formulate opinions concerning the

preparation of the building phase and transmit them to the parties to the Agreement concerning the planning phase of the JET. In particular, it will give its views on the terms of employment of the personnel, the legal form of the project, the procedure for appointing the project leader and the role which industry will play in the implementation of the project.

#### *Proposal for a programme of scientific and technical education*

2272. On 21 July<sup>1</sup> the Commission forwarded to the Council a proposal for a multiannual programme in the field of scientific and technical education for the period 1977-80.

The proposed programme—for which an amount of five million u.a. is to be provided—is, unlike its predecessors,<sup>2</sup> not only designed to give assistance to the rising generation of nuclear scientists and engineers but also covers all sectors of research in which scientific programmes have been or will be adopted by the Council, whether they relate to the nuclear sector or not.

Furthermore, the programme seeks to promote further education for scientists and engineers in specific fields concerned by the Community's sectoral policies, by providing financial and administrative support for the organization of advanced training courses. Finally, scientists and engineers from non-member countries with which the Community has relations in the scientific and technical field may be awarded grants up to a total amount equivalent to 8% of the total operating funds of this programme.

<sup>1</sup> OJ C 187 of 10.8.1976.

<sup>2</sup> Ninth General Report, Point 332.

### *Advisory Committees on Programme Management (ACPM)*

2273. The ACPM responsible for environmental research met on 7 July and began studying the proposals received from a variety of national research organizations for participation in the second programme of indirect action 1976-80.<sup>1</sup> The Committee decided to announce its final opinion on the projects proposed for the first and second research fields covered by the programme at its next meeting.

2274. The ACPM responsible for radioactive waste storage and management, which deals with direct and indirect projects, held its fourth meeting at Ispra, Italy. Mr Dejonghe (Belgium) was unanimously reappointed Chairman of the Committee for one year.

After being informed of the present status of the programme of indirect action, the ACPM delivered a favourable opinion on financial participation by the Commission in research projects submitted by firms and organizations on radioactive waste storage in artificially created structures. An ad hoc Working Party was set up to draft a detailed programme of research on the storage of gaseous waste. At the Commission's request, the ACPM also discussed the question of the dissemination of information to non-member countries.

2275. The ACPM concerned with plutonium recycling in light-water reactors met in Brussels under the Chairmanship of Mr Ariemma (Italy) and discussed the progress made by the Working Parties on the ecological aspects of the plutonium industry.

A project outlining a forward study of the ecological impact of plutonium recycling in light-water reactors in the European Community was submitted for the opinion of the ACPM; a decision on a draft opinion concerning the financing of selected studies and R&D projects was postponed until the Committee's next meeting. The ACPM instructed a Working Party to study re-

plies and proposals received as a result of a questionnaire sent out by the Commission on the safety and supervision of plutonium-fuelled light-water reactors.

The ACPM was informed of the progress made in work on the higher plutonium isotopes, computer code comparisons and post-irradiation examination of plutonium fuels.

## **Education**

### *Education Committee*

2276. At its meetings on 8 and 23 July, the Education Committee continued its study of the conclusions of the draft report on the transition from school life to working life, including suggested measures for action at Member State level and Community level.<sup>2</sup> Final discussion of the report will take place in September.

## **Scientific and technical information and information management**

### *CIDST and EURONET*

2277. At its 19th meeting, held in Luxembourg from 6 to 8 July, the Committee on Information and Documentation for Science and Technology (CIDST) adopted three resolutions—which were submitted to the Commission—on some fundamental aspects of the structure of EURONET and its operation.

EURONET is a first-time experiment designed to emerge as a large-scale cooperative undertaking grouping post and telecommunications adminis-

<sup>1</sup> Bull. EC 7/8-1975, points 1501 and 1504 and OJ C 78 of 3.4.1976.

<sup>2</sup> Bull. EC 6-1976, point 2262.

trations together with representatives of other government departments in the Member States, major automated scientific and technical information bodies inside and outside Europe, and the Commission (representing the Community). It is therefore important, above all in the interest of the general public, that the responsibilities of all the parties be clearly and unequivocally established.

Whereas national post and telecommunications administrations are responsible for planning and establishing the physical network of data transmission, it is up to those in charge of computer terminals to make existing information services as widely available as possible by connecting their computers to the Euronet network. Furthermore, in order to avoid the risk of any discrimination—the victim of which would be the general public—it is necessary to connect as many computer terminals to the network as financial resources will allow, without giving rise to excessive duplication of the services offered. Finally the financial, legal and technical conditions under which such links-ups are made and under which the public has access to the network should be governed by the same principle of non-discrimination.

The Community, for its part, must launch development projects likely to be of interest to several computer terminals in the Member States, particularly the development of interfaces, since headway in this field should lead towards better harmonization of techniques and this will inevitably benefit both the general public and industry.

## Energy policy

### Formulation and implementation of a Community energy policy

#### Energy Committee

2278. The Energy Committee, which met on 19 and 20 July with Mr Simonet, Vice-President of

the Commission, in the chair, examined reports drawn up by its working parties on the storage and refining of oil and on the promotion of investments in the energy sector.

In addition, two documents concerning nuclear policy were discussed for the first time: a report on the implementation of the nuclear programmes, in the light of the objectives for 1985, and on all the implications of putting the programme into effect; and an outline of a nuclear fuel storage policy.

The Energy Committee also discussed a report on the selection of sites for power stations and on a proposal concerning the storage of coal.

### Sectoral problems

#### Hydrocarbons

2279. On 30 July the Commission sent to the Council a report on Community imports of crude oil. The document was drawn up pursuant to the Council Regulation of 18 May 1972<sup>1</sup> on notifying the Commission of import figures for hydrocarbons; it summarizes the information collected on estimates of imports during the first half of 1976. It shows the structure of imports of crude oil by country of origin and by Member State. According to this provisional report, an increase of 6.4 % in imports of crude oil can be expected for the first half of 1976 compared with the first half of 1975.

<sup>1</sup> OJ L 120 of 25.5.1972.

## Coal

### *Investment in the coal industry*

2280. The results of the Commission's latest annual survey of coal undertakings shows that capital spending in the Community's coal industry rose from 326 million u.a. in 1974 to 562 million u.a. in 1975; according to the undertakings, it will probably rise still further to at least 631 million u.a. in 1976. In view of the increase in the cost of capital goods since 1973, especially in the United Kingdom, the coal industry has not yet attained the Community target figure of 500 million u.a. per year (at 1973 prices) for average expenditure on investments; however, it is very close to the target. The undertakings have also drawn up programmes for the period after 1976, for a total of more than 3 000 million u.a., and decisions have already been taken concerning approximately 600 million u.a. of that amount; it remains to be seen whether the full amounts will in fact be invested.

The Community's total extraction capacity will probably be reduced from 259 million tonnes in 1975 to 250 million — 237 million tce — in 1979. Except for several coalfields with particular problems, and contrary to the findings of previous surveys, it is unlikely that these figures will be reduced much further. A further reduction would seem unlikely in view of the programmes and expenditure which have been planned to promote a more extensive use of reserves. However, even if all the projects notified were implemented (including those on which no decision has yet been taken), the maximum capacities possible by 1979 would still amount to only 254 million tonnes, or 239 million tce, slightly less than the Community target of 250 million tce for 1985. Major long-term projects such as the opening of new pits could thus play a more decisive role than expected in achieving this objective.

Coke supplies could cause problems between now and 1979. In view of the investments made or planned, the Community's total coke production

capacity will probably rise only slightly, from 88.5 million tonnes in 1975 to 89.7 million tonnes in 1979, an increase of only 1.4%.

## Nuclear energy

### *Aid for uranium prospecting*

2281. On 23 July<sup>1</sup> the Commission adopted a Regulation on the support of projects concerning uranium prospecting programmes within the territories of the Member State which could improve the Community's energy supply situation.

Article 70 of the Euratom Treaty allows the Commission to give financial support to uranium research programmes in the territories of the Member States, and an appropriation of 1 million u.a. has been entered in the 1976 Budget for this purpose. The Regulation adopted on 23 July provides that the aid granted will consist of a non-repayable contribution to the financing of projects. It lays down the application procedure and the text of the contract to be concluded. The recipients of such aid will report to the Commission on the progress made in their work. Representatives of the Commission will have authority to carry out any verifications necessary. With regard to the dissemination of results, the right to use the information obtained and to circulate the final report on the research will be vested in both the Commission and the contractor.

The Commission has published a notice in the Official Journal of the European Communities to inform possible applicants.<sup>2</sup> On 30 July it presented to the Council a Communication in which it set out the criteria which it will use as a basis for granting financial aid of this type.

<sup>1</sup> OJ L 221 of 14.8.1976.

<sup>2</sup> OJ C 191 of 14.8.1976.

*Euratom safeguards*

2282. On 15 July the Commission sent the Council an amended draft Regulation on the application of the provisions of the Euratom Treaty concerning Euratom safeguards; this new draft replaces the version which the Commission presented to the Council in November 1974 and has since withdrawn.

A new Regulation was required as a result of the Verification Agreement which was signed on 5 April 1973 by the Commission, the seven non-nuclear-weapon Member States and the International Atomic Energy Agency (IAEA).

## Transport policy

## Organization of the markets

2283. Following the completion in June<sup>1</sup> of the negotiations to conclude an Agreement establishing a *European laying-up fund for inland waterway vessels*, initialled on 9 July, the Commission sent to the Council on 28 July<sup>2</sup> the draft Agreement and a proposal for a Regulation for the formal conclusion of the Agreement by the Community. The proposal also contains provisions for implementing the Agreement in the Community and thus establishing the necessary links between the planned laying-up system and the Community transport policy.

The States concerned are Belgium, France, the Federal Republic of Germany, Luxembourg, the Netherlands, Switzerland and the United Kingdom.

The Agreement is designed to absorb the temporary excess carrying capacity which appears periodically, in particular when the water level enables vessels to operate at full draught or there is a seasonal decline in demand. To this end

temporary laying-up arrangements have been planned, to take the temporary excess capacity off the market. In this way, excessive competition (which, as experience has shown, leads to a slump in rates) can be avoided. The system is therefore intended to keep rates at, or restore them to, an economically realistic level. The laying-up arrangements are to be organized on a voluntary basis: carriers who agree to withdraw vessels from the market for the laying-up period decreed will be entitled to appropriate financial compensation. The funds required will be raised through contributions to be paid by all the carriers using the waterways of the Agreement.

A special Fund needs to be set up to organize a system of this kind, the European laying-up fund for inland waterway vessels. Its operation is governed by the Statute annexed to the Agreement. The Fund's headquarters is to be in Duisburg (Germany) and at least one branch office will be opened in each State in whose territory there are inland waterways to which the Agreement applies, and in Belgium. Any State may, however, decide not to open a branch office. The Fund's administration and financial management are to be the responsibility of a body consisting of representatives of the inland waterway carriers, who have thus been given extensive responsibilities. A body consisting of representatives of the public authorities and chaired by a representative of the Commission will be responsible for ensuring compliance with the objectives and provisions of the Agreement. Secretarial services for the Supervisory Board will be provided by the Commission. Decisions of the organs of the Fund will be binding in their entirety and directly applicable in all Member States and in Switzerland. Lastly, a Fund Tribunal consisting of one Swiss judge and six Community judges is to be responsible in particular for ensuring that the Agreement is interpreted and enforced in accordance with the law, and for reviewing the legality of acts of the organs of the Fund.

<sup>1</sup> Bull. EC 6-1976, point 2266.

<sup>2</sup> OJ C 208 of 3.9.1976.

The laying-up arrangements established by the Agreement are to apply to the entire Rhine and Moselle basins, to all the inland waterways in the Netherlands and to German waterways linked to the Rhine basin. The rules would apply to some 13 000 cargo vessels representing about 11 million deadweight tonnes and about 2 500 tugs and pusher craft with a total engine power of about 800 000 horsepower. Besides these vessels domiciled in the basins to which the rules would apply, a substantial proportion of the Belgian fleet operates virtually throughout the year on the waterways of the Agreement.

2284. On 9 July the Commission decided to amend the proposal for a Regulation on the *Community quota for the carriage of goods by road* between Member States, presented to the Council in October 1975 with several other proposals concerning the future operation of surface transport markets. The amendments take into account the opinions of the various interested parties.

The Commission's new proposal still entails a doubling of the present quota, but alters, for 1977, the quotas of Community authorizations to be allocated to the Member States by taking into account the tonne-kilometres worked under Community authorizations, a criterion which was thought to be more representative. The idea of an automatic periodic increase in the size of the quota in certain cases has been given up.

2285. On 20 July<sup>1</sup> the Commission decided to issue a *Recommendation* to the *Danish Government* on certain provisions of a draft law on road passenger transport operations. This Recommendation reminds the Danish Government of its obligations under the Council Directive of 12 November 1974<sup>2</sup> on admission to the occupation of road passenger transport operator in national and international transport operations, and recommends that the Government add more precise details to some of the proposed measures. The Commission had already issued a Recommendation in March 1976<sup>3</sup> on other provisions of this

draft law, concerning access to the market in national road passenger transport operations.

### Approximation of structures

2286. On 30 June and 12 July the Commission delivered Opinions concerning measures planned by *Belgium* and *Germany* to implement the Council Decision of 20 May 1975<sup>4</sup> on the *improvement of the financial situation of the railways*.

The first concerns a draft communication from the Belgian Government to the Société nationale des chemins de fer belges (SNCB), and the second a draft order of the Federal Minister for Transport to the Deutsche Bundesbahn (DB).

While finding that existing or planned provisions are such as to give proper effect to the Decision, to a large extent, the Commission nevertheless made certain observations and asked the two Governments to bring their proposals more into line with the provisions of the Decision.

2287. In July the Commission took decisions on three programmes of aid to the inland waterways sector. On 13 July it authorized *French Government* aid for buying and breaking up obsolete vessels; this aid is valid until 1980.

On 16 July the Commission asked the *Luxembourg Government* to terminate the aid which it has been granting since 1963 for the building or conversion of Luxembourg vessels. This aid cannot be maintained given the excess capacity in the sector; in addition, the nationality clause contained in it represents discrimination prohibited by Community provisions. Lastly, on 19 July the Commission asked the *Belgian Government* to

<sup>1</sup> OJ L 231 of 21.8.1976.

<sup>2</sup> OJ L 308 of 19.11.1974.

<sup>3</sup> OJ L 84 of 31.3.1976 and Bull. EC 3-1976, point 2298.

<sup>4</sup> OJ L 152 of 12.6.1975.

take the steps required to ensure that the aid programme for the 1976-78 period providing for the award of scrapping premiums in the inland waterways sector is not thwarted by excessive reinvestment of the premiums. Moreover, the nationality clause contained in Article 2 of the Belgian Royal Decree must be deleted.

2288. On 28 July<sup>1</sup> the Commission decided to address an Opinion to the *Italian Government* on a Law of 5 May 1976 laying down new provisions applicable to commercial vehicles. In this Opinion the Commission finds that certain measures, in particular those concerning total weights, permissible axle load and specific power are not within the range to be covered by a Community agreement which is on the horizon following the latest Council deliberations. It points out to the Italian Government that the whole question of the harmonization of the weights and dimensions of commercial vehicles is still before the Council and that this law must not be allowed to prejudice the decision which will be taken at Community level. Lastly, it regrets that the Italian Government did not consult the Commission before adopting this law.

2289. On 9 August the Commission presented to the Council a proposal for a Decision concerning the entry into force of the *Agreement on the international carriage of perishable foodstuffs* and on the special equipment to be used for such carriage (ATP) prepared by the United Nations Economic Commission for Europe (ECE).

The Agreement lays down that the carriage of chilled or deepfrozen foodstuffs, milk products, meat, fish and game between signatory States by rail and road or a combination of the two, must, depending on the case, be carried out using insulated and refrigerated equipment which meets specific standards and conditions.

The Commission feels that implementation of the Agreement will unquestionably help to improve the conditions for conserving the quality of perishable foodstuffs during carriage and par-

ticularly in trade between the Community and non-member countries; improved conditions of conservation are also likely to lead to an increase in the trade of perishable foodstuffs between the Community and non-member countries.

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<sup>1</sup> OJ L 236 of 27.8.1976.

## Multilateral negotiations

### *Trade Negotiations Committee*

2301. Several groups and sub-groups of the Trade Negotiations Committee (TNC) met in July. One of the main features was a proposal for a tariff-cutting formula put forward by the Community in the Tariffs Group. No meeting took place in August.

### **Tropical products**

2302. The Tropical Products Group met on 30 June and 1 July to take stock of the offers made by the developed countries. All the developing countries expressed varying degrees of disappointment either because certain products were excluded or because the tariff cuts were inadequate and non-tariff offers scarce or non-existent, but above all because of the United States' request for reciprocity. The Group agreed to draw up a summary list of the offers made by each developed country broken down by tariff line for its next meeting, when the Group will fix the date on which the offers are to be made operative.

### *Tariffs*

2303. At the meeting of the Tariffs group held in Geneva from 5 to 8 July, the Community put forward a proposal backing up with figures the tariff-cutting formula which it had already presented to the Group in 1975.<sup>1</sup>

The Community considers that the fundamental objective of the negotiations is to harmonize and appreciably reduce customs tariffs for industrial products. The levels and profiles of the tariffs of the various participants in the negotiations differ considerably, with the Community having the lowest and the most homogeneous tariff average by comparison with the other major participants.

The Community's proposal effectively tackles these structural differences in industrial customs tariffs. The formula for the cuts in tariffs is  $y=x$ , where  $y$  is the rate of reduction and  $x$  the initial rate of duty; thus, a 20 % duty would be reduced by 20 % and a 10 % duty would be reduced by 10 %. However, to ensure that this formula for tariff harmonization also results in a significant reduction in the rates of duty, the Community proposes that it be repeated four times. Thus a 20 % duty would be reduced by successive applications to approximately 10 %.

The Community's formula was favourably received by numerous delegations but was criticized by the United States as being too limited in scope and not applicable to agricultural products. The Community does not expect the developing countries to apply the general tariff-cutting formula, but it hopes that at a later stage they may be able to make a contribution to the Multilateral Negotiations (including those on tariffs) which is not incompatible with their needs in respect of development, finance and trade.

### **Non-tariff measures**

2304. The Non-Tariff Measures Group, which met on 20 and 21 July, formally decided to set up a new sub-group on government procurement. It was agreed to resume the examination of the possibility of setting up an anti-dumping sub-group in the light of the discussions within the Anti-dumping Committee. No decision was taken on a fresh request by the United States and Australia for the setting up of a sub-group on variable levies and minimum import prices; in the Community's view, these are matters for discussion in the Agriculture Group.

Likewise, because of the agricultural implications, the Group took no decision regarding the negotiating procedure for specific barriers; the Agriculture Group already has a procedure for discussing

<sup>1</sup> Bull. EC 5-1975, point 2306.

such measures as regards agricultural products, and the Community maintains that the new procedure operated within the Non-tariff Measures Group should therefore relate only to industrial products.

#### *Customs matters*

2305. The Customs Matters Sub-Group met from 5 to 8 July and dealt with two points in particular: customs valuation and consular formalities.

As regards the first point, the Sub-Group studied a working paper drawn up by the GATT Secretariat, the text of which sets out the points which might be included in international rules or principles on customs valuation. In the light of these discussions, it was agreed that the GATT Secretariat would revise its document with a view to highlighting the points on which the delegations' positions agreed or differed.

As regards the second point, the United States, supported by the Community and other developed countries, underlined the importance of abolishing consular formalities which create barriers to trade. Argentina, Mexico, Bolivia and Guatemala opposed this interpretation, saying that they regarded these formalities as necessary for trade and not as a barrier. They proposed that this question be re-examined at the end of the Multilateral Negotiations, when the benefits of the latter for the developing countries would be more apparent.

#### *Quantitative restrictions*

2306. The Quantitative Restrictions Sub-Group met on 12 and 13 July. It discussed a number of reports presented by countries that had participated in the bilateral consultations and decided that these should continue. The Sub-Group was unable to settle the matter of the additional

procedures for negotiations on quantitative restrictions nor that of the procedure for updating the restrictions listed in the inventory of non-tariff measures. The Sub-Group is to resume the discussion of these matters, in particular on the basis of proposals put forward by certain delegations. As regards licensing procedures, the Sub-Group examined the Canadian proposal, which the other delegations generally considered interesting and worth looking at more closely.

#### *Subsidies and countervailing duties*

2307. The Subsidies and Countervailing Duties Sub-Group met on 13 July to examine a summary document on the positions adopted by the delegations. This text, which was redrafted in order to make it more analytical, will be discussed at the next meeting of the Sub-Group in the light of certain Canadian suggestions for an interpretative note to the present provisions of the General Agreement in this field.

#### *Safeguard system*

2308. At a meeting on 19 and 20 July the Safeguards Group discussed various proposals from developing countries and a new package proposal from the United States. The Community will adopt a position on the United States' proposal in due course, but its spokesman has already stated that it is still of the opinion that the application of safeguard measures on the basis of the most-favoured-nation clause is not fair for countries which are not responsible for the injury caused. Moreover, the developed countries expressed their opposition to the opinion upheld by a good number of developing countries that the latter should be exempted, in a general and systematic way, from safeguard measures taken by developed countries.

## Agriculture

### Meat

2309. At a meeting held from 5 to 7 July the Meat Sub-Group continued its analysis of the measures taken in connection with imports and exports and its examination of a number of general items and proposals. The Community representative put forward the EEC's proposals for a multilateral approach in this sector. These proposals were criticized by Australia and the United States, which insisted on a liberalization of import policies. Other delegations found that the EEC proposals formed a working basis but needed adding to.

### Dairy products

2310. The Dairy Products Sub-Group adopted a similar procedure at its meeting from 12 to 14 July. An EEC proposal for a detailed examination of the cheese sector was not accepted by the United States and New Zealand unless the Community could supply the *ad valorem* equivalents of its levies. The Community also initiated a discussion on ways of improving and supplementing the international agreements in this sector and it made a number of suggestions. Other delegations steered the discussion towards a defence of free access to markets.

## Commercial policy

### Preparing and implementing the common commercial policy

#### Trade protection

##### *Anti-dumping procedures*

2311. The Commission initiated an anti-dumping procedure concerning imports of cycle chains

and threaded steel nuts originating in *Taiwan*<sup>1</sup> and imports of ammonium nitrate fertilizer originating in *Romania*.<sup>1</sup> In addition, as a result of the undertaking on prices given by the exporters concerned, the Commission terminated the procedure initiated in respect of imports of furazolidone originating in *Hungary*.<sup>1</sup> Lastly, because of changes which had taken place on the market of the products in question, the Commission also terminated the procedures in respect of trichloroethylene originating in *Poland* and the *German Democratic Republic*<sup>1</sup> and in respect of sacks and bags of a kind used for packing made from polyethylene strip originating in *Hungary*.<sup>1</sup>

##### *Safeguard measures*

2312. The Commission decided to introduce quotas for imports into Denmark of synthetic socks originating in *Taiwan*<sup>2</sup> and imposed an authorization requirement<sup>3</sup> on imports into Italy of certain electric light bulbs originating in various *state-trading countries*: Bulgaria, the German Democratic Republic, Czechoslovakia and the USSR.

