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# BULLETIN OF THE EUROPEAN COMMUNITIES

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

Commission of the European Communities  
**Secretariat-General**  
Brussels

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**PART ONE**

**SPECIAL FEATURES**

Standardized abbreviations for the designation of certain monetary units in the different languages of the Community:

BFR = Belgische frank / Franc belge

LFR = Franc luxembourgeois

DKR = Dansk krone

FF = Franc français

DM = Deutsche Mark

LIT = Lira italiana

HFL = Nederlandse gulden (Hollandse florijn)

UKL = Pound sterling

IRL = Irish pound

EUC = European unit of account

USD = United States Dollar



# 1. Enlargement of the Community

## The Commission's general considerations

1.1.1. On 20 April the Commission sent a Communication to the Council setting out its thoughts on the problems involved in the enlargement of the Community following the applications for membership from three new countries (Greece, Portugal and Spain). This Communication, which is of a political nature, was supplemented by two others dealing with the transitional period and the institutional implications of enlargement<sup>1</sup> and the economic and sectoral aspects<sup>1</sup> linked with enlargement.

In the first of these documents—known as the 'Fresco'—the Commission assumes that enlargement will definitely take place, which represents a political success for the Community and for the principles on which it is based. Its considerations are solely concerned with how to complete the enlargement process successfully.

The Commission considers that, unless a valid solution is found to the economic and institutional questions raised by enlargement, the Community may be weakened. In negotiating the entry of the three new States and in organizing the transitional period, the Community must anticipate the difficulties which enlargement could cause for the applicant States or for the urgent decision on the completion of the common market and the further development of the essential common policies. The Commission has already made a number of proposals which would enable real progress to be made towards economic and monetary union: this policy is essential if the twelve-member Community is to progress.

## Economic problems

1.1.2. Despite their economic differences, the applicant countries have features in common: a lower level of economic development than the Community, sectors and regions in difficulties, lack of uniformity in their economic structures compared with the Community.

This being so, the cohesion of the common market and the achievement of economic and monetary union could be affected by the new disparity which enlargement will produce. It is therefore important for the Community to mobilize the necessary resources to ensure maximum growth. In addition there must be specific sectoral measures to facilitate the integration of Greece, Portugal and Spain into the Community. Once negotiations begin, the Community must help the applicant States to develop the activities which could gain new impetus from enlargement. It could also ask them to start then to observe some common discipline in certain well defined areas, while granting them the corresponding financial aid.

This is the key issue in the preparation for enlargement. These aid measures must be specific and must be decided on with the applicant countries on the basis of sectoral objectives incorporated, where appropriate, into multiannual programmes. The European Investment Bank (EIB) could participate in the financing of joint operations. It would be premature at this stage to estimate how much assistance will be involved, since it cannot be determined until the programmes corresponding to the specific objectives have been formulated.

Portugal is a special case: its *per capita* gross domestic product is much lower than that of

<sup>1</sup> Supplements 1/78 to 3/78 — Bull. EC.

any other country in the Community of Twelve. It also has serious balance of payments difficulties at present. The Community must therefore continue, particularly within the IMF, to provide support for Portugal's balance of payments and, by granting EIB loans, help to develop investment in that country.

After accession, the exceptional aid for Portugal's growth should be maintained. The Community must also continue to finance, through the Community budget, the specific programmes worked out before accession. It is of course difficult and of little help for the future to try and estimate the budgetary cost of the accession of the three applicant countries. It may, however, be said that full participation in the expenditure and resources of the budget would give a net result corresponding, for Greece to 2.30% of its GDP, for Portugal to 2.5% and for Spain to 0.40%, for net transfers of resources totalling about 1 000 million EUC.

If, in addition, the three applicant States enjoy special arrangements for the payment of own resources during the transitional period, their relative benefit will be even greater.

The transfer of resources will make it necessary to develop and adjust the existing budgetary instruments. This must be started on quickly, for it will be necessary to step up the present measures to increase the transfers to the weaker regions in the Community, which will be affected by the enlargement. It is in the context of this financial approach that specific operations must be mounted to overcome the difficulties in the various sectors.

This is the angle from which the Commission Communications surveys various economic and sectoral problems linked with enlargement.

