



Bulletin
of the
**EUROPEAN
COMMUNITIES**

Commission

No 2
1976
9th year

CEE-SA

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

contents

1ST PART EVENTS AND STUDIES

1. Programme of the Commission for 1976	6
2. Approach by the CMEA to the Community	15
3. North-South Conference: Commencement of practical work	18
4. Meeting of Research Ministers	20

2ND PART ACTIVITIES IN JANUARY 1976

1. Functioning of the common market	24
— Customs union	24
— Internal common market	25
— Competition policy	25
— Taxation policy and financial institutions	28
2. Economic and monetary union	29
— Economic, monetary and financial policy	29
— Social policy	31
— Environment and protection of consumers	34
— Agricultural policy	35
— Industrial and technological policy	40
— Science, research and development, education, scientific and technical information	41
— Energy policy	45
— Transport policy	46

3. External relations	48
— Multilateral negotiations	48
— Commercial policy	49
— Development and cooperation	51
— Commodities and world agreements	52
— International organizations	53
— Mediterranean countries	54
— African, Caribbean and Pacific countries	56
— Other countries	58
4. Institutions and organs of the Communities	59
— European Parliament	59
— Council	67
— Commission	69
— Court of Justice	71
— Economic and Social Committee	76
— European Investment Bank	78

3RD PART **DOCUMENTATION**

Publications of the European Communities

Supplements 1976

- 1/76 European Union – Report by Mr Leo Tindemans to the European Council
- *2/76 Opinion on Greek application for membership
- *3/76 Action programme in favour of migrant workers and their families
- 4/76 Common research and development policy – Objectives, priorities and resources
- *5/76 Protection of fundamental rights within the European Community

* In preparation



1ST PART

**EVENTS AND
STUDIES**

1. Programme of the Commission for 1976

Commission: Programme 1976

Address by
Mr François-Xavier Ortoli,
President of the Commission,
to the European Parliament
on 10 February 1976

1101. 'The year which has just begun will be this present Commission's last year in office. Naturally, we want to make it a key year in the building of Europe, so you will understand me if I dwell upon the projects we would like to complete and those we would like to see launched before we leave. However, before outlining our programme for the year ahead I feel that, even more than in past years, we need to look back at what the Community has achieved and to make a true and fair assessment of its successes and failures.

1102. In point of fact, the last few years have seen a good deal of both.

In economic and industrial terms they are the worst we have experienced since the end of the second world war. It was not until late in 1975 that the economies of certain Member States looked as though the beginnings of a recovery were in sight and the upturn took its first hesitant steps forward. What is more, the economic crisis had different effects in each Member State, and although, with vigorous encouragement from the Commission, serious attempts have been made to get economic policies closer in step with each other, the gaps between us are wider now than they were when the crisis began.

On the other hand there is a greater awareness of Europe. The need to build Europe as a united response to problems facing all of us has been felt more keenly both by the powers that be and by the man in the street.

Three very important factors go to illustrate this. First, British public opinion came down firmly in

favour of staying in the Community. This was a hurdle which had to be cleared before we could really start moving forward again.

Second, recent years have seen great progress in institutional terms: decisions can now be taken more efficiently and are subject to greater democratic control.

It has been decided that Parliament will be elected by direct universal suffrage, and a date has been set. Parliament's budgetary powers have been extended. Its meetings with the Council have been more frequent and have dealt with matters of greater substance—at times quite heatedly; we welcome this as a new step along the road towards a more democratic system.

Nineteen seventy-five was also the year in which the European Council was set up. When I spoke to you here last year, I looked to the future in a spirit of optimism qualified by certain apprehensions: I was concerned that the Community machinery might be encroached upon by the less reliable procedures of intergovernmental cooperation. The risk is still there, but I am in no doubt that something has been gained: the European Council has provided us with a new organ capable of taking major decisions under the Treaties which set the future course of the Community and its Member States. Take, for instance, the successful conclusion of the renegotiations, the decision on direct elections to Parliament or the decision that the Community would speak with one voice in the North-South Dialogue.

On the whole, then, the European Council can be said to be an asset, but let us hope that it will continue to combine flexibility, decisiveness and creativity with respect for the institutional system and the rules laid down in the Treaty.

A great deal of fruitful consideration has been given to European integration—witness the reports made by the individual institutions and subsequently the Tindemans Report. I shall be coming back to this later.

The third of the factors to which I alluded is the definite progress that has been made in implementing those common policies which are the stuff of the Community's life.

A shining example here is our policy on development in the third world. The Lomé Convention provides forty-six African, Caribbean and Pacific countries with a whole series of development facilities on a hitherto unparalleled scale; some of these, such as the export earnings stabilization scheme, are truly audacious in their novelty. Lomé goes well beyond the merely economic: it gives a complete picture of how the Community views its links with the developing countries—peace, dialogue and cooperation. In addition to Lomé we have introduced measures—such as the generalized system of preferences—whereby the Community can take action all over the world and, as was seen in the United Nations, have further developed our global approach to relations with the third world.

Our overall Mediterranean approach has progressed beyond the confines of trade relations to give expression to the full potential of our co-operation policy. We have just completed the negotiation of agreements with the three Maghreb countries, and similar agreements have been offered to Egypt, Syria, Jordan and Lebanon. Shortly we expect to begin negotiations for an outline agreement on economic and commercial cooperation with Canada, and there is a prospect of talks on a trade agreement with China.

The Community has made significant progress in its economic policies at home. Three aspects strike me as being particularly promising:

- the Member States are making increasing efforts at concerted action on the basis of general economic policy recommendations from the Commission, and their economic policies are gradually coming closer into line or at least becoming more compatible;
- now that the Regional Development Fund is actually operating, more and more resources are

being channelled to our poorer regions and a further dimension has been added to the Community's commitment to solidarity;

- after so many years of apathy a decision has at last been taken to get the Community institutions moving again on energy policy.

Another item to be entered on the credit side is that measures to counter the economic crisis have not led to a resurgence of protectionism in the Community. This is no small achievement.

But I would be falsifying the picture if I failed to mention the debit items. The biggest of these is the absence of any decisive progress towards economic and monetary union. Circumstances are largely to blame, but there has been a lack of conviction too. Yet it must be made clear that economic and monetary union is not only essential to European integration: it is also, quite simply, the only remedy for the ills that beset us individually.

The Commission and, I hope, the other institutions will therefore be concentrating on these items.

1103. This year will be devoted mainly to projects of a practical nature, and we shall seek to work with the facilities already available to us in order to discharge three fundamental imperatives.

The first of these, and the most immediate, is to present a united front on the major external problems of the day.

The second is that real progress must at last be made towards economic and monetary union and that the common policies which are the living proof of European integration must be strengthened.

The third is that we must play a full part in the institutional debate which began with our separate reports on European Union and will continue now that Mr Tindemans has published his conclusions.

First imperative: A united front on the major external problems of the day

The Conference on International Economic Cooperation

1104. The Commission looks upon this Conference as an event of cardinal importance.

The North-South Dialogue will quite certainly be one of the most ambitious attempts since Havana and Bretton Woods to reshape international economic relations on lines that will make for a just and more equitable economic order.

We should be guided in this undertaking by three maxims: comprehensiveness, unity of action and flexibility.

Comprehensiveness, because it is agreed—and quite rightly—that the topics to be dealt with are related, that there is a degree of overlap between the problems of energy, raw materials, development and finance.

Needless to say, a comprehensive approach does not mean that it is any the less necessary to take exact stock of each individual problem, to relate the part to the whole. We shall have to agree on how to share out the work and the time available for the separate negotiations that will develop on each point. The really important issue, however, is to maintain a measure of overall coherence with a view to arriving at a broad vision of future relations between nations.

Unity of action, because, having agreed to take part as a single delegation, the Community must continue throughout the Conference to speak with a single voice if it is to defend its interests effectively.

Flexibility, because the Community must do all it can to ensure that the Conference arrives at the kind of arrangement that is acceptable to all.

It is in this spirit that the Commission, which is honoured to have been appointed co-Chairman of one of the Commissions of the Conference, will

set about its work this year. It will strive to make the Community a major contributor to the great debate which is about to open.

One aspect of this work which still remains to be tackled seriously is the study of the potential consequences of the Conference for the Community's economy. These must be examined most carefully so that we do not commit ourselves blindly and so that we can prepare ourselves for the future better than we are doing at present.

The quest for independence

1105. I mentioned a year ago the great importance that I attach to this particular objective. An independent Europe is a Europe that is able on its own to take those great decisions that shape its destiny. But it will not be able to do so unless it is sufficiently aware of its own identity and possesses enough material resources and economic power to make the transition from talk to decision-making.

That there is a European identity is something of which we are all convinced. Europe's geographical situation, its deficiency in energy and raw materials, its history (whence the special ties it has with the Third World)—all this means that our interests are not the same as those of all and sundry, and that we view the great problems of the moment from a different angle than the other great industrialized regions of the globe.

Awareness of this identity is steadily growing. To the world outside, the Community is a real entity, a new kind of international being. Within the Community, too, the idea is making headway, though the debate will not be really rounded out until we can talk openly about defence.

What we still lack—and that by a great deal—are the resources that would secure our independence. In this context, let me stress the vital need for a common policy on energy.

No doubt the situation today appears less precarious than a year ago. The oil is flowing. The price is high, but our economies have managed to adjust to the new energy situation, albeit at the cost of a severe recession.

Let us not repeat the mistakes of the past, but make provision for the future.

The strategy which the Commission has brought before the Council month after month, and which has been given confirmation by the Heads of Government meeting in Rome, is still entirely relevant. It consists first of all in setting targets for greater self-sufficiency, subject to review at any time, and then taking action to reach them by more economic use of energy and the development of new sources. Our latest proposals are along these lines. Once it has obtained your opinion, it will be for the Council to decide. I would urge it to make haste.

The future shape of the Community

1106. This question has been raised by Greece's application for membership of the Community. The Council considered the matter yesterday, after the Commission, as required by the Treaties, had delivered its opinion. This opinion, as you know, suggests that an unambiguously favourable response should be given to Greece's application. All I want to say here is that the Commission makes no reservations as to the ultimate aim, that it attaches no political strings, and that the steps it envisages are designed to facilitate Greece's accession while taking account of realities. It is with these realities in mind, moreover, that the Commission has proposed that Greece should have access to the facilities for structural improvement available to the Community.

The Council yesterday approved Greece's application. It was agreed that the preparatory work required to determine a common negotiating basis will be put in hand as soon as possible and in a constructive spirit.

Second imperative: Progress on economic and monetary union

1107. If progress is to be made at political level—that is to say, towards European Union—the Community needs firm internal foundations. If its influence is to be felt in its relations with the rest of the world, it must have solid backing of a more soundly based economic and monetary unity. If past achievements are to be preserved, the number of fields where policies, structures and attitudes are the same or in line with each other must be increased further.

It is a thankless task, and there is scepticism about the final objective. Wrongly so, for we are not claiming that differences do not exist between the economic situations in the Member States. Such differences do exist, and to some extent restrict our scope for action and delay the day when the Union will be completed. But if we attach too much importance to them, the danger is that we will see them widen and lose sight of our goals.

But three basic facts must constantly be borne in mind. In the first place, we have already achieved a high degree of integration: a single industrial market, the common agricultural policy, mobility of labour, the scale of intra-Community trade (more than half our trade is between Member States)—all this is now reality.

Secondly, in the economic, monetary and social fields major steps forward are possible on many points, and—what is most important—this is true despite the disparities between economies.

And finally, Europe, as an entity, can and must take steps to close gaps and bring structures into line: agricultural policy, industrial policy, regional policy, energy policy and social policy can all be employed to restore equilibrium and have yet to be exploited to the full.

Let us not throw up our hands in despair, real as our differences may be; let us, rather, put our minds to eliminating them.

The attempt to harmonize economic policies, announced in December 1974 and reaffirmed in Venice in August 1975 on the basis of a Commission recommendation, continues to be inadequate.

In line with the recommendation it made to the Member States last July just before they got together to adopt their plans for restimulating the economy, the Commission will continue to keep a close watch on the economic situation, for it is anxious to ensure that economic policies within the Community are mutually consistent and that available budgetary and monetary instruments can, if necessary, be redeployed. The major task for us all in 1976 will be to enhance the economic recovery and to make lasting inroads into unemployment.

The Commission's action must be reflected in concrete decisions. It is, for instance, time to begin effectively applying the provisions of the Decision of 22 March 1971 which require guidelines to be laid down at Community level for the size of the budget balances of the Member States and the methods for financing or using them. The Commission will therefore propose that a working party be set up within the Monetary Committee to report on the development of national debts.

In the monetary field as well it is important that we in the Community close ranks at a time when a new international consensus is emerging.

This does not mean—quite the contrary, in fact—that the countries participating in the “snake” should give up their present commitments. But as an initial step towards the harmonization of exchange rate policies and to prepare for the Community's future in this field, the whole system should, as Mr Tindemans has suggested—and as we ourselves regularly advocate within the Council—be incorporated in a Community procedure in which representatives from all the Member States would participate—both Ministers of Finance and Governors of the Central Banks. In this connection, the Commission

will make proposals on exchange rate policy with the aim of inducing all the Member States to define jointly their objectives and instruments. Further to the overhaul of the intra-Community currency exchange system undertaken in 1975, changes could be made in the rules for intervention, the financing machinery and the definition of and compliance with the economic discipline which goes with greater solidarity.

In this connection, particular attention should be paid to the problems of money creation, a basic factor of economic equilibrium. The fact that the international mechanisms for creating money are not functioning smoothly and the need to finance constantly growing budget deficits are two of the principal factors behind the present disorder. With the monetary policies of the Member States lacking in coherence, the Eurocurrency systems were allowed to go on producing surplus liquidity unchecked. Since arrangements to control domestic money creation and intervention on the foreign exchange markets act together on the national money supply, it is essential that monetary authorities collaborate closely with the Community in managing their internal and external policies.

If internal and external monetary stability is to be achieved and maintained, a single body needs to be set up at Community level to assess decisions relating to credit, liquidity policy, interest rates and exchange rates. This could be done by the European Monetary Cooperation Fund if it was given wider powers and greater resources and provided with an appropriate administrative structure.

In particular, in connection with the recent international decisions on gold, the Commission is considering the possibility that a proportion—still to be determined—of the gold which the IMF is to return to the Member States might form part of the reserve assets and European currencies to be deposited with the EMCF by the Member States. Once these deposits had been lodged, the EMCF would provide directly short-term and

very short-term financing. This multilateralization of credits would further be facilitated by using the new European unit of account—the EUA. Its role could be extended so that it may be used in settlements between monetary authorities and as a reserve instrument.

The EUA is already being used within the Community (EIB, EDF, and ECSC), and the Commission is making every effort to encourage its use in banking and business, particularly by banks in which it has deposits and by firms which have direct dealings with the Community institutions. Why not denominate Community loans in this new unit of account? This parallel currency approach deserves to be systematically explored.

These are areas for immediate action, which, by substantially strengthening our common means of influencing the economic situation, would help us in our major tasks of combating unemployment, restimulating economic growth and countering inflation. However, the key equilibria cannot be restored and the new pattern in the terms of international trade cannot be properly coped with unless the Community sets itself objectives, and thereby commits the Member States to a line of action based on a medium-term policy programme. The Commission will be expressing its views on a draft programme in July. In so doing, it will bear in mind that efforts to coordinate economic policies—short- as well as medium-term—cannot be sustained for any length of time without restoring, within the Community at least, a monetary stability which will require each Member State to accept a degree of discipline in its economic policies.

I have laid stress on the Community's economic and monetary union. Work in this field must be seen in a worldwide context. The monetary measures envisaged would lend strength to the Jamaica agreement. Furthermore, efforts to establish coherent domestic economic policies will have to take account of the interdependence of the Community and the other major economic

powers, particularly the United States. These factors underline the importance of consultation between the Community and its principal partners on all economic and monetary problems.

1108. Having said that, I will now return to the main theme of this address: that the Community can do a great deal to strengthen its internal cohesion and its common economic and monetary policy structures. So far I have referred only to the strictly economic and monetary aspect of such measures, for this is where the gravest doubts lie and the strongest action is needed. But let us also put into effect the energy policy we propose; let us show our interest in industrial policy by offering the aircraft industry a market larger than purely national markets, and hope that it will be able to take advantage of it; let us move towards a more comprehensive tax policy; let us make social and regional policy contribute something over and above mere financial compensation; and I can guarantee that many of the doubts about economic and monetary union which are entertained in high places will then be erased by the stimulating properties of action.

Quite frankly, I am tired of constantly hearing about the difficulties we encounter and our lack of imagination: the subjects are there to be studied, opinions have been given and proposals made. Why always look further, when the time has now come to take the decisions that are possible, decisions which will not put us at loggerheads with each other, decisions which will be those of the Community of Nine and which will enable us to make the type of progress each of us so eloquently calls for individually.

This, to my mind, is the key issue as I make this address, which will be the last during the present Commission's term of office.

If we are bold enough to set ourselves a concrete programme covering the fields we have already explored and where serious discussions can be undertaken, we will be able to show that a great deal was possible and that a great deal had indeed been proposed.

For my part, I hope that the first step in strengthening our institutions will be to examine methodically and systematically what action can be envisaged for the immediate future. We must not, however, drop all our ambitions; on the contrary, we must remain on the lookout for new opportunities.

1109. When viewing these prospects—which our determination can transform into reality—we must not lose sight of the social aims we are pursuing. Each new measure in the economic field—and in particular the search for greater cohesion between national policies—will play a part in our employment policy and in eliminating social inequality. And the converse is also true: each specifically social measure will directly influence the maintenance of economic equilibrium.

For its part, the Commission will ensure that when devising its plans of action it pays greater attention to social objectives, and particularly the most pressing need—that of improving the employment situation. It will continue the long and laborious work of analysing and harmonizing social policies and will endeavour to see that the resources of the Social Fund are used as effectively as possible.

If our efforts in the social and economic fields are to produce decisive and lasting results, we must involve all the social and economic groups directly concerned more closely in our work, by keeping them informed and enabling them to take part in the Community decision-making process.

The Economic and Social Committee is of great value in this respect—both for the opinions it gives and as a means of providing information about Community activities.

The Standing Committee on Employment, which comprises the Ministers of Social Affairs of the Member States, the Commission and the two sides of industry, should forge ahead on the basis of last year's resurgence of activity.

Above all I would like to say a word about the Tripartite Conference in 1975, which was attended by workers' and employers' representatives, the Ministers of Social Affairs, most of the Ministers of Economic Affairs and the Commission. At the Conference a start was made on assessing the overall economic and social situation in Europe and the groundwork was done for future decisions. Full account of its work will be taken in drawing up the fourth medium-term economic policy programme. The next tripartite meeting, due to be held in the middle of the year, will need to analyse problems in greater detail and adopt more far-reaching conclusion. Together with workers' and employers' organizations and the Member States, we are making every preparation for the discussions, the first task being to draw up an agenda which covers the real and essential problems.

Third imperative: Participation in the institutional debate

1110. This will be the year of the great debate about Europe. Following our own contributions, it has got off to a good start with Mr Tindemans' comprehensive report, rich in ideas and proposals. In the present situation in Europe, the publication of the report is in itself a political act. Eighteen years after the Rome Treaties were drafted, Member States and institutions are, for the first time, considering what direction they should take in their pursuit of European integration.

The Tindemans report contains many proposals on which decisions can be taken without delay. These measures will take effect gradually. But—and Mr Tindemans himself emphasized this—they “cannot occur without a transfer of competences to common bodies... without a transfer of resources from prosperous to less prosperous regions... without restrictions, freely accepted certainly, but then enforced unreservedly.” The only way to make our joint undertaking

more effective is to develop the common policies implemented by the institutions and to increase their means of action. In our own report we stated that this transfer of powers should take place in fields where a common European policy exists to ensure that Europe will progress and prosper and that its influence will be felt in the world.

The report also calls for a review to be carried out in 1980, when it should be possible to take a fresh look at the future and to make further progress.

But how can we stop thinking in terms of more radical change, when election of Parliament by direct universal suffrage will, in the next few years, recast the structure of the Community at a time when it must again tackle the problem of enlargement? The Commission feels that the future course of the construction of Europe should be given immediate consideration and receive constant attention over the years ahead.

Today I shall speak only about some of the problems arising in connection with European Union in order to see how we might quickly reach sound decisions.

1111. Let us look first at the Community's action abroad. Its effectiveness and its continuity hinge on how many and how comprehensive are the common policies; genuine European policies exist today only where powers are exercised by the institutions, for instance commercial policy, the customs union and agricultural policy. Only where proposals are put forward by a neutral institution will the minority accept the majority viewpoint.

If Europe is to be provided with an external policy, the loose coordination which is the essence of political cooperation must gradually be abandoned and common policies introduced in new fields.

So the Commission warmly supports the proposal

gradually to transfer to the Community a substantial proportion of national funds earmarked for cooperation and development aid, to be used for major development projects, food aid or financial assistance. It also welcomes the proposal to adopt a common position on any general political issues which might arise in our relations with the Third World.

Mr Tindemans is right to highlight the need for a single institutional framework within which Europe's approach to the rest of the world could be thought out and prepared. The practice of holding consultations on political cooperation in the Council needs to be encouraged until it becomes systematic. This is already a significant measure, given that the aim is to replace cooperation increasingly by common policy.

Furthermore a single institutional framework is essential if Europe's action in speaking to the rest of the world with one voice is to be more effective. The formula of joint representation, with the Presidents of the Council and Commission acting "in tandem", proved successful in the Euro-Arab dialogue and the North-South Conference and could be used in other fields, for instance in certain contacts with the United States.

1112. For policies towards the rest of the world to develop, progress will have to be made on internal matters, especially on the economic and monetary front. Any action here must of course allow for the structural disparities between the economies of the member countries. The Community must steadily eliminate them and thus foster the harmonious development of the whole. This does not mean that policies cannot to some extent be varied to deal with the specific problems of the member countries. Indeed the Treaty of Rome provided for such variations and lays down strict rules to govern them. However, such possibilities must not make us lose sight of the essential point, which is that unity and a determination to go forward together are both our objective and our strength. I am convinced, as I have tried to point out, that an ambitious yet re-

alistic programme can be implemented on this basis.

The principle, and this I wish to make clear, must therefore always be one of joint action by the Nine. Variations in policies must be exceptional and not one of the normal features of Community development. Should they be necessary, they must be limited in time, kept within bounds by Community discipline and backed by measures of solidarity, to help us move closer together and not get further out of line. The principle is that of common law; the same rules, the same progress, the same discipline for all.

As I have said, this is the line the Commission will take when, in response to Mr Tindemans' call to reopen the debate on Economic and Monetary Union, it prepares its detailed proposals for measures which should normally apply to all the member countries.

As the range of Community policies is gradually extended, so it becomes imperative to increase protection of the fundamental human rights. The Commission is gratified by the concern shown by Mr Tindemans in his report with regards to this difficult problem. The studies required to set up the appropriate machinery, which will doubtless involve much time and hard work, must be started on without delay.