Lastly, the Council decided to maintain in effect the rules established by the Commission whereby imports into the Benelux countries of cotton yarn not put up for retail sale, originating in *Mexico*,<sup>4</sup> and imports into the United Kingdom of sacks and bags of woven polyolefin fabrics originating in *South Korea*,<sup>5</sup> are subject to authorization.

#### Credit insurance and export credit

2313. On 21 July the Commission decided to invoke the first paragraph of Article 169 of the

<sup>1</sup> OJ C 183 of 7.8.1976.

<sup>2</sup> OJ L 213 of 6.8.1976.

<sup>3</sup> OJ L 206 of 31.7.1976.

<sup>4</sup> OJ L 203 of 29.7.1976.

<sup>5</sup> OJ L 181 of 7.7.1976.

Treaty against four Member States—Germany, France, Italy and the United Kingdom—for taking part individually in international discussions on export credits, subscribing to an ‘understanding’ outside the Community context and, together with non-member countries, taking measures to implement this ‘understanding’, export credits having been declared by the Court of Justice of the European Communities, in its Opinion 1/75,<sup>1</sup> to be an area of exclusive competence of the Community, pursuant to Articles 113 and 114 of the Treaty.

The Commission sent to each of the Member States concerned a letter requesting it to submit its observations on the failure to fulfil its obligations under the EEC Treaty. After studying the observations, it may, if appropriate, deliver the reasoned opinion provided for in Article 169 of the Treaty. The Commission remains ready to make the necessary proposals should a solution be adopted in conformity with the Treaty.

## Specific measures of commercial policy

### Textiles

#### *Bangladesh*

2314. At the end of a fresh round of negotiations, which took place on 19 and 20 July, between the Community and Bangladesh for the conclusion of an agreement on trade in *jute* products, agreement was reached between the two parties and a draft text was initialled on 23 July.

The Agreement, applicable for four years as from 1 January 1976, stipulates as part of the Community's offer on generalized tariff preferences that the process of suspending the Common Customs Tariff duties on *jute* products will continue. These duties, at present already reduced by 50 % or 60 % in relation to their basic rates, will be further reduced by 80 % on 1 January 1977 and suspended altogether on 1 July 1978; for *jute*

yarn, however, this total suspension will become effective on 1 January 1977.

The Agreement stipulates that Bangladesh is to restrict its exports to the Community of wide *jute* fabrics (carpet backings and furnishing fabrics) to agreed levels. The level of these exports has been considerably increased in relation to that set in the previous agreement concluded with Bangladesh in the same sector, which expired at the end of December 1975. However, it takes into account the difficulties, especially of a regional nature, which the *jute* industry is having to contend with in the Community. A consultation clause, enabling quantitative limits to be established if necessary, has been agreed on as regards *jute* yarn, the importation of which is no longer subject to restrictions.

#### *Romania*

2315. The negotiations with Romania for the conclusion of an agreement on trade in textiles, which opened at the end of March 1976,<sup>2</sup> continued in July. During these further discussions the positions of the delegations were brought closer together, but some differences still exist at this stage. It was agreed that the negotiations would resume in September.

### Steel

2316. In July the Commission approved three Decisions derogating from Recommendation 1-64 in order to permit duties to be suspended on imports into the Community of iron and steel products.

In addition to the six-monthly decision authorizing the importation in limited quantities

<sup>1</sup> OJ C 268 of 22.11.1975.

<sup>2</sup> Bull. EC 4-1976, point 2312.

of products not manufactured in the Community,<sup>1</sup> autonomous transitional arrangements were approved with regard to the Maghreb countries<sup>2</sup>—since the agreements recently signed with those countries had not been ratified—and the State of Israel, since the ECSC-Israel Agreement<sup>2</sup> could not enter into force as planned since it had not been ratified by all the Member States.

On 6 August<sup>3</sup> the Commission granted a similar derogation in order to permit the entry into force of the definitive autonomous ECSC arrangements with regard to the overseas countries and territories associated with the Community (OCT).

#### Non-ferrous metals

2317. On 27 July<sup>4</sup> the Commission adopted a Regulation adjusting for 1976 the apportionment of Community quantitative export quotas for certain *copper* ash and residues and for copper waste and scrap.

## Development and cooperation

### Development cooperation policy

#### Conference on International Economic Cooperation

2318. At the Conference on International Economic Cooperation the month of July was dominated by differences of opinion which led to a temporary suspension of the North-South Dialogue.<sup>5</sup>

The senior officials, meeting from 8 to 10 July to review the initial phase of the Conference's work, had agreed that once the analytical work was over, the next phase should be action oriented. It was during the fifth session of the four Commissions set up within the Conference that the difficulties arose. The Commission and, subsequent-

ly, the Council of the European Communities gave immediate attention to the situation that had arisen and examined what needed to be done to reactivate the Paris Conference.

#### *Meeting of senior officials*

2319. The meeting of senior officials called in the context of the North-South Dialogue took place from 8 to 10 July in Paris. After lengthy discussions, which dealt in particular with the Commission's work programme for the second half of 1976, agreement was eventually reached on the text of the following communiqué:

1. The Conference on International Economic Cooperation met in Paris from 8 to 10 July at the level of senior officials to review the progress of the dialogue in the four Commissions and provide guidance for their future work. Representatives of the following 27 members of the Conference took part: Algeria, Argentina, Australia, Brazil, Cameroon, Canada, Arab Republic of Egypt, EEC, India, Indonesia, Iran, Iraq, Jamaica, Japan, Mexico, Nigeria, Pakistan, Peru, Saudi Arabia, Spain, Sweden, Switzerland, United States, Venezuela, Yugoslavia, Zaire, Zambia. The Secretary General of the United Nations was represented in the meeting.

2. The Honourable Allan J. MacEachen, Secretary of State for External Affairs of Canada, and H.E. Dr. Manuel Perez Guerrero, Minister of State for International Economic Affairs of Venezuela, co-Chairmen of the Conference, presided at the meeting.

3. The senior officials agreed that the Conference on International Economic Cooperation has completed the initial phase of its work, in which

<sup>1</sup> OJ L 196 of 22.7.1976.

<sup>2</sup> OJ L 231 of 21.8.1976.

<sup>3</sup> OJ L 243 of 4.9.1976.

<sup>4</sup> OJ L 204 of 30.7.1976.

<sup>5</sup> The Conference resumed its work in September.

analytical discussions were held on a wide range of international economic problems of concern to both developing and industrialized countries. While there was some recognition that the analytical work had contributed to a greater understanding of the problems under consideration at the Conference, some disappointment was expressed at the lack of concrete results during the first phase of the Conference.

4. The senior officials agreed that the second phase of the Conference will be action-oriented. Therefore, the senior officials' meeting directed the Commissions to concentrate their work on formulating concrete proposals for action to be submitted to the Ministerial Conference for adoption, which would constitute a significant advance in international economic cooperation and make a substantial contribution to the economic development of the developing countries.

5. The senior officials took note of the paper presented by the Group of 19 containing an enumeration of areas of concentration for work in the second phase.

6. The senior officials mandated the Commissions to finalize their work programmes taking into account the analytical work completed during the first half of the Conference and guided by the directives to Commissions in paragraph 4, the paper presented by the Group of 19 and contributions from other participants, including those made by the co-Chairmen of the Commissions during the senior officials' meeting. The senior officials instructed the Commissions to finalize their work programmes not later than during their July session which is fixed for 12-17 July. With the satisfactory completion of this task the subsequent sessions of the Commissions will be as follows: 13-20 September, 20-27 October, 16-23 November.

These dates may be altered by Commission consensus in order to complete the work programmes which the Commissions will have set for each of their sessions.

7. The senior officials agreed that Commissions may decide by consensus, in conformity with the Rules of Procedure of the Conference, to hold joint meetings to coordinate their activities and allocate their work.

8. The senior officials agreed that the work of the second phase of the Conference should lead to proposals for an equitable and comprehensive programme for international economic cooperation including agreements, decisions, commitments and recommendations to be submitted for approval to the Ministerial Conference.

9. The concluding Ministerial Meeting of the Conference on International Economic Cooperation will take place in mid-December 1976. The two co-Chairmen of the Conference will decide on specific dates after appropriate consultations.

10. The senior officials reaffirmed the political will of their Governments to ensure the success of the Conference.'

#### *The fifth session of the Commissions*

2320. The fifth session of the four Commissions of the North-South Dialogue, the purpose of which was to draw up the work programmes for the second stage of the Conference, ended on 17 July without having succeeded in giving effect to the directives laid down by the senior officials.

The absence of agreement on work programmes can be traced back to the failure of the 19 and the 8 to reach a consensus on the organization of the work on indebtedness. For the 19, the solution to this problem was a test of the industrialized countries' political will to make a genuine effort to reach concrete solutions to the problems of development, which they consider to be now clearly defined.

The 19 realized that the delegations of the industrialized countries were not prepared at this stage to accept any undertakings going beyond the

UNCTAD IV resolution on indebtedness, refusing in particular to allow the negotiations at the CIEC to touch also upon an immediate or general reduction in the foreign debts of certain categories of developing countries.

This attitude on the part of the 8 appeared to suggest that they did not wish to enter into specific commitments in one of the crucial areas of the Conference. Consequently, the group of 19 reinserted a 'tougher' wording in the Energy and Raw Materials Commissions' work programmes as regards the purchasing power of the petroleum and raw materials exporting countries.

The result was that work was suspended. It was agreed that contacts would be made in order to determine the way in which the activities of the Dialogue could best be resumed at a later date.

### *Community reactions*

2321. Commenting on the outcome of the fifth session of the Commissions of the North-South Conference, the Commission's spokesman made the following statement to the press: 'The Commission considers that it is necessary to guard against overdramatizing the fact that the North-South Dialogue was suspended in Paris yesterday, but its significance should not be minimized either.'

Given the importance which the Community attaches to the success of the CIEC, one of the best forums for discussions between industrialized and developing countries, it is vital that the problems of substance and procedure be solved as rapidly as possible if the Dialogue is to continue and succeed.

The Commission will start assisting the Council in seeking solutions to these problems as from today'.

2322. At its meeting on 26 July, which brought together the Ministers for Finance and Economic Affairs, 'the Council held an exchange of views

on certain matters of a specifically financial nature concerning the North-South Dialogue, particularly the problem of indebtedness' to quote the communiqué published at the close of the meeting.

The Ministers, who were in favour of talks being resumed in September, adopted a text on the problem of indebtedness which was discussed by a high-level 'State Secretaries' working party on 27 July. They approved a declaration—which was subsequently adopted formally by written procedure and communicated to the co-Chairman of the Conference—in which the Community states its willingness to cooperate with its partners in finding a satisfactory solution to the problems which have arisen, particularly as regards the indebtedness of developing countries.

### **Coordination of national development cooperation policies**

2323. On 9 July the Commission presented to the Council a communication on harmonization and coordination of development cooperation policies within the Community. In this document the Commission specifies the scope of coordination and its short- and medium-term objectives, and sets out a number of specific proposals for the progressive integration of the Community's policies and action in this field.

### **Cooperation with non-governmental organizations**

2324. In the context of cooperation between the Commission and non-governmental organizations (NGOs) on development cooperation, the latter made a number of requests for cofinancing, with the Commission, development schemes carried out in the developing countries.

By the end of August, about sixty projects had been submitted to the Commission by non-governmental organizations involving a total sum of over 1.5 million u.a., almost two-thirds of the appropriation for 1976. Twenty projects, representing a Community contribution of 350 272 u.a., were approved. The first cofinancing contracts were concluded with the following non-governmental organizations:

Deutsche Welthungerhilfe (Germany), Comité Français pour la Campagne Mondiale contre la Faim and Secours Catholique (France), Concern, Gorta and Trocaire (Ireland), Novib (Netherlands) and Help the Aged (United Kingdom). These projects mainly concern the supply of medical, agricultural and school equipment, in many cases under rural development programmes. The developing countries in question are Brazil, Colombia, Haiti, India, Nigeria, Pakistan, Swaziland, Tanzania, Thailand, the Yemen Arab Republic and Zambia.

### Food aid and emergency aid

#### Skimmed milk powder: 1976 programme

2325. On 27 July the Council adopted the second instalment of the skimmed-milk powder

Table 5 — Skimmed milk powder food aid programme (1976)

(in tonnes)		
Countries and Organizations	Quantities (2nd instalment)	Total quantities (1st and 2nd instalments)
<i>Europe</i>		
Malta	650	750
<i>Africa</i>		
Upper Volta	1 600	2 300
Mali	2 100	2 900
Mauritania	700	1 200

Table 5 (continued)

(in tonnes)		
Countries and Organizations	Quantities (2nd instalment)	Total quantities (1st and 2nd instalments)
Niger	2 100	2 450 (+ 750)
Senegal	3 050	3 400
Sudan	—	170
Sao Tomé and Príncipe	50	150
Guinea Bissau	—	500
Rwanda	800	1 000
Cape Verde Islands	—	450
Zaire	3 000	3 000
Ethiopia	—	500
Mauritius	800	1 000
The Comoros	500	500
Kenya	100	300
Somalia	2 150	3 000
Tanzania	1 000	1 350
Mozambique	750	750
<i>Middle East</i>		
Egypt	5 200	6 000
Jordan	500	1 100
Yemen A.R.	1 300	1 500
<i>Far East</i>		
Afghanistan	100	300
Bangladesh	14 000	18 000
India	2 500	7 500
Indonesia	500	500
Pakistan	1 000	3 500
Philippines	3 000	3 500
Sri Lanka	450	1 300
<i>The Americas</i>		
Haiti	—	1 000
Honduras	200	1 000
Peru	3 900	4 500
Uruguay	300	500
Grenada	300	400
El Salvador	700	700
<i>Organizations</i>		
ICRC	1 500	3 500
League of RCS	1 000	2 000
UNICEF	11 000	15 000
WFP	10 000	30 000
UNRWA	—	700
NGO reserve	10 000	10 000
Reserve (emergency aid, 2 000 tonnes for WFP and 2 000 tonnes for NGOs)	8 200	11 830
	95 000	150 000

food aid programme for 1976 (95 000 tonnes).<sup>1</sup> These 95 000 tonnes are allocated as shown in Table 5. Taking into account the first instalment of the programme (55 000 tonnes), adopted by the Council on 1 June,<sup>2</sup> this brings the total under the 1976 programme up to 150 000 tonnes (Table 5).

### Emergency aid

2326. The Council decided to supply the following emergency food aid:

10 000 tonnes of cereals to *Niger* and 100 tonnes of butteroil to *Mali*<sup>3</sup> — cost: 2 039 000 u.a.;

500 tonnes of skimmed milk powder and 250 tonnes of butteroil for the *repatriates from Angola in Portugal*,<sup>4</sup> distributed through the World Food Programme (WFP) — cost: 656 000 u.a.;

1 500 tonnes of cereals, 450 tonnes of skimmed milk powder and 300 tonnes of butteroil to *Zambia*<sup>1</sup> — cost: 1 052 000 u.a.;

1 000 tonnes of wheat, 500 tonnes of skimmed milk powder and 400 tonnes of butteroil to the Catholic Relief Service for distribution to certain needy sections of the population of *Chile*<sup>5</sup> — cost: 1 036 000 u.a.

### Specific aid

2327. On 20 July<sup>5</sup> a Convention<sup>3</sup> concerning the supply of food aid was signed in Brussels between the Community and the UNRWA (United Nations Relief and Works Agency for Palestine Refugees). This Convention follows on from that concluded on 18 December 1972,<sup>6</sup> which expired on 30 June 1975.

2328. On 9 July Parliament<sup>7</sup> delivered its Opinion on the Commission proposal to the Council concerning the supply of skimmed milk powder as food aid to certain developing countries and international organizations.

## Commodities and world agreements

2329. Following the adoption of a resolution on commodities<sup>8</sup> at the Fourth Session of UNCTAD held in Nairobi in May, on 15 July the Commission forwarded a communication to the Council in which it recommended that the Community should participate in the important international negotiations which are to open on the subject.

It is planned to hold preparatory meetings from September 1976 to February 1978 at the latest; following each of these preparatory meetings, the Secretary-General of UNCTAD will convene, as and when required, commodity negotiating conferences which should be concluded by the end of 1978. Moreover, a negotiating conference on the creation of a Common Fund for commodities is to be convened by March 1977 at the latest; this conference will also be preceded by a number of preparatory meetings.

Given the political importance of these negotiations for the developing countries, the Community is called upon to define as rapidly as possible its position, the role it intends to play in the negotiations and arrangements for its participation.

### Wheat

2330. The International Wheat Council and the Food Aid Committee met in London from 28 June to 2 July. At the Conference of Governments, which formed part of the proceedings, it

<sup>1</sup> OJ L 224 of 16.8.1976.

<sup>2</sup> OJ L 146 of 4.6.1976.

<sup>3</sup> OJ L 203 of 29.7.1976.

<sup>4</sup> OJ L 204 of 30.7.1976.

<sup>5</sup> OJ L 249 of 11.9.1976.

<sup>6</sup> OJ L 304 of 31.12.1976.

<sup>7</sup> Point 2413.

<sup>8</sup> Bull. EC 5-1976, point 1204.

was determined that the necessary conditions had been met for the entry into force of the 1976 Protocols for the Third Extension of the Wheat Trade Convention and Food Aid Convention. These Conventions, together forming the International Wheat Agreement of 1971, therefore remain in force for a further two years till 30 June 1978.

The Community and its Member States, having declared their intention to accede to the Protocols and having deposited declarations of provisional application on 17 June, continue to be members of the Agreement.

Moreover, arrangements were made for the continuation of the study at technical level of the bases of a new agreement with economic provisions and for a report on this subject to be submitted to the next session of the International Wheat Council in November.

## Tin

2331. From 21 June to 7 July the Community took part in the last meeting of the Fourth International Tin Agreement and the first meeting of the Fifth Agreement in London. At the first of these meetings the International Tin Council dealt with matters relating to the expiry of the Fourth Agreement (including the liquidation of the buffer stock and assets in metal and cash) and drew up proposals to be submitted to the Fifth Agreement Council. The Council decided to abolish export controls immediately and to suspend buffer stock operations until the stock provided for by the new Agreement had been built up.

At the first meeting convened under the Fifth Agreement Mr Peter Lai (Malaysia) was appointed Executive Chairman of the International Tin Council and Mr Harold Allen, retiring Chairman, was designated special adviser. The eight Member States of the Community which had completed the formalities required for the

provisional entry into force of the Agreement took part in the proceedings as full members, while the ninth Member State was present as an observer. Having defined the terms of reference of the various Council committees, the producer and consumer countries agreed on arrangements for replenishing the buffer stocks, which are that the producer countries will pay the first instalment of their contribution in cash and not in metal, and will resell the tin remaining in stock on expiry of the Fourth Agreement to the new stock. The Council then brought to an end the suspension of buffer stock operations and authorized the Buffer Stock Manager to effect the operations provided for under the Agreement.

The examination of a possible review of the floor price and the ceiling price was included on the agenda of the meeting scheduled for October.

## Bananas

2332. The FAO (Food and Agriculture Organization of the United Nations) Intergovernmental Group on Bananas met from 5 to 9 July in Rome. It examined points which might be included in an international banana agreement. Four Member States of the Community (Germany, France, Italy and the United Kingdom) are members of the Group, and the Commission, Belgium and Ireland participated as observers. The Community took an active part in the meetings of the importing countries sub-group.

The discussions were marked by difference of opinion between ACP and Latin American producer countries and by the different positions of the importing countries regarding a possible export quota system. A non-exhaustive list of points which could be included in a future agreement was none the less adopted. The Group will hold a further meeting in Rome before the end of the year or in early 1977.

## International organizations

### Organization for Economic Cooperation and Development

#### *International Energy Agency*

2333. An outline agreement covering cooperation on energy research between the European Communities and the OECD International Energy Agency (IEA) was concluded by exchange of letters on 6 July. This agreement provides for participation by the Communities in IEA research projects whenever they consider this to be useful.

The Communities are already participating actively in two specific research projects of this kind. The first concerns the exchange of information on nuclear safety; it provides in particular for the drawing-up of an inventory of all research activities in this field in the signatory countries. The second concerns the construction of an intense neutron source and falls within the framework of cooperation on controlled thermonuclear fusion. This intense neutron source will permit tests to be carried out on materials intended for future use in fusion reactors. The United States is to build and bear the entire cost (\$25 million) of this device, with the other signatory organizations providing scientific staff.

#### *Agriculture Committee*

2334. The OECD Agriculture Committee held its fifty-eighth meeting in Paris from 29 June to 1 July. It drew up its work programme for next year and discussed extensively the disastrous effects of the drought affecting a number of the member countries of the Organization.

The Committee's Working Party on Agricultural Policies, which met from 5 to 7 July, examined the questions raised by the Secretariat-General's

study on world supply and demand trends for the main agricultural products. The Working Party considered more particularly the likelihood of surpluses being produced in future as a consequence of the substantial production potential of the OECD area and it decided to study in greater detail what consequences this would have for framing agricultural policies.

### General Agreement on Tariffs and Trade

#### *GATT Council*

2335. The GATT Council met on 15 July. At the preceding meeting the United States had tabled a request for the establishment of a panel (under the provisions of Article XXIII(2) of the General Agreement) to carry out an investigation of the arrangements regarding minimum prices, licences and securities in respect of imports into the Community of certain processed fruit and vegetables. The Council agreed that this panel be set up to consider all the relevant aspects, including the Council's discussions on this question.

The Council was able to finalize the terms of reference of a working party, also requested by the United States, on systems of cost escalation guarantees for exports; this American request was aimed at the practices of certain Member States of the Community. However, the GATT Council decided not to set up another panel requested by the United States to examine the Community system of compulsory use of milk powder in animal feedingstuffs.

The Council adopted the reports of the working parties which had examined the EEC-Israel Agreement and the Lomé Convention. The EEC-Israel Agreement had prompted a debate (by now a matter of tradition) with certain members of GATT who harbour doubts as to the compatibility of this type of agreement with Article XXIV. The Lomé Convention was presented as conforming to obligations under GATT.