## Agriculture

*1.1.3.* With the accession of the three applicant countries there will be a major increase in the number of people working in agriculture (+55%), the agricultural area (+49%) and agricultural production (+24%). The imbalances existing in the present Community will therefore become more pronounced as a result of the accession of these three countries. There is a real danger of an increase in the rate of self-supply in some sectors which are already in surplus or bordering on surplus (wine, olive oil, fruit and vegetables). In the case of other products for which there is a surplus in the present Community but a shortfall in the applicant countries (milk products and meat), the application of the rules of the common agricultural policy, while restoring some balance to the Community, will have adverse effects on the applicant countries' trade balances. It is important that this should not encourage an increase in production of unprofitable products in these countries.

These problems must be solved in such a way as to maintain the Community's achievements to date and the objectives of the common agricultural policy. A study should be made with the applicant countries of the joint measures to be implemented and the process, already begun in the present Community, of converting to products in which the Community is not self-sufficient should be continued. The structural problems of agriculture in the enlarged Community will require the implementation in the applicant countries of large-scale measures which should extend beyond the scope of the common agricultural policy alone.

It will obviously be essential to maintain an active market-support policy in the Community until the restructuring is successfully completed.

## Industry

*1.1.4.* Enlargement will bring additional production capacity to certain sensitive industries in the Community. It will also increase the disparity as regards production conditions in others. In this connection it will be necessary to tackle the problem of associating the three applicant countries in the major effort to adjust the Community's industrial machinery to the new world market conditions. Technical work on the industries concerned must therefore be started immediately.

The Community, for its part, must make the necessary adjustments to the industrial policy mechanisms. It is also necessary to agree on common discipline arrangements with the applicant countries: if these arrangements operate successfully there will be no need to apply to the applicant countries the protective measures which the Community has to adopt against non-member countries, at least in respect of exports which are important for their trade balance.

Given the considerable dependence of the applicant countries on energy imports, new impetus must also be given to the Community measures designed to reduce this dependence.

## Social and regional aspects

*1.1.5.* A bold policy is needed to deal with employment problems. The enlarged Community will have to be able to mobilize all its financial resources for this policy in the context of an overall social policy. The twelve countries have at present more than 7.5 million unemployed; this phenomenon will be intensified by industrial and agricultural restructuring, and also the arrival of a large number of young people on the labour market.

Workers must have freedom of movement in the enlarged Community. In order to avoid serious repercussions on the severely strained labour market, the nationals of the new Member States should be accorded freedom of movement progressively by the promotion of regional development coupled with appropriate transitional measures.

The intensification of trade flows as a result of enlargement is likely to be of more benefit to the developed regions, the economic fabric of which is sufficiently dynamic. It will therefore be necessary in the twelve-member Community to introduce policies backed by sufficient financial resources and aimed at reducing regional disparities.

## The place of the enlarged Community in the world

*1.1.6.* Enlargement will strengthen the Community's world role in the Mediterranean, and also in Africa and Latin America. The development of the enlarged Community's foreign policy presupposes greater cohesion among the Member States and in particular increased cooperation on all the problems of foreign policy. The most appropriate methods will have to be developed for involving the applicant States, as soon as the negotiations are concluded, in action agreed under the political cooperation arrangements.

It is obviously, however, in the Mediterranean region that enlargement will have the most marked effects, for it will result in the erosion of the share of the Community market held by the Mediterranean countries linked to the Community by a series of cooperation or association agreements. The Community must therefore seek with these countries a new balance designed to ensure their development by means of Community assistance and of orderly trade. Particularly in the case

of Turkey, the Community must seek appropriate solutions in order to strengthen mutual links and intensify cooperation.

### **The transitional period and adjustments to the Treaties**

*1.1.7.* The mechanics of the actual integration of the applicant countries are fundamental in the context of this active policy of preparing for accession. It is clear that the applicant countries cannot assume all the obligations involved in membership the moment they join. A transitional period will be required, although the accession of new Member States will, of course, participate fully in all the institutions immediately after accession.

Ten years could constitute the maximum and five years the minimum for effecting the transition. This transition could be divided into two stages, each of which would represent a clearly defined step forward. The progress to be made during each stage would form the subject of specific transitional programmes by sector or group of sectors.

During the first stage precise objectives could be achieved in each sector according to a timetable laid down in advance, in order to ensure that the applicant countries would be fully integrated by the end of this phase. The Treaty of Accession should also ensure the development of the Community during the transitional period. In other words, if one or other of the Member States were not able to participate immediately and fully in the implementation of a new policy, it should be possible to introduce derogation clauses and special measures to enable the Member State in question to catch up.