1113. Let us turn finally to the institutions.

Mr Tindemans' proposals are inspired by the need to inject new vitality into the existing system. But it is essential in the process not to disturb the balance between the institutions, regardless of whether their aim is to promote Community interests or to present legitimate national ones. For it is this balance which is the source of the Community's achievements to date.

The European Council is without doubt the new factor in the present phase of the effort to build a united Europe. From now on the Heads of Government must act as members of a Community institution, with all the responsibility which

this entails. I have already explained how this new organ will be able to make the contribution we expect of it.

If the elected Parliament is to be true to its calling, it must be given legislative power. We must work steadily towards this goal, attempting in the meantime within the Community system to maximize the role and impact of parliamentary debates and resolutions.

As for the possibility of assigning to Parliament—within the existing institutional framework—the role of lawmaker in the strictest sense of the term, this is a matter which closely concerns both Parliament and the Commission. The two institutions must meet and seriously discuss this important proposal—on which I must confess we have our doubts—a task which will fortunately be made easier by the bonds built up between us by trust and solid work.

A word about the Commission. If the common policies are to be developed further, the Commission must be capable of fulfilling satisfactorily the role assigned to it by the Treaty—the role of initiating and implementing decisions, the role of “watchdog of the Treaties”.

I have just remarked upon the right of initiative. As for the carrying out of decisions, Mr Tindemans has rightly attributed considerable significance to this fundamental issue. From the wide variety of alternatives offered by the Community institutions a solution must be found which is in keeping with the spirit of the Treaties.

The Commission is examining with great care the proposals to strengthen its cohesive force, notably by bringing Parliament in on the appointment procedure, and is at the same time bearing in mind the need to safeguard its collegiate character. It intends to play a constructive part in the discussions to be held on this subject.

1114. Nineteen seventy-six, the final year in our term of office, could well be a great year for Europe, if together we succeed in giving a new

2. Approach by the CMEA to the Community

Commission: Programme 1976

impetus to a faltering internal policy and if together we play our part in discussing the changes required in preparation for the new phase to be triumphantly heralded in by direct elections. But the struggle for Europe is no different from any other struggle. It will not be won unless our hearts are in it. Nor will it be won without that 'political resolve' we hear so much about, which after all is no more than a high-sounding abstraction for ordinary, everyday tenacity.'

1201. On 16 February Mr Gaston Thorn, President of the Council of the European Communities, received Mr Gerhard Weiss, Chairman of the Executive Committee of the Council for Mutual Economic Assistance (CMEA),¹ who delivered a message from the CMEA to the EEC proposing the conclusion of an agreement on relations between the two organizations. Sir Christopher Soames took part in these talks on behalf of the Commission of the European Communities. Mr Thorn noted the message and draft agreement and informed Mr Weiss that he would put the matter before the Community institutions.

On 2 March the Council had an initial exchange of views on this subject and approved a letter of reply which it instructed Mr Thorn to send to Mr Weiss. This reply states that the Community has noted with interest the letter and draft agreement presented by the CMEA, that the visit of Mr Weiss follows similar initiatives previously taken by the Community, and that the Community's institutions will study the questions raised by this approach in accordance with the procedures which govern their activities.

The development of relations between the Community and the CMEA

1202. The main landmarks in the development of relations between the Community and the CMEA are as follows:

1957 — Publication in the Soviet review *Kommunist* of the seventeen theses on the Common Market; these set out the ideological basis for Soviet opposition to European construction.

1962 — Publication in *Pravda* of the thirty-two theses on imperialist integration in Western Europe; these still represented a highly critical analysis of the Community, but recognized the reality of the Community and did not rule out collaboration between economic unions in Europe.

¹ The CMEA is better known to the public as 'Comecon'.

1963 — With an offer to the Soviet Union concerning tariff reductions (in the form of an *aide-mémoire* from the President's Office) the Community indirectly proposed a normalization of relations.

1972 (March and December) — Statements by Mr Brezhnev on the recognition of 'realities' in Europe.

1972 (April) — In the European Parliament, Mr Mansholt noted Mr Brezhnev's statement and confirmed that the Community had always been prepared to recognize realities in other parts of the world.¹

1972 (October) — The Conference of Heads of State or Government of the Community recorded its determination to promote a policy of cooperation with the countries of Eastern Europe.²

1974 (May) — The Council declared that the Community was prepared to negotiate new trade agreements with the countries of Eastern Europe to replace the Member States' bilateral agreements.³

1974 (September) — Mr Fadyeyev, Secretary of the CMEA, invited Mr Ortolí, President of the Commission, to visit Moscow to discuss relations between the two organizations.⁴ In reply, Mr Ortolí accepted the principle of such a visit and proposed the immediate opening of preparatory talks between officials.⁵

1974 (November) — Following the May 1974 declaration, the Commission sent the State-trading countries an outline trade agreement to be negotiated individually with each country.⁶

1975 (4-5 February) — Visit to Moscow by a Commission delegation for the initial discussions with the CMEA Secretariat. The two delegations agreed that these discussions should be continued at a subsequent meeting and on 10 February the Commission delegation invited its partners to visit Brussels for the next meeting.⁷

1976 (16 February) — Approach by Mr Weiss to Mr Thorn.

Communiqué issued at the end of the Luxembourg meeting

1203. The following joint communiqué was published following the visit by Mr Weiss to Mr Thorn in Luxembourg:

On 16 February 1976, Mr Gerhard Weiss, Deputy Chairman of the Council of State of the German Democratic Republic paid a visit in his capacity as Chairman of the Executive Committee of the Council for Mutual Economic Assistance (CMEA) and spokesman for the Governments of all the CMEA Member States, to Mr Gaston Thorn, President of the Luxembourg Government and Minister of Foreign Affairs of the Grand Duchy of Luxembourg and President of the Council of the European Communities. Mr Weiss delivered a message from the CMEA to the EEC proposing the conclusion of an agreement between the CMEA and its Member States on the one hand and the EEC and its Member States on the other hand, and concerning the basis of the relations between the two organizations. Mr Weiss also presented a draft version of the proposed agreement.

The Council for Mutual Economic Assistance proposes that negotiations should begin in the near future either in Moscow or in Brussels.

Sir Christopher Soames took part on behalf of the Commission of the European Communities in the discussions following the handing over of these documents.

Mr Thorn noted the message and draft agreement and informed Mr Weiss that he would put these texts before the Council of the European Communities so that they could be considered without delay.

¹ Bull. EC 6-1972, point 88.

² Bull. EC 10-1972, Part One, Chapter I, point 13 of the Final Communiqué.

³ Bull. EC 5-1974, point 2330.

⁴ Bull. EC 9-1974, point 1201.

⁵ Bull. EC 11-1974, point 1302.

⁶ Bull. EC 11-1974, point 1301.

⁷ Bull. EC 2-1975, point 1301.

Position adopted by the Council of the European Communities

1204. At the conclusion of the Council meeting on 1 and 2 March, Mr Gaston Thorn, President of the Council of the European Communities, outlined at a press conference the main points of the reply adopted by the Council in the form of a letter from Mr Thorn to Mr Weiss. A translation of this letter is given below:

'I was gratified that you were kind enough to hand to me personally in Luxembourg on 16 February the letter from the Council for Mutual Economic Assistance and a draft agreement between the EEC and the CMEA. I have naturally brought these documents to the attention of the European Community institutions.

At the Council meeting on 1 March, the Community took note of these documents with interest. It noted that your visit on behalf of the Council for Mutual Economic Assistance and its Member States follows the initiative taken by the Community at the time of the meeting of Heads of State or Government in Paris in October 1972 which was followed by an offer, made in November 1974, to initiate trade negotiations with each of the Member States of the CMEA and most recently by the talks between a Commission delegation and a delegation of the CMEA Secretariat in Moscow in February 1975.

The Community institutions will now study the questions raised by this approach in accordance with the procedures governing their activities.'

Statement by Sir Christopher Soames, Vice-President of the Commission

1205. In a speech given in Hamburg on 5 March, Sir Christopher Soames, Vice-President of the Commission, referred to the problems raised by cooperation between the Community and certain non-member countries, and made the following statement regarding relations with the countries of Eastern Europe:

'In the development of our relations with our Eastern neighbours the problem is different but the challenge is none the less real. By its signature of the Helsinki Summit Declaration the Community as such is firmly committed to working for increased economic cooperation between the Eastern and Western halves of our continent.

We are ready to live up to that commitment, and we have made known our willingness to negotiate trade agreements with the countries of Eastern Europe on a new Community-wide basis. Already before Helsinki, a full year ago now, we had contacts with Comecon in Moscow. Recently we have had the official Comecon response proposing a wide-ranging agreement. It cannot but be a source of satisfaction that, after years of systematically cold-shouldering the Community, the countries of Eastern Europe are now prepared to sit down at the negotiating table to explore ways of cooperation. We must now give to this proposal the careful consideration it deserves. Difficult issues are inevitably raised, but we owe it to ourselves as well as to our Eastern neighbours to set about the task with all seriousness and in a constructive spirit.'

3. North-South Conference: Commencement of practical work

North-South Conference

1301. The Conference on International Economic Cooperation (North-South Dialogue) entered its active phase with the first meetings of the four Commissions set up under the Conference. These meetings were held in Paris from 11 to 20 February with representatives of the Community taking part.

Following the preparatory meeting on 13 and 14 October 1975,¹ the formal opening of the Conference at ministerial level on 16 to 19 December² and the meeting of the Co-Chairmen on 26 and 27 January 1976,³ these first meetings of the Commissions mark the start of work on the substance of the problems.

Progress and results of the first meetings

1302. This first meeting of the North-South Conference, at the level of the Commissions, was considered satisfactory and encouraging by the participants. There were three main reasons for this.

- The work began in a favourable climate of confidence; the representatives of the developing countries adopted an open attitude.
- As a result, it proved easier and quicker than had generally been anticipated for each Commission to prepare its programme of work. On the whole, the preliminary discussions on the programme and on the method of work enabled substantive issues to be tackled very quickly.
- The Community was able to play a constructive role in this first meeting. The very open and flexible nature of its attitude enabled it to help in the search for compromise solutions. Its contribution to the discussions seems to have been received favourably by the developing countries.

The programme of work of the Commissions

1303. The Commissions did not all follow the same procedure in preparing their programme of

work: either the programme was accompanied by a timetable (covering different periods in different cases) or it was adopted only on a provisional basis or adopted subject to amendments.

Energy

1304. The following general programme was adopted on a provisional basis:

- General analysis of the energy situation;
- Price of energy;
- Availability and supply of energy;
- International cooperation in the energy field.

The Commission examined the methods to be adopted for the examination of the various points on its programme and laid down the framework for the first point which will be covered in the March session.

Raw materials

1305. The Commission adopted its programme of work for the first six months:

- (i) Trends and conditions of supply and demand of raw materials, including foodstuffs;
- (ii) Problems of commodity markets and trade expansion. Ways and means of solving them;
- (iii) Problems relating to export earnings, especially of developing countries;
- (iv) International cooperation: especially production, investment and technology;
- (v) Special problems of the developing importing countries and means to alleviate these problems;
- (vi) Producer and consumer cooperation;
- (vii) Other matters.

¹ Bull. EC 10-1975, points 1101 to 1112.

² Bull. EC 12-1975, points 1201 to 1207.

³ Bull. EC 1-1976, point 2309.

The Commission examined the first point on its programme and began to consider the second. It should be noted that this second point is also one of the fundamental items in the UNCTAD integrated programme and that certain industrialized countries do not wish to anticipate to any great extent the work of the fourth UNCTAD session to be held in Nairobi in May.

Development

1306. The Commission reached agreement on its programme of work, which is accompanied by a precise timetable:

First meeting (February):

- Trade;
- Balance of payments.

Second meeting (March):

- Agriculture and food;
- Infrastructure.

Third meeting (April):

- Transfer of resources;
- Industrialization — transfer of technology.

Fourth meeting (June):

- Foreign investments — transnational corporations;
- Least advanced of the developing countries, most-seriously-affected countries, land-locked countries, developing island countries.

For the first two topics, the Commission adopted the following plans for the discussions:

Trade

- examination of the international trade situation;
- market access;
- marketing — promotion of trade, including trade between developing countries.

Balance of payments

- balance of payments and development (structural problems and short-term problems);
- action and measures to counter the developing countries' balance of payments problems, including the special case of the most-seriously-affected countries, the least-advanced developing countries, and land-locked and developing island countries.

Financial affairs

1307. The Commission established its programme of work for the next two sessions.

March

- Survey of the world economic and financial situation;
- Balance of payments problems;
- Discussion of specific items.

April

- Financial aspects of the indebtedness of the developing countries (especially the most-seriously-affected countries);
- Discussion of the matters referred to the Finance Commission by the other three Commissions;
- (to the extent possible) discussion of other items identified or to be identified by the Finance Commission.

The Finance Commission began the survey of the world economic and financial situation concentrating in particular on the following aspects: the economic situation (growth, inflation, trade) and the financial situation (balance of payments on current account and capital flows). As the documentation available was not always adequate, a number of countries were able to consider only 1976.

4. Meeting of Research Ministers

1401. Noteworthy progress was achieved at the Council meeting in Brussels on 24 February, which brought together the Ministers for Research.

The chief point on the Council's agenda was the examination of the four proposals for multiannual research programmes,¹ which the Commission had presented to it in July 1975; the Council had begun discussing these proposals on 15 December 1975,² but without reaching a decision.

The proposed multiannual programmes were tackled in the following order:

- (a) biology and health protection for the period 1976-80;
- (b) environment for the same five-year period;
- (c) reference materials and methods for the three-year period 1976-78;
- (d) controlled thermonuclear fusion and plasma physics for the five-year period 1976-80.

On the first of these subjects, the Council recorded its agreement with the research covered by the 'radiation protection' section of the proposal, but cut back the spending on this programme from 47.6 to 39 million u.a. On the other hand, no decision was reached on the section dealing with 'application of nuclear techniques to agricultural research', for which the Commission had proposed an allocation of 18.72 million u.a. The Commission now intends to investigate whether some of the projects proposed in this programme but not adopted might not be implemented under the heading of agricultural research.

As regards the research on the *environment* and that on *reference materials and methods*—Community Bureau of References (CBR)—the Council again gave its agreement to the subject-matter proposed by the Commission, but cut the amounts from 18.5 to 16 million u.a. and from 3.9 to 2.7 million u.a. respectively.

The decisions on these three indirect action programmes provide that they can be revised at the end of 1976 on a proposal from the Commission

in order to align them with the new multiannual direct action programme of the Joint Research Centre (JRC), which will also be adopted by the Council at the close of the year. Until such time as a decision to revise them is taken, however, the projects covered by the three indirect action programmes will be carried forward within the limits of the resources allocated to them.

Much of the time during the Council's meeting was taken up by the discussion on the proposed multiannual programme on *controlled thermonuclear fusion and plasma physics*. One of the major components in this proposal is the construction—to be undertaken jointly by the associated laboratories and the Commission—of the large experimental machine known as JET (Joint European Torus), which is designed to produce and contain a plasma with the characteristics required for a fusion reactor.

The Council agreed to approve the Community programme, with the exception of JET, for a period of five years on the basis of a budget of 124 million u.a. to be made available from the general budget of the Communities; provisionally only the 1976 section of the programme is to be implemented using an appropriation of 20.8 million u.a., pending a final decision on the JET project.

The Commission estimates that this project will cost a total of 135 million u.a.; in January 1976,³ the Commission sent a communication to the Council recommending that the Ispra Establishment of the JRC be chosen as the most suitable site for JET. Despite some progress—notably in connection with the financial estimate presented by the Commission and the sharing of expenditure between associated laboratories, interested guest laboratories and the Commission—the Council, however, failed to resolve the question, particularly as regards the site for JET.

¹ Bull. EC 7/8-1975, points 1501 to 1505.

² Bull. EC 12-1975, point 2264.

³ Bull. EC 1-1976, point 2239.

Research Ministers

Commission Member Mr Brunner deplored this new delay, which might well entail the break-up of the team responsible for the design of the project and the consequent dispersal of the years-ahead experience it has acquired in the field of plasma physics. He expressed the hope that the Council would adopt its decision at the meeting it is due to hold on 18 June 1976.



2ND PART

**ACTIVITIES
IN FEBRUARY 1976**

1. Functioning of the common market

Customs union

Customs union

Common Customs Tariff

Regime applicable as of 1 January 1976 to products imported from certain States

2101. The Commission has published¹ in the form of groups of tables updated as of 1 January 1976 the customs duties or regimes applicable to products from certain countries. This communication concerns the following regimes, duties and countries or groups of countries:

- Tariff regime applicable to goods originating in or in free circulation in Turkey on importation into the Community as originally constituted;
- Regime applicable to goods originating in the African, Caribbean and Pacific States (ACP) and in the overseas countries and territories;
- Customs duties applicable on imported goods from the new Member States (Denmark, Ireland and the United Kingdom);
- Customs duties applicable to goods originating in the EFTA States (Austria, Finland, Iceland, Norway, Portugal, Sweden and Switzerland) and imported into the Community as originally constituted;
- Customs duties applicable to goods originating in Israel and imported into the Community as originally constituted.

2102. On 13 February the European Parliament² delivered its Opinion on a Commission proposal to the Council for the amendment of the tariff nomenclature of certain cereal and sugar products. The Court of Justice³ delivered two judgments on the tariff classification of certain types of tableware.

Tariff measures

Suspensions

2103. On 9 February,⁴ the Council extended to seed potatoes and new potatoes falling within subheadings 07.01 A I and A II a) the total suspension until 28 March 1976 of CCT duties which was decided on 20 January⁵ in respect of potatoes falling within subheading 07.01 A III b). These measures, which were adopted because of the supply difficulties on the Community market, were backed up by export taxes.⁶

2104. On 16 February⁷ the Council adopted the following Regulations, also on proposals from the Commission:

- partially suspending from 1 March 1976 to 31 December 1977 the autonomous duty in the Common Customs Tariff on foliage of *asparagus plumosus* of subheading ex 06.04 B I;
- totally suspending for the same period the customs duty applicable in the Community as originally constituted to the same product imported from the new Member States.

Tariff quotas

2105. On 9 February,⁴ the Council adopted, on a Commission proposal, a Regulation on the opening, allocation and administration (for the period 1 March to 30 June 1976) of a Community duty-free tariff quota for rum, arrack and tafia (of subheading 22.09 C I of the CCT) originating in the overseas countries and territories associated with the Community. This quota covers a volume of 30 133 hectolitres of pure alcohol and

¹ OJ C 39 of 19.2.1976.

² OJ C 53 of 8.3.1976.

³ Point 2449.

⁴ OJ L 37 of 12.2.1976.

⁵ OJ L 14 of 23.1.1976.

⁶ Point 2235.

⁷ OJ L 43 of 19.2.1976.

has been allocated among the Member States on a definitive basis.

Internal common market

Free movement of goods

Protective measures

2106. On 24 February¹ the Council decided to authorize *Ireland* to apply until 30 June 1976 a customs duty of 18.5% in respect of imports of *footwear* with uppers of leather (CCT subheading 64.02 A) from the EFTA countries (Austria, Finland, Iceland, Norway, Sweden and Switzerland) as the Irish footwear industry is currently encountering major disturbances likely to have a serious effect on employment in Ireland. What is involved is a protective measure pursuant to Article 135 of the Act of Accession.

2107. By contrast, the Commission was unable to authorize a temporary waiver for the Irish Government in respect of certain provisions of the Treaty and of the Directive on *equal pay for men and women*.

Removal of technical barriers to trade

2108. On 5 February² the Commission addressed to the Member States a recommendation designed to avoid a possible conflict between one of the provisions (Rule 35(12)) of the implementing regulations of the *Convention on the Grant of European Patents*, signed in Munich on 5 October 1973³ by the Nine together with a number of non-member countries, which is to be ratified this year, and the Council Directive of 18 October 1971 on the approximation of the laws of the Member States relating to *units of measurement*.⁴

The rule in question stipulates that metric units

or other units recognized in international practice must be used in patent applications. As there are a number of metric systems and other international systems, such as the Imperial System used in the United Kingdom, this provision could lead to a different interpretation of the Directive on units of measurement which refers only to the metric units of the International System (SI).

In its recommendation the Commission asks the Member States to issue a joint statement of interpretation declaring that they will apply Rule 35(12) in accordance with the results of the work of the General Conference of Weights and Measures which defined the units of measurement of the International System, and to endeavour to secure adoption of this position by the other contracting parties to the Convention on the grant of European patents.

2109. The *Economic and Social Committee*, meeting on 25 and 26 February, delivered an opinion⁵ on proposals for directives sent by the Commission to the Council on 16 July 1975⁶ on the approximation of the laws of the Member States relating to lifting and mechanical handling devices and electrically-operated lifts.

Competition policy

General rules applying to undertakings

Commission action on the formation of a steel producers' association

2110. On 19 February, the Commission published the following communiqué: 'The Commis-

¹ OJ L 58 of 5.3.1976.

² OJ L 43 of 19.2.1976.

³ Bull. EC 10-1973, point 2115.

⁴ OJ L 243 of 29.10.1971.

⁵ Point 2457.

⁶ Bull. EC 7/8-1975, point 2115.

sion has been informed of the announcement by German, Dutch, Belgian and Luxembourg iron and steel firms that they propose to form a producers' association which, apparently, will be superimposed on the existing network of such associations. These firms account for an aggregate 45 % of Community output.

Although there is nothing in the Treaty of Paris to prevent firms from setting up associations, they must nevertheless refrain from all activities which would be incompatible with the Treaty's fundamental principles.

In the absence of prior authorization from the Commission in the cases and on the terms laid down by the Treaty, any agreement between undertakings and any decision of an association of undertakings which restricts or distorts competition in the common market is prohibited and automatically null and void.'

Restrictive agreements, mergers, dominant positions: specific cases

Copyright licences

2111. In response to representations from the Commission, the British Broadcasting Corporation has undertaken to refrain from impeding exports from Britain to the Netherlands or any other Community country of toys and other articles protected by copyright.

The BBC had a licence from a Dutch company to broadcast its animated cartoons for children. The BBC, like other television companies in the Community, granted sub-licences to toy manufacturers, printing works and the like to manufacture associated products, to meet the demand generated by the broadcast.

The Valley Printing Company Ltd, a Yorkshire firm, had a sub-licence of this kind from the BBC. It wished to sell its products in the Netherlands, but the BBC attempted to prevent this.

On behalf of Valley Printing, the Bradford Chamber of Commerce lodged a complaint with the Commission. The Commission investigated the complaint under Article 85, and the BBC has now agreed not to impede exports of these copyright products in future. The Commission has therefore terminated proceedings.