It was generally acknowledged that the aims and objectives of the Convention were in line with those embodied in the General Agreement, including Part IV, only a few of the Contracting Parties having expressed some doubts.

## United Nations

### Economic and Social Council

2336. The Sixty-first meeting of the United Nations Economic and Social Council was held in Abidjan from 28 June to 9 July, and continued in Geneva from 12 July to 6 August; the Community was present as an observer.

At the conclusion of the general discussions which took place in Abidjan the Council adopted a declaration of principle (known as the 'Abidjan Declaration') in which it requests all countries to give greater impetus to the efforts of the international community to achieve the development aims of the third world through individual and collective action and to demonstrate the political will necessary to enable the United Nations to accomplish its task in the economic and social spheres.

Among the important points examined at this meeting were the study of development and international economic cooperation with a view to the establishment of a new international economic order and the revision of the international development strategy. In this connection the Council was unable to take a stage further the work in progress in the various agencies and organs of the United Nations and simply adopted a procedural resolution.

However, the Council adopted a resolution on corrupt practices in relation to the activities of transnational corporations; it decided to set up an intergovernmental working party to examine this question and to work out in detail what should be covered by and contained in an international

agreement to prevent and eliminate all forms of bribery in international commercial transactions. The Council also reaffirmed that the preparation of a code of conduct by the Commission on Transnational Corporations should be given the highest possible priority.

### Food and Agriculture Organization of the United Nations

2337. The FAO Council met in Rome from 12 to 16 July; this special session adopted the broad outline of the major plans for the reorganization of the FAO proposed by the new Director-General, Mr Saouma.

The Organization is to adopt a new line of approach to enable it to deal more effectively with food problems and food shortage in the developing countries; the FAO is to spend less time on theoretical studies and concentrate more on studies 'on the ground'.

It will plan its own technical cooperation programme, which should meet the needs of the developing countries. As it becomes decentralized it will also become more detached from the UNDP, thanks to own resources of around \$19 million. It will gradually establish in the developing countries offices of representatives who will be entirely under the authority of the Director-General, who will nevertheless collaborate closely with the President of the UNDP to ensure the success of these new directives.

### United Nations Industrial Development Organization

2338. The Commission was represented at the third meeting of the intergovernmental Committee responsible for drawing up the constitution of UNIDO as a specialized agency of the United Nations. The Committee, which met from 28 June to 9 July, made only slight progress in drafting the constitution of the Organization, be-

cause of divergences of views between the industrialized countries and the developing countries. Tentative compromise solutions were nevertheless put forward on a number of contentious points, particularly as regards the organs and resources of the future specialized agency. On a number of important questions the Member States of the Community expressed a common point of view. A fourth meeting of the intergovernmental Committee is planned for the end of the year.

## Mediterranean countries

### Greece

#### *Opening of accession negotiations*

2339. Negotiations for the accession of Greece to the Communities formally opened on 27 July in Brussels, at ministerial level.<sup>1</sup>

#### *Association Council*

2340. The EEC-Greece Association Council met, at ministerial level, in Brussels on 27 July, before negotiations for the accession of Greece formally opened. At the meeting, the Community informed the Greek authorities of its position regarding the amount to be earmarked in a second Financial Protocol to be annexed to the Athens Agreement. The figure is 280 million u.a., of which 225 million would come from the resources of the European Investment Bank and the rest from budget resources. Negotiations, which will cover all aspects of the operation of the Protocol, are due to open in autumn and should be completed rapidly.

### Turkey

2341. At its meeting on 19 and 20 July, the Council of the European Communities agreed to

the content of the package offer which the Community delegation intends to put to Turkey at the next Association Council meeting. The offer covers four aspects: the development of the Association, the third Financial Protocol, the implementation of the free movement of Turkish workers and the new Community concessions granted to Turkish agricultural products.

2342. The meeting of the EEC-Turkey Association Council which should have taken place on 24 July was postponed, both parties having agreed to allow themselves more time to prepare for it; it is now planned for 16 October in Ankara. As for the EEC-Turkey Association Committee, it met on 16 July (when the Turkish Delegation outlined what it hoped to find in the Community offer) and on 23 July. At this last meeting the Turkish Delegation was able to give its first impressions to the Community on the offer adopted by the Council on 19 and 20 July.

2343. On 27 July, the Council extended for the fifth time the arrangements for the partial temporary suspension of Common Customs Tariff duties applicable to wines originating in and coming from Turkey.<sup>2</sup> Moreover, it adopted the eleventh Annual Report of the EEC-Turkey Association Council to the Joint Parliamentary Committee.

### Spain

2344. After the contacts which the Commission had had from February to June<sup>3</sup> with the representatives of the Spanish Government, to examine the basis on which the negotiations suspended in November 1974 could be resumed, it adopted proposals on 6 July for the resumption of negotiations with Spain.

<sup>1</sup> Points 1201 to 1205.

<sup>2</sup> OJ L 204 of 30.7.1976.

<sup>3</sup> Bull. EC 2-1976, point 2333, 4-1976, points 2333 and 2334, and 6-1976, point 2340.

The substance of the Commission's proposal to the Council was that an additional protocol to the 1970 EEC-Spain Agreement should be concluded, which would cover the period up to 31 December 1981. Negotiations on the subsequent pattern of trade relations between the Community and Spain would open by 1 July 1980 at the latest, assuming that no agreement had been reached by then on the entire future system of relations between the Community and Spain.

### Portugal

2345. On the basis of an authorization from the Council, the Commission has negotiated with Portugal an Interim Agreement which will give immediate effect to the Additional Protocol, pending its final entry into force. The draft is now before the Council, which will decide on its formal conclusion.

### Jordan

2346. Mr François-Xavier Ortoli, President of the Commission, paid an official visit to Jordan from 15 to 18 July. He was received by King Hussein and Crown Prince Hassan, and had talks with the Prime Minister, Mr Mudar Badran, and with several members of the Government.

Their talks covered the various aspects of relations between the Community and Jordan—in particular the prospects for concluding a cooperation agreement—but also the more general questions of the Community's Mediterranean approach, the Euro-Arab Dialogue and relations between industrialized and developing countries.

## African, Caribbean and Pacific countries

### ACP-EEC Convention of Lomé

#### First meeting of the Council of Ministers

2347. The ACP-EEC Council of Ministers held its first meeting on 14 and 15 July under the chairmanship of Mr King, President of the ACP Council of Ministers. The Community Delegation was led by Mr Van der Stoep, President of the Council of the European Communities. The Commission was represented by Mr Cheysson.

The Council approved its Rules of Procedure and those of the ACP-EEC Committee of Ambassadors and adopted the report of the Interim Committee. It then went on to examine the various items on its agenda.

*Industrial cooperation* — The Council adopted a decision on the composition and functioning of the Committee on Industrial Cooperation, which is the body responsible for guiding the activities of the Centre for Industrial Development. A decision on the statutes and functioning of the Centre was also adopted. The Director of the Centre will be assisted by a consultative council composed of economic operators.

*Originating products* — The Council, taking into account the special situation of Mauritius, took a decision granting that country a derogation from the concept of 'originating products'<sup>1</sup> in respect of certain textiles. This derogation is limited to twelve months and concerns 832 tonnes of unbleached cloth.<sup>2</sup> The decision was declared applicable in the Community by a Council Regulation of 3 August 1976.<sup>2</sup>

*Trade* — Following statements of a general nature by the President of the ACP-EEC Council and by the President of the Council of the Commu-

<sup>1</sup> OJ C 185 of 9.8.1976.

<sup>2</sup> OJ L 210 of 4.8.1976.

nities, the Council examined questions relating to sugar, beef and veal, rum, bananas and groundnuts, about which the ACP States had expressed particular concern. At the end of the discussions, the two Presidents agreed that they would examine together and with the relevant Member of the Commission the trade matters which were not yet resolved. This 'presidential' meeting will take place in the autumn, but the exact date and place have yet to be decided. Moreover, the Council expressed its satisfaction at the successful outcome of the procedures for the presentation of the Lomé Convention to GATT.

*Stabilization of export earnings* — The ACP States and the Community expressed their satisfaction at the fact that Stabex had been implemented so rapidly and they paid tribute to the Commission for its work in this field.<sup>1</sup> The ACP States requested that the list of products benefiting from the system should be extended to cover all the products which were of vital importance to the ACP States. However, under the terms of the Lomé Convention no amendment could be made to Stabex until one year after the entry into force of the Convention, in other words not until 1 April 1977.

*Financial and technical cooperation* — Mr Cheysson pointed out that programming had been completed in forty-five ACP States and that thirty-six indicative programmes had been adopted. A sectoral breakdown of these programmes shows that the ACP States—which are responsible for determining their priorities themselves—earmarked the largest share (37%) for rural development; this represents a new and important departure. One hundred financing decisions are to have been taken by the end of the year.

The representative of the European Investment Bank gave an account of his institution's means of action and stated that the first financing proposals would be submitted to the competent authorities at the end of the month.

The Council stressed the importance it attaches to the speedy implementation of regional cooperation, to which 10% of EDF resources are to be allocated.

*Accession of new States* — Pursuant to the Lomé Convention Article 89 (for former overseas countries and territories referred to in Part Four of the Treaty of Rome) and Article 90 (for other States), the Council decided to approve the requests for accession submitted by six countries: the Comoros, Surinam, the Seychelles, São Tomé and Príncipe, Cape Verde, and Papua New Guinea. In order to accede to the Convention, it is necessary for the former OCT to deposit an instrument of accession, whereas the other States have to conclude agreements with the Community.

*Relations with the Consultative Assembly* — The Council took note of the resolution adopted by the Consultative Assembly, instructed the Committee of Ambassadors to continue examining the resolution and delegated powers to the Committee in the matter of answers to written questions from Members of the Assembly.

*Next meeting of the Council of Ministers* — The ACP States expressed their disappointment that the meeting had not been held in Fiji, as they had proposed, and renewed their invitation for the next meeting. The Community undertook to propose, within three months, a date for the next meeting, which will take place in an ACP State.

#### Committee of Ambassadors

2348. The ACP-EEC Committee of Ambassadors set up by the Lomé Convention met for the first time on 8 July in Brussels. The meeting was given over entirely to preparing the first meeting of the ACP-EEC Council of Ministers.<sup>2</sup>

<sup>1</sup> Points 1401 to 1406.

<sup>2</sup> Point 2347.

### Implementation of the Stabex system

2349. On 8 July the Commission and sixteen ACP States signed transfer agreements designed to offset the drop in export earnings recorded by the countries in question in 1975 for one or more commodities.<sup>1</sup>

### Trade promotion

2350. As part of the trade promotion schemes provided for in the Lomé Convention—which include in particular the participation of ACP States in international fairs and exhibitions—eighteen ACP States took part in the 'Partners for Progress' Trade Fair in Berlin, which was visited by Mr Cheysson, Member of the Commission.

### European Development Fund

#### *New financing decisions*

2351. After receiving a favourable opinion from the EDF Committee, the Commission took fifteen new financing decisions<sup>2</sup> to be covered by grant aid under the fourth EDF. These decisions bring the total amount of the commitments entered into under the fourth EDF since 1 April 1976, the date on which the Lomé Convention came into force, up to 241 135 000 EUA. The new decisions concern the following projects:

*Upper Volta* — Improvement and asphaltting of the Ouagadougou-Koudougou road: 12 791 000 EUA.

*Burundi* — Final phase of the Tora project: 3 813 000 EUA.

*Burundi* — Final phase of the Imbo project: 4 273 000 EUA.

*Senegal* — Development of the cotton area: 6 538 000 EUA.

*Niger* — Stock-fattening by peasant farmers in Niger: 1 610 000 EUA.

*Mauritania* — Creation of a pilot area in the Gorgol: 5 770 000 EUA.

*Chad* — Interim project as part of an integrated programme of development of the cotton-producing area (1977 agricultural year): 3 269 000 EUA.

*Burundi* — Extension of the Teza tea factory — additional financing 197 000 EUA.

*Niger* — Eradication of contagious bovine pleuropneumonia: 1 420 000 EUA.

*Mali* — Construction of the Sélingué dam: 19 157 000 EUA.

*Togo* — Improvement and asphaltting of the Kanté-Mango road: 10 412 000 EUA.

*Madagascar* — Repair of cyclone damage: 1 700 000 EUA.

*All ACP States* — Initial budget for the Centre for Industrial Development: 145 000 EUA.

*All ACP States, OCT and OD* — Fixing of a provisional overall amount for each ACP State or OCT for the financing of scholarships and training grants for vocational training and further training in the 1976/77 academic year: 8 200 000 EUA.

*The Courier* — Financing of 'the Courier' for the period 1 July 1976 to 31 December 1977: 540 000 EUA.

### Yaoundé Convention

#### European Development Fund

#### *New financing decisions*

2352. After receiving a favourable opinion from the EDF Committee, the Commission decided to

<sup>1</sup> Points 1401 to 1406.

<sup>2</sup> OJ C 182 of 6.8.1976.

finance the following three projects from the grant aid under the second and third EDFs:

*Madagascar* — Improvement of the Vohémar-Sambava road (second instalment): 971 000 EUA.

*Madagascar* — Repair of cyclone damage: 300 000 EUA.

*Upper Volta* — Loumbila transit grazing area and fattening centre:

second EDF: 14 000 EUA.

third EDF: 366 000 EUA.

## Other countries

### *Industrialized countries*

#### United States

2353. Sir Christopher Soames, Vice-President, and Mr Lardinois, Member of the Commission, made statements in July on the trend of EEC-US trade relations and the difficulties encountered in several sectors.

Speaking on 8 July before the European Parliament<sup>1</sup> in reply to an oral question with debate on the worsening of EEC-US trade relations, Sir Christopher Soames drew special attention to the need for the two most powerful economic and trading entities in the world to avoid friction and confrontations which might harm their long-term interests.

Mr Lardinois, in a statement made in Monterey, California, on 24 August, called for greater comprehension to be shown in EEC-US agricultural relations. In particular he said that there were signs of strain or even defiance creeping into our relations. If we did not take a firm stand, this could lead to a kind of break.

#### Canada

2354. The Framework Agreement for Commercial and Economic Cooperation<sup>2</sup> negotiated between the Community and Canada was formally signed in Ottawa on 6 July by Mr Van der Stoep, President of the Council, and Sir Christopher Soames, Vice-President of the Commission, on behalf of the European Communities, and by Mr A. MacEachen, Canadian Secretary of State for External Affairs, on behalf of Canada.

An accompanying Protocol concerning Commercial and Economic Cooperation in areas falling within the scope of the ECSC Treaty was signed in Brussels on 26 July by the Director-General for External Relations of the Commission and the Permanent Representatives of each Member State, and by the Head of the Canadian Mission to the Communities.

#### Japan

2355. Mr Gundelach, Member of the Commission, paid an official visit to Japan from 12 to 14 July. He had talks with Mr Miyazawa, the Foreign Minister, Mr Komoto, the Minister for International Trade and Industry, and the Deputy Ministers for Finance, Transport and Economic Planning.

The main points discussed were:

- (i) the growing deficit of the EEC-Japan trade balance and means of remedying this situation;
- (ii) harmonization of standards in specific areas (e.g. motor vehicles);
- (iii) the current state of multilateral negotiations in the GATT (Tokyo Round).

<sup>1</sup> Point 2409.

<sup>2</sup> Bull. EC 6-1976, points 1201 to 1206.

## Australia

2356. From 19 to 23 July talks were held between the Commission departments and representatives of the Australian Mission to the European Communities. These informal conversations on matters of mutual interest relating to trade were intended to provide a more detailed exchange of information than is possible in other regular consultations.

## *Developing countries in Asia and Latin America*

### South Korea

2357. Mr Gundelach, Member of the Commission, paid an official visit to South Korea from 15 to 16 July. He had talks with Mr Choi, the Prime Minister, Mr Nam, the Deputy Prime Minister and Minister for Economic Planning, Mr Park, the Foreign Minister and Mr Chang, the Minister for Trade and Industry.

The talks related in particular to:

- (i) trends in trade between the Community and the Republic of Korea;
- (ii) matters connected with the EEC-Korea textile agreement and the application of the generalized system of preferences to Korea;
- (iii) Korean import rules.

### Bangladesh

2358. On 27 July the Commission transmitted to the Council a Recommendation for formally concluding the Commercial Cooperation Agreement negotiated between the European Economic Community and Bangladesh. The agreement had been initialled on 18 May.

## Thailand

2359. Sir Christopher Soames, Vice-President of the Commission, received Major-General Chartchai Choonhavan, Thailand's Minister of Industries, on 16 July. They discussed the development of Thai energy resources and the possibilities of cooperation in agriculture. There was also an exchange of views on recent developments in Indochina.

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2360. At its part-session from 5 to 9 July, *Parliament*<sup>1</sup> adopted a resolution on EEC-Iran economic and trade relations and another on future relations between the Community and the Association of South-East Asian Nations.

## Diplomatic Relations

2361. On 19 July<sup>2</sup> the President of the Council and the President of the Commission received Their Excellencies Mr Augusto Marambio Cabrera (Chile), Mr Mamoun Ibrahim Hassan (Sudan), Mr Kwang Ho Ahn (Korea), Mr Robert Adolf Ferrier (Surinam) and Mr Carlos Moyano Llerena (Argentina), who presented their letters of credence in their capacity as heads of their countries' missions to the European Communities (EEC, ECSC, EAEC).

The new Ambassadors succeed Mr Sergio Nuno Bawden (Chile), Mr Izzeldin Hamid El Hassan (Sudan), Mr In Sang Song (Korea) and Mr Antonio F. Cafiero (Argentina), who have been recalled to take up other appointments.

The Ambassador of Surinam is the first head of mission of his country to be accredited to the European Communities. As a result, the number of diplomatic missions of non-member States to the Communities now stands at 104.

<sup>1</sup> Point 2406.

<sup>2</sup> OJ C 176 of 31.7.1976.

# 4. Institutions and organs of the Communities

European Parliament

## European Parliament

*Part-session in Luxembourg  
from 5 to 9 July*

2401. Major points on the agenda were an initial policy debate on the preliminary draft of the European Community's 1977 budget and presentation of the Council's work programme by the new President, Mr *Van der Stoel*; other matters on the agenda were the introduction of a uniform passport, obstacles to travel within the Community, the violation of human rights and democratic freedom in Argentina, economic relations between the Community and Iran and the Community's action programme for a joint aviation policy. There were also debates on regional policy, protection of the environment and consumers, and agricultural policy.<sup>1</sup>

**Council President Mr Van der Stoel  
presents his work programme  
(7 July)**

2402. The Netherlands Foreign Minister, Mr *Max Van der Stoel*, cited 'reflection, revival and preparation' as the key words for the Community in the second half of 1976, during which the Netherlands is in the chair at the Council.

The President stressed that Community organs must work with dedication and with endurance to lead the Community out of the blind alley in which it found itself at present. He said that this blind alley was the result of stagnation, retrogression and dissociation, attitudes which contrasted starkly with those prevalent at the end of the sixties when all were eager to complete, expand and deepen the Community. There was stagnation, he said, in that the organs of the Community, particularly the Council, were no longer engaged in creative activity; retrogression, in that there were signs of disintegration, particularly in areas which had up to now represented the basis of

solidarity; dissociation, in that governments were seeking salvation outside the Community—an attitude which was causing what he termed political anaemia within the Community.

Direct election of the European Parliament, Mr Van der Stoel said, was an effective way of attacking political apathy. It would prevent growth of the unduly onesided and exclusive involvements in the interplay of political forces, so that the European dimension of thought, which was indispensable for solving many problems, could come into its own.

Mr Van der Stoel saw his prime tasks as being to bring to light the real state of the Community, to ensure that Community rules of procedure were fully applied (majority decisions in the Council), and to guarantee Community representation at international level.

Otherwise it was necessary, first of all, to put right what had gone wrong in the past few years. In this context he cited coordination of economic policy, and the struggle against inflation and unemployment. He said he would advocate the setting up of a 'European planning office'.

Secondly, it was necessary to eliminate the inroads which had been made in the common agricultural policy. In the energy policy field he said he would try to get a decision reached on procedures for supplying the Community with oil in a crisis. Advances were also needed as regards social policy and industrial reorganization. How-

<sup>1</sup> This report was prepared from the German edition of 'Information' published by Parliament's Secretariat. The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 178 of 2.8.1976 and the report of proceedings is contained in OJ Annex No. 205. The political group and nationality of members are indicated in brackets by the following abbreviations: C-D = Christian Democrats, S = Socialists, L = Liberals and Allies, C = European Conservatives, DEP = European Progressive Democrats, COM = Communists and Allies; B = Belgium, DK = Denmark, D = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

ever, Mr Van der Stoel warned, none of this could be achieved unless there was an improvement in the Council's methods of work and decision-making; he called for majority voting in certain clearly defined cases.

Turning to foreign policy, Mr Van der Stoel said that the main points of emphasis were the North-South Dialogue, Greece and the Mediterranean, and European political cooperation.

In his closing words the new President warned against unjustified and unrealistic expectations, pointing out that the Council Presidency occupied only a modest place among the many factors and circumstances which determined the course of events in the Community.

#### Passport union (6 July)

2403. In a Resolution Parliament urged the Council to ensure that the agreement of the Heads of Government to create a uniform passport for all Community citizens be carried into effect by 1978. The Resolution was addressed not only to the Council and the Commission but also to the parliaments and governments of the Member States.

The decision to introduce a passport union was one of the points in the communiqué issued at the close of the European summit conference held in Paris on 9 and 10 December 1974,<sup>1</sup> at which direct election of the European Parliament as from 1978 was also promised. The Heads of Government decided that a working group be set up to study the question and report to the governments of the Member States by 31 December 1976. Apart from the initial measure of introducing a uniform passport, the group was also instructed to study the possibility of setting up a passport union involving the gradual harmonization of legislation on aliens and the abolition of passport controls.

After the Commission had submitted a report on this matter in July 1975,<sup>2</sup> the European Council reaffirmed its 1974 decision at the meeting in Rome on 1 and 2 December 1975.<sup>3</sup> The Council of Foreign Ministers was then instructed to clear up the questions still pending. It discussed various questions of detail, such as the external form of the uniform passport, on 3 and 4 May 1976.

The spokesman for the Political Affairs Committee, Mr Stewart (S/UK), said that this first step towards a European passport union should not be delayed any longer, as it represented an important measure demonstrating a European identity. The psychological effect of such a document, which identified its holder as a citizen of a Community Member State, should not be underestimated.

#### Preliminary draft general budget for 1977 (6 July)

2404. Parliament held an initial discussion on the preliminary draft budget for 1977, on which a statement was made by Mr Cheysson, Member of the Commission.<sup>4</sup>

Mr Cheysson said that the main areas in which the Commission proposed to launch new activities were research, trade and industry, and development of the Community's external relations. Activities already under way were to be intensified, above all in the social and regional fields, research and industry, and development of the Community's external relations. However, the largest outlay would be needed for current activities, particularly in agriculture.