The experience of the transition from six to nine Member States has already revealed the

difficulties as regards the institutions' ability to act. The presence of the twelve Member States will subject the institutions and the decision-making procedures to considerable strains and risks of deadlock. Extensive adjustments will therefore be essential to ensure the proper functioning of the enlarged Community. The necessary adjustment to the Treaties would involve, broadly speaking, more frequent use of the majority vote, an increase in the Commission's executive powers and a more judicious use of the legal instruments provided for by the Treaties.

## 2. Growth, stability, full employment : problems facing the Community

Growth, stability, full employment

### Development of an overall strategy

1.2.1. The main problems discussed at a number of Community meetings in June 1977<sup>1</sup> (European Council in London, Council (Social Affairs) and Tripartite Conference) and subsequently, emerged again when the European Council met in Copenhagen at the beginning of April.

Following this meeting, work began on formulating a common strategy for economic and social policy, to be ready in time for the European Council in Bremen and the Western Economic Summit next July.

The Commission—on the basis of conclusions drawn from the June 1977 Tripartite Conference and in preparation for the next Tripartite due to be held in autumn 1978—submitted to the Council in April fresh proposals or papers concerning youth unemployment and the role of the tertiary sector in the achievement of growth stability and full employment.

### The European Council in Copenhagen

1.2.2. One of the matters discussed by the European Council in Copenhagen on 7 and 8 April was the action to be taken to deal with the current social and economic problems facing the Community.

The following conclusions concerning the economic and social situation were drawn by the President at the end of this meeting:

'The European Council agreed that the Community and its Member Countries will over the coming three months, develop a common strategy designed to reverse the present unsatisfactory trend in the Community's economic and social situation. The European Council was convinced that this course of action will constitute an

important contribution to overall international action to promote world economic recovery. It will at the same time facilitate progress towards economic and monetary union.

The common strategy will cover economic and monetary affairs, employment, energy, trade, industrial affairs, and relations with the developing world.

The European Council asked the Council (General Affairs) to coordinate the efforts of the Council in its various formations, and to prepare the necessary conclusions of the European Council at its session in July 1978.

1. The Council considers it essential that the Community will have achieved an annual growth rate of 4.5% by the middle of 1979.

With this in mind the Community will, in the coming months, assess the effects of present national economic policies and on this basis define the need for—and in appropriate cases—the margin of manoeuvre open to Member States for coordinated additional measures designed to realize the necessary growth within the Community.

During the same period the Community will, through common measures support the action of Member States and make better use of existing common facilities to alleviate present restraints on Member Countries' possibilities for action. In this connection the Council referred to the so-called Community Loan Facility. It also invited the Governing Board of the EIB to adopt at its meeting in June a decision to double the capital of the Bank.

2. The European Council discussed the need for increased monetary stability both within the Community and on a world-wide basis. In this context it recognized the need to avoid disruptive capital flows.

3. The European Council expressed its deep concern over the persistent high rate of unemployment and agreed that an improvement in the employment situation is a key objective of the common overall strategy of the Community. It stressed the importance of the Community's growth objective in this context.

The European Council agreed that the need for complementary specific measures to combat unemployment, particularly with respect to young people, should be examined.

<sup>1</sup> Bull. EC 6-1977, points 1.1.1 to 1.2.12.

The European Council agreed with the Standing Committee on Employment that the best way of dealing with unemployment is to create new jobs through active economic, employment and investment policies, but considered that it should be further examined whether work-sharing measures could have a supplementary part to play in alleviating the present grave employment problems.

4. The European Council was convinced that sustained international economic stability depends significantly on vigorous efforts in all industrialized countries to reduce dependence on imported oil through energy savings and increased energy production.

The European Council agreed that the high demand for import oil is a critical problem for the Community. More comprehensive and vigorous efforts at national and Community level to reduce demand and increase supply of energy within the Community are urgently needed. It recognized that this presupposes large scale investments. Such efforts will be given high priority, because they will at the same time promote economic activity, create new jobs and improve the balance of payments.

5. The European Council agreed that sustained growth in world trade is essential for the promotion of world economic recovery. Therefore protectionist tendencies must be resisted. A rapid and successful conclusion of the multilateral trade negotiations will increase confidence in the world trade system.

The European Council agreed that further progress should be made to eliminate obstacles to the free movement of goods within the Community.