This action by the Commission demonstrates that it will normally treat export bans contained in copyright licensing agreements along the lines laid down for patent licences in its Decision of 2 December 1975 in *AOIP/Beyrard*.¹

The Commission also holds that the commercial use of copyright by a public radio and television network falling within Article 90 is subject to the rules of the Treaty, including the rules on competition.

Extension of specialization agreements in the steel industry

2112. On application by the parties, the Commission on 13 February extended for six months the Decisions whereby, on 27 July 1971, it had authorized specialization agreements for the manufacture of rolled steel products and agreements to set up an office to share out orders for merchant bars and wire rod between *Eisenwerk-Gesellschaft Maximilianshütte mbH*, *Klöckner-Werke AG* and *Stahlwerke Peine-Salzgitter AG* and specialization agreements between the steel companies of south-west Germany for the manufacture of rolled steel and the joint buying of iron ores.

The six months' extension had been applied for to enable the parties to wind up the negotiations which they had started in order to consolidate what they had already accomplished under these agreements.

¹ Bull. EC 11-1975, point 2120; OJ L 6 of 13.1.1976.

Mergers in the iron and steel industry

2113. The Commission has authorized Sica-worms SA, France's second-largest direct scrap supplier, to acquire a majority shareholding in the capital of Deblaye SA and Soyez & Fils SA. These two firms are indirect suppliers of scrap, Deblaye in the Charleville-Mézières district and Soyez in the Colombes area.

This transaction, authorized under Article 66 of the ECSC Treaty, will have only a marginal effect on Sica-worms's share of the French scrap market and satisfies the tests of Article 66.

Extension of a joint selling agreement

2114. On 18 February the Commission decided to extend until 31 December 1978 the authorization for the joint sale of fuels by the Belgian mining companies comprising *Cobechar* (Comptoir belge des charbons).

State aids*Aids for the environment***Denmark**

2115. The Commission has informed the Danish Government that it has no objection to a draft law granting temporary assistance in respect of the anti-pollution investments which firms now operating must make to adapt their plant to the requirements of Danish environmental protection legislation. The draft law satisfies certain of the conditions laid down in the Communication to the Member States in November 1974¹ setting out the Community approach to state aids in environmental matters.

The amount of assistance, however, is to be determined at a later date by ministerial order,

within certain maxima. The Danish Government having given assurances that it would comply with the Community approach when making the orders in question, the Commission has agreed that the law can be enacted, though the Danish Government is reminded that the ministerial orders will have to be sent to the Commission before being issued so that they can be checked for compliance with the Community ceilings.

National monopolies of a commercial nature

2116. Three major judgments concerning state monopolies have just been given by the Court of Justice of the European Communities.²

On 3 February, in Case 59/75 (*Manghero*), concerning the Italian monopoly in manufactured tobaccos, the Court confirmed the Commission's view that Article 37(1) had been directly applicable since the end of the transitional period and that the Council Resolution of 21 April 1970 had not altered the scope of Article 37. The Court held that Article 37(1) must be interpreted as meaning that with effect from 31 December 1969 all national monopolies of a commercial nature ought to have been adjusted in such a way as to eliminate the exclusive right to import from other Member States.

In Cases 45/75 (*Rewe*) and 91/75 (*Miritz*), concerning the German alcohol monopoly, the Court held that Article 37(1) required the elimination not only of quantitative restrictions in intra-Community trade but also of charges having equivalent effect and tax discrimination in the sense of the first paragraph of Article 95. In these judgments, given on 17 February, the Court confirmed that Article 37(1) and (2) was directly applicable.

¹ Bull. EC 11-1974, point 2115.

² Points 2439, 2441 and 2446.

plicable; it ruled that the provisions of Article 37(4) did not derogate from the other provisions of the Article. It further ruled that Article 37(1) barred the levying of a tax on an imported product done to offset the difference between its price in the exporting country and the highest price paid by the national monopoly to home producers of a corresponding product and that Article 95(1), being directly applicable, required the imported product to be treated in exactly the same way as the corresponding domestic product; it was therefore prohibited to make the imported product liable to a uniform tax and the domestic product to a progressive tax.

The Commission will ensure that on the strength of these judgments France and Germany, which hold monopolies in alcohol, honour their obligations under Article 37; for instance, they will be required to terminate the exclusive importing and exporting rights currently applying.

France

Manufactured tobacco

In a letter to the French Government in December 1975, the Commission had expressed its concern that the French market was not being opened up to manufactured tobacco from the new Member States as required by Article 44 of the Act of Accession and the Recommendation of 2 August 1974 adopted in application of that Article.

The French Government has now informed the Commission that since 1 January 1976 the market has been open to twenty-seven new makes of manufactured tobacco from the new Member States, which are imported free of any quantitative restrictions.

The Government also claims that a number of provisions were introduced in the autumn of 1974 which have allowed imports of manufactured tobacco from the new Member States to in-

crease, particularly imports of eight makes of British cigarettes. Lastly, it points out that sales on the French market of British, Danish and Irish products, which amounted to some 13 million units (cigars, cigarettes and pipe tobacco) in 1972 and 1973, rose to 675 million units in 1974.

Taxation policy and financial institutions

Taxation

Indirect taxes

Excise duties on manufactured tobacco

2118. On 10 February¹ the Commission laid before the Council a proposal amending the Council Directive of 19 December 1972² on taxes on the consumption of manufactured tobacco other than turnover taxes.

The proposal provides for the introduction from 1 July 1977 of a second stage, lasting three-and-a-half years, in the harmonization of the structures of excise duties on cigarettes. During this stage the specific component of the excise duty on cigarettes in the most popular price category should be fixed so as to be not less than 15% and no more than 50% of the total tax charged (excise duty plus VAT). In other words, the *ad valorem* components of the tax (*ad valorem* component of excise duty plus VAT) would not be less than 50% nor more than 85% of the total tax. The Member States would retain complete discretion with regard to the rates of VAT and excise duty on cigarettes.

Pursuant to the December 1972 Directive the

¹ OJ C 45 of 27.2.1976.

² OJ L 303 of 31.12.1972 and Bull. EC 12-1972, point 23.

2. Economic and monetary union

Taxation policy and financial institutions

Council must take a decision on the proposal for a directive before 1 July 1976, otherwise the first stage of harmonization will have to be extended a third time.

*

2119. At its part-session held from 9 to 13 February, *Parliament*¹ gave its opinion on two proposals for directives on tax exemptions presented by the Commission to the Council on 30 October 1975.² The proposals cover tax exemptions for the personal property of individuals on permanent importation from another Member State and tax exemption for certain means of transport temporarily imported into one Member State from another.

Economic, monetary and financial policy

Community loans to Ireland and Italy

2201. At a meeting held in Brussels on 16 February, at which Mr Vouël, Luxembourg Finance Minister, took the chair, the Council, acting on a proposal from the Commission, approved a \$300 million loan to Ireland, specifying the economic policy conditions to be observed by that country.

This is the first loan to be made on the basis of the Regulation of 17 February 1975 concerning Community loans,¹ which empowers the Community to raise funds within a fixed ceiling and re-lend them to Member States which have run into balance-of-payments difficulties because of the increase in the prices of petroleum products. The Council will formally adopt the decision of 16 February once all the terms of the loan have been agreed between the Commission and the lender(s).

At the same meeting the Council, acting on a Commission proposal presented verbally by Mr Haferkamp, Vice-President of the Commission, authorized the latter, pursuant to Article 2 of the same Regulation, to open negotiations with a view to raising \$1 000 million on the international market to be re-lent to Italy. The Commission was asked to take the necessary steps to ensure that a decision on the whole transaction could be taken at the Council meeting on 15 March.

Statement by Mr Haferkamp on the economic situation

2202. On 12 February, Mr Haferkamp, Vice-President of the Commission, addressed Parliament in Strasbourg on the economic situation in the Community.

¹ Point 2417.

² OJ No C 267 of 21.11.1975; Bull. EC 10-1975, points 2111 to 2114.

¹ OJ L 46 of 20.2.1975; Bull. EC 2-1975, point 2201 and 7/8-1975, point 2211.

After analysing in detail current economic trends, policies pursued and achievements in 1975—‘The year we broke the wrong records’—Mr Haferkamp summarized the probable economic development of the Community in 1976 and the associated economic policy problems as follows:

— The effects of the economic recovery programmes were becoming increasingly marked. Private consumers were regaining confidence, depleted stocks were being built up again, and trade was reviving.

— Corporate investment remained weak, however, although more vigorous capital spending was still badly needed.

— A key task would be to keep the upswing steady; any further undue pressure on the gross national product would therefore be dangerous.

— The Community would probably achieve real average annual growth in GDP of 3 to 3.5%; real GDP would grow most vigorously in Germany, France, the Netherlands and Denmark (about 4 to 5%) and least in the United Kingdom, Ireland and Italy (1 to 2%).

— The progress made in 1975 in the fight against inflation must be consolidated and further developed. If this were done, the upward movement in consumer prices for the Community as a whole could, on the annual average, be cut back by a further 2.5% in 1976.

— The rapid increase in imports generated by the improvement in the economic situation could well lead to an increase in the Community’s deficit on current account of about \$6 000 million. This would be a useful contribution by the Community to restoration of world balance of payments equilibrium.

Mr Haferkamp stressed that in 1976 the main problem to be tackled was that of persisting high unemployment. The first signs of improvement in the employment situation were already discernible in Germany and in the Netherlands. This did not mean that employment problems had been solved:

‘We shall therefore maintain our drive to reduce unemployment through an active labour market policy implemented at both national and Community levels. Efforts to eliminate unemployment among young people will be given particular attention. The returns for the number of unemployed are bad enough. We must, however, never forget that each figure stands for a human being. Whatever the material support provided by our social security systems, these men and women have the right to look forward with hope to the future.

‘The key to the success of our efforts in the field of economic and social policy is cooperation with managements and unions in the Community. Here it is particularly important to pursue the joint action initiated at the Tripartite Conference held in October 1975. The next Conference, in June 1976, must make a major contribution to improving the conditions governing lasting growth and an increase in investment, to diminishing the risk that inflation may flare up again and the danger that high unemployment may persist, to strengthening the confidence of unions and managements in the fair distribution of the burdens entailed by the adjustment process.’

Mr Haferkamp concluded with the following words:

‘In 1976 we must forge a European alliance for full employment and stability. All democratic forces—political, economic or social—must be involved in this. Our economy is now at the turning point towards a better future, and we are now in a position to establish the conditions enabling us to discharge properly the major tasks facing us in the next few years. We can now move forward to a more assured economic and social future—but only if we work together.’

Monetary Committee

2203. The Monetary Committee held its 214th meeting in Brussels on 27 February. As the

Council had decided on 16 February to authorize the opening of negotiations for a Community loan to Italy, the Committee, in accordance with the Regulation concerning Community loans, adopted a report—prepared by the *ad hoc* Working Party chaired by Mr de la Génrière—to the Council and the Commission on the economic situation in Italy and the economic policy conditions which it might be appropriate to attach to such a loan.

The Working Party on the *harmonization of monetary policy instruments* met in Basle on 25 and 26 February to continue its study of monetary policy instruments.

The Working Party on *short-term capital movements* met in Brussels on 18 February to continue its work on the Euromarkets and the control of capital movements.

Economic Policy Committee

2204. The Economic Policy Committee held its 26th and 27th meetings in Brussels on 6 and 24 February. The Committee examined a draft communication, submitted by the members appointed by the Commission, concerning the adaptation of the economic policy guidelines for 1976. Further to this discussion, the Committee adopted an opinion to the Council and the Commission approving the analysis of the situation made by the Commission departments and, in accordance with the wishes of the Commission, asked that no fundamental changes be made to the economic policy guidelines adopted by the Council in December 1975.

In addition, the Committee's Working Party of experts on *public finance* held its 6th and 7th meetings in Brussels on 9 and 24 February. The Working Party continued its examination of budgetary aspects of the Fourth medium-term economic policy programme.

Social policy

Employment

2205. *Senior officials concerned with employment* in the Member States met in Brussels on 25 February. With the Commission departments, they appraised the work done, on a Community footing and at international level, with a view to the forthcoming meeting in March of the Ministers of Social Affairs of the OECD countries to be held in Paris and the World Employment Conference to be held in Geneva from 4 to 17 June under the auspices of the International Labour Organization (ILO).

Freedom of movement and social security for migrant workers

2206. On 9 February, the Council formally adopted two Regulations and a Resolution, which it had approved on 18 December 1975,¹ *concerning workers' trade union rights*,² the compilation of *statistics on migrant workers*² and the *action programme for migrant workers*.³

2207. The *Administrative Commission on Social Security for Migrant Workers* held its 148th meeting on 19 and 20 February, when it reviewed the first results achieved by the Working Party on the Coordination of Social Security Schemes for Self-employed Workers.⁴ A proposal for a Regulation will be drawn up on the basis of the conclusions drawn from this work.

The Administrative Commission continued its study of action to be taken following the rulings of the Court of Justice on the calculation of pen-

¹ Bull. EC 12-1975, point 2215.

² OJ L 39 of 14.2.1976.

³ OJ C 34 of 14.2.1976 and Supplement 3/76 — Bull. EC.

⁴ Bull. EC 1-1976, point 2207.

sions¹ for migrant workers. Lastly, certain proposals from the Advisory Committee on Social Security for Migrant Workers for changes to Community rules were discussed.

Social Fund, re-employment and retraining

2208. On 9 February, the Council formally adopted the Decision concerning action by the European *Social Fund* to help workers in the *textile and clothing industries*,² which it had approved in principle on 18 December 1975.³

Vocational training and guidance

2209. The Management Board of the *European Centre for the Development of Vocational Training* met in Berlin on 5 and 6 February. It reviewed certain budgetary questions and its future work programme. During the meeting the Board appointed the Commission's Director-General for Social Affairs as its new Chairman.

The creation of the Centre, approved by the Council in December 1974,⁴ was formally sanctioned by a Regulation of 10 February 1975.⁵ It will assist in activating a common vocational training policy.

Living and working conditions

Equal treatment for men and women

2210. On 9 February,² the Council formally adopted the Directive on the '*implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions*', which had been approved in principle at the Council meeting of 18 December 1975.³

2211. The Commission was unable to accede to the *Irish Government's* request that it should be authorized to derogate temporarily from the provisions of the Treaty and the Directive on equal pay for men and women. The grounds for Ireland's request—based on Article 135 of the Act of Accession—were that economic problems would arise for a number of sectors already in difficulties if women's wages and salaries were increased.

While it was fully aware of Ireland's problems and ready to seek measures to assist the Irish economy, the Commission felt that the request could not be granted since this would rob women of a fundamental right confirmed by the Treaty and run counter to the Community's endeavours to attain equality of pay.

2212. On 23 February, the Commission decided to propose to the Council that a survey be organized on the *earnings of permanent workers in agriculture*. This sample survey, carried out on the basis of statistical data to be collected in autumn 1976, would be the third of its kind; similar surveys were held in 1974 and 1975.

Housing

2213. Under the seventh ECSC housing scheme, the Commission decided to grant a loan of Lit 562 500 000 for the construction of 152 dwellings (iron and steel industry) in *Italy*.

Under the first instalment of the eight scheme it decided to grant the following loans:

Belgium (steel industry and collieries): Bfrs 97 314 400 to build 450 dwellings; *France* (iron and steel): FF 20 000 000 for 2 000 dwellings; *Luxembourg* (steel industry frontier workers living in France): FF 500 000 for 20 dwellings.

¹ Bull. EC 10-1975, point 2444 (Case 24/75).

² OJ L 39 of 14.2.1976.

³ Bull. EC 12-1975, point 2215.

⁴ Bull. EC 12-1974, point 1304.

⁵ OJ L 39 of 13.2.1975.

It was also decided to make a loan of Bfrs 12 000 000 using recycled funds from the fifth scheme (1963-65), to finance the construction of 38 dwellings for *Belgian* iron and steel industry workers.

Industrial relations

2214. On 13 February the Commission consulted employers and workers in the road transport industry on the amendments to be made to the Council Regulation of 25 March 1969¹ on the harmonization of certain social legislation relating to road transport, its proposal for a second social regulation (sent to the Council in September 1972) and the amended proposal which the Commission is planning to send to the Council. The workers' representatives proposed a new overall approach based on the normal number of working hours while the employers' representatives urged that there should be greater flexibility on this number.

Health protection

2215. As a further stage in the European Communities' action programme on the environment, which was approved by the Council on 22 November 1973, the Commission forwarded to the Council on 25 February a draft Directive on 'health protection standards for sulphur dioxide and suspended particulate matter in urban atmospheres' and a draft Council Resolution on 'the determination of criteria for sulphur dioxide and suspended particulate matter in urban atmospheres'.

The following criteria are adopted:

- short-term exposures to pollutants exceeding 500 microgrammes per cubic metre entail an increase in the mortality and hospitalization rate among elderly persons, especially those with cardio-vascular symptoms;

- long-term exposures to pollutants in a concentration exceeding 100 microgrammes per cubic metre cause an aggravation of respiratory symptoms in children;

The proposal provides for the adoption of mandatory health protection standards for sulphur dioxide and suspended particulate matter in urban atmospheres in order to protect the health of the public.

It lays down the maximum levels of these two pollutants per year, per winter and per 24 hours which will be applicable from 1982 onwards, and by 1987 at the latest. It also specifies the concentrations over 24 hours which will be tolerated in exceptional circumstances between 1982 and 1987, before the measures to reduce emissions have been introduced.

2216. In view of the growing use of neutron radiation in medicine, research and the nuclear industry, the Commission has decided to make a study of the specific problems of *radiation protection* together with national experts. At a meeting in Luxembourg, a draft memorandum was examined on the current state of neutron dosimetry. On that occasion, it was decided in particular to draw up a questionnaire on the conditions of exposure at work, and the number of persons exposed to neutron radiations, and also to define the programme of comparison for 1976.

2217. On 9 and 10 February, a meeting of national consultants was held in Luxembourg in order to obtain their views on two reports concerning the *ecological consequences of environmental pollution* by persistent organohalogen compounds. The first report dealt with the problems created in the marine environment, and the second with the effects on continental flora and fauna.

2218. The *Advisory Committee on Safety, Hygiene and Health Protection at Work* held its second

¹ OJ L 77 of 29.3.1969.

meeting on 17 and 18 February. Its discussions were taken up with three subjects:

- (i) cooperation between the authorities which draw up laws and regulations for the prevention of occupational risks, with a view to harmonizing their provisions and keeping the Commission informed;
- (ii) research on hygiene and safety at work;
- (iii) the contribution of the two sides of industry to the prevention of risks.

2219. On 24 February, the *Producers' and Workers' Committee on Industrial Safety and Medicine* discussed the guidelines for ECSC social research during the period 1976-80. The definition of the general objectives for coal in 1974 and the general objectives for steel in 1975, together with the discussions that these two documents have triggered off, make it necessary to redefine the medium-term objectives of social research, which relate to prevention of hazards at work and the creation of more acceptable working conditions for employees.

2220. The Committee also expressed favourable opinions on a number of research projects relating to the fight against pollution in the iron and steel industry.

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2221. The Economic and Social Committee,¹ meeting in Brussels on 25 and 26 February, delivered Opinions on two social policy problems: unemployment and the economic and social situation of women in the Community.

Environment and protection of consumers

Environment

Convention for the protection of the Mediterranean against pollution

2222. The Intergovernmental Conference meeting from 2 to 16 February in Barcelona reached unanimous agreement on a draft Convention for the protection of the Mediterranean against pollution.

The Convention is of the outline type and includes two protocols, one concerning dumping operations carried out by ships or aircraft and the other cooperation between States to combat serious cases of pollution.

Of the 18 Mediterranean coastal States which took part in the Conference, 12 have signed the Convention. The Community was represented by the Commission, which had been instructed by the Council on 8 December 1975² to negotiate possible EEC participation in the future Convention.

The Commission—supported by the two Member States directly affected (France and Italy) and by other States represented at the Barcelona Conference—succeeded in obtaining the agreement of the Conference to the signature of the Convention by the Community. Accordingly, the Commission will recommend to the Council that the EEC sign this Convention.

Pollution from sulphur dioxide

2223. On 25 February the Commission laid before the Council a proposal for a Resolution on the formulation of criteria for sulphur dioxide

¹ Points 2451 and 2452.

² Bull. EC 12-1975, point 1504.

and suspended particulate matter in urban atmospheres together with a proposal for a Directive concerning health protection standards.¹ These proposals fit into the measures to reduce atmospheric pollution contained in the Programme of Action of the European Communities on the Environment.²

2224. At its meeting of 25 and 26 February, the Economic and Social Committee³ delivered its opinion on a proposal for a Directive which the Commission forwarded to the Council in July 1975⁴ concerning waste from the titanium dioxide industry ('red mud').

Consumer protection

Meeting between the Commission and senior national officials

2225. A meeting of senior officials responsible for consumer protection in the Member States of the Community took place on 24 February in Brussels under the auspices of the Commission. The main topics under discussion were: product liability, consumer credit, misleading advertising, unfair trading practices, home study courses and the labelling of foodstuffs.

Agricultural policy

The Community and the problem of new fishing zones

2226. On 18 February, the Commission laid a Communication before the Council setting out the main points of a Community solution to fishing problems which will arise if, as now seems likely, coastal states are granted exclusive 200-mile economic zones.

The Communication discusses the three main

closely linked facets of this intricate problem, namely:

- (i) the management of stocks in the Community waters;
- (ii) negotiation of arrangements with non-member countries to define reciprocal fishing rights;
- (iii) preparation of a common position at the Conference on the Law of the Sea.

The Communication coincides with the opening of a new session of the Conference, which could see the principle of 200-mile economic zones established.

The Commission's guidelines form an overall solution to both the external and internal problems which the new situation in the fishing sector poses for the Community. The special problems of Greenland are not dealt with in the Communication.

Management of fish stocks

2227. The Commission considers that any extension of the limits of the maritime waters under the jurisdiction of Member States which result from the Conference on the Law of the Sea should be made on a *Community basis*. The 200-mile economic zone would thus be a Community zone, within which the Community would implement measures for the optimum management of fish stocks and their conservation.

Since stocks of certain species may soon be exhausted and must be swiftly replenished, the Commission is proposing to fix a yearly catch tonnage by species or group of species. This must be supported by technical measures concerning the meshing of nets and fishing periods etc. to avoid overfishing. The proposals to this end which the Commission would put to the Council each year would be worked out in the light of a

¹ Point 2215.

² OJ C 112 of 20.12.1973.

³ Point 2456.

⁴ Bull. 7/8-1975, point 2241.

report by a scientific and technical fisheries committee set up for the purpose.

The Commission's proposal is that available resources would be shared out between Community fishermen by means of an allotment of catch quotas. The Commission emphasizes, however, that this proposal does not preclude the attempt to find a more sophisticated solution based, *inter alia*, on fishing capacity restrictions. For the allotment of quotas, the Council, acting on a Commission proposal, would each year determine the total catch tonnage by species or group of species which may be taken by the whole Community. This would amount to the annual catch tonnage set for the whole of the Community zone, plus all catches allocated to the Community in the waters of non-member countries, less all catches allotted to non-member countries in the Community zone.