He said that the Community budget accounted for a relatively constant share of the Communi-

<sup>1</sup> Bull. EC 12-1974, point 1104.

<sup>2</sup> Supplement 7/75 — Bull. EC.

<sup>3</sup> Bull. EC 11-1975, point 1104.

<sup>4</sup> Bull. EC 5-1976, points 2466 to 2468.

ty's gross domestic product: 0.57 % in 1975, 0.59 % in 1976 and 0.63 % in 1977.

In the brief debate—Parliament is to examine and amend the draft budget drawn up by the Council at a special session which will be held from 25 to 28 October in Luxembourg—spokesmen for the political groups gave a short preview of the strategy they propose to follow. Mr *Aigner (C-D/D)* said that the Christian Democrats proposed to use to the full Parliament's margin of manoeuvre to continue what Community policy had begun, but would insist on economy as regards expenditure on personnel. Mr *Bangemann (L/D)* said the budget would probably be rejected if the European Council failed to reach agreement on the direct election of the European Parliament at its meeting on 12 and 13 July.

The Socialists, who are providing the budget rapporteur this year, had not appointed a spokesman for their group. The rapporteur, *Lord Bruce of Donington (S/UK)*, summed up his first impressions with the statement that the Community was faced with a stagnating budget. In absolute figures Community expenditure might seem high, but it amounted to only 2 % of the total budgets of all the Member States. The Member States' contributions to the Community budget could therefore be regarded as an insignificant factor in their economies. Community expenditure was of no inflationary or deflationary significance and Parliament should bear this in mind when considering the budget.

The chairman of the Committee on Budgets, Mr *Lange (S/D)*, closed the debate with an urgent appeal that the Council finally provide the definitive basis for the Community's own resources by making a decision on harmonizing value added tax. It was ridiculous that Parliament was allowed to decide only on expenditure and not on revenue, for the relation between outlay and revenue was one of the major matters for which a parliament was answerable to the public.

## External relations

### *Democratic freedoms and human rights in Argentina* (7 and 9 July)

2405. In a question addressed to the Council and the Commission, Mr *Berkhouwer (L/NL)*, Mr *Broeksz (S/NL)*, Mr *Corona (S/I)*, Mr *Glinne (S/B)*, Mr *Knud Nielsen (S/DK)*, Mr *Radoux (S/B)*, Mr *Schuijt (C-D/NL)* and Mr *Stewart (S/UK)* took the view that it was the Community's duty, as an important partner of Argentina, to urge that democratic freedoms be restored in that country and human rights be respected. They asked the Council and the Commission whether there was more they could do in this connection.

Following a brief discussion, in the course of which Mr *Lücker (C-D/D)* and Mr *Knud Nielsen (S/DK)*, who said they were dissatisfied with the answers given by Commission Vice-President Sir *Christopher Soames* and the Council President Mr *Brinkhorst*, urged the Council and the Commission to exert stronger pressure on Argentina, Parliament summed up its demands in a resolution. This asked the Council 'to take all the necessary steps to ensure that the positions of the Member States are harmonized in the broadest possible sense in respect of the exercise of the right of asylum in their embassies in Buenos Aires'.

Parliament deeply regretted the indefinite suspension of constitutional guarantees in Argentina following the accession to power of the military junta in March 1976. It expressed its concern and regret at the recent assassination in Argentina of Mr *Gutierrez Ruiz*, last President of the Uruguayan Parliament, who had spoken out against the suppression of democratic freedoms at a meeting between the European Parliament and the Latin-American Parliament in Luxembourg in November 1975.

*Cooperation agreement with Iran demanded*  
(8 July)

2406. In an own-initiative report, Parliament took the view that the absence of a trade agreement between the Community and Iran since 30 November 1973, the date on which the last agreement expired, was contrary to the interests of both parties. It said that, because of the growing complementarity and interdependence of their economies, the Community should open negotiations with Iran as soon as possible on a cooperation agreement. It also urged the Community countries to consult with each other and keep each other informed when concluding bilateral agreements with Iran.

*Improving relations with South-East Asia*  
(8 July)

2407. The Commission should look into ways of improving economic and commercial relations between the Community and ASEAN (Association of South-East Asian Nations). Parliament arrived at this conclusion after studying the results of an official visit by a delegation it sent to South-East Asia. It recommended that a Community information and liaison office be set up in one of the countries of ASEAN and expressed the hope that there would be a rapid, humane and democratic solution to the problem of political internments in Indonesia.

The delegation, made up of Mr *Berkhouwer* (L/NL), Mr *Durieux* (L/F), Mr *Albertsen* (S/DK), Mr *Scott-Hopkins* (C/UK), Mr *Früh* (C-D/D), Mr *D'Angelosante* (COM/I), Mr *Scholten* (C-D/NL), Mr *Vernaschi* (C-D/I), Mr *Glinne* (S/B), Mr *Walkhoff* (S/D) and Mr *Couste* (DEP/F), visited Thailand, Malaysia, Singapore, Indonesia and the Philippines between 16 July and 7 August 1975.

*Parliament calls for coordination of measures to combat international terrorism*  
(7 July)

2408. Parliament called for the immediate and energetic coordination of measures to combat international terrorism in the context of European political cooperation. It also called for suitable mutual judicial assistance agreements with non-member countries. Parliament linked its Resolution to the Entebbe hijacking and welcomed the liberation of the hostages.

*Economic war with the USA?*  
(8 July)

2409. Sir Christopher *Soames*, Vice-President of the Commission, told Parliament there was nothing abnormal in the intermittent difficulties which emerged in the Community's economic relations with the USA. This was inevitable when the world's two largest economic and trading entities were involved, and it had to be discussed openly and freely.

Sir Christopher was replying to a question put by the European Progressive Democrats, who expressed fears that an economic war might develop.

*Prospects for the Conference on the Law of the Sea*  
(7 July)

2410. A lively debate developed out of a question by the Liberal group to the Council and the Commission concerning the results of the fourth session of the United Nations Conference on the Law of the Sea, which ended in New York on 7 May 1976, and prospects for a satisfactory conclusion of this conference in the autumn.

The President of the Council, Mr *Brinkhorst*, told Parliament that the Council would endeavour to arrive at a joint position on questions still pend-

ing, such as the 200-mile zone, on 19 and 20 July. He declined to comment on the prospects for success.

*Community competition rules and Switzerland*  
(9 July)

2411. In a joint question to the Commission, representatives of all the political groups brought up the question, in connection with the Hoffmann-La Roche case, of how greater effect might be given outside the Community to the competition rules of the EEC Treaty. The question stemmed from the prison sentence recently imposed by a Swiss court on Stanley Adams, an employee of Hoffmann-La Roche, for violating business secrecy after he had provided the Commission with information.

The Commission was urged to try to have a convention adopted for the members of the Council of Europe establishing legal equality in the competition field. At the same time, the Commission should attempt—by means of directives and regulations—to establish legal uniformity within the Community, so that Community competition rules were fully applied.

*Appeal to the Soviet Union to cease ill-treatment of dissidents*  
(9 July)

2412. Invoking the Helsinki Agreement, Parliament urgently appealed to the Soviet government to cease ill-treatment of Vladimir Bukovsky and other political prisoners. Bukovsky, who was imprisoned for exposing the psychiatric abuses of the Soviet prison system, is in danger of dying from lack of proper food and medical treatment.

*Increase in supplies of skimmed-milk powder to needy countries*  
(9 July)

2413. Parliament endorsed the Commission's proposal that supplies of skimmed-milk powder under the food aid programme be raised to 150 000 tonnes. It is to be sent mainly to particularly needy areas.

*Attempts to increase the competitiveness of European aircraft manufacturers*  
(6 July)

2414. The European aircraft industry, whose share of the market had declined considerably in the past years, should not be allowed to end up in the precarious position of a subcontractor. Its competitiveness at international level must be increased without delay by pursuing a common industrial policy at Community level. In taking this view, Parliament endorsed the action programme for the European aeronautical sector proposed by the Commission.<sup>1</sup>

Parliament approved the objective of creating a common European airspace. However, it felt that combining air transport policy and aircraft industry policy, as proposed in the action programme, could cause delays, since agreement on a common air transport policy was unlikely for the time being. It therefore proposed that decisions be reached first of all on the industrial policy aspects.

There was, however, only a bare majority for those points of the resolution advocating that the Community countries cooperate within a military aircraft procurement and development agency, which the Commission had proposed be set up. Cooperation within such an agency, the Resolution stated, would contribute to an understanding of the need for subsequent defence policy cooperation as part of the European Union. The resolution also advocated close contact between the agency and the Eurogroup in NATO.

<sup>1</sup> Supplement 11/75 — Bull. EC.

The spokesman for the Socialist Group, Mr *Albertsen* (DK), expressed reservations. He took the view that the defence policy aspects of aircraft industry policy should be examined within NATO and not by Community bodies. The British and Dutch members of the group, in particular, rejected the Resolution on these grounds. Mr *Albertsen* warned against assuming that publicly-owned industries, such as were to be found in the aeronautical sector, were easier to harmonize. Community intervention should therefore take the form of coordination and not of financing. The Socialist Group could accept only research grants, with appropriate self-financing on the part of the Member States.

The spokesman for the Liberal Group, Mr *Bangemann* (D), described the Socialists' attitude as excessively cautious. He said he was unable to understand why they were not exploiting the opportunities for nationalization which, he said, were inherent in the proposed measures. Furthermore, Parliament had already advocated a common defence policy in an earlier Resolution, which had been adopted by a majority vote.

Speaking for the Christian Democrats, Mrs *Walz* (D), expressed basic agreement with the action programme, although she described it as a maximum programme. The programme was also endorsed by Mr *Normanton* (C/UK).

Mr *Cousté* (DEP/F) spoke of the need to fit air transport policy into an overall vision of an independent Europe. With one exception, the amendments proposed by his group failed to find majority support. Mr *Leonardi* (COM/I) said that, in his view, the action programme lacked the required political analysis. His group would abstain from voting, he said.

Commission Vice-President *Simonet* took the view that matters of military aviation could not be kept separate from a political analysis. He told the Socialists that defence policy was part of the political union. It was not possible to want independence and at the same time refuse the means of achieving it. He also expressed the opinion

that the Commission's departments could easily be adapted to cope with the added powers.

### Taxation policy

#### *Taxes on tobacco consumption* (6 July)

2415. Parliament approved the Commission's proposal for a fifth Directive on the harmonization of the structure of excise duties on cigarettes.<sup>1</sup> This Directive introduces the second stage of the gradual harmonization process. The third and final stage is to begin on 1 January 1981, one year later than originally planned.

The rapporteur of the Committee on Economic and Monetary Affairs, Mr *Artzinger* (C-D/D), said it could not be tolerated that in any economic sector national markets should be closed off and evade harmonization.

The Resolution met with general approval.

#### *Speeding up tax harmonization* (7 July)

2416. Parliament expressed regret over the Council's delay in adopting the sixth Directive on the harmonization of the legislation of Member States concerning turnover taxes, which would provide a uniform basis of assessment for the value added tax. In a Resolution, it urged the Council to take an immediate decision to ensure that the Directive entered into force on 1 January 1977, and pointed to the numerous other tax harmonization proposals still awaiting the Council's decision. The Resolution stemmed from two questions to the Council and the Commission by the Liberal Group.

<sup>1</sup> Bull. EC 6-1976, points 1101 to 1105.

## Social affairs

### *Outcome of the Tripartite Conference* (8 July)

2417. Commission Vice-President *Haferkamp* gave Parliament an account of the outcome of the Tripartite Conference of 24 June.<sup>1</sup>

He said it was particularly important that the Conference had set growth and stability as its objectives. This did not, however, mean growth at any cost, but recognition of the need for increased investment and moderation in the rate at which private consumption rose. The Conference had also decided that workers and their representatives would take a greater part in the way things developed, and that governments and both sides of industry would endeavour to find solutions to the problems of personal asset formation and worker participation.

Mr *Haferkamp* assured Parliament that the Commission would take these objectives seriously. It was already in contact with the groups concerned and would keep Parliament informed.

### *Unemployment among young people* (7 July)

2418. In an oral question to the Council, followed by a brief debate, the European Progressive Democrats called for a Community policy giving priority to the employment of young people and expediting their vocational training.

### *More safety at the work place* (9 July)

2419. A proposal for a Directive on harmonization of Member States' regulations on the provision of safety information at the work place<sup>2</sup> is intended to reduce the number of industrial ac-

cidents. Parliament welcomed the proposal and advocated the use of signs which were as simple and striking as possible.

## Freedom of movement

### *Are Italy's foreign exchange controls a contravention of the Treaty?* (8 July)

2420. Commission Vice-President *Haferkamp* expressed the view that Italy's currency and foreign exchange controls were in no way a contravention of the EEC Treaty. The measures taken by the Italian authorities had on the contrary helped to stabilize the exchange rate of the lira, he said. He was replying to a question by the Committee for Economic and Monetary Affairs.

Referring to complaints by tourists entering or leaving Italy that sums in excess of the limits laid down had been confiscated, Mr *Haferkamp* said that the Italian authorities had assured the Commission that they were prepared to return this money, provided there had been no deliberate attempt to evade Italian currency regulations.

### *Freedom of movement must also apply to tourists* (9 July)

2421. The Socialist Group asked what practical value the right to freedom of movement embodied in the EEC Treaty had for the European man-in-the-street when he was repeatedly obliged to start off his holidays by submitting to clearly superfluous administrative controls.

Europeans about to set off on holiday should be aware that the European Parliament was trying to make things easier for them, said Mr *Seefeld* (S/D), speaking on behalf of the chairman of his

<sup>1</sup> Bull. EC 4-76, point 2228.

<sup>2</sup> Bull. EC 4-76, point 2228.

Group, Mr *Fellermaier* (D), who had moved the question. Long queues of cars at European border crossing points were a poor advertisement for Europe, he said.

He listed some curious administrative measures, pointing out that there were few Community countries which could claim an unblemished record in this connection. The Federal Republic of Germany, for example, discriminated against aliens in respect of vehicle registration; to enter the Netherlands passports had to be renewed or visas obtained and the appropriate charges paid; France and Italy insisted on Community nationals filling in customs declarations and landing cards, and the bar of the express train between Belgium and the Federal Republic was sealed at the frontier. In the light of such anachronisms, how was the individual to feel the blessings of integration, he asked.

Mr *Thomson*, Member of the Commission, agreed with the questioner that more emphasis needed to be given to policies that were relevant to the ordinary citizen. He referred to the chapter of the Tindemans Report<sup>1</sup> which spoke of the creation of a citizens' Europe. He assured the House that the Commission would do everything in its power to ensure that Community nationals did not have to submit to pointless controls at frontiers within the Community.

## Protection of the environment

### *Action programme on the environment* (8 July)

2422. In a thirty-four-point Resolution containing numerous suggestions, Parliament welcomed the second Community action programme on the environment covering the period from 1977 to 1981.<sup>2</sup> At the same time, it noted that the first programme had to be extended by one year to the end of 1976, since it had not been fully implemented. Parliament expressed the view that this delay was the result of the Council's procrastination.

The priorities Parliament would like to see observed were cited by the rapporteur Mr *Jahn* (C-D/D). They were: limiting the use of chemical pesticides, encouraging biological or integrated methods of cultivation, limiting the absorption of nutrients by ground water and recycling wastes. Proposals on these matters should be ready by 1977, he said.

Parliament also regarded as urgent the protection of the Rhine against pollution, noise reduction and the preservation of the ozone layer of the atmosphere. Other points of emphasis named were the protection of the consumer and health protection at work. There was general criticism of the fact that the second programme set no dates; the Commission was asked to rectify this.

Speaking for the Committee on Agriculture, Mr *Frehsee* (S/D) warned against environmental measures which placed an undue burden on farmers. He said that in individual cases the aim of protecting the environment must be carefully weighed against the economic burden this might place on the farmer.

Mr *Suck* (S/D) called for a forthright discussion on the connections and contradictions between economic and environmental policy, at the same time pledging what he termed critical support for the Commission from his Group. Approval was voiced on behalf of the Liberals by Mrs *Kruchow* (DK).

### *Limiting noise emission from aircraft* (9 July)

2423. Parliament approved a proposal for a Directive on the limitation of noise emission from subsonic aircraft,<sup>3</sup> a first step towards the reduction of noise nuisance caused by aircraft in

<sup>1</sup> Supplement 1/76 — Bull. EC.

<sup>2</sup> Supplement 6/76 — Bull. EC.

<sup>3</sup> Bull. EC 4-1976, point 2239.

general. It pointed out that existing international agreements were not binding and had to go through lengthy ratification procedures. It noted that the Directive would make environmental injunctions mandatory at least in one area, but stressed that similar proposals must follow in the near future for categories of aircraft not covered by the Directive, in particular heavy propeller aircraft, short take-off aircraft, and helicopters.

*A further step to reduce pollution of surface fresh water*  
(8 July)

2424. The object of this Commission proposal for a Council Decision is to determine the degree of pollution of surface fresh water in the Community, to assess the success of national and Community legislation aimed at combating pollution and to link a Community system for monitoring surface fresh water pollution with the global monitoring system provided for in the United Nations environment programme. The Decision also lays down that the data transmitted to the Commission by the central agencies of the Member States will be analysed and combined in an annual report. Parliament welcomed the Commission's proposal and recommended that the network of sampling and measuring stations be extended.

**Consumer protection**  
(9 July)

2425. The Commission has proposed a Directive on the approximation of the laws of Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer,<sup>2</sup> which will be a further step towards implementing the Community consumer protection programme.<sup>3</sup> Parliament approved the proposal and recommended a number of improvements and specifications.

**Agriculture**

*Effects of the drought*  
(7 and 8 July)

2426. Mr Lardinois, Member of the Commission, explained the emergency measures taken by the Commission to alleviate the effects of the drought on European agriculture.<sup>4</sup> These included steps to improve the situation on the beef market and to secure supplies of fodder. For example, authorization to purchase beef at the intervention price—hitherto restricted to France—was extended to Germany, Belgium, the Netherlands and Luxembourg, and an export levy on dry fodder was introduced.

An action programme extending from 1977 to 1980 had been drawn up in an attempt to restore equilibrium on the milk market.<sup>5</sup> Despite the drought, Mr Lardinois said, a structural milk surplus could still be expected. The Commission proposed to deal with this surplus by awarding premiums for withholding milk from the market and for conversion of farms, suspending national and Community aids, and introducing a 'co-responsibility levy'.

Parliament expressed its concern about speedy help for agriculture in a Resolution, in which it called for forward-looking measures aimed at achieving a balanced water supply.

*Improving the conditions under which agricultural products are marketed and processed*  
(8 July)

2427. Improvement in the processing and marketing of agricultural products is necessary if

<sup>1</sup> Bull. 4-1976, point 2236.

<sup>2</sup> OJ C 91 of 22.4.1976; Bull. EC 3-1976, point 2238.

<sup>3</sup> OJ C 92 of 25.4.1975.

<sup>4</sup> Points 1301 to 1304.

<sup>5</sup> Supplement 10/76 — Bull. EC.

larger markets are to be opened up and productivity increased. The EAGGF Guidance Section will provide up to 25 % of the sum needed to finance the necessary measures. The Member States will be called on to submit suitable multi-annual programmes drawn up by the Member States themselves, interested trade or inter-trade organizations or by a representative group of undertakings.

Parliament made numerous reservations in endorsing the Commission's proposed Regulation, since, in its view, no substantial contribution was made towards reducing agricultural surpluses. Improving market equilibrium would require above all greater discipline on the part of producers, and this depended on their being given a greater say in the development of market policy.

*Skimmed-milk powder surpluses as gifts to the starving peoples of the world*  
(7 July)

2428. In a question to the Council, Mr *Frehsee* (S/D), Lord *Walston* (S/UK), Mr *Hansen* (S/L), Mr *Espersen* (S/DK), Lord *Bruce of Donington* (S/UK) and Mr *Broeksz* (S/NL) called for skimmed-milk powder surpluses to be disposed of at concessionary rates, or as free gifts to the starving peoples of the world. The speakers referred, in particular, to the fact that the Community would save 40 million u.a. in storage costs in this way.

*Control of the common agricultural policy*  
(6 July)

2429. Mr *Stewart* (S/UK) requested that Parliament be provided with quarterly accounts of expenditure on the common agricultural policy, particularly of the procedures used in authorizing this expenditure.

*Taking account of inflation in agricultural reform*  
(8 July)

2430. Parliament approved a proposal for a Directive concerning a number of measures made necessary by the decline in the value of the amounts paid to farmers. The main aim of these measures is to eliminate the adverse effects of agricultural price trends on existing Directives on the reform of agriculture.<sup>2</sup>

*Aid to producers for the 1975 hop harvest*  
(8 July)

2431. Parliament approved the aid to producers for the 1975 hop harvest<sup>3</sup> proposed by the Commission. This aid is intended to compensate for reductions in earnings caused by a continuing oversupply.

*Measures to reduce the tomato surplus*  
(8 July)

2432. Parliament requested the Commission to examine in detail the crisis situation in the tomato concentrates and peeled tomatoes sector. It approved the Commission proposal for a Regulation laying down special provisions for trade in tomato concentrates between the Community as originally constituted and the new Member States. The aim is to reduce stocks of these products.

**Question Time**  
(7 July)

*The role of the European Parliament in the period up to the direct elections*

2433. Mr *Brinkhorst*, President of the Conference of Foreign Ministers and the Council, said,

<sup>1</sup> Bull. EC 7/8 — 1975, point 2243; OJ C 218 of 24.9.1975.

<sup>2</sup> Bull. EC 5-1976, point 2251.

<sup>3</sup> Bull. EC 6-1976, point 2240.

in reply to questions by Mr *Hamilton (S/UK)* and Mr *Durieux (L/F)* regarding further discussion of the Tindemans Report, specifically its recommendations on the future role of the European Parliament, that on 1 and 2 April 1976 the European Council had instructed the Council of Foreign Ministers to continue examination of the Report. The Council was to draw up specific proposals for submission before the end of the year.

However, he was unable to give Mr Hamilton any assurances that the institutional amendments affecting Parliament proposed by the Tindemans Report would be carried out before the direct elections were held.

#### *Further questions*

Other questions, answered during question time by Mr Brinkhorst, the President of the Council, and for the Commission by Mr *Scarascia Mugnozza*, Dr *Hillery*, Mr *Thomson* and Mr *Gundelach*, were concerned with freedom of establishment, the Community social action programme, Greece's application to join the Community, minutes of Council meetings, Community offices outside Europe, the Regional Fund, cross-border studies on Ireland and Northern Ireland, the deposit scheme for Italian imports, new fishing methods, trade relations with India, health protection measures for asbestos workers and fire safety standards.