6. The European Council emphasized the need to restore the competitiveness of industries in distress. This remains the basic aim of national and Community policies in this field.

In this connection it underlined the necessity to set up tripartite frameworks on a European level to overcome the serious problems of structural over-capacity in several industries and to promote an industrial structure that can maintain itself in world-wide competition.

7. The European Council pointed out that the pursuit of greater internal cohesion implying also a reduction in regional imbalances, constitutes one of the key objectives of the Community enterprise.

8. The European Council recalled the Resolutions of the Council of Ministers of November 1975 and July 1976 recognizing the need for a re-examination of the

agricultural problems affecting the Mediterranean regions of the Community.

In this spirit the European Council was of the opinion that the Council (Agriculture) should endeavour to reach a decision by the end of April taking into account the proposals from the Commission.

9. The European Council noted that an overall increase in the flow of aid to the developing countries will facilitate their possibilities of playing a greater part in a general recovery of the world economy.

The European Council reaffirmed the will of the Community to contribute constructively to progress in the North-South Dialogue in order to promote a more just and equitable world economic order.

10. The European Council asked the Council in its various formations to take the necessary steps over the coming three months towards the achievement of the objectives mentioned above.<sup>1</sup>

## Positions adopted by the Community institutions

### European Parliament

1.2.3. On 12 April Parliament debated<sup>1</sup> the results of the Copenhagen Council.

In his statement Mr Andersen, President of the Council, told the House that the talks had been largely devoted to the economic and social situation, in preparation for the next European Council in Bremen and the Economic Summit to be held in Bonn in July. The substance of Mr Andersen's statement was that the Nine had been seeking a common strategy in an effort to overcome existing problems, and in particular to reduce unemployment, one of the principal objectives being an improvement in the employment market.

The Commission President, Mr Roy Jenkins, said that he derived greatest satisfaction

<sup>1</sup> Point 2.3.8 and OJ C 108 of 8.5.1978.

from the wide-ranging and far-reaching discussion of economic and monetary matters and the extent to which thoughts seemed to be running parallel and in the same direction.

### Commission

1.2.4. The Commission had stated its position on these matters even before the Copenhagen meeting.

On 5 April, when the European Trade Union Confederation (ETUC) organized a day of trade union action for full employment in Europe, an ETUC delegation was received by the President, Mr Jenkins, accompanied by Mr Ortolí and Mr Vredeling, Vice-Presidents, and Mr Cheysson, Member of the Commission; the delegation stressed that the ETUC was looking for real progress to be made at the Copenhagen meeting in the fight against unemployment. The Commission issued the following statement after these discussions:

'The Members of the Commission recognized the vital importance of the problem of employment as the principal factor which motivates the Commission in its economic proposals, particularly in relaunching the idea of economic and monetary union.

The Commission drew attention to the efforts it is making to encourage coordinated action by the Member States to contribute to the realization of full employment. It recalls the firmness with which it has been pressing for adequate steps to be taken to solve the problem of under-employment. It is in this spirit that the Commission approaches the next European Council in Copenhagen.'

The Commission—which had prepared a paper on the economic and social situation for discussion in the European Council—began work immediately after the Copenhagen meeting on developing a common Community strategy.

Mr Vredeling, Vice-President of the Commission, reported to Parliament on 10 April<sup>1</sup>

and to the Economic and Social Committee on 13 April on efforts being made in regard to social problems. He drew attention to all the work being done to improve the employment situation and stressed that the social policy must be seen in conjunction with the other Community policies (economic, industrial, regional, etc.).

In a speech to the Irish Management Institute at Killarney on 28 April Mr Vredeling stressed the importance of improving the distribution of available work in order to create employment and combat unemployment, and referred to the working paper published by the Commission on work-sharing. He explained that between 1960 and 1975 the total number of hours worked had fallen by an average of 1% per year. The Commission was now investigating the possibility of speeding-up this trend, which should make it possible to improve the balance between the growth in income, the increase in leisure time and an improvement in working conditions.

### Council

1.2.5. The Finance Ministers meeting in the Council in Luxembourg on 17 April heard statements by Mr Jenkins and Mr Ortolí on the Copenhagen talks and discussed the follow-up action.

The statement issued after the meeting explained that the exchange of views had enabled the Council to work out a procedure for devising an overall strategy whereby the objectives of growth and stability laid down by the Heads of Government might be attained.