Before fixing the quotas for each Member State, 5 % of this total figure would be set aside to form a Community reserve against special situations and a fixed amount would also be deducted corresponding to tonnage caught in coastal waters. The remainder would then be divided between the Member States in such a way that a Member State which had taken, say, 40 % of the total Community catch over a reference period to be determined would be entitled to 40 % of the tonnage available for allocation.

The Commission's proposed quota arrangements could be adjusted later should the general stock position appreciably improve over the next few years. The Commission would therefore present a regular report to the Council on fishing conditions in Community waters.

Regarding the *coastal waters scheme*, the Commission is proposing that, in coastal bands up to 12 miles out, Member States be authorized to restrict fishing to vessels which fish traditionally in those waters and which operate from ports in that geographical coastal area. The Act of Accession had already authorized the Member States to apply this restriction, in general terms, to a band

of six nautical miles and, in a number of specified zones, to a 12-mile band. With respect to the historical fishing rights which Member States could enjoy in the reserved zones of another Member State as of 31 January 1971, these would be retained in the zones indicated in the Act of Accession until at least the end of 1982, after which date the Council would have to reappraise them. For the new reserved zones, the Commission is proposing that historical rights be gradually eliminated and compensated by measures of structural assistance.

The new conditions in the fishing industry due to the changed international background will necessitate *specific action to reorganize fishing fleets*. The Commission has already put a proposal to the Council for common action in respect of small-scale inshore fishing.¹ Other projects could also be considered involving social and regional policy.

Community negotiations with non-member countries

2228. Determination of the total available resources of the Community depends in part on the scope allowed for fishing in the waters of non-member countries and in part on the rights granted to such countries in Community waters. Negotiations will have to be undertaken with a large number of interests, some already bound to the Community by particular commitments, to arrive at specific arrangements. The negotiation of such arrangements might, according to circumstances, cover reciprocal concessions over fishing rights, trade concessions and any other matters on which a balanced agreement could be reached.

Working on the assumption that fishing zones will be generally extended within 200-mile limits, the Commission is proposing to start exploratory talks as soon as possible and will in due course put recommendations to the Council for a negotiating brief.

¹ OJ C 6 of 10.1.1976 and Bull. EC 11-1975, point 2233.

The United Nations Conference on the Law of the Sea

2229. The Community's authority to regulate activity within a 200-mile economic zone would have to be fully recognized at international level by non-member countries. This authority would not be confined to the fishing industry. It would extend, and could extend yet further in the future, to other matters such as the campaign against pollution of the seas and scientific marine research.

It is therefore essential that a clause in the future Convention on the Law of the Sea should allow the Community to be a contracting party to it.

To this end the Commission calls on the Council to rule on the question of the participation of the Community as such to the Conference and to review the draft texts prepared during the preliminary work, which would enable the Member States to adopt a common position at the Conference (to be held in New York from 15 March to 7 May).

The Council and the 1976/77 farm prices

2230. Continuing its work on fixing the agricultural prices for the 1976/77 marketing year and on related measures, the Council, on 16 and 17 February, got down to a searching review of the major problems in various specific sectors and on the so-called 'horizontal', i.e. agri-monetary, measures.

Since the decisions have to be taken in March, that is after the 1975/76 milk marketing year was initially due to close, the Council extended the milk year by two weeks, i.e. until 14 March 1976. For quantities bought in by the intervention agencies in the milk sector during the period 1 to 14 March 1976, the agencies will pay sellers, over and above the buying-in price for the 1975/76 milk year, a sum equal to the difference between that buying-in price and the buying-in price for the beginning of the 1976/77 milk year.

The Council also fixed 14 March¹ as the end of the marketing year for beef and veal, and without prejudice to its final decisions thereon it authorized the grant to producers of adult bovine animals of a national premium of 77.06 u.a. from 1 March to that date. Should the Council adopt a new system of premiums for the 1976/77 marketing year similar to those provided for in the Regulation of 27 February 1975, the rules laid down for any financing of those premiums will be applied in the same way as for the premiums applicable between 1 and 14 March 1976. Concerning the system of premiums for the birth of calves, the Council agreed that this should be continued until the end of the marketing year as initially established, i.e. until 4 April 1976.

Among the related measures which the Commission put to the Council on 15 December 1975² with the price proposals for the 1976/77 marketing year was a proposal relating to the incorporation of *skimmed-milk powder* in animal feed. But in view of the control problems which it involves and the risk of discrimination between operators, the Commission decided to amend its initial proposal (compulsory inclusion of 2% of skimmed-milk powder in animal feed). While confirming its objective to dispose of some 600 000 tonnes of skimmed-milk powder in 1976 by putting it into animal feed, the Commission's amended proposal connects the obligation to buy a certain quantity of skimmed-milk powder with the production or importation of Community or foreign protein-rich produce.

The obligation to buy milk powder can be secured by making grants for oilseeds harvested in the Community and the importing of proteins from non-member countries subject to provision of security which would not be released until a certain quantity of milk powder had been purchased.

2231. At the same time the Commission proposed temporary arrangements for *storing protein-*

¹ OJ L 48 of 24.2.1975.

² Bull. EC 12-1975, points 1401 to 1409.

rich produce.¹ This proposal would serve to prevent any adverse effect of the preceding measure in the short term on Community imports of protein-rich products, particularly oilseeds and oilcake, and would also lessen the long term effects.

The Commission is also proposing the storage of up to 400 000 tonnes of Community and imported products for a maximum of twelve months so as to lessen the effect of the milk-powder disposal scheme on the sale of proteins of Community origin. To avoid any disturbance of the market, the stock would be built up gradually and destocking would be phased. The storage operation would be handled by private industry on the basis of contracts concluded with the Community and the quantities stored would be spread out across the Community.

2232. During the part-session from 9 to 13 February, the *European Parliament*² gave its Opinion on the Commission proposals; it wished prices to be raised by an average of 9.5% instead of the proposed 7.5%. On the other hand, the Economic and Social Committee, in its Opinion of 29 January 1976,³ had expressed a preference for an increase of 7.5 to 8%.

Measures related to the monetary situation

2233. Since 21 January 1976 the market exchange rate for the lira has substantially fallen. Therefore, the Commission had to fix⁴ monetary compensatory amounts to be applied as from 9 February to trade with *Italy*. Since there were no official quotations for the lira on the Rome and Milan stock exchanges, these amounts were fixed in terms of the spot rates for Italian currency against the currencies of the Member States in the 'snake' on the stock exchanges of those countries.

In the absence of official quotations on the Rome and Milan exchanges, the Commission consider-

ed it necessary to act with special caution and therefore used a longer reference period than usual (two weeks instead of one) to determine the trend of the Italian currency. Furthermore, the amounts in question were fixed for two weeks up to 22 February and then adjusted for a further period of two weeks.⁵

2234. Monetary compensatory amounts were also fixed for Italy for wine. To allow for the special conditions prevailing in this sector, the time limit for applying compensatory amounts to it was first set for 29 February (when the Council was to have taken its overall decisions on prices for the next marketing year) and then for 14 March.

Common organizations of markets

2235. In view of the potato supply difficulties in the Community, the Council extended the suspension of import duties and fixed an export tax. On the other hand, the Commission terminated the export levies on white sugar, raw sugar and syrups and reinstated the regular fixing of export refunds for white and raw sugar. The Commission also took several measures concerning the tobacco markets and adopted two Regulations on imports of young cattle for fattening.

2236. On 5 February,⁶ the Commission amended for the fourth time its Regulation of 25 July 1975⁷ on special detailed rules for the application of the system of import and export licences for *cereals and rice*. The period of validity of import licences for rice was curtailed to forestall any un-

¹ OJ C 55 of 9.3.1976.

² Point 2404.

³ Bull. EC 1-1976, point 2444.

⁴ OJ L 34 of 9.2.1976.

⁵ OJ L 47 of 23.2.1975.

⁶ OJ L 32 of 6.2.1976.

⁷ OJ L 213 of 11.8.1975.

toward development on the market, in view of the large number of licences already issued. Normally the current month plus two to three months, it was cut to 45 days, as for cereals.¹

2237. The Commission adopted several Regulations² concerning export refunds for *raw tobacco* from the 1973, 1974 and 1975 harvests. Following a study of methods of determining the moisture content of raw tobacco, it also:

(i) adopted a Regulation establishing those methods for the Community;

(ii) imposed the use of one of the methods for checking the net weight of tobacco for which a premium has been requested, and for reckoning the net weight of tobacco taken over by the intervention agencies. The Member States have the option of using another method on a trial basis until 30 December 1980. If they do so, the advance on the total amount of the premium must be limited to 95%. This Regulation defines the net weight for tobacco accepted for intervention;

(iii) fixed the maximum permissible weight loss for each variety during conversion of leaf tobacco into baled tobacco. The loss of weight is due essentially to loss of moisture and matter.

2238. These three measures³ will be applied for the first time to the 1976 crop. In February the Commission adopted two measures to cope with the shortages on the Community potato market. To encourage imports, the total suspension of the autonomous duty of the CCT, until 28 March 1976 for main-crop ware potatoes, on which a decision was taken in January,⁴ was extended⁵ to seed potatoes and new potatoes. Further, to curb Community exports, the Council fixed a tax of 25 u.a./100 kg on exports of main-crop ware potatoes and non-certified seed potatoes to non-member countries. The Regulation does not affect the right of Member States to ban exports of such potatoes to non-member countries.

2239. In the *beef and veal* sector and, in connection with the relaxation of protective measures,

the issue of import licences for 30 000 head of calves and young cattle intended for fattening had been authorized in September 1975,⁶ with a deadline of 29 February 1976. But by the beginning of February only 10 000 head had been imported. Therefore, assessing the needs as still substantial, the Commission⁷ decided to authorize until 31 March the issue of import licences for 50 000 head of young cattle for fattening (48 500 for Italy and 1 500 for Germany) and to reduce the amount of the import levy (55% of the full amount).

The Commission also raised⁷ the quantities of young cattle of Alpine breeds intended for fattening which may still be imported between now and the end of March⁸ and cut the levy on those imports from 75 to 40% of the full levy.

2240. On 16 February, the Council amended⁹ several Regulations in respect of the reference period for calculation of the levy and the sluicagate price for *pig carcasses and the eggs and poultry-meat sectors*. The period was reduced from nine to six months thus enabling more recent prices for feed grain to be taken into consideration. This measure will come into force on 1 May 1976.

European Agricultural Guidance and Guarantee Fund

Guarantee section

2241. The Commission Decisions giving final approval to the EAGGF Guarantee Section accounts for 1971 and 1972 have just been publish-

¹ Bull. EC 1-1975, point 2225.

² OJ L 44 of 20.2.1976.

³ OJ L 50 of 26.2.1976.

⁴ Bull. EC 1-1976, point 2229.

⁵ OJ L 37 of 12.2.1976 and L 43 of 19.2.1976.

⁶ Bull. EC 9-1975, point 2227.

⁷ OJ L 39 of 14.2.1976.

⁸ Bull. EC 12-1975, point 2247.

⁹ OJ L 45 of 21.2.1976.

ed.¹ The accounts involve a total of 3 900 million u.a. of which 61 million u.a. i.e. 1.4 %, was considered not eligible for EAGGF—Guarantee financing. It was as the result of a strengthening of checks, in particular among the national authorities responsible for making payments on the Community's account, that the Commission was led to reject the reimbursement of considerable amounts, in some cases because the Community rules had been incorrectly applied, in others because the data had been set out incorrectly or again because of insufficient coordination in the Member States.

Industrial and technological policy

Industry

Iron and steel

2242. In February the Commission continued its examination of recent trends in the steel industry, with special reference to the discussions which took place at the time of the ECSC Consultative Committee consultations on 19 January² and the Council consultations of 16 February³ as to the advisability of introducing minimum prices for steel within the Community. These consultations, requested by the Commission last December⁴ in accordance with the provisions of the ECSC Treaty, had failed to produce a unanimous opinion.

The Commission noted certain signs of improvement—which appeared very recently on the steel market—and took the view that the measures implemented at Community level had contributed to this situation. Accordingly, the Commission proposed to take steps to ensure that this tendency continues and gathers strength and

thus felt it necessary for the moment to keep a very close watch on market developments. In the light of these developments the Commission will state its definitive position regarding the introduction of minimum prices.

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2243. At its meeting held on 25 and 26 February the *Economic and Social Committee*⁵ delivered its opinion on the Action Programme for the European Aircraft Industry forwarded by the Commission to the Council on 3 October 1975.⁶

Technology

Dragon project

2244. On 25 February the Commission decided to forward to the Council a proposal to extend until 31 December 1976 the Dragon Agreement, concluded in 1959 through the OECD Nuclear Energy Agency, covering a programme of research in the field of high-temperature gas-cooled reactors.

This Commission proposal has been drawn up in the light of an extremely urgent situation which calls for immediate action, if the agreement is not to expire on 31 March 1976 without yielding the maximum advantages from the work already accomplished over such a long period of cooperation.

The Dragon reactor has in effect been shut down since December 1975; the possibility of the pro-

¹ OJ L 27 of 2.2.1976.

² Bull. EC 1-1976, point 2452; OJ C 24 of 4.2.1976.

³ Point 2422 and OJ C 46 of 28.2.1976.

⁴ Bull. EC 12-1975, point 2260.

⁵ Point 2453.

⁶ Bull. EC 10-1975, points 1201 to 1204, Supplement 11/75 — Bull. EC and OJ C 265 of 19.11.1975.

ject being abandoned had sparked off numerous discussions and the adoption by the European Parliament on 17 December 1975¹ of a resolution calling for a temporary extension in order to allow negotiations to take place with a view to ensuring the long-term future of the project.

From a technical point of view the proposal hinges on two points:

(a) continuation of the research programme on high-temperature metals (primary circuit) until 31 December 1976. The total expenditure envisaged is 600 000 u.a. (£ 250 000), 40 % of which will be borne by the Community and the remaining 60 % borne jointly by Germany and the United States Energy Research and Development Administration (ERDA);

(b) execution of a programme aimed at pinpointing and evaluating the results achieved under the project up to the end of 1975. This programme, which is also due to be completed at the end of 1976, will cost a total of 2 790 000 u.a. (£ 1 162 000), 90 % of which will be borne by the Community. Financial participation by non-member countries is very much on the cards. The programme will consist of:

- (i) evaluation of operating experience with the Dragon reactor;
- (ii) post-irradiation tests on spent fuels from the Dragon reactor and other experimental loops;
- (iii) assessment and preparation of final reports on high-temperature gas-cooled reactor technologies.

Joint undertakings

2245. On 24 February the Commission adopted two decisions concerning the obligations of 'Joint undertakings' (within the meaning of the Euratom Treaty) as regards the communication of information. These decisions refer to the 'Société nucléaire franco-belge des Ardennes' (SENA) and the 'Kernkraftwerk Obrigheim GmbH' (KWO).

In accordance with practice, the texts of such decisions are not made public.

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2246. The *Economic and Social Committee*,² meeting on 25 and 26 February, delivered an opinion on the Commission communication concerning Community policy in the field of data-processing, which had been transmitted to the Council on 22 September 1975.³

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

Science, research and development

Energy research

2247. Of the five Advisory Committees on Programme Management (ACPM) dealing with the various sections of the indirect action programme for energy research, four held meetings in February.

The ACPM for the *production and use of hydrogen*, meeting on 2 and 3 February with Mr Bergès in the chair, examined eighty research proposals which the Commission had received following the notice⁴ published in the Official Journal or had been forwarded by the national representatives on the Committee. Twenty of these proposals were approved, and the Commission is to start on the negotiation of contracts.

¹ Bull. EC 12-1975, point 2410 and OJ C 7 of 12.1.1976.

² Point 2454.

³ Bull. EC 9-1975, point 2236.

⁴ Bull. 10-1975, point 2250, and OJ C 243 of 23.10.1975.

At its meeting on 12 February, the ACPM for *systems analysis (model-building)*, chaired by Mr McAlister, gave its approval to the principles to be followed in the first phase of the programme. The research will be concerned with the development of pilot models representing energy supplies and the oil market, and also with the construction of larger models embracing the whole energy sector and certain other aspects (environmental, economic and social). The work will be shared by contractors from all the member countries, some dealing with model design or data collection and others with more specific aspects of the studies.

The ACPM for *solar energy* met at the Ispra Establishment of the JRC on 24 February with Mr Chabbal in the chair. The main area of its discussions was the JRC's future direct action programme on solar energy; a number of other recommendations were formulated on the research in progress within the context of the indirect action project.

The ACPM for *energy economy* met on 26 and 27 February, chaired by Mr Preston. It discussed and examined half of the 200-odd proposals which were sent in to the Commission in response to an invitation published in September 1975 with the agreement of the Committee.¹ The Commission has received favourable opinions on a number of contracts which it is going to negotiate on the use of heat pumps, urban transport, production of energy from waste and recovery of residual heat.

Scientific and Technical Research Committee

2248. The Scientific and Technical Research Committee (CREST) held its 21st meeting on 12 February 1976 under the chairmanship of Mr Schuster. It discussed in particular questions relating to R & D indicators and the implementation of a Community concerted action project on the development of large conurbations.

As regards the first point, the Commission had

drawn up a list of 48 indicators on which the Committee was asked to give an opinion. The discussion bore mainly on the optimum use of the available statistical data in the determination of these indicators. The delegations also stressed the role that the indicators would play as a means of comparing national R & D policies. The talks are to be followed up at a later date on the basis of additional information to be supplied by the member countries and the Commission.

The Community concerted action project on the development of large conurbations met with a large measure of agreement from the Committee. This scheme will comprise a number of projects carried out in the Member States and coordinated by the Commission. The information acquired will be incorporated in a condensed report by the Commission, and a firm proposal on this matter should be brought before the Council in the spring of 1976.

The next meeting of CREST is scheduled for 11 March.

Proposal for a 'European Year of Science'

2249. As a sequel to CERD's deliberations in December 1975² on the question of organizing a 'European Year of Science' as proposed by one of its members, Professor Prigogine, the Commission invited some twenty prominent figures to meet on 24 and 25 February to discuss the value and feasibility of such an event.

The talks focused mainly on the following aspects: science in the cultural fabric of Europe; science and public relations; the role of science and the problem of its popularization; social aspects of science.

¹ Bull. EC 9-1975, point 2240.

² Bull. EC 12-1975, point 2266.

All the participants felt that it would be well worth while discussing these topics in a forum with which many organizations might be associated, e.g., the United Nations, the Organization for Economic Cooperation and Development (OECD), the Council of Europe, and the European Science Foundation.

As a means of assessing the feasibility of the scheme, a small working party of seven — chaired by Professor Prigogine — is to draw up a report, to be presented to the Commission not later than September 1976, setting out the topics that ought to be dealt with in a 'European Year of Science' in order to achieve certain objectives, and the financial resources that would be required.

Multiannual programme

Meeting of Ministers for Research

2250. Several decisions were taken by the Council (Research) at its meeting in Brussels on 24 February.¹

Scientific and Technical Committee

2251. The Euratom Scientific and Technical Committee met on 19 and 20 February 1976 with Mr Cesoni in the chair. The meeting started off with a hearing of experts on the processing of radioactive waste. The Committee listened in turn to representatives of the United Kingdom, Belgium, Germany and France, who reported on the chief problems confronting their countries in connection with the treatment and management of radioactive waste and replied to questions raised by several members of the Committee. The Committee then went on to examine the status of the Community multiannual research programmes on radioactive waste management and storage and plutonium recycling.

The Committee also began discussing the problem of reprocessing irradiated fuels within the Community, and noted the results of a survey of the American public's attitude towards nuclear energy. Another matter brought under review was that of the problems associated with the transport of irradiated fuels inside the Community; it was agreed that these questions would be re-examined at a forthcoming meeting.

Finally, the Committee turned its attention to a communication on the state of the Dragon Project,² and was given a brief run-down on the progress made by the JRC in preparing its next multiannual programme (1976-80). The next meeting of the STC, which is to be held on 21 April, will be devoted wholly to this topic.

Education and training

Action programme in the field of education

2252. On 9 February,³ the council formally adopted the resolution 'comprising an action programme in the field of education', which had been approved in broad outline by the Council and the Ministers of Education meeting within the Council on 10 December 1975.⁴

Education Committee

2253. The Education Committee, meeting on 9 February, endorsed most of the measures put forward by the Commission staff to implement the first phase of the abovementioned action programme.

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¹ Point 1401.

² Point 2244.

³ OJ C 38 of 19.2.1976.

⁴ Bull. EC 12-1975, points 1101 and 1102.

2254. On 12 February,¹ the *European Parliament* gave its Opinion on the amended draft directive relating to lawyer's freedom to provide services, which was presented to the Council by the Commission in July 1975.²

Scientific and technical information and information management

2255. The meeting in Paris on 6 February of the consortium of nine national postal and telecommunications administrations was the first step towards the implementation of the outline agreement concluded in December 1975 between the Commission and the consortium, whose President will come from the French postal and telecommunications administration. In this outline agreement the national authorities agreed to set up and operate the *first European data network* (EURONET).

EURONET has been specially designed to meet the Community's requirements for scientific and technical information, and will form the nucleus of a more ambitious European data transmission network, which is already under consideration. Scheduled to become operational in mid-1977, EURONET will afford access, under excellent technical and economic conditions, to upwards of 20 data bases covering a diversity of fields: physics, chemistry, space, nuclear energy, metallurgy, medicine, agriculture, economics, statistics and law.

Not only is EURONET an important milestone in the fulfilment of the objectives adopted by the Council on 18 March 1975³ in its initial plan of action in the field of scientific and technical information, but it also represents the cornerstone of a first concerted Community policy on teleprocessing. The establishment in Europe of a data transmission network using a single switching system, identical software, and standardized — or

at any rate compatible — equipment is a major step forward towards a competitive market and an efficient European computer industry.

2256. A meeting of national organizations for the optimum *utilization of research results*, organized by the Commission and financed from public funds, has been held for the first time in Luxembourg. A number of areas were pinpointed in which fruitful collaboration might be established between the Commission and these organizations, notably:

- (i) the optimum utilization of research results on a supranational basis;
- (ii) scientific and technical information;
- (iii) the transfer of technologies to developing countries;
- (iv) the Community's policy on competition in the field of industrial ownership.

Firm proposals are being prepared for the implementation of this cooperation.

2257. The *documentation and information system for metallurgy* (SDIM) has now reached its 'cruising speed'. In 1975, there were 25 000 analyses of documents added to its data base, bringing the total stock of information to 66 000 units. This store of documentation covers specialized literature published throughout the world (information from the Soviet Union accounts for about a third of the total volume of stored data), and can now be accessed by users in four member countries via terminals operating in the interactive mode. When EURONET comes into operation in 1977, a still larger public will be able to draw upon this important source of information.

¹ Point 2418.