## Council

In July, the European Council held its second meeting of 1976. The Council held six meetings which dealt with preparations for the first meeting of the ACP-EEC Council of Ministers, foreign affairs, agriculture, the budget and economy and finance.

## European Council (Brussels, 12 and 13 July)

2434. *President: Mr Den Uyl*, Prime Minister of the Netherlands.

*From the Commission: Mr Ortoli*, President, Mr *Haferkamp*, Vice-President.

*Election of the European Parliament by direct universal suffrage:* The Council reached agreement on the number and distribution of seats for the Parliament to be elected by direct universal suffrage in 1978.<sup>1</sup>

*Tindemans Report:* In preparation for its next meeting, the European Council asked the Ministers of Foreign Affairs to continue the examination of the Tindemans Report.<sup>2</sup>

*Economic and social situation in the Community:* There was broad agreement within the European Council on the assessment to be made of the economic situation. This is characterized by a clear conjunctural recovery and the European Council is confident that this recovery will persist in 1977. Account must be taken for some time to come of a relatively high level of unemployment, which will continue to require particular attention in a number of Member States. It will continue to be necessary to stimulate productive investments in the immediate future. Great attention must be paid to the management of budget deficits and the creation of liquidity, in order to prevent a resumption of inflationary tendencies. With this in view, endeavours will be made to hold a Council meeting of Ministers of Economic and Financial affairs<sup>3</sup> this month in order, among other items, to discuss the Commission's document of 23 June 1976 and to prepare the practical conclusions to be drawn.

<sup>1</sup> Points 1101 to 1109 and Bull. EC 6-1976, Introductory Chapter.

<sup>2</sup> Point 2502.

<sup>3</sup> Point 2439.

The European Council agrees on the necessity of increased convergence of economic and monetary policies, while recognizing that agreements concerning exchange rates are meaningful only if they are supported by a coordinated policy. In this connection, the European Council has noted the results of the most recent tripartite Conference with approval. The Council congratulates the Commission on the way in which preparations for this conference were made and supports the conclusions adopted at it. It considers that the system of tripartite conferences must continue to be followed, and urges the Commission to continue the dialogue with both sides of industry in the Community.

*Extension of the Community's fishery limits:* The European Council, having taken note of the work carried out at the United Nations Law of the Sea Conference and noting an increasing trend towards the extension of fishery limits to 200 miles without awaiting the conclusions of this Conference, expresses its determination to protect the legitimate interests of Community fishermen.

To this end, it invites the Council, at its meeting on 20 July 1976, to give consideration to a declaration of intent by the Member States of the Community on the extension of fishing limits of the Community to 200 miles.

*International terrorism:* The European Council adopted a declaration on international terrorism.<sup>1</sup>

During the meeting the European Council discussed the renewal of the Commission and the appointment of its future President. It also briefly considered the Puerto Rico Conference<sup>2</sup> and unanimously agreed that when such conferences took place the Member States should inform and consult one another as quickly as possible on how Community interests can be consolidated and that should problems crop up which fall within the Community's competence these must be dealt with in full compliance with the requirements of Community procedure.

#### 400th meeting (Brussels, 14 July)

2435. *President:* Mr Van der Stoel, Netherlands Foreign Minister.

*From the Commission:* Mr Cheysson, Member.

The meeting was devoted to preparations for the first meeting of the ACP-EEC Council of Ministers.<sup>3</sup>

#### 401st meeting — Foreign affairs (Brussels, 19 and 20 July)

2436. *President:* Mr Van der Stoel, Netherlands Foreign Minister.

*From the Commission:* Mr Ortoli, President, Sir Christopher Soames, Vice-President, Mr Cheysson, Mr Brunner, Mr Gundelach, Mr Guazzaroni, Members.

*Greece:* The Council considered the content of the statement which the President of the Council would make as spokesman of the Community at the opening of the accession negotiations.<sup>4</sup>

*Turkey:* The Council agreed the substance of the package offer which the Community delegation intends to present to Turkey.<sup>5</sup>

*CIEC:* The Council took note of progress in the Conference on International Economic Cooperation after the meetings of the Commissions from 12 to 17 July.<sup>6</sup>

*Election of the European Parliament:* Following the conclusions of the European Council concerning elections to the European Parliament by direct universal suffrage, the Council tackled the ques-

1 Point 2504.

2 Bull. EC 6-1976, Third Part.

3 Point 2437.

4 Point 1202.

5 Point 2341.

6 Point 2320.

tions still outstanding. Having made some headway towards solving them, the Council agreed to continue the discussions on 27 July.

*Passport union:* The Council briefly touched on some of the unsettled points concerning the introduction of a uniform passport.

*Law of the Sea:* The Council reviewed problems arising for the Community from the Third United Nations Conference on the Law of the Sea which is due to meet again on 2 August 1976. A number of options were considered which the Community might put forward as common positions.

*Fishing limits:* On this issue, the Council concentrated on preparing a declaration of intent concerning the question of extending the Community's fishing limits to 200 miles.

*JET project:* The Council held an exchange of views on the JET research programme concerning controlled thermonuclear fusion. It formulated a favourable opinion on the rapid initiation of this project in the framework of the Community multiannual research programme; the necessary decisions will be submitted to the next Council meeting of Ministers responsible for research.<sup>1</sup>

*Protection of the Mediterranean against pollution:* The Council agreed that the Community sign the Barcelona Convention on the Protection of the Mediterranean against pollution and the Protocol on the prevention of the pollution of the Mediterranean sea by dumping from ships and aircraft.

The other topics discussed by the Council were relations with Spain, the Mashrek countries and Israel.

#### 402nd meeting — Agriculture (Brussels, 19 and 20 July)

2437. *President:* Mr Van der Stee, Netherlands Minister of Agriculture.

*From the Commission:* Mr Lardinois, Member.

*The drought:* The Council discussed in depth the consequences of the drought afflicting a number of Community regions and the measures to be taken in the immediate future and in the longer term to solve the problems arising in various sectors.<sup>2</sup>

*Hops:* The Council passed a Resolution concerning the hop market.<sup>3</sup>

*Wine:* The Council adopted a Regulation relating to the distillation of by-products of wine-making and a Regulation laying down general rules in respect of the distillation of certain wines.<sup>4</sup>

*Milk products:* The Council discussed the 1977-80 action programme with a view to the progressive achievement of balance in the milk market.<sup>5</sup>

*Fodder supplies for the Italian market:* The Council approved the Commission's intention of setting aside for this market 100 000 tonnes of barley and 10 000 tonnes of skimmed-milk powder from intervention stocks. It was also agreed to extend until 1 August 1977 the import refund on maize for Italy at the level of 3 u.a./tonne.

*French Overseas Departments:* The Council officially adopted the Regulation extending the EAGGF Guidance Section to the French Overseas Departments, which no longer receive aid from the European Development Fund.<sup>6</sup>

The Council also discussed in detail the proposal for a Regulation on the interim common organization of the market in mutton and lamb. It recognized that progress towards consensus was

<sup>1</sup> Point 2270.

<sup>2</sup> Points 1301 to 1304.

<sup>3</sup> Point 2250.

<sup>4</sup> Point 2248.

<sup>5</sup> Point 2240.

<sup>6</sup> Point 2253.

such that it could hope to decide on the interim measures at the meeting on 20 September.<sup>1</sup>

#### 403rd meeting — Budget

(Brussels, 22 July)

2438. *President:* Mr Brinkhorst, Netherlands State Secretary for Foreign Affairs.

*From the Commission:* Mr Cheysson, Member.

*General budget for 1977:* As part of the budgetary procedure, the Council had a meeting with a delegation from Parliament. It agreed to the extension proposed by the Commission of the distinction between commitment appropriations and payment appropriations and the draft general budget of the Communities for 1977 was established.<sup>2</sup>

*Second supplementary budget for 1976:* The Council established the draft of the second supplementary budget for 1976.<sup>3</sup>

#### 404th meeting — Economic and financial affairs (Brussels, 26 July)

2439. *President:* Mr Duisenberg, Netherlands Minister of Finance.

*From the Commission:* Mr Haferkamp, Vice-President.

*Public Budget for 1977:* The Council made its second quarterly review for 1976 of the economic situation in the Community and adopted a Decision on the preparation of public budgets for 1977.<sup>4</sup>

*Coordination of economic policies and monetary relations:* Mr Duisenberg put to the Council a number of ideas on strengthening economic and financial convergence in the Community. The Economic Policy Committee, the Monetary Committee and the Permanent Representatives Committee were asked to study these suggestions and

report back to the meeting of the Council in October.<sup>4</sup>

*North-South Dialogue:* The Council discussed certain specifically financial matters concerning the North-South Dialogue and in particular the problem of indebtedness.<sup>5</sup>

#### 405th meeting — Foreign affairs (Brussels, 27 July)

2440. *President:* Mr Van der Stoep, Netherlands Foreign Minister.

*From the Commission:* Mr Ortoli, President, Sir Christopher Soames, Vice-President.

*United Nations Conference on the Law of the Sea:* With a view to the next session of the third United Nations Conference on the Law of the Sea, the Council defined joint positions to be submitted to the Conference by the Community representatives.

*Fishing problems — 200-mile zones:* The Council adopted a declaration of intent on the problems raised for the Community fishing industry by the establishment of 200-mile economic zones.

*Portugal:* The Council approved the Decision authorizing the Commission to open negotiations with Portugal for an Interim Agreement, so that the trade provisions of the Additional Protocol with Portugal could quickly be implemented.<sup>6</sup>

*Election of the European Parliament:* The Council declared that at its meeting on 20 September it would find solutions to any points still outstanding.<sup>7</sup>

1 Point 2239.

2 Point 2493.

3 Point 2494.

4 Point 2201.

5 Point 2322.

6 Point 2345.

7 Point 1109.

## Commission

### Composition

2441. Mr Albert *Borschette*, Member of the Commission, was retired by the Court of Justice on 14 July because of his state of health.<sup>1</sup>

Mr Borschette suffered a disturbance of the circulatory system during a sitting of the European Parliament<sup>2</sup> on 11 May in Strasbourg.

At its meeting on 21 July, the Commission paid tribute to Mr Borschette. It deeply regretted that Mr Borschette's state of health, which was preventing him from performing his duties and was showing no signs of improvement, had made the application of Article 13 of the Merger Treaty inevitable. The Commission recalled the depth of Mr Borschette's commitment to the cause of Europe and the skill and courage with which he always acquitted himself in his high office.

Mr Borschette was a member of the Commission presided in turn by Mr Franco-Maria Malfatti and Mr Sicco Mansholt (1970-73). His special responsibilities took in competition, regional policy, information and the dissemination of information. He was re-appointed on 6 January 1973, taking responsibility for competition and for personnel and administration.

2442. On 13 July, the Conference of the Representatives of the Governments of the Member States appointed Mr Cesidio *Guazzaroni* Member of the Commission<sup>3</sup> to replace Mr Altiero *Spinelli*.

On 14 July, in the presence of the Members of the Commission, Mr Cesidio Guazzaroni gave his solemn undertaking to respect the obligations arising from his appointment as laid down by the Merger Treaty and was installed as Member of the Commission. Mr Guazzaroni was born on 5 January 1911 in Loreto Aprutino (Pescara). He

is a Doctor of Law and Political Science, and a graduate of Rome University.

From 1937 to 1940, he was unpaid assistant in the Department of International Law in the Faculty of Economics and Commerce at Rome University.

He entered the Diplomatic and Consular Service by competition on 15 November 1940, serving in turn in the Italian Consulate-General in Hamburg and embassies in Berlin, Washington and Moscow.

From 1951 to 1954, he was Deputy Chef de cabinet to the Minister for Foreign Affairs (first Sforza and then de Gaspari).

Since 1958 he has coordinated the Italian Government departments and agencies concerned in Italian action in European Community affairs, and in this capacity has taken part in meetings of the Council and the European Parliament.

From 10 August 1960 to 1 February 1962 he was Head of the 'Servizio per la cooperazione economica internazionale' (Department of International Economic Cooperation). From 1962 to 1967 he was one of the three Directors of the Department of Economic Affairs in the Ministry of Foreign Affairs, with special responsibility for European economic integration. From 1967 onwards he was the sole Deputy Director-General of the Department of Economic Affairs in the Ministry of Foreign Affairs.

From 15 October 1971 to 10 April 1976, he was Director-General of the Department of Economic Affairs, and was appointed to the rank of Ambassador on 22 December 1972.

He was a past member of the Governing Board of the Merchant Marine, the Executive Committee and the General Council of the Istituto per il

<sup>1</sup> OJ L 201 of 27.7.1976.

<sup>2</sup> Bull. EC 5-1976, point 2434.

<sup>3</sup> OJ L 193 of 17.7.1976.

<sup>4</sup> Bull. EC 6-1976, point 2424.

commercio con l'estero (Institute for Foreign Trade), and of the Board of the Ufficio italiano dei Cambi (Italian Exchange Office).

He has led Italian delegations in multilateral and bilateral negotiations.

Mr Guazzaroni is the author of many articles on foreign policy and of many studies of Community affairs.

2443. Mr Raymond Vouel was appointed Member of the Commission<sup>1</sup> on 19 July by the Conference of the Representatives of the Governments of the Member States. He replaced Mr Albert Borschette.

On 21 July, as required by the Merger Treaty, Mr Vouel gave the solemn undertaking that he would respect the obligations arising from his appointment and was installed as Member of the Commission.

Mr Vouel was born at Rumelange in Luxembourg on 8 April 1923. He is married and has three children.

From 1946 to 1953 he was a journalist; he was Administrative Manager of the Esch Municipal Hospital from 1954 to 1964, and Insurance Manager from 1969 to 1974.

After being State Secretary for Health, Labour, Social Security and Mines from 1964 to 1969, Mr Vouel was elected to the Chamber of Deputies on the Socialist list in 1969, and re-elected in 1974. He was Chairman of the Parliamentary Socialist Party from 1970 to 1971 and from 1973 until 1974.

Since June 1974 Mr Vouel has been Luxembourg's Deputy Prime Minister and Minister of Finance.

### Internal organization of the Commission

2444. On 21 July the Commission adopted provisions re-allocating Members' special responsi-

bilities, following the appointment of Mr Guazzaroni and Mr Vouel.

The special responsibilities of the new Members of the Commission are as follows:

*Mr Guazzaroni:*

Industrial and technological affairs, except steel; Financial institutions and taxation.

*Mr Vouel:*

Competition.

At the same time, the Commission made changes in the special responsibilities of Mr Ortoli, President, and Mr Simonet, Vice-President, as follows:

*Mr Ortoli:*

Secretariat-General;  
Legal Service;  
Spokesman's Group;  
Security Office;  
Personnel and administration;  
Official Publications Office.

*Mr Simonet:*

Industrial and technological affairs—steel;  
Energy;  
Euratom Supply Agency.

Following these changes in Members' special responsibilities, the Commission adopted the following administrative provisions:

— The Directorate-General for Industrial and Technological Affairs, except Directorate B (Steel) is placed under the authority of Mr *Guazzaroni*.

— Directorate B (Steel) of the Directorate-General for Industrial and Technological Affairs is placed under the authority of Mr *Simonet*.

— The Directorate-General for Competition is placed under the authority of Mr *Vouel*.

— The Directorate-General for Personnel and Administration is placed under the authority of Mr *Ortoli*.

<sup>1</sup> OJ L 201 of 27.7.1976.

— The Directorate-General for Financial Institutions and Taxation is placed under the authority of Mr *Guazzaroni*.

— The Official Publications Office is placed under the authority of Mr *Ortoli* where Commission matters are concerned.

### Activities

2445. The Commission held four meetings in July. Its discussions were dominated by the meeting of the European Council,<sup>1</sup> the economic and monetary situation, difficulties in the steel market and agricultural policy.

*Reorganization of the milk market:* One of the main themes of Commission discussions was how the milk market could be reorganized in such a way that the structural surplus that had existed for some years might be reduced and progressively eliminated. This surplus has tended to grow regularly, except this year when the drought created a special situation.

The Commission's plan is to increase outlets for dairy products and to reduce milk production. The Commission's proposals include important measures to encourage a changeover to meat production. A co-responsibility levy—the amount of which will be determined in the light of the trend and prospects on the milk market—will be imposed on all deliveries to dairies, and should persuade producers to participate fully in restoring balance on the milk market as required by the Commission.<sup>2</sup>

*The steel market:* The Commission had several discussions on the steel market, and considered what action should be taken to ensure that it operated smoothly in all circumstances, under the control of the European authorities, without the formation or the influence of cartel-type structures. In this respect, the Commission intends to maintain strictly the anti-cartel principles on which the ECSC Treaty is based.

Government experts and both sides of industry will be consulted on the guidelines<sup>3</sup> the Commission has adopted. The objective is to set up mechanisms to make the market operate more satisfactorily and to enable firms to overcome their difficulties in a crisis. The Commission's guidelines can be subdivided into three parts:

- (i) analysis and continuous statistical monitoring of the steel market;
- (ii) improved coordination of investment trends leading eventually to equilibrium between supply and demand;
- (iii) initiation of appropriate procedures in the event of a crisis, on the basis of indicators defined in advance.

*Economic situation of Ireland:* The Commission studied the economic situation of Ireland, which is none too healthy at the moment. It instructed an interdepartmental working party to examine fully what assistance could be provided from the current budget. The working party will also consider how the rules for granting aid might be relaxed. The Commission will come back to the matter in September.

*Italy:* The Commission considered the Italian Government's request for authorization to maintain the import deposit arrangements that have been in force since last May. In view of all the facts, the Commission authorized Italy to maintain this protective measure.<sup>4</sup>

*European Social Fund:* The Commission adopted the draft report on the activities of the new European Social Fund in 1975.<sup>5</sup>

The Commission did not think it necessary this year to do as it had done in the past three years—namely, to assess the impact of the Fund on Community employment policy and summar-

<sup>1</sup> Point 2434.

<sup>2</sup> Point 2240; Supplement 10/76 — Bull. EC.

<sup>3</sup> Point 2259.

<sup>4</sup> Point 2202.

<sup>5</sup> Point 2213.

ize its legal provisions and management arrangements, since these are well enough known. The report simply gives an account of the Fund's activities in 1975, and forecasts expenditure in 1976, 1977 and 1978.

*Vocational training for young people:* The Commission adopted a draft recommendation inviting the Member States to promote more efficient vocational training for young people who are unemployed or in danger of losing their jobs.<sup>1</sup> The Commission wants to combat what has built up into a serious situation; in the spring of 1976, over a million and a half people under twenty-five were unemployed, and each year more and more youths who lack the proper skills start looking for work and fail to find it.

*Stabilization of the export earnings of ACP countries:* The Commission took a decision granting Stabex credits to the ACP countries whose revenue from exports to the Community fell in 1975. This is the first time that the mechanism for stabilizing export earnings established by the Lomé Convention has been applied. Over 72 million EUA has been distributed, half of which is in the form of grants to the countries in greatest need. The other half consists of loans to countries whose economy is more sound.<sup>2</sup>

*Second supplementary budget for 1976:* The Commission adopted a preliminary draft supplementary budget for 1976,<sup>3</sup> intended to cover additional agricultural expenditure resulting from the higher prices fixed by the Council in 1976 and from the increased outlay on monetary compensatory amounts following the depreciation of the pound and of the lira. It will be covered entirely by the increase in the Community's own revenue, particularly from customs duties, which have been boosted by the general economic recovery. Despite this sharp increase in expenditure, the Commission has been able to reduce the contributions proper of the Member States.

*Export credits:* The Commission decided to initiate the infringement procedure of Article 169 EEC against France, Germany, Italy and the United Kingdom; these countries had participated individually, outside the Community framework, in an agreement on export credits—an area where the Community has exclusive jurisdiction.<sup>4</sup>

The point at issue is a gentleman's agreement negotiated with the United States and Japan and applied by unilateral declaration. All the Commission's efforts to have the agreement made part of a Community arrangement have been in vain, and the Commission now feels that it has no further option but to insist on compliance with Community law.

#### **Relations with workers' and employers' organizations**

2446. In July, the Commission organized meetings with the European Trade Union Confederation to discuss regional policy, consumer protection, energy and company law relating to groups. A delegation from the European Trade Union Confederation had talks with Sir Christopher Soames about Community policy towards the countries of the northern Mediterranean, i.e. Portugal, Spain, Greece and Turkey. In connection with the present problems in the steel industry, the steel group of the association of trade unions in ECSC industries had an initial exchange of views on the possibility of both workers and employers being consulted after the holidays.

<sup>1</sup> Point 2208.

<sup>2</sup> Points 1401 to 1406.

<sup>3</sup> Point 2494.

<sup>4</sup> Point 2313.

## Court of Justice

### Composition of the Court

2447. The representatives of the Governments of the Member States made the following appointments<sup>1</sup> on 19 July in connection with the partial renewal of the Court of Justice:

Judges at the Court of Justice of the European Communities for the period 7 October 1976 to 6 October 1982 inclusive:

Mr Giacinto *Bosco*

Mr Hans *Kutscher* (reappointment)

Mr A.M. *Donner* (reappointment)

Lord *Mackenzie Stuart* (reappointment)

Advocate-General at the Court of Justice of the European Communities for the period 7 October 1976 to 6 October 1982 inclusive:

Mr Francesco *Capotorti* (hitherto Judge at the Court)

### New cases

*Case 26/76 R — Firma Metro-SB-Grossmärkte GmbH & Co. KG, Düsseldorf v the Commission*

2448. The plaintiff, in an action to annul the Commission's Decision of 15 December 1975 relating to a procedure under Article 85 of the EEC Treaty (IV/847-SABA),<sup>2</sup> applied to the Court of Justice for an interim measure suspending operation of the Decision complained of. It requested in addition that the Court order the necessary interim measures to enable the plaintiff to obtain supplies of SABA equipment and to resell them on a self-service wholesale basis.

*Case 62/76 — Mr J. Strehl, Neerpelt v Nationaal Pensioenfonds voor Mijnwerkers, Brussels*

2449. In a case relating to the calculation of a disability pension payable under two bodies of

national law, one of which applies the flat-rate system and the other the proportional system, the Arbeidsrechtbank of Hasselt asked the Court of Justice of 6 July for a preliminary ruling on the interpretation of Article 46 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community<sup>3</sup> and Decision No 91 of the Administrative Commission of the European Communities on Social Security for Migrant Workers.<sup>4</sup>

*Case 63/76 — Mr V. Inzirillo, Lyon v Caisse d'allocations familiales de l'arrondissement de Lyon, Lyon*

2450. The French Court de cassation asked the Court of Justice on 7 July for a preliminary ruling on whether a handicapped Italian national who had himself never worked in France is eligible, pursuant to Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community, for the allowance for handicapped adults introduced under French law in favour only of French nationals resident in France, if he resides there and if his father, who is an Italian migrant worker, is employed there.