² Bull. EC 7/8-1975, point 2269, and OJ C 213 of 17.9.1975.

³ OJ L 100 of 21.4.1975 and Bull. EC 3-1975, point 2249.

Energy policy

2258. In February energy problems were dealt with or discussed by a number of international and Community bodies. During the first meeting of the Commissions formed within the *North-South Conference*,¹ which was held in Paris from 11 to 20 February and marked the start of the active stage in the 'dialogue', the Energy Commission gave a general outline of its work. The *Council* has decided to meet in March to deal with the energy policy. The *Energy Committee* met in February and the *Commission* has continued its work.

Drawing up and implementation of a Community energy policy

2259. On 9 February Mr François-Xavier Ortoli, President of the Commission, informed the *Council* of the main contents of the communication and of the reports transmitted by the Commission on 20 January,² and commented on them, with a view to giving a new impetus to the Community energy policy, in accordance with the guidelines laid down by the European Council which met in Rome on 1 and 2 December 1975.³

The President of the Council, Mr Gaston Thorn, stressed the importance of and urgent need for progress in the formulation of a Community energy policy. He pointed out that a Council meeting had therefore been scheduled for March to deal with energy problems. It has since been decided that the meeting will be held on 25 March.

2260. The *Energy Committee* met on 3 February, with Mr Henri Simonet, Vice-President of the Commission, in the chair, and discussed matters likely to appear on the agenda of the next Council session on energy; the Committee then proceeded to discuss the latest energy policy docu-

ments drawn up by the Commission. Finally, the Committee decided to set up a Working Party with the initial task of collecting information on problems connected with refining.

2261. On 3 February⁴ the *Commission* presented the Council with a proposal for a directive 'on summertime arrangements', with a view to harmonizing the relevant rules in force in the Member States. In a communication dated 24 June 1975,⁵ the Commission had already stressed the advantages — from the economic and social viewpoints and in respect of transport, energy savings, etc. — of introducing a single period of summertime in the Community. The *Economic and Social Committee*,⁶ meeting on 25 and 26 February, delivered its Opinion on the proposal.

Sectoral problems

Hydrocarbons

2262. On 2 February the Commission informed the Council that it had decided to make one addition to the proposal for a Regulation which it had presented on 1 August 1975⁷ on the Community procedure for *information and consultation on the prices of crude oil and petroleum products* in the Community. The amendment (proposed by the European Parliament) stipulates that the Commission should present the Council and the Parliament with an annual report on the implementation of the procedure during the first three years of its application.

¹ Points 1301 to 1307.

² Bull. EC 1-1976, points 1201 to 1208 and 2247.

³ Bull. EC 11-1975, point 1104.

⁴ OJ C 36 of 17.2.1976, and point 2268.

⁵ Bull. EC 6-1975, point 2275.

⁶ Point 2455.

⁷ Bull. EC 7/8-1975, point 2277.

Coal

Action by the Member States to assist the coal industry

2263. On 25 February¹ the Commission formally adopted a Decision regarding the Community system of measures taken by the Member States to assist the coal-mining industry. On 16 February the Council gave its unanimous assent.²

This Decision will remain in force for ten years from 1 January 1976, i.e., until the end of 1985. It authorizes the Governments of the Member States to grant various aids to the coal industry — e.g., for investments, training skilled workers, storage costs, and aid to cover operating losses — in order to stabilize output in the long term.

The Decision is based on the Commission's energy policy guidelines, i.e., on the 'Medium-term guidelines 1975-85' drawn up by the Commission in November 1974, and on subsequent decisions.

Transport policy

Organization of markets

2264. On 17 February the Commission sent to the Council a proposal for a Council Decision supplementing the Council Decision of 15 October 1975⁴ on the opening of negotiations for an Agreement between the European Economic Community and certain non-member countries (nine in all) on the rules applicable to the international carriage of passengers by coach and bus. The new proposal includes *Finland* in the group of countries with which the Commission is to open negotiations.

2265. On 5 February the Commission sent to the Council and to the governments of the Member States a report drawn up by the Commission on the progress of work carried out in conjunc-

tion with experts from the railway undertakings operating ECSC Tariff No 9001 (the practical means of implementing the Agreement of 21 March 1955), and a draft new *Agreement on through international railway tariffs* to replace the Agreement of March 1955 and the three Supplementary Agreements.

The purpose of revising the Agreement is firstly to bring it into line with the changes in policy as regards the organization of transport markets in general — and goods transport rates and conditions in particular — and secondly to take into account the enlargement of the Community and its repercussions on the railway tariffs in question.

The draft new Agreement, which of course complies with the principle of non-discrimination embodied in Article 70 of the ECSC Treaty, nevertheless provides for more flexible rules concerning the compilation of rates by giving the railways greater commercial freedom and by making greater allowance than at present for international transport costs as compared with comparable domestic transport costs.

2266. The Commission has endorsed the draft United Kingdom Regulations implementing the Council Regulation of 27 June 1960⁵ concerning the *abolition of discrimination* in transport rates and conditions. These Regulations, which were communicated by the United Kingdom Government on 7 October 1975, apply to *Northern Ireland* and are identical to those presented on 24 March 1975 which are applicable to Great Britain and which were endorsed by the Commission on 25 July. The whole of the United Kingdom is thus covered by the same provisions.

¹ OJ L 63 of 11.3.1976.

² OJ C 43 of 25.2.1976.

³ Bull. EC 11-1974, point 2269.

⁴ Bull. EC 10-1975, point 2268.

⁵ OJ 52 of 16.8.1960.

Approximation of structures

2267. On 24 February¹ the Commission decided to send to the Government of the Federal Republic of Germany an opinion on a draft law amending the law governing road transport vehicle crews. This draft law, which was submitted to the Commission in accordance with the Council Regulation of 25 March 1969 on the harmonization of certain social legislation relating to road transport,² concerns the introduction of recording equipment in road transport and the European Agreement concerning the work of crews of vehicles engaged in international road transport of 1 July 1970 (AETR) which has yet to be put into effect in the Community.

Although a favourable opinion was delivered with regard to this draft law, the Commission pointed out that the German Government must take the planned measures to implement the AETR as part of a common procedure to ensure that the Agreement comes into force simultaneously throughout the Community.

2268. On 3 February³ the Commission presented to the Council a proposal for a Directive designed to ensure that those of the Member States which intend to introduce *summertime* in 1977, 1978 or 1979 do so in uniform fashion. This is intended to facilitate international communications and transport.

2269. As required by Article 93(3) of the EEC Treaty, the *Belgian* Government informed the Commission in November 1975 of *aid granted to barges* in the form of a single, interest-free, repayable loan of up to Bfrs 20 000 per vessel. Owners of no more than three craft registered in Belgium who are resident in that country and applied before 31 December 1975 are eligible for this loan. This decision, taken pursuant to an agreement concluded on 23 October 1975 between barge owners and the Belgian Government, was designed to help the barges deal with financial difficulties resulting from the strike

which paralysed inland waterway transport in August, September and October 1975. In an *Opinion* adopted on 16 February the Commission ruled that as the aid was not very substantial and was a temporary measure it was not incompatible with the common market.

2270. On 17 February⁴ the Commission decided to address an *Opinion* to the *Belgian* Government on two Ministerial Decrees of 29 October 1975, one governing cross-frontier transport to France and the Netherlands by *inland waterway*, the other amending the conditions under which vessels engaged in the carriage of goods for own account are freed from the control of the freighting rota offices of the Central Office for Inland Waterway Transport. In this *Opinion* the Commission notes that the Belgian Government's measures do not make for a gradual and balanced harmonization of the Community transport system and do not provide a solution to the structural problems currently facing the Belgian inland waterway system. However, it is aware that the Government has had to take urgent measures in the face of the critical situation. It nevertheless draws the Belgian authorities' attention to the need gradually to adapt the owner-operator system to a modern economy. One point it makes is that the inclusion of the Belgian waterways in the laying-up scheme which is now being worked out would also encourage the restructuring of the trade. The Commission finally requests that the measures in question should remain in force for the shortest possible period.

2271. The Netherlands Government has sent to the Commission the text of a draft law to protect the environment against nuisance by noise. In an opinion adopted on 16 February⁵ the Commission raised no objections to the provisions envisaged, as regards transport in particular, but did make

¹ OJ L 61 of 9.3.1976.

² OJ L 77 of 29.3.1969.

³ OJ C 36 of 17.2.1976.

⁴ OJ L 52 of 27.2.1976.

⁵ OJ L 50 of 26.2.1976.

3. External relations

Transport policy

some remarks concerning trade between Member States and, in particular, compliance with Community noise specifications.

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2272. On 9 February¹ the *European Parliament* gave its opinion on the Commission proposal² amending the Regulation of 28 February 1972 on the introduction of common rules for regular and special regular services by coach and bus between Member States. The *Economic and Social Committee*, meeting on 25 and 26 February, gave its opinion on the Commission's proposal for a Council Directive concerning summertime.

Infrastructures

2273. On 23 February the Commission adopted its third report on the *accounting system for expenditure on and utilization of rail, road and inland waterway transport infrastructures*. This report to the Council was drawn up pursuant to a Regulation of 4 June 1970 and is based on figures for 1973 sent to the Commission by the Member States.

Multilateral negotiations

Trade Negotiations Committee

2301. A number of groups and sub-groups set up under the Trade Negotiations Committee met in Geneva in February.

Technical barriers to trade

2302. The Technical Barriers to Trade Sub-Group met from 27 January to 6 February to examine the Draft Standards Code and the various delegations' proposals on this subject. The discussions dealt mainly with the definition of standards, the publication of the proposals for technical regulations and the results of product tests, compulsory standards and the question of foreign suppliers' access to quality guarantee systems. The institutional questions relating to the Draft Standards Code were also discussed.

Tropical products

2303. The Tropical Products Group met from 16 to 18 February to settle the last outstanding questions concerning the procedures to be followed in the circulation of the offer lists. The date set for the submission of the lists, 1 March 1976, was confirmed by the delegations of the main industrialized countries.¹

Agriculture

2304. The Sub-Groups on Meat and Dairy Products each held their third meeting in Geneva.

¹ Point 2415.

² OJ C 279 of 6.12.1975.

¹ However, the Community was unable to finish its work by this date. The Council will continue its discussions in order to be able to make an overall offer as soon as possible.

The Sub-Group on Meat, which met from 2 to 4 February and from 9 to 12 February, completed the multilateral analysis of all the measures applied in the meat sector by the various countries concerned. At a further meeting to be held in July the Sub-Group intends to examine the proposals it has received and to see which points could be dealt with on a multilateral basis. The Commission, expressing the Community viewpoint, reiterated its ideas on agreed rules of conduct and presented an analysis of the general principles of Community policy and a statistical report of Community trade in meat.

The Sub-Group on Dairy Products, which met from 16 to 19 February, completed the multilateral analysis of all the import and export measures applied in the dairy products sector. It then went on to examine a number of points in the proposals put forward by various delegations at the first meeting. On behalf of the Community the Commission representative proposed that an examination be made of ways of improving and widening the scope of existing mechanisms under international agreements and arrangements in this sector.

Commercial policy

Preparing and implementing the common commercial policy

Common rules for imports

2305. On 24 February¹ the Council decided to include further products in the lists annexed to the Regulation of 19 December 1969² establishing common rules for imports from State-trading countries and to the Regulation of 4 June 1974³ on common rules for imports. The products concerned have been freed from quantitative restrictions in all the Member States.

Trade agreements: renewals, derogations or authorizations

2306. On 24 February¹ the Council authorized the prolongation or tacit renewal, for one year, of certain trade agreements concluded between the Member States and third countries (first batch for 1976). The expiry dates or deadlines for denouncing these agreements fall between 1 February and 30 April 1976.

Trade protection

2307. Under a Regulation adopted on 9 February⁴ the Council decided to maintain in effect the interim measures (system of import authorizations) introduced by the Commission in December⁵ with regard to imports of certain textile products originating in South Korea. The objective is to enable the agreement initialled with that country to be applied.

On 3 February⁶ the Council also confirmed similar measures taken by the Commission⁵ with regard to imports of certain textile products originating in Brazil pending the conclusion of an agreement with that country.

Credit insurance and export credit

2308. On 17 February the Commission presented to the Council a proposal for a regulation to set up a European Export Bank.

This proposal follows the Commission communication to the Council of July 1975⁷ which examined the need for such a bank and the objectives

¹ OJ L 58 of 5.3.1976.

² OJ L 19 of 26.1.1970.

³ OJ L 159 of 15.6.1974.

⁴ OJ L 36 of 11.2.1976.

⁵ OJ L 330 of 24.12.1975.

⁶ OJ L 29 of 4.2.1976.

⁷ Bull. EC 7/8-1975, point 2309.

and methods which it might adopt. Its main purpose will be to facilitate exports of goods and services involving jointly two or more undertakings located in different Member States.

The consultations held last autumn with persons and organizations active in this field revealed a general agreement on the inadequacy of existing arrangements to cope with the expected growth of multinational contracts. Some groups supported the idea of the creation of a European Export Bank while others thought that a higher degree of harmonization of existing national systems should be the first priority.

The Bank would provide credit insurance and help to finance exports, either directly or indirectly through existing financial institutions. The Bank would have an initial capital of 100 million u.a., to be provided from the Community budget. It would obtain most of its resources, however, by borrowing on national and international financial markets, with Community guarantees up to a ceiling to be fixed annually in the budget.

The Bank would be administered by a Board of Directors and a Management Committee. The Bank's activities would be subject to scrutiny and reports would be submitted to the Council and the European Parliament.

Specific measures of commercial policy

Textiles

Egypt and Thailand

2309. On 24 February the Council authorized the Commission to open *negotiations* with the Arab Republic of Egypt and Thailand for the conclusion of agreements on trade in textile products on the basis of the Arrangement regarding International Trade in Textiles ('Multifibre Arrangement').

Romania

2310. On 9 February the Commission forwarded to the Council a recommendation authorizing the Commission to open *negotiations* with Romania for the conclusion of an agreement on trade in textiles.¹ These negotiations are within the context of the Arrangement regarding International Trade in Textiles to which Romania and the Community are both parties.

Brazil

2311. The *negotiations* with Brazil² for the conclusion of an agreement on trade in textile products resumed on 11 February and are continuing.

Colombia

2312. The *negotiations* with Colombia³ for the conclusion of an agreement on trade in textile products resumed on 23 February. Views on the quantitative aspect of the proposed agreement still differ. The Colombian Delegation will re-examine this question for the next round of negotiations.

India

2313. On 16 February the Council authorized the Commission to open negotiations with India for the conclusion of a new agreement on *trade in coir products*. An agreement concluded between the Community and India in 1974 covering these same products expired on 31 December last year.

¹ Bull. EC 1-1976, point 2304.

² Bull. EC 10-1975, point 1312, 12-1975, point 2317 and 1-1976, point 2306.

³ Bull. EC 1-1976, point 2305.

Development and cooperation

Development cooperation policy

Conference on International Economic Cooperation

2314. The Conference on International Economic Cooperation (North-South Dialogue) entered its active phase when the four Commissions set up within the Conference held their first session in Paris from 11 to 20 February;¹ the Community took part in the work.

International Fund for Agricultural Development

2315. The Community and certain Member States took part in the third meeting of the countries concerned with setting up the FIDA (International Fund for Agricultural Development) which was held in Rome from 28 January to 6 February. It was found at this meeting that the financial and legal conditions are in principle now satisfied for the creation of the Fund. The Community still has to make known its decision on whether it will be participating in the work of this body which it was decided to set up at the World Food Conference held in Rome in November 1974.²

Food production and investment in developing countries

2316. The Commission and certain Member States took part in the meeting of the *Consultative Group on food production and investment in developing countries* held in Washington from 10 to 12 February 1976. The meeting provided the opportunity for contributing countries and developing countries to get together and analyse the transfers of resources earmarked for investment in food production and prepare forecasts of future needs, of investments required for the production of fertilizers and seeds and for setting up distri-

bution systems for these products in the developing countries and of staff shortages which are holding up the preparation and execution of agricultural projects.

Industrial cooperation and trade promotion

2317. During February the Commission and the Member States discussed preparations for setting up the *Industrial Development Centre* to be instituted under the Lomé Convention.

2318. A meeting also took place between the authorities in the ACP States responsible for trade fairs and Commission Departments which resulted in the establishment of a programme for ACP countries to participate in some 110 fairs in 1976, as part of the measures to *develop trade*.

In the same connection, Commission staff met representatives of Asian and Latin-American countries; it is planned that these countries should take part in fairs, trade missions and seminars and that fifty short-term consultants should be recruited, commercial offices opened and marketing literature published. Lastly, missions sent by India and Bangladesh were received by Member States' organizations.

Preparation for the fourth UNCTAD

2319. The Commission sent to the Council a Communication on the preparation for the fourth United Nations Conference on Trade and Development.³

2320. The European Parliament⁴ adopted a Resolution on 11 February on the outcome of the seventh special session of the United Nations General Assembly on development problems

¹ Points 1301 to 1307.

² Bull. EC 11-1974, points 1401 and 1402.

³ Point 2328.

⁴ Point 2408.

from 1 to 16 September 1975 in New York and on the mid-term review and appraisal of the international development strategy for the second UN development decade.

Food aid

Skimmed milk powder: proposed programme for 1976

2321. On 23 February the Commission presented to the Council a Communication concerning the skimmed-milk powder food aid programme for 1976. The programme covers 55 000 tonnes to be distributed to developing countries and international bodies; priority is to be given to the most needy countries. The Commission considers that the programme should be expanded in view of the serious state of undernourishment and malnutrition in the third-world countries and is renewing the proposal it made in December (as part of its proposals on agricultural prices for 1976/77) which would earmark 200 000 tonnes of skimmed-milk powder as food aid in 1976.¹

Emergency aid

2322. Following the earthquake in Guatemala on 4 February the Community decided to grant emergency aid to the tune of 200 000 u.a. for the victims, to be used for purchasing tents, blankets, medical supplies and so on, through the League of Red Cross Societies.

2323. On 25 February the Commission presented to the Council a Communication concerning emergency food aid for Cyprus refugees, to be supplied through the Office of the United Nations High Commissioner for Refugees (UNHCR) and involving 10 000 tonnes of cereals and 650 tonnes of butteroil. The operation should cost an estimated 2.16 million u.a. The Commission also recommends that the Member States allocate an

equivalent sum for aid to the refugees in the form of 20 000 tonnes of cereals.

2324. Following the events in Lebanon, the Community decided:

(a) on 12 February, to provide through the International Committee of the Red Cross, an initial batch of emergency food aid in the form of 25 tonnes of skimmed-milk powder, to be transported by air, for displaced persons in the Lebanon;

(b) on 17 February, to allocate 100 000 u.a. for the purchase of medical supplies, etc., also through the ICRC;

(c) also on 17 February, to grant direct emergency food aid involving 3 589 tonnes of cereals, 250 tonnes of skimmed-milk powder and 200 tonnes of butteroil.²

Total Community aid to Lebanon amounts to approximately one million u.a.

Commodities and world agreements

Wheat

2325. The Protocols of Extension of the 1971 International Wheat Agreement, which expires on 30 June 1976, were adopted at special sessions of the International Wheat Council and Conference of Governments held in London on 19 and 20 February. The extension is for two years. A Community delegation took part in the Conference.

In a communication to the Council,³ the Commission proposed that the Community should participate in this two-year extension, but the Community's position is still undetermined pending a Council decision. A decision must be

¹ Bull. EC 12-1975, point 1405.

² OJ L 45 of 21.2.1976.

³ Bull. EC 1-1976, point 2315.

taken before 18 June 1976, however, since that is the deadline for accession to the Protocols.

The International Wheat Council also received a report on the activities of the Preparatory Group appointed to examine the possible bases of a new international arrangement to replace the International Wheat Agreement, 1971. In the course of discussion many members reaffirmed their desire to arrive at the conclusion of such an arrangement as soon as possible. It was agreed that the Preparatory Group should continue its work, at the technical expert level, with an examination in greater depth of the issues that have come to light so far, and that a progress report should be made at the International Wheat Council's June session.

International organizations

Organization for Economic Cooperation and Development

2326. The OECD *Trade Committee* met in Paris on 3 and 4 February. Its discussions covered two main themes—relations between industrialized countries, and relations between industrialized and developing countries.

As regards the second of these themes, there was a general tendency among the OECD member countries to view the Conference on International Economic Cooperation—which has just begun work—as a catalyst which will give a political impetus to the work in progress in the various international fora without seeking to duplicate the work done in the technical discussions and the negotiations on specific matters already under way (multilateral trade negotiations) or proposed.

As regards relations between industrialized countries, a number of delegations expressed their concern at the rise in protectionist pressures not

only in the United States but also in other countries, and voiced the hope that the governments concerned would be able to resist those pressures.

General Agreement on Tariffs and Trade

2327. The GATT Council met in Geneva on 17 February. The Community spokesman informed the contracting parties of the details of the import measures adopted by the United Kingdom Government last December. He stressed the limited scope of these measures and said that the countries concerned had in any case already been notified either bilaterally or multilaterally under the Multifibre Arrangement. The Council simply noted this statement.

At the same meeting the Community spokesman announced the conclusion of negotiations on a Protocol of Adaptation and a Financial Protocol to the EEC-Malta Association Agreement.¹ The text of these protocols will be officially notified to GATT at an early date.

United Nations

United Nations Conference on Trade and Development

2328. On 10 February the Commission presented a communication to the Council on the preparation of the fourth session of UNCTAD (to be held in Nairobi in May) in anticipation of the meeting of the UNCTAD Trade and Development Board, which is to take place from 8 to 19 March. Since the Secretariat of the Conference wishes this meeting of the Committee to serve as a preparatory meeting for the Nairobi negotiations, the Commission has set out in its communication to the Council what it considers should

¹ Bull. EC 1-1976, point 2322.

be the Community's objectives and strategy at the March meeting in the light of recent international trends in the fields of trade, monetary cooperation and development.

Economic Commission for Europe

2329. The Committee on Agricultural Problems of the United Nations Economic Commission for Europe (ECE) held its twenty-seventh session in Geneva from 16 to 20 February. All twenty-eight members of the Committee attended, and Argentina and Israel were present as observers. Representatives of the European Communities, the OECD and the CMEA (generally known as Comecon) attended the meeting at the invitation of the ECE Secretariat. Mr Besson (Switzerland) and Mr Hammer (Hungary) were elected Chairman and Vice-Chairman of the Committee.

As it does each year, the Committee examined the recent trend of agriculture in Europe, recent developments in the European trade in agricultural products and the market situation in respect of certain products (cereals, cattle and meat, milk and milk products). No criticism was levelled at the EEC.

For the first time the USSR delegation supplied statistics on agricultural production in recent years. These showed that in 1975 cereals production was 40 % down on 1974 and 60 % down on 1973, when an exceptional harvest was recorded. At the same time there had been a reduction of 20 % in meat production as a result of the shortage of feedingstuffs. The twenty-eight session of the Committee is scheduled for February 1977.

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2330. On 11 February¹ the European Parliament adopted a resolution on the results of the seventh special session of the United Nations General Assembly held in New York from 1 to 16 September 1975.²

Mediterranean countries

Greece

Official visit of Mr Papaligouras to the Commission

2331. Mr Panayotis Papaligouras, Greece's Minister of Coordination and Planning paid an official visit to the Commission on 26 February, a fortnight after the Council had come out in favour of Greece's application for membership.³

Mr Papaligouras took part in a working meeting with President Ortoli, Sir Christopher Soames, who has special responsibility for external relations, Mr Scarascia Mugnozza, Dr Hillery, Mr Spinelli, Mr Borschette and Mr Brunner. Mr Papaligouras began by reaffirming Greece's firm attachment to the European ideal and welcomed the prospect of Greece being able to play an active part in achieving it. President Ortoli expressed the Commission's satisfaction that Greece would soon be occupying its rightful place in the building of Europe. The matters discussed were present relations between Greece and the Community, bearing in mind the prospect of the opening of negotiations for Greece's membership, and preparations for the work involved in accession.

The main points agreed were:

- (a) in connection with the association, to speed up the work in progress on the harmonization of agricultural policies (the next meeting on this subject will take place in the second half of March);
- (b) to encourage more frequent meetings and exchanges of views between the Greek administration and the Commission's departments.

¹ Point 2408.

² Bull. EC 9-1975, points 1101 to 1104.

³ Bull. EC 1-1976, points 1101 to 1110.

Cyprus

2332. The Commission has sent to the Council an *updated version of its October 1973 recommendation* concerning the opening of negotiations with Cyprus. It has been adapted to take into account the development of relations with countries in the Mediterranean basin and its commitments towards Cyprus.

Spain

2333. On 17 February the Commission received the Spanish Minister of Foreign Affairs, Mr de Areilza. This visit forms part of the round of visits the Spanish Minister has been paying to the capitals of Member States since January.

The talks that Mr de Areilza had with Mr Ortoli and Sir Christopher Soames dwelt on two main points: political developments in Spain and future prospects and future relations between the Community and Spain. Concerning new relations with the Community, Mr de Areilza intimated that Spain might apply for membership of the Community once the gradual democratization process was complete. In the meantime appropriate solutions should be sought to cover the period up to accession. Madrid would prefer to do this by adapting the 1970 agreement between the EEC and Spain.

2334. The problem of relations between the Community and Spain was also raised on 11 February in the European Parliament¹ when Mr Gaston Thorn, President of the Council, and Sir Christopher Soames, Vice-President of the Commission, answered oral questions. Sir Christopher stated that the first step would have to be the resumption of purely trade negotiations with Spain. While this was justified on the grounds that the trends in the country were towards greater democracy, there was no question of entering into talks with Madrid on institutional matters. Only after an assessment had been made of how Spain

was progressing towards real democracy could relations with the Community be strengthened.

Portugal

2335. Negotiations between the Community and Portugal opened on 13 February. The negotiations follow on from the talks that have been held between Portugal and the Community since summer 1974 and take into account the wish expressed from Lisbon that the links with the Community be strengthened and that relations between Portugal and the Community under the terms of the 1972 agreement be broadened.

The negotiations concern certain measures to benefit Portuguese industry and to extend agricultural concessions and, in addition, methods of industrial and technological cooperation and cooperation in the fields of labour and social security. There are also plans to conclude a financial protocol to replace the exceptional emergency aid agreed upon by the Community and Portugal at a ministerial meeting on 7 October 1975.²

The two delegations noted that there had already been some convergence of views on a number of questions and agreed to take up the negotiations again in March.

2336. On 27 February the Commission and the European Investment Bank agreed on the method of payment of the subsidies and the guarantee in connection with the exceptional emergency aid recently granted to Portugal.

Mashrek

2337. In accordance with the Council Directives of 20 January, the first phase of negotiations with Egypt took place on 28 and 29 January,³ with Jordan on 2 February and with Syria on 4 and 5

¹ Points 2419 and 2420.

² Bull. EC 10-1975, point 2333.

³ Bull. EC 1-1976, point 2328.

February. The negotiations form part of the overall Mediterranean approach and aim at concluding cooperation agreements along the same lines as those negotiated with the Maghreb countries.

No agreement was reached during the first phase. All three countries considered that only an agreement including provisions for technical and financial cooperation would ensure that the Community made an effective contribution towards solving their development problems and eventually give real meaning to the proposed commercial and economic cooperation. Cooperation is the key word as far as these countries are concerned, both in the economic field and as an expression of the Community's political will to maintain and encourage the new trend in their foreign policy.

The two delegations agreed to resume their work after they had reported back to their respective authorities.

Yugoslavia

2338. The President of the Federal Executive Council of the Yugoslav Republic, Mr Bijedić, paid a visit to the Commission on 19 February. One member of his entourage was Mr Smole, the Member of the Federal Executive Council responsible for relations with the Community.

Mr Bijedić and his party were received by Sir Christopher Soames as Mr Ortolí was unable to be present.

This was the first visit paid to the Commission by a Yugoslav Head of Government. The meetings were attended by other Members of the Commission and the two parties held a broad exchange of views on bilateral relations between Yugoslavia and the Community and international economic relations.

It was agreed to hold high-level talks to come to grips with the problems which Yugoslavia comes up against in its foreign trade.

African, Caribbean and Pacific countries

ACP-EEC Convention of Lomé

Entry into force of the Convention on 1 April

2339. Since the nine Member States of the Community and over two-thirds of the forty-six ACP countries have now ratified the Lomé Convention,¹ it will enter into force on 1 April 1976.

The one Member State that had not deposited its instruments of ratification (Italy) did so during February so that the President of the Council was able, on 17 February, to deposit with the Secretariat of the ACP States the act of notification of the completion by the Community of the procedures necessary for the entry into force of the Convention.

Two more ACP States (Kenya and Mauritania) deposited their instruments of ratification of the Convention with the General Secretariat of the Council; at 29 February, therefore, only three ACP States had still to complete the procedures.

ACP-EEC Interim Committee

2340. The fifth meeting of the ACP-EEC Interim Committee was held in Brussels on 23 February; it dealt mainly with urgent questions relating to trade cooperation.

(i) The Community consulted the ACP States on the offer it was shortly to make within the GATT multilateral negotiations concerning tropical products. The ACP States did not hide their disappointment. They are now confronted with the dilemma of having to resist either a reduction in the level of protection afforded by the tariff advantages enjoyed by their tropical products un-

¹ OJ L 25 of 30.1.1976.

der the Lomé Convention or an improvement in world trading conditions which would benefit all developing countries.

The Community feels that in practice a Community offer of a worldwide reduction in tariffs for tropical products will not have harmful consequences for the ACP States; the bulk of Community imports of these products comes from the ACP States and so a straightforward improvement in tariffs for non-member countries should not alter existing trade flows.

At the end of a special debate which the Interim Committee held on this subject on Friday 27 February, the Community promised the ACP States it would take their remarks into account when working out the final version of its offer within the GATT.

(i) The Community and the ACP States agreed on almost all the answers to be given to the GATT questionnaire on the Lomé Convention — answers to be provided by 15 March.

(ii) The two parties also agreed to extend the interim measures beyond 29 February until the entry into force of the Convention on 1 April.

(iii) Lastly, the ACP States proposed that the first meeting of the ACP-EEC Council of Ministers be held in Fiji on 14 and 15 June. The Community spokesman accepted the suggestion with the reservation that a final reply would be given when the European Ministers concerned had been consulted.

Trade arrangements

2341. On 23 February the Council decided¹ to extend until 31 July certain interim provisions concerning trade with the African, Caribbean and Pacific States and the overseas countries and territories which were due to expire on 29 February. These were measures in connection with the advance application of certain arrangements in the Lomé Convention concerning trade in goods and

the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories. These interim arrangements now extended for a further five months were laid down in Regulations adopted by the Council on 24 June 1975.²

Similarly, the representatives of the Governments of the Member States, meeting in the Council on 23 February, adopted a Decision³ extending until 31 July their Decision of June 1975² opening tariff preferences for ECSC products originating in the same States, countries and territories.

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2342. On 12 February, the *European Parliament* had delivered a favourable opinion⁴ on the extension until the end of July of these interim arrangements.

Yaoundé Convention

European Development Fund

New financing decisions

2343. Following the favourable opinion delivered by the EDF Committee, the Commission approved at its meeting on 23 January⁵ two new financing decisions involving 1 297 000 u.a.⁶ under the third EDF.

The project in Chad concerns improvements to the Ahmed Mangué High School at Sarh costing 797 000 u.a. The project is designed to remedy

¹ OJ L 50 of 26.2.1976.

² OJ L 166 of 28.6.1975 and Bull. EC 6-1975, point 2342.

³ OJ L 50 of 26.2.1976.

⁴ Point 2411.

⁵ OJ C 52 of 6.3.1976.

⁶ 1 u.a. = approximately US\$1.18.

the inadequacy of the present school buildings, which date from 1963.

Supplementary financing to the tune of 500 000 u.a. was granted to the *Netherlands Antilles* for the completion of the secondary technical school on Aruba, which had been the subject of a financing decision in February 1974. The new financing has been rendered necessary by the increase in construction and material costs owing to world inflation.

As a result of these decisions, commitments under the third EDF now total 858 366 000 u.a. for 325 financing decisions taken since the Fund began to operate.

Other countries

Industrialized countries

United States

2344. Mr François-Xavier Ortoli, President of the Commission, paid an official visit to the United States on 23 and 24 February at the invitation of Mr Gerald Ford, President of the United States. Mr Ortoli met Mr Ford at the White House on 24 February. During his visit Mr Ortoli also met other leading members of the United States Administration, including Mr William Simon, Secretary of the Treasury, and Mr Arthur Burns, Chairman of the Board of Governors of the Federal Reserve System.

Canada

2345. At its meeting on 9 February, the Council authorized the Commission to open negotiations with Canada for the conclusions of an *outline economic and trade cooperation agreement*. An agreement of this kind should help to strengthen the links between the Community and Canada

and add a new dimension to the already close links between Canada and the individual Member States. The agreement would allow for further development and no field of economic cooperation would be excluded *a priori* — the practical opportunities for cooperation being explored in the proposed joint committee. The negotiations are scheduled to open in March.

2346. At the invitation of the Canadian Government, Mr François-Xavier Ortoli, President of the Commission, paid an official visit to Canada from 18 to 20 February. The President of the Commission was received by the Governor General of Canada, Mr Jules Léger, and had talks with the Prime Minister, Mr Pierre Elliot Trudeau, the Secretary of State for External Affairs, Mr Allan Joseph MacEachen, and with other members of the Canadian Government. Mr Ortoli also met leading Canadian businessmen. On 19 February Mr Ortoli was the guest of honour at a luncheon given by the Canadian Institute for International Affairs, at which he spoke on the subject of the Community and Canada. On 20 February Mr Ortoli presided over the official opening of the Commission's Delegation in Ottawa.

Developing countries in Asia and Latin America

India

2347. Mr A. P. Sharma, Minister of State in the *Ministry of Industry and Civil Supplies* in the Indian Government, was received by Sir Christopher Soames and Mr Altiero Spinelli on 24 February. The discussions centred on the prospects for increased cooperation between industrial firms in India and the European Community, particularly in the coir sector.

2348. Under the aegis of the EEC-India Committee two expert groups have just completed extensive *technical missions* in India. The first group represented the Community's tanning industry,

4. Institutions and organs of the Communities

Other countries

footwear manufacturers and manufacturers of tanning and footwear machinery. The purpose of their visit was to investigate the requirements of the corresponding Indian industries with a view to identifying possible complementarities between the two sides. The purpose of the second mission was to advise Indian tobacco growers and processors with regard to an adaptation of Indian tobacco to demand conditions in the Community markets.

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2349. On 13 February the *European Parliament* adopted a resolution on the current state of the relations between the European Community and Latin America.¹

State-trading countries

The CMEA and the Community

2350. In a message delivered to the President of the Council of the European Communities on 16 February, the Council for Mutual Economic Assistance (CMEA) proposed the conclusion of an agreement between the CMEA and the EEC.²

European Parliament

Part-session in Strasbourg from 9 to 13 February 1976

2401. Parliament's February sittings were dominated by the immediate and, in view of the present economic situation, explosive issue of establishing farm prices for the 1976/77 marketing year.

The Commission presented its programme for 1976 together with its activity report. Other matters considered were the economic situation, external relations (Spain, Lebanon, development aid), human rights in the Community, action to protect birds and transport questions.¹

The Commission's General Report for 1975 and Programme for 1976 (10 February)

2402. In his introduction to the Ninth General Report, President *Ortoli* highlighted as the decisive events of 1975 the positive response of the British people to membership of the Community, progress on the institutional front, which had taken the Community further along the way towards parliamentary democracy, in particular the decision on the direct election of Parliament and the election date, and headway in implementing

¹ This report was prepared from the German edition of information published by Parliament's Secretariat.

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.

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 53 of 8.3.1976 and the verbatim report is contained in OJ Annex No 199.

¹ Point 2409.

² Points 1201 to 1205.

the common policies. The past year had also seen the creation of the European Council. Describing the advances in external relations, Mr Ortoli spoke of the Lomé Convention with forty-six developing countries and the Agreements and negotiations with the Mediterranean countries. Though the Community's internal development had resulted in a certain alignment, it was still one of the problems for the year ahead.

The main tasks for 1976 were to find joint solutions to external policy problems, to develop further economic and monetary union and to cooperate in the major debates on the Tindemans Report on European Union. In external relations, the Community would need unity of action and flexibility to acquit itself successfully in the North-South Dialogue. Only material independence in the form of a common energy policy would enable us to stand on our own feet.

There was no escaping the present problems within the Community. On the economic front 1975 had been Europe's worst year. Social policy objectives and employment must therefore figure prominently in the efforts to create a stronger team spirit, essential to monetary stability and the solution of the short-term economic difficulties. Industrial policy, aircraft construction and harmonization of taxation were the economic foci for 1976.

In connection with the Community's institutional development, Mr Ortoli's premise was that a genuine European policy was possible only where powers were exercised by common institutions. In the eighteen years of the Community's life, the Tindemans Report was the first solid pointer as to the direction Europe should take. Careful reflection on it would be one of the major tasks in 1976. Mr Ortoli stressed that the directly elected European Parliament must be given legislative authority. As the institutions were developed, protection of the fundamental rights of European citizens must also be enhanced.

Most of the Group spokesman agreed in their assessment of the past year. The Member States

frequently came under fire for 'seeking their salvation at national level', as Mr *Bertrand (C-D/B)* put it, when major difficulties were encountered. Mr *Lange (S/D)* emphasized the responsibility of the Member States in appointing the Members of the Commission. Both speakers attacked the Council for shirking its obligations under the Treaties. New institutions—'makeshift devices'—were not required; those we had now must be fully utilized. Mr Lange thought that the Commission's programme showed a certain acquiescence before the Council.

Mr *Berkhouwer (L/NL)* complained that in its Report the Commission had referred to the European Council (of Heads of Government) as a Community institution. He urged that Parliament should have some control over this 'super institution'. He strongly opposed any leanings towards a 'two-speed' Europe, a Paris-Bonn axis, a 'Directoire' or anything of the kind.

Lord *Bessborough (C/UK)* was heartened by the Community's efforts to speak with one voice. But the structures were still lacking to enable short-term policy standpoints to be meaningfully expressed. Mr *Lenihan (DEP/IRL)* also felt that the main task for 1976 was to probe and eliminate institutional weaknesses. Mr *Leonardi (COM/I)* said that in this situation of world-wide basic political change he had expected an unequivocal opinion from the Commission.

Many speakers took the floor as the debate went on. In his concluding words, President Ortoli stressed that the Community's actions in 1976 would finally be judged by the economic and social results they achieved.

The economic situation at the beginning of 1976 (12 February)

2403. In his summary of the past year, Mr Haferkamp, Vice-President of the Commission described 1975 as a year of the wrong records: five million were out of work; real gross Community

product had fallen by more than 2.5 %; world trade had declined by 4 % and intra-Community trade by 7.5 %; consumer prices had risen on average by 12.5 %.

Nevertheless, he could see many positive points; the battle against inflation had scored distinct successes since 1973 and balance-of-payments deficits had shown an improvement. Moreover, the Community's positive example had held back the spread of protectionist swings in the rest of the world.

Mr Haferkamp said that he could clearly discern the first signs of an economic recovery, which, though varying in strength, was visible everywhere since last autumn.

The main problem in 1976 was still the persistent unemployment. He concluded by appealing to the sense of responsibility of the social groups in their wage claims. 1976 must be the year of a European alliance for full employment and stability.

Agriculture

Prices
(10 and 12 February)

2404. On the question of raising the levels of the intervention price and guaranteed minimum producer price for 1976/77, Parliament's majority decision called for a 9.5 % increase. With this Opinion based on a report by Mr *de Koning* (C-D/NL), the House rejected the Commission's proposal for an average increase of only 7.5 %. Only the Socialist Group had supported it. The umbrella association of European agriculture—COPA—had asked for an increase of 10.6 %.

In its Resolution Parliament described the price increase as fair compensation for the rise in costs. It did not have an inflationary effect on consumer prices. On a motion by the Socialists which, except for the European Progressive Democrats,

was endorsed by all the Groups, a point was added to the Resolution for the final vote. This called for an urgent appraisal of the economic and social basis of the common agricultural policy to prevent surpluses, reduce the gap between consumer and producer prices and take into account differences between regional incomes.

The House also took separate positions on the prices for wheat and rye, durum wheat, olive oil, wine, tobacco, fruit and vegetables, skimmed-milk powder and beef and veal. For animal products in particular it called for a price increase more closely geared to costs, but without any additional production incentives, and in respect of monetary policy urged that unity of the market be restored by eliminating support measures ill-suited to the Community.

In the divisions on the more detailed points, which concerned the price relationships between particular products, the party-political demarcation lines between the political Groups repeatedly shifted. Viewpoints in line with the different agricultural policy factors in the various countries became apparent.

Budgetary policy considerations and the problem of surpluses figured prominently in the debate. Many speakers dwelt on how to reduce the 'skimmed-milk powder mountain'.

Severe criticism of the budgetary justification for the Commission's proposals came from Mr *Cointat* (DEP/F). Admittedly they had resulted in savings of about 130 000 000 u.a. But were they expedient? He complained that the Commission had not woven its price proposals into a policy context and had considered only short-term economic factors.

When it came to the vote the views of the Groups were once again clearly enunciated. Mr *Laban* (S/NL) had to disclose that three views had crystallized among the Socialists: the majority wanted 7.5 %, a small group wanted 9.5 % and yet another felt that even 9.5 % was not enough.

Mr Lange (S/D), the Chairman of the Committee on Budgets, complained that a majority wanted to accept proposals whose effect on the budget could not be foreseen. Price proposals and an amending budget ought to be presented at the same time.

Mr Bertrand (C-D/B), however, thought that 9.5% was appropriate to the general short-term economic picture. Mr Scott-Hopkins (C/UK), Mr Houdet (L/F) and Mr Gibbons (DEP/IRL) indicated general agreement on the part of their Groups.

Mr Cipolla (COM/I) vehemently claimed stronger protection for Mediterranean products. All in all he was satisfied with the first moves towards reform of the common agricultural policy.

The resolution was finally passed by 62 votes for, 33 votes against and 5 abstentions.

*Phasing out of VAT compensation
in the Federal Republic*
(12 February)

2405. Though many members had left the chamber, a majority in the House agreed that the compensation granted to German agriculture via VAT of 3% of the sales prices should be phased out over five years beginning on 1 January 1976, which would enable German farmers to gradually adapt to the new regulations.

The Commission had proposed that this be done over three years. In the division an amendment tabled by the German Christian Democrats, Mr Früh, Mr Lückner, Mr Aigner and Mr Starke afforded an adjustment of the proposal by the Committee on Agriculture.

Deep-sea fish catch quotas
(12 February)

2406. Mr Kofoed (L/DK) asked the Commission about the responsibility within the Community for agreements on catch quotas and measures to

maintain deep-sea fish stocks. He referred to the problems which had arisen over recent years in connection with catch quotas which had been agreed within the International Fisheries Commissions for the north-west and north-east Atlantic on which most of the EC countries were represented.

Sir Christopher Soames replied that the Commission in principle supported the quota scheme in the interests of maintaining fish stocks. The responsibility for negotiating the quotas lay with the Community. The overall quotas which it negotiated should only be allocated between the Member States in a second phase. Individually conducted negotiations by the Member States was less advantageous. But as the Council took a different view, the matter was now in the hands of the Court of Justice. Until it had been cleared up, the Member States were authorized to apply the quotas for 1976. But the Council had undertaken to work out a new quota scheme. The question would come up for discussion at the International Conference on the Law of the Sea in March 1976.

External relations

Results of the North-South Dialogue
(11 February)

2407. Council President Gaston Thorn reported on the Conference on International Economic Cooperation (the North-South Dialogue) which ran in Paris from 16 to 19 December 1975.¹

Mr Thorn declared that in spirit and purpose the Conference was designed to identify the common interests of the industrialized and developing countries and turn erstwhile dependence into solidarity. The Community cherished the hope that the dialogue would offer the opportunity of fair and frank discussion on all problems of the world economy in a spirit of cooperation. The immediate logical consequence was that the Community

¹ Bull. EC 12-1975, points 1201 to 1207.

must at all times proceed together. It must be aware that it could not hide from realities and had to be prepared for concessions. This again meant strenuous efforts to work out common policies within.

Sir Christopher felt that precisely this pressure to act in unison could provide the impetus to strengthen the Community's internal cohesion. The dialogue with the outside world would demand more patience and willingness to compromise than was needed within the Community itself. It had a great chance of success since as a unit it was not burdened with a colonial past.

United Nations development strategy
(11 February)

2408. In connection with the Council and Commission reports, Mr Krall (L/D) presented a report on the United Nations seventh special session on development questions which ran in New York from 1 to 16 September 1975.¹ The report also dealt with the mid-term review of the development strategy for the United Nations second development decade (1970-80).

Parliament's Resolution expressed its conviction that the present world economic system urgently needed structural change in order to close the economic gap between the industrialized and developing countries, which was detrimental to both. In practical terms the House urged measures to support the marketing of less competitive products, secure an ampler share of world industrial production for the developing countries (so far only 14 %) and create a favourable climate for private investment; it also called for action concerning the transfer of technology, agriculture and fisheries in the Third World, food aid, the problem of debt and the creation of liquidity for the developing countries.

Parliament advocated cooperation along the lines of the Lomé Convention, which had afforded a lasting balance of interests and the satisfaction of

basic needs. In its geo-political situation as a continent densely-populated, highly-industrialized but poor in raw materials, Europe was fitted to play a key part in development policy.