*Case 64/76 — Société P. Dumortier Frères, SA, Tourcoing v the Council*

2451. An action for damages was brought before the Court of Justice against the Council in respect of the loss which a French firm claims to have suffered as a result of the abolition of refunds to producers of maize for the brewing industry while identical refunds to the starch manufacturing industry were maintained.

<sup>1</sup> OJ L 201 of 27.7.1976.

<sup>2</sup> OJ L 28 of 3.2.1976.

<sup>3</sup> OJ L 149 of 5.7.1971.

<sup>4</sup> OJ C 86 of 20.7.1974.

*Case 65/76* — M. le procureur du roi, Oudenaarde v Mr M. Derycke, Ronse

2452. The *Correctionele Rechtbank* of Oudenaarde requested the Court of Justice on 13 July for a preliminary ruling on the interpretation of Regulation (EEC) No 543/69 on the harmonization of certain social legislation relating to road transport.<sup>1</sup> It wished to know whether the individual control book prescribed by the regulation for the carriage of goods by a vehicle in excess of 3.5 tonnes must be completed if carriage is effected by a trader on his own account.

*Case 66/76* — Confédération française démocratique du travail (CFDT), Paris v the Council

2453. A French trade union brought an action before the Court of Justice to annul the Council Decision of 1 June 1976 designating the representative organizations responsible for drawing up lists of candidates for the ECSC Consultative Committee.<sup>2</sup>

*Case 67/76* — Commission official v the Commission

2454. A Commission official brought an action before the Court to annul the Commission's implicit decision rejecting his application to be regarded as having been seconded in the interests of the service and not on leave on personal grounds for the period during which he provided technical assistance to the Government of the Central African Republic, and to reinstate him.

*Case 68/76* — Commission v French Republic

2455. On 16 July the Commission brought an action before the Court against France for a ruling that by making the export to the other Member States of potatoes falling within tariff heading No 07.01 A III b of the Common Customs Tariff subject since 25 October 1975 to the submission of an export declaration stamped by FORMA (Agricultural Guidance and Market Sta-

bilization Fund) that country failed to fulfil its obligations under Article 34 of the EEC Treaty.<sup>2</sup>

*Cases 69 and 70/76* — Firma Rolf H. Dittmeyer, Hamburg v Hauptzollamt Hamburg-Walterzho

2456. The *Bundesfinanzhof* asked the Court of Justice on 19 July for preliminary rulings concerning the tariff classification of residues of oranges and grapefruit, obtained after extracting the juice, and canned or frozen.

*Case 71/76* — Mr J. Thieffry, Paris v Conseil de l'Ordre des avocats du barreau du Paris

2457. A Belgian national, who holds the Degree of Doctor of Laws awarded by a Belgian university, having been denied the right to practise as a lawyer in France on the grounds that he does not hold the French Degree of Bachelor or Doctor of Laws, brought an action before the Paris *Cour d'appel* which asked the Court of Justice on 19 July for a preliminary ruling on whether the imposition of a requirement that a national of a Member State must hold the degree of the country of establishment even though the degree which he obtained in his country of origin has been recognized as being equivalent by the university authorities of the country of establishment and has enabled him to pass in the latter country of establishment and has enabled him to pass in the latter country the examination of competence as a lawyer, constitutes, in the absence of the directives referred to in Article 57(1) and (2) of the EEC Treaty, an obstacle in excess of what is necessary to achieve the objective of the Community provisions in question.

*Case 72/76* — Landesversicherungstalt Rheinland-Pfalz, Speyer v (1) Mrs Topfer, Widow, born H. Dontenwill, Mulhouse, (2) Mr J.P. Weber, Steinbach and (3) Compagnie d'assurance Le Phenix, IARD, Paris

<sup>1</sup> OJ L 77 of 29.3.1969.

<sup>2</sup> OJ L 149 of 9.6.1976.

2458. In a case involving a German social security organization and the person responsible for a fatal road accident in France in which the victim was a German national insured by the German organization, the object of the proceedings being the repayment of arrears of a pension paid by the organization to the widow of the insured, the French Cour de cassation asked the Court of Justice on 19 July for a preliminary ruling on whether the subrogation referred to in Article 52 of Regulation No 3 on social security for migrant workers<sup>1</sup> is governed, in so far as its extent and the apportionment between the organization and the insured are concerned, by the law of the State of the debtor organization.

*Case 73/76 — Commission official v the Commission*

2459. On 23 July a Commission official brought an action before the Court to annul the decision of the Commission refusing him admission as a candidate for an internal competition.

This action follows another case<sup>2</sup> in which the Court annulled the Selection Board's decision refusing him admission to the competition for lack of sufficient grounds.

*Case 74/76 — SpA Iannini & Volpi, Milan v Ditta P. Meroni, Milan*

2460. On 26 July the Pretura di Milano asked the Court of Justice for a preliminary ruling on whether the charging of a duty on products such as paper, paperboard and cellulose, the proceeds of which are intended to subsidize national production of newsprint, constitutes a measure having equivalent effect to a quantitative restriction on imports and, if not, whether this duty is compatible with Article 95 of the EEC Treaty, having regard to the fact that in the case of domestic products it is calculated on the net price while in the case of imports the basis of calculation is the total price including transport costs, insurance, etc.

This case follows indirectly on Case 94/74 (SpA IGAV v Ente Nazionale Cellulosa e Carta) in which the Court gave its judgment on 18 June 1975.<sup>3</sup>

*Case 75/76 — (1) Miss S. Kaucic, Grimaco, Udine, and (2) Miss A.M. Kaucic, Turin v Institut national d'assurance maladie-invalidité, Brussels*

2461. The Belgian Cour de cassation asked the Court of Justice on 28 July for a preliminary ruling on whether Articles 27 and 28 of Regulation No 3 on social security for migrant workers<sup>4</sup> preclude the application by an institution of a Member State of rules under its own law relating to the drawing of a benefit payable under such law concurrently with a benefit granted under the law of a non-member country with which the Member State is not linked by a bilateral convention on social security.

*Case 76/76 — Miss S. Di Paolo, Saint-Josse-ten-Noode v Office national de l'emploi, Brussels*

2462. On 28 July the Belgian Cour de cassation requested the Court of Justice to interpret Article 71(1)(b) of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community,<sup>5</sup> particularly with regard to the concepts of residing in and returning to the territory, the criteria applicable and the time at which the requirements concerning residence in or return to the territory must be satisfied.

*Case 77/76 — Ditta Flli Cucchi v SpA Avez*

2463. On 28 July the Pretura d'Abbiategrosso asked the Court of Justice for a series of preliminary rulings on the 'sovrapprezzo' on sugar, a tax

<sup>1</sup> OJ 30 of 16.12.1958.

<sup>2</sup> Case 31/75, Bull. EC 12-1975, point 2436.

<sup>3</sup> Bull. EC 6-1975, point 2442.

<sup>4</sup> OJ 30 of 16.12.1958.

<sup>5</sup> OJ L 149 of 5.7.1971.

levied by a public body the income from which accrues solely to the sugar industry and national beet producers. The court wished to know whether this surcharge constitutes a tax having equivalent effect to a customs duty or whether it is contrary to the second subparagraph of Article 40(3) of the EEC Treaty.

*Case 78/76 — Firma Steinike und Weinlig, Hamburg v Federal Republic of Germany* represented by the Bundesamt für Ernährung und Forstwirtschaft, Frankfurt am Main

2464. A German firm which imports concentrated citrus fruit juices from Italy and non-member countries and then processes them into syrups which are unfit for consumption is challenging the payment of a duty on the processing operation used to finance a central fund to promote German agriculture, forestry and the food-stuffs industry, on the grounds that the duty is contrary to the EEC Treaty.

The Verwaltungsgericht, Frankfurt am Main, hearing the action, requested the Court of Justice on 2 August for a preliminary ruling on a number of questions including whether the procedure provided for in Article 93 of the EEC Treaty prevents a national court from referring a matter for a preliminary ruling on the interpretation of Article 92, how to interpret the latter article and whether the duty was compatible with, firstly, Articles 9, 12 and 13, secondly, Article 95.

*Case 79/76 — Mr C. Fossi, Florence v Bundesknappschaft, Bochum*

2465. The Bundessozialgericht asked the Court of Justice on 6 August for a preliminary ruling on whether an Italian national, resident in Italy and who has never resided or worked in the Federal Republic of Germany or in West Berlin but who worked as a miner during the Second World War in the Sudeten region, is to be treated, in accordance with the Community provisions on social security, as a German national for the pur-

pose of applying Article 108c of the Reichsknappschaftsgesetz which leaves to the discretion of the competent German body the payment of a pension, entitlement to which has accrued outside Germany, to German nationals residing outside national territory.

*Case 80/76 — North Kerry Milk Products Ltd, Dublin v Minister for Agriculture and Fisheries*

2466. In an action concerning the method of calculating the Community aid granted for skimmed milk processed into casein the High Court in Dublin asked the Court of Justice on 13 August for a preliminary ruling on the exchange rate between the Irish pound and the unit of account, namely whether the rate to be applied is that of the date of manufacture of the casein or of the date on which it is marketed. It should be noted that this is the first occasion on which a matter has been referred for a preliminary ruling by an Irish court.

*Case 81/76 — Douwe Egberts GmbH, Kleve v Hauptzollamt Kleve*

2467. On 13 August the Finanzgericht Düsseldorf asked the Court of Justice for a preliminary ruling on whether the fact that the amount of the tax, laid down under German law in 1969, on imports of powdered coffee from another Member State was higher than that payable on imports of roasted coffee which is then processed into powdered coffee in Germany, was compatible with Article 95(1) of the EEC Treaty (the law has been amended meanwhile at the Commission's request).

*Case 82/76 — Firma Farbwerke Hoechst, Frankfurt am Main v Hauptzollamt, Frankfurt am Main*

2468. An importer of pharmaceutical products brought an action before the Hessisches Finanzgericht challenging an increase in customs duties on the ground that a trade mark had been affixed

to the products after they had been imported. The court requested the Court of Justice on 13 August to interpret Regulation (EEC) No 803/68 on the valuation of goods for customs purposes,<sup>1</sup> and especially Articles 2(2) (persons deemed to be associated in business with one another) and 3(1) (account to be taken of the trade mark with a view to determining the normal price of imported goods).

*Case 83/76* — Firma Bayerische HNL Vermehrungsbetriebe GmbH & Co. KG, Gut Heinrichsruh, Post Langenbach, v (1) the Council and (2) the Commission

2469. On 19 August a German firm specializing in poultry rearing brought an action for damages before the Court of Justice for the loss which it claimed to have suffered as a result of the application of Regulation (EEC) No 563/76 on the compulsory purchase of skimmed-milk powder held by intervention agencies for use in feeding-stuffs,<sup>2</sup> which would have led to an increase in its feedingstuffs costs. The plaintiff is invoking not only failure to comply with the objectives set out in Article 39 of the EEC Treaty but also infringement of fundamental rights (the principle of proportionality and free trade).

*Case 84/76* — Mr Collic, Croas-Boulic en Plouguerneau, v Fonds d'Orientation et de Regularisation des Marchés Agricoles (FORMA), Paris

2470. The Administrative Court of Rennes asked the Court of Justice on 25 August for a preliminary ruling on the interpretation of Article 2 of Regulation (EEC) No 2195/69 laying down the detailed rules for the application of the system of subsidies for slaughtering cows and incentives not to market milk and milk products,<sup>3</sup> particularly with regard to the compatibility of that article with French Ministerial Circular No 4038 which contains the method of converting beef cattle into units.

*Case 85/76* — Firma F. Hoffman-La Roche & Co AG, Basel v the Commission

2471. In its Decision of 9 June the Commission found that by concluding with purchasers of vitamins contracts stipulating purchase obligations or the granting of fidelity rebates a Swiss manufacturer of pharmaceutical products had infringed Article 86 of the EEC Treaty and imposed a fine of 300 000 u.a.<sup>4</sup>

On 27 August the firm brought an action before the Court of Justice to annul the decision.

### Judgments

*Case 58/75* — Commission official v the Commission

2472. A Commission official brought an action before the Court on 7 July 1975 to amend the decision reinstating him taken by the Commission together with a claim for damages for the loss which he had suffered as a result of the delay in his reinstatement and the negligence of the administration in carrying out the procedure necessary for his reinstatement.

In its Judgment of 1 July the Court decided predominantly in favour of the plaintiff's claims as regards bringing forward the date on which reinstatement should take effect but limited the amount of the damages to be paid to him.

*Case 62/75* — Commission official v the Commission

2473. A Commission official brought an action before the Court to annul a list of officials most suitable for promotion and decisions to promote certain persons included in such list.

<sup>1</sup> OJ L 148 of 28.6.1968.

<sup>2</sup> OJ L 67 of 22.3.1976.

<sup>3</sup> OJ L 278 of 5.11.1969.

<sup>4</sup> OJ L 223 of 16.8.1976.

The Court dismissed the action by its Judgment of 2 July.

*Case 118/75 — Pubblico Ministero italiano v (1) Lynne Watson and (2) Alessandro Belmann*

2474. In a criminal case, the Pretura di Milano asked the Court of Justice for a preliminary ruling on whether certain Italian provisions relating to foreigners (including Community nationals) were compatible with the principle of the free movement of persons, i.e. the requirement that foreigners residing in Italy report extremely promptly to the police and the requirement that Italian nationals providing accommodation for foreigners report the presence of the latter. The matters raised also related to the European Convention on Human Rights.

In its Judgment of 7 July the Court of Justice held that such provisions were compatible with Community law provided the time limits set for fulfilling the said requirements were reasonable and the penalties imposed for failure to fulfil the requirements were not disproportionate to the seriousness of such failure to act and did not include expulsion. The Court further added that in so far as such rules do not impose restrictions on the free movement of persons they do not constitute discrimination prohibited under Article 7 of the EEC Treaty.

*Case 129/75 — Commission official v the Commission*

2475. On 22 December 1975 a Commission official brought an action in the Court to annul a written warning to the plaintiff by his superior on the grounds that his superior was not empowered *ratione personae* to take disciplinary action, and for the removal of all documents relating to the matter from the plaintiff's personal file.

In its Judgment of 17 July, the Court rejected this action as inadmissible.

*Joined Cases 3, 4 and 6/76 — Officier van Justitie bij de Arrondissementsrechtbank te Zwolle and others v Mr C. Kramer, Urk and others*

2476. The Arrondissementsrechtbanken of Zwolle and Alkmaar asked the Court of Justice for a series of preliminary rulings on the compatibility with Community law of certain provisions that the Netherlands had adopted to restrict catches of sole and plaice, on the power of Member States to conclude agreements designed to protect fishing resources and on the direct applicability of Articles 30, 31 and 34 of the EEC Treaty.

In its Judgment of 14 July, the Court held that national fish quotas fixed by the Member States pursuant to the North-East Atlantic Fisheries Convention were compatible with Community law. While asserting that the Community has jurisdiction in the matter, the Court noted that in view of the fact that the Community had not yet acted when the facts were brought before the national courts for consideration, the Member States were empowered, under the abovementioned Convention, to enter into undertakings relating to the protection of the biological resources of the sea. The Dutch provisions in question, aimed at preventing an appreciable cutback in fish 'production' in the long term, do not, in the Court's opinion, constitute measures having equivalent effect to quantitative restrictions on intra-Community trade.

*Case 7/76 — Industria Romana Carni e Affini (IRCA), Rome v Amministrazione delle Finanze*

2477. In the course of an action concerning the importation of beef and veal from Argentina the Sixth Ufficio di Conciliazione di Roma asked the Court of Justice about the validity of Commission Regulation (EEC) No 905/73 fixing the amounts by which the monetary compensatory amounts are to be adjusted,<sup>1</sup> in so far as it may

<sup>1</sup> OJ L 92 of 7.4.1973.

infringe the principles of non-retrospectivity and non-discrimination and may be *ultra vires*.

In its Judgment of 7 July, the Court held that the above regulation was valid, as was Regulation (EEC) No 648/73 laying down detailed rules for the application of monetary compensatory amounts.<sup>1</sup>

*Case 13/76 — Mr G. Donà, Brussels v Mr M. Mantero, Rovigo*

2478. The Rovigo Ufficio di Conciliazione requested the Court of Justice on 13 February 1976 for a preliminary ruling on whether professional football players who were nationals of a Member State were entitled to provide services either as employees (Article 48 of the EEC Treaty) or on a self-employed basis (Article 59 of the EEC Treaty) throughout the Community, notwithstanding certain rules laid down by a national football organization requiring players to be nationals of that State, and whether the provisions referred to above were directly applicable.

In its Judgment of 14 July, the Court held that such rules are incompatible with Articles 7 and, depending on the circumstances, 48 to 51 or 59 to 66 of the EEC Treaty, unless they are such as to exclude foreign players from participation in certain matches on non-economic grounds arising from the nature and specific context of such matches and consequently affecting only the sport as such. The Court also confirmed that Article 48, the first paragraph of Article 59 and the third paragraph of Article 60 of the EEC Treaty are directly applicable.

*Case 19/76 — Mr P. Triches, Belluno v Caisse de Compensation pour Allocations familiales de la Région Liègeoise, Liège*

2479. On 23 February 1976, the Belgian Cour de Cassation requested the Court of Justice to give a preliminary ruling on whether Article 42(2) of Regulation 3<sup>2</sup> on social security arrangements for migrant workers, as amended by Article 1 of

Regulation 1/64,<sup>3</sup> was compatible with Articles 3, 48, 51 and 117 of the EEC Treaty in that it provides for differences in treatment with regard to family allowances according to whether the party concerned is eligible for a pension or allowance under the laws of a single Member State or of several.

In its Judgment of 13 July 1976, the Court held that the provision in question was valid.

*Case 26/76 R — Firma Metro-SB-Grossmärkte GmbH & Co. KG, Dusseldorf v Commission*

2480. The plaintiff, in an action to annul the Commission's Decision of 15 December 1975 relating to a procedure under Article 85 of the EEC Treaty (IV/847 – SABA),<sup>3</sup> applied to the Court of Justice for an interim measure suspending operation of the decision complained of. It requested in addition that the Court order the necessary interim measures to enable the plaintiff to obtain supplies of SABA equipment and to resell them on a self-service wholesale basis.

The Court rejected the request by Order of 23 July.

*Case 61/76 R — Commission official v Commission*

2481. In connection with an action to annul the Commission Decision of 10 December 1975 officially transferring him from Petten to Ispra, a Commission official submitted on application for interim measures to suspend the transfer until the Court had decided on the merits of the case.

The Court dismissed the application by Order of 15 July.

<sup>1</sup> OJ L 64 of 9.3.1973.

<sup>2</sup> OJ 30 of 16.12.1958.

<sup>3</sup> OJ 1 of 8.1.1964.

<sup>4</sup> OJ L 28 of 3.2.1976.

## ECSC Consultative Committee

### Replacement of the Consultative Committee

2482. On 10 July the Council appointed the new ECSC Consultative Committee for the period 10 July 1976 to 9 July 1978.

### 178th meeting

2483. The Consultative Committee held its first meeting for the business year 1976/77 on 15 July in Luxembourg. Mr Marmasse (France, steel consumers), the oldest member present, was in the chair. The Committee elected its President and Bureau for the business year 1976/77.<sup>1</sup>

Mr Joseph Gormley (United Kingdom, coal workers) was unanimously elected President of the Committee. Mr Alberto Capanna, the outgoing President (Italy, steel producers) and Mr Jean Picard (France, coal consumers) were elected Vice-Presidents. Mr Richard Chandler (Ireland, coal consumers), Mr Helmut Gelhorn (Germany, coal workers), Mr Steffen Møller (Denmark, steel workers), Mr Marcel Peeters (Belgium, coal producers), Mr Andre Robert (Luxembourg, steel producers) and Mr Servatius Wijnands (Netherlands, steel consumers) were elected members of the Bureau. All were elected unanimously.

The Consultative Committee also appointed the members and Chairmen of its four standing sub-committees (general objectives, markets and prices, labour problems and research projects).

## European Investment Bank

### Loans issued

2484. On 23 July the European Investment Bank concluded a contract for a 10 000 million

yen bond issue (some 31 million u.a.) with a syndicate managed by the Nikko Securities Co. Ltd and a group of commissioned companies led by the Industrial Bank of Japan Ltd. Application has been made to list the bonds on the Tokyo stock exchange. This is the first EIB issue in Japan.

Carrying a coupon of 8.9 % payable annually, and with a maximum life of twelve years, the bonds were issued at 100 %. They are redeemable at par in six annual instalments of 1 000 million yen payable on 3 August of each year from 1982 to 1987, and in a final instalment of 4 000 million yen payable on 3 August 1988. The Bank will, however, have the option of redeeming all or some of the bonds in circulation with a degressive premium (103 % maximum) on 3 August of each year from 1982 onwards.

2485. The Bank also signed in London a contract for an issue of \$75 million of seven-year notes and \$50 million of twelve-year bonds on the international capital market.

The issue was underwritten by an international banking syndicate.

Bearing interest at 8.25 %, payable annually, the notes were offered to the public at 99.50 %, the yield over the full lifetime being 8.35 %.

The bonds carry a coupon of 8.75 %, payable annually, and were offered to the public at 99.25 %, giving a yield of 8.85 % calculated on the full lifetime.

Both the notes and the bonds are redeemable at par on maturity; the contract does however provide for the repurchase from a purchase fund of \$1.5 million of notes and \$1.75 million of bonds per year at prices not exceeding par. The Bank also has the option of redeeming in advance from 1983 onwards with a degressive premium all the bonds in circulation.

<sup>1</sup> OJ C 195 of 20.8.1976.

Application has been made for the issue to be listed on the Luxembourg stock exchange.

### Loans granted

#### *Italy*

2486. Five loans totalling the equivalent of Lit 76 400 million (82.5 million u.a.) have been granted in Italy, mostly for investments in Sicily and the mainland Mezzogiorno.

The largest loan, Lit 26 000 million, is for improvements to telecommunications in Apulia. It has been granted for twelve years at an interest rate of 9.5% to IMI—Istituto Mobiliare Italiano—which will on-lend to SIP—Società Italiana per l'Esercizio Telefonico pA. While considerable progress has been made in recent years towards strengthening the telephone network in the South, Apulia still lags behind most other regions with a density of telephones averaging only 11 per 100 population. The works which the EIB are now helping to finance are expected to cost around Lit 90 000 million and will involve construction of 55 new automatic exchanges and extension of existing exchanges, comprising a total of 61 000 subscriber installations.