Economic relations with Latin America
(13 February)

2409. Parliament endorsed the overall concept of relations between the Community and Latin America. In its Resolution on the current state of relations with Latin America, the House also welcomed the Cooperation Agreement with Mexico. The existing Agreements with Argentina, Brazil and Uruguay should be expanded and intensified. Similar agreements should be open to the remaining Latin-American countries if they wanted them.

The House also felt that efforts towards regional economic integration in Latin America should be supported.

Referring to the results of the second European Communities-Latin America Interparliamentary Conference² between the Community and Latin America, Parliament confirmed its opinion that examination of the matter of parliamentary democracy must continue; it welcomed the proposal to put the issue of political prisoners, torture and human rights on the agenda of the next Conference.

Expressing the Commission view on the own-initiative report by Parliament, Sir Christopher Soames emphasized that relations between the Community and Latin America had to be turned into real cooperation. Bilateral arrangements must increasingly give way to agreements between economic regions.

He told the House that the Community would illustrate the use of generalized preferences through seminars and information offices. Closer

¹ Bull. EC 9-1975, points 1101 to 1104.

² Bull. EC 11-1975, point 2353.

contacts were also planned in research and technology, as recommended by Parliament in its Resolution, especially as regards prospecting and exploiting raw materials. Sir Christopher was more cautious on the subject of expanding financial cooperation, for which Parliament had proposed that an institute be established. Further progress had to be made in the Community itself before it was possible to provide the financial services which he too would like to see.

Relations between the Community and Lebanon
(11 February)

2410. As Chairman of the Member States' Foreign Ministers Conference, Mr Thorn replied to a question from the German Christian Democrats, Mr Blumenfeld, Mr Aigner, Mrs Walz, Mr Notenboom, Mr Klepsch, Mr Früh and Mr Härzschel on the Community's relations with Lebanon. They asked what concepts the Foreign Ministers had developed for fostering, as soon as possible, reconciliation between the warring factions through material assistance, and for helping the country recover. Lebanon is linked to the Community by a trade agreement.

Mr Thorn was surprised at the dissatisfaction which he sensed in the questioners' remarks concerning the Community's non-intervention. Active intervention could have caused a split within the Community and spread the conflict beyond Lebanon. In their bilateral diplomatic moves the Member States had kept in mind the common stance of the Nine. Mr Thorn was hopeful that negotiations would be resumed with Lebanon.

Transitional arrangements for ACP countries
(12 February)

2411. Pending the entry into force of the Lomé Convention, the transitional arrangements now in effect are to be extended until 31 July 1976. Parliament approved this Commission proposal.

Human rights
(9 February)

United Kingdom members call for the release of Yann Fouéré

2412. In a question five United Kingdom members of the Socialist Group condemned the detention since October 1975 of Dr Yann Fouéré and other leading members of the non-violent cultural and political movements in Brittany. Citing the human rights enshrined in the general principles of Community law, they urged the Commission to make representations to the French Government in order to clarify the charges against the accused and bring the detainees directly to court.

When Vice-President Scarascia Mugnozza had explained on behalf of the Commission that the case fell within the competence of the Member State concerned and not within the competence of the Community's executive institution, an argument arose between the French and United Kingdom members. Dr Yann Fouéré has dual nationality (French and Irish). He was detained for illegal possession of firearms and explosives and in France was certainly not regarded as non-violent. In France his reputation suffered from allegations that he had collaborated with the Nazi regime. On the British side it was claimed that the political situation neither in France nor in Brittany warranted his further detention.

Social affairs
(9 February)

2413. Mr Scarascia Mugnozza, Vice-President of the Commission, said that it was not the right time to present proposals for a statute for migrant workers. He referred to the programme approved by the Council on 18 December for the benefit of migrant workers and their families¹ on the strength of which proposals were now being pre-

¹ Supplement 3/76 — Bull. EC.

pared or had already been presented. Experience so far indicated that a statute for migrant workers would not secure a majority among the nine Member States. The Commission felt that to present such a statute would simply delay acceptance of the programme for migrant workers.

Mr Scarascia Mugnozza was answering a question from two Communist members, Mrs *Goutmann* (F) and Mr *Marras* (I), who had pointed to the special problems of migrant workers when unemployment was rising. He assured them that in preparing the action programme approved by the Council, the Commission had carefully considered the views of both sides of industry particularly as expressed at the European Conference in November 1975.¹ In carrying out the action programme the Commission would shortly propose further measures especially for migrant workers.

Environmental protection

No more slaughter of birds (9 February)

2414. With a question to the Commission from Mr *Jahn* (C-D/D) on behalf of the Committee on Public Health and the Environment, Parliament confirmed its demands repeatedly expressed in questions and resolutions (the latest in February 1975²) for a ban on trapping birds with nets, seasonal limitations on hunting migratory birds, prohibition of cruelty to captured birds and a ban on imports of dead, song and migratory birds.

Furthermore, bird sanctuaries must be created to preserve certain species, and a healthy environment assured. Plans to further liberalize the relevant hunting legislation in Italy, despite a Commission recommendation, the latest relaxation of bird protection regulations in Belgium, where countless numbers of birds were kept in cages, and the lack of protection for birds in France were all heavily criticized. Mr *Jahn* quoted alarming figures: 300 to 400 million migratory birds

were shot every year; eleven species had been exterminated over the last fifteen years.

The demands of the Committee on Public Health and Environment were supported on all sides. Mr *Müller* (S/D) and Mr *Della Briotta* (S/I) pointed out that the uncontrolled use of pesticides in agriculture, which were destroying the balance of the environment, was responsible for killing thousands of birds.

For the Commission, Vice-President *Scarascia Mugnozza* stressed that harmonization of the relevant hunting, trade and environmental legislation was down on the Commission's work programme. An initial draft for a Directive with protection provisions had been ready since the end of 1975.

Transport

Bus transport between the Member States (9 February)

2415. Parliament approved without debate a proposal for a Regulation extending the common rules in force since 1972 among the original six members of the Community to intra-Community regular bus services to the United Kingdom, Ireland and Denmark; the proposed Directive also covers sea crossings.

Free movement of goods (13 February)

Duty free entry of means of transport

2416. When approving the Commission proposal,³ Parliament urged the Council to approve the proposed Directive on importing private means of transport, within certain time limits, more speedily than it had similar proposals in the past.

¹ Bull. EC 11-1975, points 1201 to 1205.

² Bull. EC 2-1975, point 2432.

³ OJ C 267 of 11.11.1975.

Duty-free import of personal property

2417. Parliament also approved a proposed Commission Directive on tax exemptions applicable to the permanent importation of personal property, by individuals, within the Community.

Freedom to provide services*Lawyers*

(12 February)

2418. Parliament approved a Commission proposal for a Directive to facilitate the effective exercise by lawyers of freedom to provide services.¹ This serves to adapt the rules in force since 1972 to the latest case law of the Court of Justice² and to incorporate the legal provisions of the new Member States.

Question Time

(11 February)

2419. There were twenty-nine questions, eight of which were put to the Council and answered by President *Thorn*.

Common transport policy

After repeated attempts in the form of an own-initiative report and various questions from the floor of the House the Community's still unachieved common transport policy was the subject of three questions which set off a heated debate in Question Time on matters of transport policy.

To a question from Mr *Mursch* (C-D/D) about the Council's Decisions relating to Parliament's Resolution of September 1974 on the principles of a common transport policy, Mr *Thorn* had to admit that the Council was not in agreement. After a struggle it has managed to arrive at no more than action by stages as opposed to an overall design which required unanimity.

He replied to the question from Mr *Seefeld* (S/D) about common action on air transport that the Commission's Communication on an Action Programme for the European Aerospace and Aircraft Industry was now before the Council and would be dealt with once Parliament had delivered its opinion.

A third question from Mr *Albers* (S/NL) concerned changes in the Community quotas for freight haulage between the Member States. Mr *Thorn* saw no grounds for any increase.

Spain

Considerable time was devoted to four questions on the future development of relations with Spain which had been frozen when the five death sentences on opponents of the regime had been carried out last September.³ On a motion by the Socialist Group which was passed by a majority the subject was again thoroughly discussed in a debate immediately after Question Time.

The questions from Mr *Walkhoff* (S/D), Mr *Laban* (S/NL), Mrs *Goutmann* (COM/F) and Mr *Dykes* (C/UK) resulted from an interview with President *Thorn* in which he recommended that relations with Spain be renewed as he felt that conditions had changed. Mr *Thorn* confirmed his belief that a trend could be identified which justified the renewal of relations from the point where they had been broken off. He conceded, however, that he had come to this conclusion without previously consulting the other members of the Council. Not until 20 January had the Council held an exchange of views with Spanish representatives and thereby confirmed his view.

Sir Christopher *Soames* answered the remaining three questions, put to the Commission, in the same tenor as Mr *Thorn*. He stressed that there was already agreement about the negotiations when General *Franco* was still Head of State.

¹ OJ C 213 of 17.9.1975.

² The *Reyners* and *van Binsbergen* cases; Bull. EC 6-1974, point 2477 and Bull. EC 12-1974, point 2443.

³ Bull. EC 9-1975, points 2326 to 2330.

Further questions concerned the tardy answer to an earlier question from Mr *Fellermaier* (S/D) on sending a Community Ambassador to Guinea Bissau, which had taken the Council more than eleven months, the UN debate on the situation in the Middle East and the situation in Angola; questions also covered economic and regional policy matters, reform of the monetary system, the Community's energy situation and agriculture.

Debate after Question Time

2420. In the debate after Question Time the spokesman for the Socialist Group, Mr *Espersen* (DK), insisted that Parliament should be consulted before negotiations were renewed with Spain. He considered that no real assurances had been given for a return to democracy. Action such as repeal of the anti-terrorist laws and formal commitments to create a true democracy must prove that it was worth renewing negotiations.

Mr *Jahn* (C-D/D) and Mr *Bertrand* (C-D/B), however, welcomed the renewal of contacts with Spain and encouraged the Commission to go on with them. The remaining Group spokesmen, except for the Communist speaker, felt that the Commission had the right attitude and believed that the democratic process was now really under way in Spain.

Mr *Broeksz* (S/NL) and Mr *Walkhoff* (S/D) claimed that no signs of real democratization could be discerned in the programme of the *Arias Navarro* Government. It was no more than a slightly refurbished fascist regime. They reminded the House that after all Spain was trying for full membership of the Community.

Mr *Bangemann* (L/DK) urged all the democratic parties of the Community to do all they could to support the growth of democracy in Spain. He had no objection to purely trade talks with Spain.

Sir Christopher Soames summed up the debate to the effect that at the moment only trade discus-

sions were involved. But he too was cautious about embarking on a second phase of negotiations.

Council

In February the Council held four meetings devoted to foreign affairs, economic and financial affairs, agriculture and research.

381st meeting — Foreign affairs (Brussels, 9 February)

2421. *President*: Mr *Thorn*, Luxembourg Minister of Foreign Affairs.

From the Commission: Mr *Ortoli*, President, Sir *Christopher Soames*, Vice-President, Mr *Borschette*, Mr *Thomson*, Mr *Lardinois*, Mr *Cheysson*, Mr *Brunner*, Members.

Greece's application for membership: In accordance with the provisions of the Treaties, the Council, having noted the Commission's Opinion on Greece's application for membership, rules in favour of the application.¹

Conference on International Economic Cooperation: The Council prepared the positions that the Community would adopt at the meetings of the four Commissions set up by the Conference and approved the material to guide the Community spokesman in the discussions to draw up the work programme for each Commission.²

Canada: The Council adopted a Decision authorizing the Commission to open negotiations with Canada for an outline agreement on economic and trade cooperation between Canada and the Community.³

¹ Bull. EC 1-1976, points 110-135.

² Point 1301.

³ Point 2345.

Energy: The Council noted a statement by President Ortolí presenting the main items of the Commission's Communication and reports concerning energy problems, which had been sent to the Council on 20 January.¹

The Council also discussed the election of the European Parliament by direct universal suffrage and in particular examined the question of how to allocate the seats. Other matters discussed were fishing problems posed by the establishment of 200-mile maritime economic zones, the multilateral trade negotiations under GATT (tropical products) and aid to the stricken population of Guatemala.

382nd meeting — Economic and financial affairs (Brussels, 16 February)

2422. *President:* Mr Vouël, Luxembourg Minister of Finance.

From the Commission: Mr Haferkamp, Vice-President, Mr Spinelli, Mr Borschette, Members.

Community loans: Acting on a Commission proposal, the Council approved a \$300 million loan to Ireland and established the economic policy conditions to be respected by Ireland.²

Minimum prices for iron and steel products: Consulted by the Commission, the Council gave its opinion on the advisability of steps to introduce minimum prices for iron and steel products within the common market.³

Export credit: The Council discussed the problems involved in supporting export credit. It noted that the Commission would present proposals on the matter.

383rd meeting — Agriculture (Brussels, 16 to 18 February)

2423. *President:* Mr Hamilius, Luxembourg Minister of Agriculture.

From the Commission: Mr Lardinois, Member.

Farm prices 1976/77: Continuing its work on fixing the farm prices for the 1976/77 marketing year and on related measures, the Council examined closely the major problems in the individual sectors and the 'horizontal' questions, meaning agri-monetary matters. The aim of the discussions was to obtain a better grasp of the key problems, on which hinges the preparation of an overall solution at the next meeting on agriculture, and they covered the problems involving cereals (the distinction between wheat for bread-making and wheat for fodder, durum wheat, the prices for other cereals and rice), milk and milk products (absorption of surpluses, etc.), beef and veal (planned guarantee system, the problems of premiums) and oils and fats (the level of prices and of aid for the production of olive oil).

Potatoes: Because of the supply problems on the Community potato market, the Council adopted the Regulation introducing a tax on exports of potatoes to non-member countries.⁴

Emergency aid for the Lebanon: The Council approved a sum of one million u.a. as emergency aid for the Lebanon.⁵

384th meeting — Research (Brussels, 24 February)

2424. *President:* Mr Mart, Luxembourg Minister of Economic Affairs.

From the Commission: Mr Brunner, Member.

Thermonuclear fusion programme: The Council reached agreement on the main items of the thermonuclear programme and notably on the overall financial appropriation of 124 million u.a.;

¹ Point 2259.

² Point 2201.

³ Point 2242.

⁴ Point 2238.

⁵ Point 2243.

the problem of the JET project, however, remained unresolved. With regard to this project, of crucial importance in achieving controlled nuclear fusion, the Council, despite some headway in defining the overall budget, was unable to take a final decision on the question of where to site the project.¹

The Council also approved the Community's 1976-80 multiannual research programmes on biology and health protection, the environment and reference materials and methods.¹

Commission

Activities

2425. The Commission held four meetings in February. Attention focused on preparing the action programme for 1976,² the debates in Parliament and the Council on the agricultural prices for 1976/77 and the problems arising for the Community from the Conference on the Law of the Sea.

President *Ortoli* reported on his official visits to Canada and the United States and his talks with Prime Minister *Trudeau* and President *Ford*.³

Law of the Sea: The Commission spent a considerable amount of time discussing the fishing problems which will arise when 'economic' zones extending for 200 miles from the coast are established as now seems probable. This radical change in marine law will be one likely result of the International Conference on the Law of the Sea, which will resume in March. As regards fishing, it will completely alter the present position.

The Communication⁴ which the Commission has just sent to the Council aims at establishing Community solidarity among the Nine in all aspects of the matter. The Council should rule on the Commission's guidelines early in March so

that the Community may speak with one voice as soon as the Conference reopens.

Equal pay for men and women in Ireland: The Commission has received a request from the Irish Government for authorization temporarily not to apply the provisions of the EEC Treaty and the Council Directive on equal pay for men and women. The reason for the request lies in the further economic problems which an increase in women's wages and salaries would cause for many Irish companies which are already in a difficult position.

The Commission is aware of Ireland's difficulties and is seeking measures which might be of assistance. But it could not see its way to acceding to the Irish Government's request, as this would rob women of a fundamental right confirmed by the Treaty and by all the Community's efforts to secure equal pay for equal work.⁵

Protection of human rights: On the initiative of President *Ortoli*, the Commission adopted a report on the protection of human rights in formulating and applying Community law;⁶ the report had been called for by Parliament.

The report highlights the work of the Court of Justice in this sphere. By its Judgments and the precedents they set, the Court provides Community citizens with safeguards which match the most extensive fundamental rights recognized in the various Member States.

¹ Point 1401.

² Points 1101 to 1114.

³ Points 2344 and 2346.

⁴ Points 2226 to 2229.

⁵ Point 2211.

⁶ Supplement 5/75 — Bull. EC.

1977 Budget: The Commission considered the initial outlines for the 1977 budget. The purpose of this preliminary discussion was to prepare for the year's work on the budget and the policy debate on the budget guidelines which the Council will hold early in April when the Finance Ministers and Foreign Ministers will be present.

During the discussions the Commission was able to identify the areas in which requests for new appropriations would encounter most difficulty. These points will be examined jointly by the Members of the Commission or the departments concerned and Mr Cheysson, Member of the Commission with special responsibility for the budget, or the Directorate-General for Budgets, and, if necessary the President himself.

Medium-term economic policy programme: Mr Haferkamp informed the Commission of the main lines of the fourth medium-term economic policy programme (1976-80) which is now being completed in draft form. The hallmark of the programme will be change: structural change, change in social relations—a change that is essential if there is to be a return to full employment—so that during this five-year period the Community will learn from the recent crisis and adjust to the new economic conditions.

The Commission should be able to examine the full medium-term economic policy programme in April.

Regional policy: Mr Thomson assessed the first six months' operation of the Regional Development Fund (second half of 1975).

The 300 million u.a. earmarked in the December 1974 Summit decision had been committed in full. The Community had helped in financing nearly twelve hundred regional development projects selected from over fifteen hundred applications for aid. Special care had been taken, at both political and administrative level, to ensure that the money from the Regional Fund was added to funds which the Member States already intended to invest in regional projects and was not substi-

tuted for part of them. The major recipients of aid had already given clear and verifiable assurances on this point.

Another matter of major concern to Mr Thomson was to see that the public was kept fully informed about the Fund's activities, especially on the local front whenever a region was given Community support for a project to help its development.

Dragon project: The Commission adopted proposals to the Council aimed at ensuring that the scientific results of the Dragon project are fully exploited. If no agreement is reached between the Member States on whether the project (an experimental high-temperature reactor) should go on, the Dragon research in which the Community was working together with several other European States will be broken off at the end of March.¹

Parliament had been deeply concerned and had urged that utmost advantage be drawn from the experience accumulated during twenty years' work. That is the object of the Commission's proposals. For this purpose a small team would be kept on-the-spot for the whole of 1976. The appropriations required could be released by means of transfers in the Commission's current budget.

Taxation of manufactured tobacco: The Commission adopted a proposal for a Directive concerning taxes on manufactured tobacco (cigarettes, cigars, etc.). It is proposing a second stage in the harmonization of the taxes. Total harmonization could be attained in the 1980s. The reason why it will take so long is that the systems of tobacco taxes and the levels of the duties charged in each Member State vary considerably and the revenue from cigarette taxes is enormous.²

Food aid: The Commission approved a proposal to the Council on the Community's food aid programme for 1976 in respect of milk powder. Fifty-five thousand tonnes is available for distri-

¹ Point 2244.

² Point 2118.

proposed to the Council that the overall volume of aid in milk powder should be raised to 200 000 tonnes.¹

Emergency aid for Guatemala: The Commission decided to grant emergency aid for the victims of the earthquakes in Guatemala. This initial assistance amounts to Bfrs 10 million to buy tents, blankets, medical supplies etc. It may be backed up by food aid. The Commission will keep in touch with the Guatemala authorities.²

Relations with workers' and employers' organizations

2426. A two-day meeting was organized in February with the Energy Group of the European Trade Union Confederation (ETUC). Several subjects were broached, including the Conference on International Economic Cooperation, energy policy and the work in hand within the Commission and pending before the Council, the achievement of the 1985 objectives and the conservation and development of the Community's energy resources.

Court of Justice

Composition of the Court

2427. On 3 February the Court of Justice elected Mr Aindrias O'Keefe President of the First Chamber until 6 October 1976.

The Court thus consists of the following:

President: Mr R. Lecourt,

First Advocate-General: Mr H. Mayras.

First Chamber:

President: Mr A. O'Keefe,

Judges: Mr A.M. Donner, Mr J. Mertens de Wilmars, Mr F. Capotorti,

Advocates-General: Mr J.P. Warner, Mr G. Reischl.

Second Chamber:

President: Mr H. Kutscher,

Judges: Mr P. Pescatore, Mr M. Sørensen, Lord A.J. Mackenzie Stuart,

Advocates-General: Mr H. Mayras, Mr A. Trabucchi,

Registrar: Mr A. Van Houtte.

New cases

Case 10/76 — Commission v Italian Republic

2428. On 5 February 1976, the Commission commenced proceedings before the Court of Justice against Italy on the grounds of its failure to fulfil the obligations imposed under Directive 71/305/EEC³ concerning the coordination of procedures for the award of public works contracts.

Case 11/76 — Kingdom of the Netherlands v Commission

Cases 15 and 16/76 — French Republic v Commission

Case 18/76 — Federal Republic of Germany v Commission

2429. On 2 December 1975, the Commission adopted a series of Decisions⁴ concerning the discharge of the accounts presented by different Member States in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure for 1971 and 1972.

Three Member States have instituted proceedings against the Commission for the Decisions refer-

¹ Point 2321.

² Point 2322.

³ OJ L 185 of 16.8.1971.

⁴ OJ L 27 of 2.2.1976.

red to above to be annulled on the ground of the refusal by the Commission to take certain expenditure into account.

This is the first time that the Court has had to settle disputes arising out of EAGGF activities. The approximate amounts concerned are Fl. 16 million, FF 74 million and DM 40 million.

Case 12/76 — Industrie Tessili Italiene Como, Como, v Firma Dunlop AG, Hanau am Main

2430. The Frankfurt Oberlandesgericht, deciding a question relating to the jurisdiction of the German civil law courts arising out of a particular action, requested the Court of Justice on 13 February 1976 to give a preliminary interpretative ruling on the words 'place where the obligation has been or is to be fulfilled' in Article 5(1) of the Convention on jurisdiction and the enforcement of civil and commercial judgments, signed on 27 September 1968.¹

Case 13/76 — Mr G. Donà, Brussels, v Mr M. Mantero, Rovigo

2431. The Rovigo Ufficio di Conciliazione requested the Court of Justice on 13 February 1976 to give a preliminary ruling on whether professional football players who were nationals of a Member State had the right to provide their 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.

Case 14/76 — Ets. A. De Bloos SPRL, Leuze, v Ets. Bouyer ACA, Tomblaine

2432. In an action relating to the unilateral breach without notice of an exclusive agency agreement, the Mons Cour d'appel requested the Court of Justice on 13 February 1976 to give a

preliminary interpretative ruling on Article 5(1) and (5) of the Convention on jurisdiction and the enforcement of civil and commercial judgments, signed on 27 September 1968,¹ which deals with the territorial jurisdiction of courts in contractual and quasi contractual matters.

Case 17/76 — Mr R.J. Brack (deceased) v Insurance Officer

2433. A British national who was held by an Insurance Officer not to have insurance cover against sickness on the grounds that the event which it was claimed was covered had occurred when the party concerned was in France, and that that period of residence bore no relation to his business activities, lodged an appeal against this decision with the National Insurance Commissioner.

The latter requested the Court of Justice on 16 February 1976 for a preliminary interpretative ruling on *inter alia* the word 'worker' in Article 1(a) of Regulation 1408/71² on the application of social security schemes to employed persons and their families moving within the Community, together with Annex V(1) thereto.

Case 19/76 — Mr P. Triches, Belluno, v Caisse de compensation pour allocations familiales de la Région liégeoise, Liège

2434. 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 3³ on social security arrangements for migrant workers, as amended by Article 1 of Regulation 1/64,⁴ 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

¹ Supplement to Bull. EC 2/69.

² OJ L 149 of 5.7.1971.

³ OJ 30 of 16.12.1958.

⁴ OJ 1 of 8.1.1964.

concerned is eligible for a pension or allowance under the laws of a single or of several Member States.

Case 20/76 — Firma Schöttle and Söhne OHG, Oberkollwangen, v Finanzamt Freudenstadt

2435. In an action relating to the levying by the German authorities of a tax on the carriage of goods by road over short distances in respect of products crossing the frontier, the Baden-Württemberg Finanzgericht requested the Court of Justice on 23 February 1976 for a preliminary ruling.

This related *inter alia* to whether this tax, which was levied on the basis of the distance travelled in German territory, constituted a tax imposed on products within the meaning of Article 95 of the EEC Treaty.

If so, the Court wished to know if the fact that the carriage by road over short distances of goods not crossing the frontier was exempt from that tax constituted a form of discrimination between goods from other Member States and national products, prohibited under the Article referred to above.

Judgments

Cases 7 and 19/66 — Firma P. Kruse, Hamburg, v Commission

2436. In 1966, about ten German undertakings brought actions for damages against the Commission as a result of the judgments by the Court in joined cases 106 and 107/63 annulling the Commission Decision of 3 October 1963 maintaining a safeguard clause against the importation of maize into Germany. In an interlocutory judgment of 14 July 1967, the Court laid down the principle that the Commission's liability in cases where national authorities took erroneous action was merely subsidiary.

Since two undertakings had informed the Court that their respective actions against the Federal Republic of Germany had been settled in substance the cases referred to above were removed from the Court register by order of 26 February 1976.

Case 101/74 — Council official v Council

2437 — In this action, the purpose of which was to obtain a higher disability allowance, the Court of Justice confined itself to granting the plaintiff certain costs in its judgment of 26 February 1976.

Case 42/75 — Commission official v Commission

2438. This action for the grant of an expatriation allowance, was dismissed the Court in its judgment of 17 February 1976.

Case 45/75 — Rewe-Zentrale des Lebensmittel-Grosshandels eGmbH, Köln, v Hauptzollamt Landau/Pfalz

2439. In an action relating to whether the upper limit of a countervailing duty laid down by the German law on the monopoly in potable spirits and applied to imported potable spirits instead of a monopoly duty (in this case vermouth originating in Italy) was compatible with the provisions of the EEC Treaty, the Rheinland-Pfalz Finanzgericht requested the Court of Justice on 12 May 1975 for a series of preliminary rulings. They related to whether the rules for calculating this upper limit were compatible with Article 95(1) of the EEC Treaty and whether that provision and Article 37(1) were directly applicable after the transitional period.

In its judgment of 17 February 1976, the Court confirmed that the Articles referred to above were directly applicable.

The Court held that Article 95(1) prohibited the taxation of imported products according to rules differing from those applied to similar national products which might lead to higher rates of tax-

ation on the former, even in a small number of cases. Article 37(1) prohibited imported products from being taxed in order to contribute to the financing of a monopoly. However, neither Article 95 nor Article 37 prohibited imported products and similar national products from being taxed on an identical basis, even if the tax on imported products contributed to the general budget of the State concerned and the tax on national products were in part used to finance the monopoly.

Case 52/75 — Commission v Italian Republic

2440. On 10 June 1975, the Commission brought an action before the Court of Justice for a ruling that Italy had failed to fulfil its obligations under Directive 70/458/EEC¹ on the marketing of vegetable seed by not adopting certain laws and regulations to ensure the free movement of seeds.

The Court held in its judgment of 26 February 1976 that the action succeeded.

Case 59/75 — Pubblico ministero italiano v F. Manghero et al.

2441. In criminal proceedings relating to the illegal importation into Italy of tobacco from other Member States, the Como Tribunale civile e penale requested the Court of Justice on 7 July 1975 to give a series of preliminary rulings in particular on whether Article 37(1) of the EEC Treaty was to be understood to mean that from 1 January 1970, commercial monopolies should be adjusted to eliminate all discrimination against exporters in other Member States, and whether this provision was directly applicable. The Italian court also wished to know whether the Council Resolution² of 21 April 1970 on State monopolies of a commercial character in manufactured tobacco was capable of altering the scope of Article 7(1) of the EEG Treaty, and if so, whether it was binding on the Member State.

In its judgment of 3 February 1976, the Court of

Justice confirmed that Article 37(1) of the EEC Treaty was to be understood to mean that from 31 December 1969, all State monopolies of a commercial character should have been adjusted to eliminate import duties applicable solely to products from other Member States.

The Court thus pronounced on a matter which has divided legal opinion for a long time, i.e. whether the obligation to adjust State monopolies of a commercial character to ensure the elimination of discrimination as between nationals of Member States allowed those States to maintain import monopolies provided they ensured that they did not discriminate, or on the contrary required these monopolies to be completely abolished as far as imports from other Member States were concerned. The Court took the second view, since it considered that it was the exclusive importation right itself which represented discriminatory action against Community exporters as prohibited by Article 37(1).

The Court also held that the Resolution referred to above did not alter the scope of this provision, which it confirmed was directly applicable.

Case 63/75 — S.A. Fonderies Roubaix Wattlelos, Wattlelos, v (1) Société Nouvelle des Fonderies A. Roux, Meyzieux, and (2) Société des Fonderies JOL, Chassieu

2442. A French undertaking distributing pig-iron castings manufactured in Germany had concluded a concession agreement with another French undertaking for the sale of a product imported from another Member State, 'incurring the least possible expenditure', by using the warehouses and distribution network of the second undertaking. In an action involving the two French undertakings and relating to the validity of the contract, the Paris Cour d'Appel requested the Court of Justice on 16 July 1975 to give a

¹ OJ L 225 of 12.10.1970.

² OJ C 50 of 28.4.1970.

preliminary ruling on whether such a contract must be held to 'relate to' imports and must therefore be notified in accordance with Article 4(1) of Regulation 17,¹ the first Regulation implementing Articles 85 and 86 of the EEC Treaty.

The Court of Justice answered in the negative. In its judgment of 3 February 1976, it held that the Article referred to above exempted exclusive sales concession agreements from being notified where the marketing operations covered by the agreement were carried out exclusively in the territory of a single Member State and the undertakings were constituted under the law of that State, even if the goods in question were previously imported from another Member State.

Case 65/75 — Pubblico ministero italiano v Mr R. Tasca, Conselve

2443. In criminal proceedings against a retailer accused of having infringed the rules relating to price freezing in Italy (fixing maximum prices) and of not having carried out an administrative formality relating to the carriage of goods, the Pretura unificata di Padova requested the Court of Justice on 22 July 1975 to give a preliminary ruling on whether these rules were compatible; particularly as regards sugar, with Regulation 1009/67² on the common organization of the market in sugar, and with the prohibition on the application of measures having an effect equivalent to quantitative restriction to trade within the Community (Article 30 of the EEC Treaty).

Confirming the view expressed in judgment 31/74, the Court of Justice held in its judgment of 26 February 1976 that the unilateral fixing by a Member State of maximum selling prices for sugar was incompatible with the Regulation referred to above where it endangered the objectives and functioning of the common organization of the markets, and particularly of its price system. The fixing of a maximum price for imported products constituted a measure having an effect equivalent to a quantitative restriction, particularly where it was fixed at a level which was so

low that imports of those products could be made only at a loss.

Case 87/75 — Ets. Daniele Bresciani v Amministrazione italiana delle Finanze

2444. On 4 August 1975, the Tribunale di Genova requested the Court of Justice to give a preliminary ruling on whether the health inspection duty levied at the frontier on imports of skins from France and Senegal by virtue of Decree 1265³ of 27 July 1934 constituted a tax having an effect equivalent to a customs duty contrary to Article 13(2) of the EEC Treaty and Article 2(1) of the 1963 and 1969 Yaoundé Conventions. The Italian court also asked whether these provisions were directly applicable and if so, from what date.

In its judgment of 5 February 1976, the Court of Justice replied in the affirmative to the first question, and held that the Articles referred to above were directly applicable from 1 January 1970.

Case 88 to 90/75 — SpA SADAM, Bologna, et al. v Comitato interministeriale dei Prezzi

2445. The Tribunale amministrativo regionale del Lazio requested the Court of Justice on 8 August 1975 to give a preliminary ruling on whether the EEC had sole authority to fix sugar prices, whether the Member States could take unilateral measures to fix retail prices, and whether national measures of this kind were compatible with the free movement of goods.

The judgment of the Court of 26 February 1976 was substantially identical to that delivered in Case 65/75.⁴ The Court added that to the extent that a maximum price fixed unilaterally by a Member State would be incompatible with Article 30 of the EEC Treaty or Community legislation on agriculture, that State could not justify fixing prices either on the basis of Article 103 of the

¹ OJ 13 of 21.2.1962.

² OJ 308 of 18.12.1967.

³ Lex 1934, p. 1397.

⁴ Point 2443.

EEC Treaty or of the need to protect the economy against speculation or of change in the economic situation in the sugar sector.

Case 91/75 — Hauptzollamt Göttingen v Firma Wolfgang Miritz GmbH & Co. Göttingen

2446. On 11 August 1975, the Bundesfinanzhof requested the Court of Justice to give a preliminary ruling on whether a special countervailing duty on potable spirits imposed under the German Law¹ of 23 December 1970 was compatible with Article 12 or Article 37(2) of the EEC Treaty, and if so, with paragraph 4 of the latter Article.

In its judgment of 17 February 1976, the Court held that after the transitional period, Article 37 prohibited the levying by a Member State of a tax affecting only products imported from another Member State in order to make up the difference between the selling price of the product in the country of origin and the higher price paid by the State monopoly to national producers of the equivalent product. The Court stated that Article 37(4) did not derogate from the other provisions of that Article.

Case 92/75 — Commission official v Commission

2447. This action for annulment of the Commission decision dismissing the plaintiff and for payment of indirect damages was rejected by the Court's judgment of 26 February 1976.

Case 94/75 — Firma Süddeutsche Zucker-Aktiengesellschaft, Mannheim, v Hauptzollamt Mannheim

2448. In an action between a sugar manufacturer and the German authorities, the Baden-Württemberg Finanzgericht requested the Court of Justice on 3 September 1975 to give a series of preliminary rulings on the interpretation of Article 1 of Regulation 142/69² laying down certain detailed rules for the application of the quota

system for sugar. The German court wished to know whether it was necessary when calculating the production levy on sugar provided for in Regulation 1009/67³ on the common organization of the market in sugar to take account of the quantity of white sugar produced from sweepings not produced during the same sugar year.

In its judgment of 5 February 1976, the Court replied that it was not.

Joined Cases 98 and 99/75 — Carstens Keramik GmbH Tönnieshof, Fredelsloh über Northeim, et al. v Oberfinanzdirektion Frankfurt/Main

2449. In actions relating to the tariff classification of furniture, ornaments and china which had been the subject of official tariff classification notices, the Bundesfinanzhof requested the Court of Justice on 11 September 1975 to give a preliminary ruling on the interpretation of and distinction between Common Customs Tariff headings nos 69.13 A and C and 69.12 A and C.

In its judgment of 18 February 1976, the Court held that the distinction between these different tariff headings rested on the coarseness of the product, so that a product having a high degree of fineness and homogeneity could not be classed as common pottery.

Economic and Social Committee

137th plenary session

2450. The Economic and Social Committee held its 137th plenary session in Brussels on 25 and 26 February, with the Committee Chairman, Mr *Canonge*, in the chair.

¹ Bundesgesetzblatt (German Official Gazette) I, pp. 1070 to 1878.

² OJ L 20 of 27.1.1969.

³ OJ 308 of 18.12.1967.

The Committee adopted eleven Opinions and one study.

Opinions

Unemployment in the Community

2451. This Opinion was prepared in the presence of the President of the Council, Mr Thoss, State Secretary at the Luxembourg Ministry of Labour, and adopted by forty votes against three with fourteen abstentions.

In view of the time-lag before the economic recovery begins to have an effect on the level of employment and given the unemployment-generating structural changes, there can be no doubt that if policies at present being followed are not altered, most of the Community countries will register even higher levels of unemployment during 1976 and 1977. The Economic and Social Committee therefore felt that the Council should press the governments to consider the reduction of unemployment as a top priority national objective. To this end, the governments should immediately define national targets for reducing unemployment within a set period. Action should be taken to protect existing jobs and create new ones.

Economic and social situation of women in the Community

2452. This Opinion was prepared in the presence of Dr Hillery, Vice-President of the Commission, and adopted by forty-three votes against ten with thirty-nine abstentions.

The Committee made a number of remarks on the psychological, legal, economic, social, cultural and political aspects of the situation of women in Europe. It pointed out that discrimination still existed in various national legal systems, especially in respect of marriage laws and family legislation and statutory social security provisions.

The Committee's specific recommendations included the effective application of laws and principles to which the Community countries had subscribed in signing various charters and conventions, such as those on eliminating discrimination against women, the European Social Charter, etc.

Action programme for the European aircraft industry

2453. In this Opinion adopted by a large majority, the Committee noted that adjustments to technical and financial aspects to foster the development of the European aircraft industry, including concerted action on programmes, formed an initial set of clear-cut objectives which could be attained with no insurmountable difficulties.

Community policy in the data-processing industry

2454. The Committee's Opinion on the Commission Communication concerning Community policy on data-processing was adopted unanimously. The Committee supported the Commission's intention to promote the European data-processing industry by a series of practical projects. But it hoped that this action would be just one part of a general policy for the data-processing industry designed on a longer-term basis.

Summertime

2455. The Committee unanimously adopted its Opinion on the proposed Council Directive concerning summertime arrangements. The Committee approved the proposal in so far as it required Member States which apply summer time in the years 1977 to 1979, or in one of them, to keep to one period laid down by a Council Directive.

Waste from the titanium dioxide industry

2456. In its unanimously adopted Opinion, the Committee approved the proposed Council Directive on waste from the titanium dioxide industry, notably because of its effects on man and the environment.

Lifting machinery — lifts

2457. The Committee unanimously adopted its Opinion on the proposals for a Council Directive on the approximation of Member States' laws concerning common provisions for lifting and handling machinery and electrically-operated lifts. In the Opinion, the Committee urged the Commission to work for total harmonization, asking it to adjust the time limits within which the Member States must comply with the provisions of the Directives.

Community regional development problems in the period 1975-77 and the establishment of a Community regional policy (study)

2458. This study was prepared in the presence of Mr Thomson, Member of the Commission, and adopted unanimously apart from two abstentions.

The Committee welcomed the Council's Decision to set up a Regional Development Fund and a Regional Policy Committee, and warmly supported the efforts to mount a Community regional policy.

The Committee was against national quotas as a basis for allocating money from the Fund, although it recognized the need for flexibility in the initial period. The Committee recommended that aid from the Fund be granted on the strength of common objective criteria such as income per head of population, migration and the level of unemployment. The criteria must be such that assistance will be concentrated on the

regions of the Community most in need. The Committee strongly supported the efforts by the Commission to apply the principle whereby Community aid must complement national regional development work and must therefore not lead to a slackening of the national drive.

European Investment Bank**Loans issued**

2459. The European Investment Bank has signed a contract at Basle for a Sfrs 100 million bond issue on the Swiss capital market.

Carrying a coupon of 7%, payable annually, and with a maximum life of 15 years, the bonds were offered to the public at 99%. The yield, calculated on the total lifetime of the bonds, is 7.11%.

The bonds are redeemable from 1980 onwards by repurchase on the market at prices not exceeding par. Bonds not repurchased in this way will be redeemable at par on 1 March 1991. The EIB will have the option, from 1 March 1986 onwards, of redeeming in advance all bonds in circulation.

Loans granted*Italy*

2460. The bank has granted a loan equivalent to Lit 3 250 million (4.1 million units of account) for the construction of a factory at Grogastu (Cagliari) in Sardinia which will produce refractory materials.

The loan has been provided for 8 years at an interest rate of 9% to IMI (Istituto Mobiliare Italiano) to contribute to the finance which this institution is making available to the project promoters, SANAC (Società per Azioni Refrattari Argille e Caolini), part of the Finsider group.

The project will enable local raw materials to be processed on the island itself. It forms part of a rationalization plan by SANAC which aims at specializing the company's production units according to the availability of different raw materials and the final destination of the products. One major advantage resulting from this policy will be a cut in transport costs.

Expected to cost about Lit 10 700 million (fixed investments), the factory will have a production capacity of around 40 000 tonnes per year and it will create 100 new job opportunities in this less-favoured area of the Mezzogiorno.

United Kingdom

2461. Two new loans together totalling the equivalent of £20 million (34.7 million u.a.) have been granted by the Bank to the British Gas Corporation to help finance the laying of the pipeline network which will deliver natural gas from the Frigg field in the North Sea to Scotland and Northern England and connect up with the national distribution grid.

The loans are for 10 years at an interest rate of 9½% and they bring to £67.8 million the finance provided by the EIB for different sections of this major scheme which will cost, in total, more than £200 million.¹

The latest works which the EIB is helping to finance include a second pipeline between Bathgate and Longtown, reinforcing delivery capacity, and construction of a compressor station, powered by two 25 000 HP engines, at Moffat, about half-way along this line.

First supplies from the Frigg field are expected to flow ashore late in 1977. They will eventually enable the British Gas Corporation to increase by about one-third the natural gas presently available for industrial, commercial and household consumption in the United Kingdom. This represents an important contribution to the EEC's drive to maximize energy resources within the

Community and reduce dependence on oil imports.

The project promises significant regional benefits since the Frigg gas will be made available to industry in development areas in Scotland and Northern England, apart from elsewhere in Britain.

2462. A loan equivalent to £17.3 million (30 million u.a.) has been granted to the British Post Office by the Bank, for development of the telecommunications network in Scotland. The terms are 10 years with an interest rate of 9½%.

The loan will help to finance a series of works which will permit about 245 000 extra exchange connections to be made.

Investments on this scale are required not simply to satisfy existing requirements but also to develop the system to serve the future economic development of Scotland.

They will help to meet the requirements of new industrial and commercial activities spurred on in certain areas by the oil and gas discoveries in the North Sea and no less important will be the contribution it makes to completing the improvement of communications in the Highlands and Islands, where the sparse population and geographical isolation pose particularly difficult development problems.

Financing Community activities

ECSC Loans

2463. In February the Commission made a number of private placements in French Francs, Dutch Guilders and German Marks totalling 84 million European units of account.

¹ Bull. EC 6-1975, point 2461 and 7/8-1975, point 2463.

5. Institutional questions — European policy

These placements were made at rates between 7.75 and 10% for periods of 5 to 25 years.

Including these operations the sum total of loans contracted by the ECSC up to 28 February was 3 212.5 million a.u.

Political cooperation

2501. The Foreign Ministers held a political cooperation meeting in Luxembourg on 23 February. The Luxembourg Foreign Minister, Mr Gaston Thorn was in the chair. The Commission was represented by its Vice-President, Sir Christopher Soames. The main points dealt with at this meeting were Angola, the Euro-Arab Dialogue, east-west relations, Cyprus and the fight against terrorism.

Angola

2502. On the subject of Angola, the Ministers adopted the following declaration:

'1. The Foreign Ministers of the nine countries of the Community meeting in Luxembourg and recalling the decisions which they took in respect of the People's Republic of Angola examined problems arising in this region of Africa.

2. The Ministers have very closely and with great concern followed the development of the conflict in Angola which has caused so much suffering and loss of life and so seriously damaged the economy. They call for peace to be re-established which is necessary for the reconstruction and development of the country.

3. They believe that the people of Angola should decide on their own destiny. In view of this, they greatly appreciated the efforts of the OAU to find an African solution to the difficulties and refrained from anything likely to harm their success. From this point of view they condemned all external military intervention and fervently hoped that it would be very quickly stopped. In the interests of the prosperity of the region they hope that peaceful and constructive cooperation can be established which presupposes good neighbourly relations between the African States which are part of it.

4. The Ministers confirmed the basic positions

Political cooperation

of the nine Member States of the Community:

- Willingness of the Nine to cooperate insofar as the African States wish them to do so and rejection of any action by any State aimed at setting up a sphere of influence in Africa;
- Respect for the independence of all African States and the right of the latter to determine their national policy quite independently and without foreign interference;
- Support for the OAU's attempts to promote African cooperation;
- Right of self-determination and independence of the Rhodesian and Namibian peoples;
- Condemnation of the policy of apartheid in South Africa.¹

2503. In accordance with the political cooperation procedures, the Nine concerted their policies on the question of the recognition of the People's Republic of Angola. It was agreed that even if the Member States took formal action individually, this would be done in a concerted manner so that it would clearly reflect a common will. While the consultations were going on, France officially recognized the People's Republic of Angola on 17 February and the other Member States followed suit immediately: Denmark, Ireland, Italy, the Netherlands and the United Kingdom on 18 February; the Federal Republic of Germany on 19 February; Belgium and Luxembourg on 20 February.

Lebanon

2504. Replying to a question put to the Conference of Foreign Ministers of the nine Member States, Mr Thorn, as chairman of political cooperation meetings outlined to the European Parliament on 11 February the Nine's position on the question of the situation in Lebanon.¹

¹ Point 2410.



3RD PART

DOCUMENTATION

De europæiske Fællesskabers publikationer
Veröffentlichungen der Europäischen Gemeinschaften
Publications of the European Communities
Publications des Communautés européennes
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D	S
Tysk In deutscher Sprache In German Langue allemande Lingua tedesca Duits	Spansk In spanischer Sprache In Spanish Langue espagnole Lingua spagnola Spaans
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Official Journal. Annex.

(1976). 402 p. (DK.D.E.F.I.NL)

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19 année. n° 1. Édition 1976. — 31.1.1976.

1976. pag. diff. (DK.D.E.F.I.NL)

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Forschung und Entwicklung. Oktober 1975 – EUR 5181.
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Recueil de recherches « Acier ». 1975. EUR 5330.
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