A loan of Lit 20 000 million has gone to the Casa per il Mezzogiorno, again for twelve years at an interest rate of 9.5%, to help finance improved water supplies to the industrial zone at Syracuse, Sicily. The works will include a 40 km aqueduct to bring water from a canal in the Lentini area and another aqueduct, 11 km long. The works will cost in the region of Lit 50 000 million but they form part of a much vaster programme of investments entitled 'Special Project No 2', under which the Cassa per il Mezzogiorno is charged with laying down and reinforcing infrastructure needed to support industrial growth in the south-east of Sicily.

In the industrial sector, the Bank has granted to IMI a loan of Lit 14 000 million for eight years

at 9% to contribute to finance which this institution is providing for construction of a factory at Foggia (Apulia) which will produce high-speed diesel engines. The project is being carried out by Società Franco Italiana di Motori-Sofim SpA, a company created in 1974 between Fiat SpA, Alfa Romeo (part of Finmeccanica of the IRI group) and Saviem which is controlled by Renault of France. The factory should come into service in 1978 at a total cost (fixed assets) of around Lit 145 000 million. About 2 000 jobs are expected to be created, mainly for local people. It is also hoped that the setting up of this new industry in the Foggia area will encourage the introduction of complementary activities, bringing further employment opportunities.

To help small and medium-sized ventures, the Bank has lent Lit 3 400 million to Istituto di Credito per le Imprese di Pubblica Utilità - ICIPU, in the form of a global loan, granted for eight years at 9%. The credit is destined for five projects situated in different parts of the Mezzogiorno and which are expected to create, between them, about 450 new jobs.

Finally Lit 13 000 million has been lent to Dalmine SpA, a member of the Finsider steel group (IRI), to reorganise its works at Dalmine, near Bergamo, in Lombardy. The loan is for eight years at an interest rate of 9%. The operation mainly concerns building a new mill for production of seamless steel tubes; this will employ new technology and processes and will take over the work of three rolling mills which are now obsolete. The plant provides 6 500 jobs and a further 3 000 jobs in the Bergamo region are dependent upon it. The reorganisation will make a significant improvement to productivity and raise the quality level of production. By helping to safeguard employment it is of key importance in avoiding a serious local unemployment situation, bearing in mind that another main industry in the region, textile and clothing, has been hard hit in recent years.

2487. The Bank has granted three new loans totalling the equivalent of Lit 12 000 million (13 million u.a.) for industrial investments in Sicily and in Campania which are expected to create, between them, some 300 new jobs.

Most of the sum goes towards a new chemicals plant at Priolo near Syracuse, for which the Bank has provided Lit 10 000 million in two loans, granted for eight years at an interest rate of 9% to IRFIS—Istituto Regionale per il Finanziamento alle Industrie in Sicilia. The plant—the first of its kind in Italy, and costing around Lit 26 000 million (fixed investments)—will produce aniline, which is used largely in the manufacture of rigid polyurethane foam. It will be built by Aniline SpA, a company created in 1975 as a joint venture between two large chemical groups, Montedison SpA of Italy and I.C.I.—Imperial Chemical Industries of the United Kingdom.

IRFIS will pass on the proceeds of the first loan, Lit 8 500 million, to Aniline SpA for the construction and the other Lit 1 500 million will be made available to Montedison SpA for the provision of general and auxiliary services for which the company will be responsible.

The third loan, Lit 2 000 million, is for the extension and modernisation of a pharmaceuticals factory at Torre Annunziata near Naples.

It has been granted to ISVEIMER—Istituto per lo Sviluppo Economico dell'Italia Meridionale, also for eight years at an interest rate of 9%, to contribute to finance which this institution is providing for the project to Fervet SpA, part of the Swiss Ciba-Geigy group.

The works to be carried out will cost about Lit 5 900 million and they are mainly concerned with new installations which will enable large-scale production of a basic material used in manufacture of a recently discovered antibiotic (celospor).

2488. The Bank has also granted two loans, totalling the equivalent of Lit 5 600 million (6 million units of account), for industrial projects in

the Mezzogiorno which should directly create more than 600 new jobs.

The larger of the two new loans will help to finance construction of a factory to produce conveyor belts and sheet rubber at Ferrandina in Basilicata. The fixed investments will cost around Lit 17 000 million.

The plant is to be built by Gommafer, a company recently created by Pirelli SpA and INSUD — Nuove Iniziative per il Sud SpA, part of EFIM — Ente Partecipazioni e Finanziamento Industria Manifatturiera. The loan, which is for Lit 4 000 million, has been granted for eight years at an interest rate of 9% to EFIM, which will on-lend to Gommafer.

The second loan, equivalent to Lit 1 600 million and also for eight years at an interest rate of 9%, has been granted to IMI — Istituto Mobiliare Italiano—and will be used for the modernization and extension of a plant manufacturing amorphous carbon products at Ascoli Piceno in the Marches.

The project, which will cost around Lit 3 900 million (fixed investments), is being carried out by Elettrocarbonium SpA of Milan, an associated company of a large German group operating in the same sector. The aim is to raise the plant's production capacity by 5 000 tonnes per year.

#### *Netherlands*

2489. The Bank is assisting with the financing of a new thermal power station at Maasbracht, Limburg, by providing a guarantee for a SwF 45 million financing contract (16.5 million u.a.) between Crédit Suisse and the NV Provinciale Limburgse Elektriciteits-Maatschappij (PLEM).

The project concerns the first unit of this power station producing 634 MW and designed to burn either natural gas or oil. It is due to come on stream during the first half of next year to be followed by a second similar unit at the end of 1978.

Half of the electricity produced by the first unit will be used in the Netherlands, mainly to make good the shortfall in the area served by PLEM, while the other half has been sold by contract until 1984 to a German electricity company, the Rheinisch-Westfälisches Elektrizitätswerk (RWE). When the contract expires, the total output will be available to PLEM.

Apart from the economic advantages for the two Member States, the building of this power station should boost industrial activity in the region. This is particularly important in south Limburg where new investments are required to offset the closure of the coal mines which have provided jobs in the past.

#### *United Kingdom*

2490. Two loans totalling the equivalent of £ 23.1 million (37.4 million u.a.) have been granted for improvements to the telecommunications network in the North of England and for a new ship and improved port facilities on the sea crossing between Holyhead (N. Wales) and Dun Laoghaire (Ireland).

The larger of the two loans, £ 17.6 million, has been provided to the Post Office for ten years at an interest rate of 9.5%. It will be used to help finance a wide range of works, costing in total some £ 147 million, which will permit the installation of about 187 000 extra telephone lines in the North East Telecommunications Region which covers the counties of Northumberland, Durham, North Yorkshire, West Yorkshire, South Yorkshire, Humberside, Tyne and Wear, Cleveland and a large area of Lincolnshire. Additional telex connections and datel (data processing) installations will also be provided. As far as domestic needs are concerned, the number of households connected to the telephone in the region—38% compared with an average of 51% for the whole country—is the lowest in Britain, and the scheme should help to reduce this lag.

The second loan, £ 5.5 million, has been granted to the British Railways Board also for ten years at an interest rate of 9.5%. It will help finance the introduction of a modernized shipping service between the port of Holyhead in North West Wales and the Irish port of Dun Laoghaire, south of Dublin. The new service which the Bank is helping to finance will be based on a large, modern multi-purpose ship (9 000 grt), the St. Columba, which will have the capacity to carry about 330 cars or 35 large freight vehicles and 2 400 passengers. Together with improvements to port facilities at Holyhead, including a new ramp and mechanical gangways, it will cost about £ 22 million.

2491. Two loans totalling the equivalent of £ 26 million (42 million u.a.) have been granted for a hydro-electric power scheme in Wales which will be the largest of its kind in Europe.

The loans have been provided to the Electricity Council and the Central Electricity Generating Board (CEGB) for twelve years at an interest rate of 9.5%. The scheme—at Dinorwic near Mount Snowdon—is based upon the 'pumped storage' principle through which water is employed as a means of storing up electricity. Using off-peak power produced during the night-time, water will be pumped from Llyn Peris to Marchlyn Mawr, which is at a higher altitude. From there it will be released to fall down again to drive turbines and generate electricity at periods of maximum demand, supplementing supplies available from other power stations. The two lakes furnishing the water resources will be developed to give a combined effective capacity of about 6-7 million m<sup>3</sup>.

The total cost of the project will come to about £ 280 million. The power station will be equipped with six reversible pump-turbine sets, which will have a total net output of 1 675 MW when acting as turbines. It will be built into the side of the mountain, in an old slate quarry, and should begin producing electricity early in 1980 and be fully on stream two years later.

2492. The Bank has granted a loan equivalent to US \$30 million (27.2 million u.a.) for development of the Beryl oil field, 150 km south-east of the Shetland Islands in the British sector of the North Sea.

It will help to finance the first phase of production, from the main deposit, 3 000 m below the sea bed, of which reserves are estimated at around 50 million tonnes of oil.

The loan, which is for seven years at an interest rate of 9%, has been made to a US company, North Sea Inc. (a wholly-owned subsidiary of Texas Eastern Transmission Corporation) which has a 20% interest in the consortium which is developing the Beryl Field. The other partners are Mobil Oil, Amerada Hess and the British Gas Corporation.

The capital cost of the project is calculated at around \$600 million, of which North Sea Inc.'s share will be about \$120 million. It involves the installation of a 'Condeep' production and treatment platform, with a 140 000 m<sup>3</sup> oil reservoir made of concrete, and a tanker loading system using a steel tower anchored to the sea-bed. Beginning this year, oil production should reach its peak from 1978 onwards.

Beryl will make a relatively modest but useful contribution to meeting the Community's energy requirements, being expected to provide by 1980 the equivalent of almost 5% of the British oil consumption and about 1% of Europe's needs.

North Sea oil reserves are widely dispersed among numerous medium and small fields whose combined production will be of great importance for Community oil and gas supplies.

## Financing Community activities

### Budget

#### General Budget for 1977

2493. On 22 July the Council began its discussions on the draft General Budget for 1977, and first prepared the ground for a meeting with a delegation from the European Parliament by exchanging views on a number of general questions raised during the preparatory work on the preliminary draft presented by the Commission.<sup>1</sup>

As part of the cooperation between Parliament and Council, a meeting subsequently took place with Parliament's delegation: Mr *Spénale* (President of the Parliament), Mr *Lange* (Chairman of the Committee on Budgets), Mr *Aigner*, Mr *Durand*, Mr *Maigaard* (Deputy-Chairmen of the Committee on Budgets), Lord *Bruce of Donington* (Rapporteur on the 1977 Budget) and Mr *Shaw* (Rapporteur on the amendments to the Financial Regulation).

This meeting gave Parliament's delegation the opportunity (as is customary, but this time according to a new budgetary schedule) to inform the Council of Parliament's initial reactions to the preliminary draft Budget for 1977 and to raise a number of related questions which the Council had also discussed at the beginning of its meeting. These concerned in particular the extension of the distinction between appropriations for commitment and appropriations for payment, which at the moment the Financial Regulation provides for in only two cases.<sup>2</sup>

Following this meeting, both parties expressed their satisfaction that it had greatly helped them to understand each other's position and had brought to light aspects which gave positive

<sup>1</sup> Bull. EC 5-1976, points 2466 and 2467.

<sup>2</sup> Research and investment, and the European Regional Development Fund.

**Table 6 — Comparison between the 1976 Budget and the Budget for 1977  
(in the various stages of establishment)**

(u.a.)

Sector	1976 <sup>1</sup>				1977 (Preliminary draft)				Change (%)		1977 (Council draft - First reading)				Change (%)	
	Approps for commitmt	%	Approps for payment	%	Approps for commitmt	%	Approps for payment	%	Col 3 Col 1	Col 4 Col 2	Approps for commitmt	%	Approps for payment	%	Col 7 Col 1	Col 8 Col 2
	1		2		3		4		5	6	7		8		9	10
<b>COMMISSION</b>																
<i>Intervention Appropriations</i>																
Agriculture	6 167 982 500	69.20	6 167 982 500	72.81	6 370 273 500	63.12	6 209 373 500	67.05	+ 3.28	+ 0.67	6 720 243 500	71.70	6 553 043 500	75.79	+ 8.95	+ 6.24
Social Sector	530 600 001	5.95	452 600 001	5.34	634 722 000	6.29	185 032 000	1.99	+ 19.62	- 59.12	590 345 000	6.30	183 685 000	2.12	+ 11.26	- 59.42
Regional Sector	500 000 000	5.61	300 000 000	3.54	500 000 000	4.95	500 000 000	5.34	—	+ 66.67	500 000 000	5.34	400 000 000	4.63	—	+ 33.33
Research, Energy, Ind. Transp't	337 043 270	3.78	172 992 526	2.04	368 615 766	3.65	249 894 179	2.70	+ 9.37	+ 44.45	255 393 966	2.73	204 071 157	2.36	- 24.23	+ 17.97
Development Cooperation	336 275 750	3.77	336 275 750	3.97	485 632 900	4.81	382 632 900	4.13	+ 44.42	+ 13.79	247 007 200	2.64	247 007 200	2.86	- 26.55	- 26.65
Repayments & Aid to Mbrs. SIs. & Misc.	60 000 000	0.67	60 000 000	0.71	650 000 000	6.44	650 000 000	7.02	+ 983.33	+ 983.33	—	—	—	—	—	—
	7 931 901 521	88.99	7 489 850 777	88.42	9 009 244 166	89.26	8 176 932 579	88.30	+ 13.58	+ 9.17	8 312 989 666	88.70	7 587 806 857	87.76	+ 4.80	+ 1.31
<i>Admin Approps</i>																
Staff	242 840 542	2.72	242 840 542	2.87	274 328 900	2.72	274 328 900	2.96	+ 12.97	+ 12.97	268 237 600	2.86	268 237 600	3.10	+ 10.46	+ 10.46
Admin. Exp.	77 577 107	0.87	77 577 107	0.92	87 889 300	0.87	87 889 300	0.95	+ 13.29	+ 13.29	85 668 740	0.91	85 668 740	0.99	+ 10.43	+ 10.43
Information	6 340 000	0.07	6 340 000	0.07	7 766 000	0.08	7 766 000	0.08	+ 22.49	+ 22.49	7 400 000	0.08	7 400 000	0.09	+ 16.72	+ 16.72
Aids & Subsidies	20 414 401	0.29	20 414 401	0.24	23 476 700	0.23	23 476 700	0.25	+ 15.00	+ 15.00	22 657 300	0.24	22 657 300	0.26	+ 10.99	+ 10.99
	347 172 050	3.90	347 172 050	4.10	393 460 900	3.90	393 460 900	4.25	+ 13.33	+ 13.33	383 963 640	4.10	383 963 640	4.44	+ 10.60	+ 10.60
<i>Contingency Reserve</i>	3 000 000	0.03	3 000 000	0.03	6 000 000	0.06	6 000 000	0.06	+ 100.00	+ 100.00	4 000 000	0.04	4 000 000	0.05	+ 33.33	+ 33.33
<i>Repayments to the Mbr SIs of 10% of own resources</i>	502 831 534	5.64	502 831 534	5.94	545 706 538	5.41	545 706 538	5.89	+ 8.53	+ 8.53	532 896 453	5.69	532 896 453	6.16	+ 5.98	+ 5.98
<b>COMMISSION TOTAL</b>	8 784 905 105	98.68	8 342 854 361	98.49	9 954 411 604	98.63	9 122 100 017	98.50	+ 13.31	+ 9.34	9 233 849 759	98.53	8 508 666 950	98.41	+ 5.11	+ 1.99
<b>OTHER INSTS.</b>	127 755 247	1.32	127 755 247	1.51	138 631 280	1.37	138 631 280	1.50	+ 8.51	+ 8.51	137 611 389	1.47	137 611 389	1.59	+ 7.71	+ 7.71
<b>GRAND TOTAL</b>	8 912 660 352	100.—	8 470 609 608	100.—	10 093 042 884	100.—	9 260 731 297	100.—	+ 13.24	+ 9.33	9 371 461 148 ( <sup>2</sup> )	100.—	8 646 278 339 ( <sup>2</sup> )	100.—	+ 5.15	+ 2.07

N.B. : It is necessary to present the table in this new way to permit an objective comparison between the appropriations for 1976 and 1977, given the wider application proposed for 1977 of the distinction between appropriations for commitment and appropriations for payment. In 1976 appropriations for commitment were authorized for three sectors: research, Regional Fund and Social Fund, 'authorizations' for the latter representing appropriations for commitment.

<sup>1</sup> Including the first and second Supplementary Budgets for 1976.

<sup>2</sup> The difference between appropriations for commitment and appropriations for payment as shown in the columns for 1977 (Council Draft) (752 182 809 u.a.) is the difference between appropriations for commitment and appropriations for payment in the sectors concerned (Item 3200, Chapter 33, Item 3620, Social Fund, Regional Fund and EAGGF Guidance Section).

grounds for thinking that agreement could be reached, particularly on the amendment of the Financial Regulation. The Commission also attended this meeting.

Resuming its own discussions, the Council then agreed that to improve budgetary transparency and management it would adopt at this stage the principle of extending the distinction between appropriations for commitment and appropriations for payment to certain other sectors for 1977, in accordance with the Commission's proposal.

However, under this proposal the distinction between appropriations for commitment and appropriations for payment would apply only to the appropriations for research projects relating to hydrocarbons, the three-year plan for action on scientific and technical information and documentation, the new Social Fund and the Guidance Section of the EAGGF.

The Council then examined, item by item, the matters outstanding following the preparatory discussions in the Permanent Representatives Committee. In conclusion, the Council established the draft General Budget of the European Communities for 1977.

This draft Budget, totalling approximately 8 646 million u.a. in appropriations for payment and 9 371 million u.a. in appropriations for commitment, will be forwarded to the European Parliament in September in accordance with the new budgetary schedule agreed on for this year.

### Second Supplementary Budget for 1976

2494. The Commission sent the preliminary draft Second Supplementary Budget for 1976 to the budgetary authority on 13 July. At its meeting of 22 July the Council established the draft budget and decided to forward it to Parliament for discussion and decision at its September part-session.

The additional expenditure provided for (832 724 725 u.a.) will be devoted chiefly to the EAGGF Guarantee Section, food aid and interest subsidies on financial aid to Portugal.

### ECSC financial operations

#### Loans raised

2495. In July and August the Commission raised the following loans:

- a private placement of DM 50 million, at an interest rate of 8 % for five years;
- a private placement of SwF 20 million at a rate of 6 % for six years;
- a private placement of 23 million subscribed to by an international banking syndicate. This is a ten-year loan at 8.50 % issued at 99 1/4 %;
- a private placement of SwF 25 million at 6 % for an average of six years.

The operations bring the total of loans contracted by the ECSC as at 31 August to the equivalent of 3 780 million EUA.

#### Loans granted

##### *Activity in the first half of 1976*

2496. Pursuing the general objectives of the ECSC and acting under Articles 54 and 56 of the Treaty of Paris, the Commission maintained a steady flow of loans in the first half of the year.

The Commission made substantial contributions to the financing of investment projects in the Community coal and steel industries, redeployment programmes for ECSC manpower already or about to be made redundant and the construction of low-cost housing.

ECSC loans granted in the period under review totalled 758.25 million EUA.

**Industrial loans**

Industrial loans (Article 54 of the ECSC Treaty) totalling 715.29 million EUA were allocated as follows:

coal industry	86.78 million EUA
iron and steel industry and iron-ore mines	570.70 million EUA
overseas projects	57.81 million EUA

The following firms received loans:

*Coal industry***(i) Rationalization and modernization of collieries**

National Coal Board, London (Frickley colliery, South Yorkshire; Golborne colliery, South Lancashire;

Bogside colliery, Scotland; also the national pool of fixed and movable deep-mining equipment for all the NCB collieries and modern stockpiling and rapid-loading devices).

Charbonnages de France, Paris (Houillères du Bassin de Lorraine, Simon Wendel and Merlebach collieries).

**(ii) Increase in extraction capacity for coal electricity generation**

National Coal Board, London (Prince of Wales colliery, North Yorkshire).

**(iii) Increase in coking capacity**

Charbonnages de France, Paris (Houillères du Bassin de Lorraine, Carling coking plant).

*Iron-ore mines*

Eisenwerk-Gesellschaft Maximilianshütte mbH, Sulzbach-Rosenberg.

*Iron and steel industry***(i) Infrastructure project**

Hansaport Hafenbetriebsgesellschaft mbH, Hamburg.

**(ii) Increase in coking capacities**

British Steel Corporation, London (Port Talbot and Redcar coking plants).

Société Lorraine de Laminage Continu SA, SOL-LAC, Paris (Sérémange coking plant).

**(iii) Rationalization of the production of pig iron and steel.**

British Steel Corporation, London (Port Talbot, Redcar and Tinsley Park works).

Cockerill-Ougrée-Providence et Espérance-Longdoz SA, Cockerill, Seraing (Haumont/France works).

Dalmine SpA, Milan.

Société Anonyme des Forges et Aciéries de Dilling, Dillingen/Saar.

Acciaierie e Ferriere Lombarde Falck, Milan (Sesto S. Giovanni works).

Hoogovens IJmuiden BV, IJmuiden.

Fried. Krupp Hüttenwerke AG, Bochum (Rheinhäusen works).

Neunkircher Eisenwerk AG, Neunkirchen/Saar.

Société Métallurgique de Normandie, Paris (Mondeville/ Calvados works).

Acciaierie di Piombino SpA, Piombino.

Aciéries et Laminoirs de Lorraine, SACILOR, Paris (Fontoy, Hagondange, Hayange, Homécourt, Joeuf and Rombas works).

Union Sidérurgique du Nord et de l'Est de la France SA, USINOR, Paris. (Valenciennois and Thionville works).

**(iv) Rationalization of the production of steel sections**

Guest, Keen & Nettlefolds Ltd, Warley (Cardiff works).

**(v) Rationalization of the production of steel flats**

Cockerill-Ougrée-Providence-et Espérance-Longdoz SA, COCKERILL, Seraing (Réhon/France works).

Creusot-Loire, Paris (Creusot works).

Klöckner Werke AG, Duisburg (Bremen works).

Woodhead Components Ltd, Leeds.

**(vi) Production of high-grade and special steels.**  
British Steel Corporation, London (Shepcote Lane works).

Spartan Steel and Alloys Limited, London (Redheugh works).

Società per l'Industria e l'Elettricità Terni SpA, Rome (Terni works).

**(vii) Expansion of coastal works**

Italsider SA, Genoa (Taranto works).

Union sidérurgique du Nord et de l'Est de la France SA, USINOR, Paris (Dunkirk works).

**(viii) Protection of the environment**

Fiat SpA, Turin.

Hamburger Stahlwerke GmbH, Hamburg.

Fried. Krupp Hüttenwerke AG, Bochum (Rheinhausen works).

Thyssen Edelstahlwerke AG, Düsseldorf (Witten works).

**Overseas projects****Iron-ore mines**

British Steel Corporation, London (Fire Lake mine Quebec, Canada).

Finsider International SA, Luxembourg (Bong Mining Company, Monrovia, Liberia).

Some of these loans, for projects of particular interest for the Community have been granted at reduced rates. These projects include those aimed at eliminating bottlenecks at Community level and protecting the environment. The Commis-

sion, in close liaison with the Council, is also concerned to help improve the Community's supply of raw materials, especially iron ore, and has helped to finance investment projects outside the Community designed to boost deliveries of iron ore to various Community firms. The Commission intends to keep up its efforts in this area.

**Redeployment loans**

Redeployment loans (Article 56 of the ECSC Treaty) granted in the same period totalled 38.84 million EUA.

The Commission attaches particular importance to the redeployment of ECSC workers already or about to be made redundant, and has helped to finance projects for the creation of new activities to provide jobs for such workers. Interest subsidies are granted on the loans for the first five years.

The following firms have received this type of loan.

**France****(i) Nord**

Société Industrielle de Bruay Sarl, Paris (Bruay-en-Artois works).

Société Artésienne de Vinyle SA, Paris (Mazingarbe works).

**(ii) Lorraine**

Bauknecht Industrie SA, Valmont (St. Avold works).

Johns-Manville de France, SA, Saint-Marcellin-en-Forez (Carling works).

**(iii) Languedoc**

Société Nouvelle de Roulement SA, Annecy (Alès works).

*Ireland*

## South East

Industrial Credit Company Ltd, Dublin (Callan works).

*Italy*

## (i) Lombardy

Italsider SpA, Genova (Lovere works).

## (ii) Liguria

Cokitalia SpA, Milan (Savona works).

Italsider SpA, Genoa (Cornigliano works).

## (iii) Tuscany

Italsider SpA, Genoa (Valdarno works).

*United Kingdom*

## (i) North

Vald Brin Ltd, Cambois, Blyth.

Polypac B A L Ltd, Hartlepool.

## (ii) Wales

British Steel Corporation, London (Tafarnaubach, Ebbw Vale works).

Natural Gas Tubes Ltd. London (Tafarnaubach, Ebbw Vale works).

**Low-cost housing**

Loans for the construction or improvement of low-cost housing (Article 54 of the ECSC Treaty) totalled 4.12 million EUA.

The Commission has continued to increase its contribution to the financing of low-cost housing. Interest relief or very favourable rates are usually granted for these loans.

*Activity in July and August***Loans granted**

In July and August the Commission granted loans totalling 73 million EUA. This total covers three categories of loan as follows:

*Industrial loans* (Article 54) in the period under review were awarded in various sectors of the coal and steel industries for a total of 65.43 million EUA.

These loans were granted to seven firms to finance the following programmes:

*Coal industry*

## Vocational training centre

Saarbergwerke AG, Saarbrücken (Camphausen, Fenne and Velsen training centres).

*Iron and steel industry*

(i) Rationalization of the production of pig iron and steel.

Cockerill-Ougrée-Providence et Espérance-Longdoz SA COCKERILL, Seraing (Ougrée works).

Société métallurgique Hainaut Sambre SA, Couillet (Montignies works).

Hamburger Stahlwerk GmbH, Hamburg.

Stahlwerke Peine-Salzgitter AG, Peine (Salzgitter works).

Union sidérurgique du Nord et de l'Est de la France SA USINOR, Paris (Valenciennes and Thionville works).

(ii) Expansion of coastal works.

Union sidérurgique du Nord et de l'Est de la France SA USINOR, Paris (Dunkirk works).

(iii) Protection of the environment

Hoogovens-IJmuiden BV, IJmuiden.

A single *redeployment loan* (Article 56) was granted in the period under review for the creation of new activities to provide jobs for workers already or about to be made redundant. It was for 3.57 million EUA.

The firm receiving the loan is:

Société anonyme des forges et aciéries de Dilling, Dillingen, Saar (Germany).

*Loans for the construction of low-cost housing*, generally granted at particularly favourable rates, totalled 4.07 million EUA in the same period.

#### Decisions on the granting of loans

In July and August the Commission also took three decisions on the granting of loans and obtained the Council's assent to the granting of another. Loans decided on total 60.88 million EUA – 59.26 million EUA to the iron and steel industry and 1.62 million EUA for the redeployment of workers.

These decisions concerned the following firms:

#### *Iron and steel industry*

(i) Rationalization of the production of pig iron and steel

Dalmine SpA, Milan (Dalmine works).

(ii) Rationalization of the production of steel sections

Acciaierie del Tirreno SpA, Messina.

(iii) Expansion of coastal works

Société lorraine et méridionale de laminage continu, SOLMER, Paris (Fos-sur-Mer works).

#### *Redeployment*

Acciaierie Megara SpA, Catania (Patano d'Arce works), Sicily, Italy.

## Financial control

2497. The Special Committee of Inquiry<sup>1</sup> has completed its work in the beef and veal sector, and has handed in its report, which was noted by the Commission on 21 July and will be sent to the Council, the European Parliament and the Audit Board for their information.

Its most important recommendations, listed in the final chapter, fall under two main headings:

(a) Improvements to the Community rules:

(i) simplification of the rules (consolidation of legislation; adaptation of the rules to take account of administration and inspection capacities of the national authorities);

(ii) standardization of the rules in force in certain fields to facilitate inspections throughout the territory of the Community;

(iii) adjustment of the rules to stamp out economically unjustified practices, such as speculative deflections of trade, in particular by preserving the neutrality of the system of monetary compensatory amounts as regards trade and by compelling operators to respect the economic aims of the rules.

(b) Improvements to the detailed rules for applying the regulations:

(i) better information and closer cooperation between authorities in each individual Member State, between the Member States themselves and between the latter and the Commission.

The Committee of Inquiry recommends that to improve the Commission's information there should be a system of compulsory notification of irregularities concerning own resources along the lines of that laid down in the Council Regulation concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field;<sup>2</sup>

<sup>1</sup> Bull. EC 10-1974, point 2459.

<sup>2</sup> OJ L 36 of 10.2.1972.

(ii) improvement in inspections: modernization of equipment, more staff, more studies on statistical indicators of trade flows.

The Committee attaches particular importance to the need for more stringent supervision of stock management, deboning and, where appropriate, the manufacture of preserves, and the need for closer inspection of export operations;

(iii) standardization of procedures, in particular certain customs procedures, and the marking systems for animals and meat, if necessary.

In view of the serious irregularities discovered concerning Community transit, the Special Committee of Inquiry has made some recommendations which it proposes to amplify in its next report, on the wine sector, on which it has embarked in the meantime.

## Audit board

2498. On 13 July the Audit Board adopted its Report on the accounts for the 1975 financial year pursuant to Articles 206 of the EEC Treaty, 180 of the EAEC Treaty and 78d of the ECSC Treaty.

The Report consists of two volumes dealing with management of the Community budget and of the European Development Funds.

After a brief introduction the first volume begins with a chapter of general comments on the fact that decisions have not been taken giving discharge for the implementation of the budgets for the previous financial years, on the development of relations with the institutions' internal control authorities and the introduction of procedures for implementing the Financial Regulation.

This chapter also stresses developments, with regard to independent on-the-spot checks carried out in the Member States by the Audit Board; such checks were made for the first time in a number of Member States at the end of 1975 and

the beginning of 1976 in connection with EAGGF expenditure.

The second chapter deals with revenue. A number of comments are made on the accounting of revenue and joint checks carried out in the Member States on own resources.

The institutions' administrative expenditure is discussed in another chapter dealing primarily with expenditure on staff and, more particularly, the application of certain provisions of the Staff Regulations of Officials and Conditions of Employment of Other Servants. It makes a number of points regarding expenditure on pensions and the transfer of salaries in the currency of a country other than the country of employment.

Expenditure on buildings and equipment (car fleets, computers, supplies), expenses in respect of meetings and studies, expenditure on publications and information and assistance, grants and contributions are also mentioned.

The fourth and fifth chapters deal with the European Social Fund and the European Regional Development Fund. In connection with the former, attention is drawn to delays in paying out assistance, changes to project implementation forecasts and the provision of grounds for applications for reimbursement of expenses. Particular reference is also made to the implementation of certain projects.

As regards the European Regional Development Fund, which was set up in 1975, the Report examines the budgetary situation at the close of the financial year and comments on the management and control of assistance from the Fund in the first few months of operation.

The sixth chapter of the report covers management of the EAGGF. In connection with the Guarantee Section, mention is again made of persistent delays in closing the accounts for the previous years, and budgetary operations during the financial year are analysed.

Detailed comments are made on the findings of

the Audit Board in independent checks carried out in Belgium, the Netherlands, Germany and France concerning aid in respect of skimmed milk for feedingstuffs, skimmed milk processed into casein and the cost of storing skimmed-milk powder. Assistance in respect of skimmed milk used to manufacture casein or caseinates, distillation of table wines and the application of the Council Regulation on irregularities are also commented on.

The Report covers the financing of individual projects under the EAGGF Guidance Section (decisions to grant assistance, implementation of programmes, documentation sent to the Audit Board, checks and comments on projects for which assistance has been granted from the Fund).

Also mentioned are the financing of specific measures and common measures (modernization of farms, information and professional qualifications, cod fishing, conversion of bovine herds, associations of fruit and vegetable producers, grubbing up of apple, pear and peach trees) and the results of independent checks carried out in Italy with regard to fixed grants for the improvement of production and marketing structures for raw tobacco, olives, olive oil and fruit and vegetables.

The seventh chapter is devoted to food aid and financial assistance. The Audit Board stresses the delays with regard to food aid decisions and their implementation, the difficulties noted in connection with tenders, mobilization and transport and the need for useful information on conditions governing the distribution and marketing of products.

This chapter also examines food aid to countries hit by natural disasters and the Community's contribution to international emergency aid for the developing countries hardest hit by world price increases.

The final chapter of the first volume deals with research and investment appropriations and includes comments on the management of bud-

gets and accounts, buying procedures, expenditure on staff and the management of research and association contracts.

The second volume, which deals with the management of the Development Funds, comprises an introduction and two chapters. The introduction comments on delays in adopting and transmitting accounts and in taking decisions giving discharge and also examines some of the current difficulties experienced by the Audit Board in controlling the Development Funds.

The first chapter analyses the general accounts of each of the four Funds and the procedures adopted for commitments, payments and statements of the cash situation.

The second chapter includes comments on the preparation, implementation and payment of costs for a number of specific projects and the management of certain categories of aid (road, port and railway infrastructures, schools and hospitals, waterworks and drainage, agricultural programmes, expenditure on related technical assistance, emergency and exceptional aid, expenditure relating to general technical cooperation and general and technical supervision).

Under the rules currently in force the Commission presents the accounts for the financial year ended, together with the Audit Board's Report, to the Council and the European Parliament, which have to take a decision on whether or not to grant a discharge.

## ECSC Auditor

### Annual report 1975

2499. The ECSC Auditor has submitted his report on the High Authority's accounting and financial management during the 1975 financial year (Article 78e of the ECSC Treaty).

The report is in two parts. The first analyses and comments on the balance sheet, the management

account, and the allocation of the surplus of revenue over expenditure. The second covers the different sectors of the ECSC's activities, indicating what checks were made and commenting on the results of these. It gives statistical data, comments on developments and is evaluative in its approach.

The conclusions first of all summarize the main features of *ECSC financial operations*, showing a further substantial increase in the Community's principal financial resources. At the parities ruling on 31 December 1974 issues on the capital market raised 658 million u.a. as against 528 million u.a. in 1974, while levies collected amounted to 70 million u.a. as against 69.6 million u.a. in 1974. Placements on the other hand only yielded 27 million u.a. as against 31 million u.a. in 1974. The final item on the revenue side was the balance of the accession contributions (14 million u.a.).

During the financial year 27.5 million u.a. were committed for readaptation, 43.4 million u.a. for research, 6.2 million u.a. for interest subsidies and 5.9 million u.a. for aid for coking coal.

Points which could help in judging at political level whether financial management is sound are as follows:

- (a) for the external control, full information must be available on the precise grounds—in terms of policy objectives—of the institution's decisions;
- (b) the attempts at coordination, begun but somewhat neglected, must be continued and developed, in particular for activities conducted and managed jointly by different Directorates-General;
- (c) the presentation of reports on internal checks should be improved in individual files; this checking work should itself be made more systematic.

An appeal is made through the Council to several governments that ECSC loans and place-

ments should be exempt from anti-speculation measures and should be treated as government securities.

Finally some of the more technical aspects of the year's observations are set out.

While Annex I follows the same pattern as in previous years, giving an up-to-date summary of ECSC financial and 'budgetary' operations, the two following annexes develop special topics. The first traces the winding up of the Scrap Iron Equalization Fund from 1 January 1966 and the other contains some reflections on an analysis of the external audit activities, which had been requested by the European Parliament in its Resolution on the 1974 report.

# 5. Institutional questions — European policy

European policy

## Election of the European Parliament

2501. The European Council, meeting in Brussels on 12 and 13 July, reached agreement on the number and distribution of seats in the European Parliament which is to be elected in 1978.<sup>1</sup>

## European Union

2502. At the same meeting, the European Council asked the Ministers of Foreign Affairs to continue the examination of Mr Tindeman's Report, including Chapter V concerning the strengthening of the institutions, in preparation for its next meeting.

## Euro-Arab Dialogue

2503. As agreed at the meeting of the General Committee in Luxembourg,<sup>2</sup> the first Euro-Arab working groups and specialized groups met during July. The specialized groups on refining and the petrochemical industry and on standards met in Brussels from 5 to 7 July; the working group on scientific and technological cooperation met in Paris from 6 to 8 July, and the working group on cultural, social and labour questions met in Brussels from 19 to 22 July.

## Combating terrorism

2504. At its meeting in Brussels on 12 and 13 July, the European Council adopted the following Declaration on international terrorism:

1. The Member States of the European Communities hereby declare that they regard the inhuman practice of taking hostages for the pur-

pose of putting pressure on governments, for whatever political or non-political ends and for whatever motives, as completely unacceptable.

2. It is in the interests of all governments resolutely to oppose such methods. It is in the interests of all governments to cooperate in combating the evil of terrorism.

3. Recent events have shown once again that no country, no people and no government can hope to be spared acts of terrorism, kidnappings and hijackings directed against its citizens and interests unless all countries agree on effective measures.

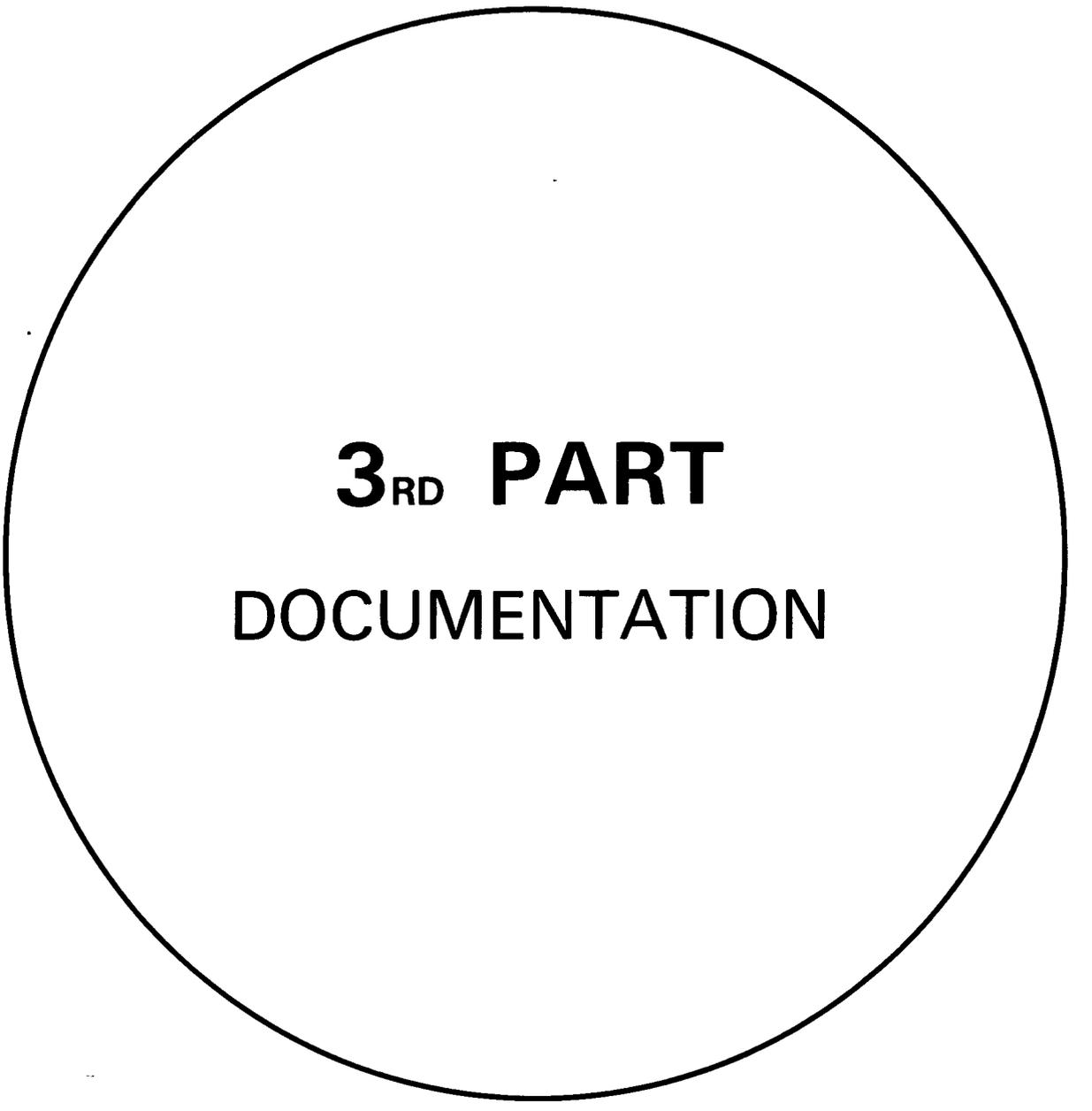
4. In this connection the Member States of the European Communities declare that they are determined to cooperate with other countries in setting up effective worldwide measures to eradicate and prevent international terrorism, kidnappings and hijackings. Member States undertake to prosecute or to extradite those who engage in the taking of hostages.

5. The Heads of Government take note of the decisions which the Ministers for Foreign Affairs and Justice of the Member States have already taken in this matter in response to the request made at the European Council held on 1 and 2 December 1975 in Rome, and ask these Ministers to continue their activities.

6. More particularly, the Heads of Government ask their Ministers for Justice to set up a convention under which the nine Member States undertake to prosecute or extradite those who engage in the taking of hostages. They shall ensure that as many countries as possible cooperate in this.

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<sup>1</sup> Points 1101 to 1107; Bull. EC 6-1976, introductory chapter.  
<sup>2</sup> Bull. EC 5-1976, points 1101 to 1107.



**3<sup>RD</sup> PART**

**DOCUMENTATION**



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6659 (3)

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1975. 59 p. (E.F.I.)

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 1975. 60 p. (E.F.I.)

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6679 (3)  
*Training in industrial safety.* Marcello Cesa-Bianchi, Giuseppe Mantovani. 1975. EUR 5224.  
 (1976). 95 p. (E.F.I.)

FB 210.-

6679 (4)  
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 (1976). 110 p. (E.F.)

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7088 (3)  
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 1976. 39 p. (E)

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7165/1 (4)  
*Crédits à l'agriculture. France, Belgique, Grand-Duché de  
 Luxembourg.*  
*Informations sur l'agriculture. N° 1. Février 1976.*  
 1976. pag. diff. FB 175,-

7165/2 (2)  
*Kredite an die Landwirtschaft. BR Deutschland.*  
*Mitteilungen über Landwirtschaft. Nr. 2. Februar 1976.*  
 1976. 225 S. (D) FB 175,-

7165/6 (2)  
*Modelle zur Analyse von Ackerbau-Rindviehhaltungs-  
 betrieben. Technisch-Wirtschaftliche Grundangaben  
 Schwäbisch-Bayerisches Hügelland.*  
*Mitteilungen über Landwirtschaft. Nr. 6. März 1976.*  
 1976. 86 S. (D) FB 110,-

7165/7 (3)  
*Models for analysis mixed crop and cattle farms. Basic  
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 mark).*  
*Information on agriculture. No 6. March 1976.*  
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7165/8 (4)  
*Dispositions en matière de zootechnie bovine.*  
*Informations sur l'agriculture. N° 8. Mars 1976.*  
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*Models for analysis mixed crop and cattle farms. No 152.*  
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 ontwikkeling 1975.*  
 Bull. EG. Supplement 7/76.  
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7160  
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6705  
*Health effects of carbon monoxide environmental pollution.*  
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6884 (2)  
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- 6884 (6)  
*Aanbevelingen voor de bepaling van stralingshoeveelheden invallend op constructiematerialen van reactoren.* Door J. P. Genthon, B. W. Hasenclever, P. Mas, W. Schneider, S. B. Wright en W. L. Zijp. EUR 5274.  
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 (1976). 33 p. (F) FB 120,-
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*Centrale elettronucleare di Latina. Relazione Annuale 1974. Relazione elaborata dall'ENEL. Ente Nazionale per l'Energia Elettrica - Italia. Contratto di Partecipazione. EUR-ATOM/ENEL N. 002-61-12 REPI.* EUR 5422.  
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6782 (2)

*Technische Empfehlungen für die Überwachung der  
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6927 (4)

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Première approximation en divers pays membres des  
Communautés européennes.* Par Françoise Hugué,  
Ministère de l'Éducation, Paris, et Jean Viet, Maison des  
Sciences de l'Homme, Paris. EUR 5413.

1975. 52 p. (F)

FB 210,-

7051 (4)

*Program-Unit.* S. Amic, F. Sorel, Division Electronique.  
EUR 5424.

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7071 (3)

*Occurrence of non-persistent organic compounds in water,  
oil and foodstuffs: pesticides.* Report of a working group  
of experts. Rapporteur: R. Mestres (Université de Mont-  
pellier, Montpellier, France). EUR 5432.

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7073 (3)

*Air sulphur dioxide concentrations in the European Com-  
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7153 (3)

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