At the end of April the President of the Council circulated a memorandum to the

<sup>1</sup> Point 2.3.11.

relevant Council committees on the preparation of this overall strategy in order to facilitate the drawing-up of a report for the European Council in Bremen. This memorandum states in brief terms the objectives adopted by the Copenhagen Council and the progress made in various Community bodies towards attaining these objectives.

### **Fight against unemployment: Commission proposals and working papers**

#### **Aid to promote the employment of young people**

*1.2.6.* On 10 April the Commission sent to the Council its proposals for Community aid to promote the employment of young people.<sup>1</sup>

At its meeting on 28 October 1977,<sup>2</sup> the Council held a preliminary discussion on the question of youth employment, based on a Communication from the Commission.<sup>3</sup> It invited the Commission to submit proposals for Community aid to programmes designed to encourage youth employment in Member States.

The Commission's first reply to this invitation is a proposal to the Council for Community support, within the framework of the European Social Fund, for aids to promote youth employment, accompanied by a general Communication detailing the other work it has undertaken in this field and the context in which it plans to insert the proposed new aids.

The proposal for a Council Regulation concerning the introduction of a new form of aid from the European Social Fund to help young people<sup>1</sup> considers that one of the main features of the employment situation in the Community in recent years has been the inadequate growth in the number of jobs available to young work-

ers under 25 years of age. Two new forms of assistance are proposed:

- (i) recruitment premiums to act as an incentive to firms to increase their labour force for their normal work. The recruitment incentive may take the form of premiums paid direct to employers, or it may be in the form of a reduction in the employers' social security contributions;
- (ii) subsidies for programmes involving the recruitment of young people for newly created jobs in the context of activities or services in the public interest.

Both types of subsidies cover a broad range of job creation measures for young people. The Commission intends to encourage Member States to expand them by means of a new Community aid measure under the European Social Fund. This aid, which will extend the scope of assistance beyond aids to vocational training and to mobility, will cover:

- (i) expenditure on employment subsidies in respect of young people under 25 years of age, newly recruited by firms, calculated on the basis of a wage allowance not exceeding 30 EUC per person, for a maximum of six months;
- (ii) expenditure in respect of wage costs for young people under 25 years of age recruited under newly established programmes in the public interest, calculated on the basis of a wage allowance not exceeding 60 EUC per person, for a maximum of twelve months.

The proposed Regulation is accompanied by another proposal for expanding Article 3 of the Council Decision of 22 July 1975<sup>4</sup> on action by the European Social Fund to assist young people under 25 years of age affected by employment difficulties. This amendment would make operations to help young people—which come under Article 4 of the basic Decision—eligible not only for aid measures for training and occupational mobility but also for the new aid to promote employment of young people.

Moreover, this aid will also apply to action on behalf of young people, in the areas of intervention covered by Article 5 of the same basic Decision (regions, technical

<sup>1</sup> OJ C 100 of 25.4.1978.

<sup>2</sup> Bull. EC 10-1977, points 1.4.6 to 1.4.10.

<sup>3</sup> Supplement 4/77 — Bull. EC.

<sup>4</sup> OJ L 199 of 30.7.1975 and Bull. EC 7/8-1975, point 2228.



progress, groups of undertakings and handicapped persons), which will ensure a balance between Article 4 and Article 5 appropriations.

### Tertiary sector and full employment

1.2.7. The Commission sent to the Council on 17 April a working paper on the role of the tertiary sector (public and private) in the achievement of growth, stability and full employment. This paper, which is to be discussed at the May meeting of the Standing Committee on Employment, has been produced in response to requests made by the June 1977 Tripartite Conference on growth, stability and employment,<sup>1</sup> as a further step in the fight against unemployment.

The paper, which traces the future development of the tertiary sector, summarizes the conclusions reached on the basis of general discussions and suggests a number of subjects for discussion by the Standing Committee on Employment.

The tertiary sector includes commerce, banks and insurance, other market services and non-market services. This group of activities has grown considerably in the past twenty-five years, both in terms of production and more especially employment, and it has indeed chiefly accounted for the net growth of employment in the Community. What are the prospects for the private tertiary sector? What role could the public tertiary sector occupy in the return to full employment?

The Commission is concerned with three main aspects: expansion of the population of working age, the very restricted scope for job creation in the secondary sector, and the mass of unfulfilled needs in the field of collective services.

These problems concern the Community in two ways: the importance for Member States of a Community-level analysis, and the need to direct the Community's own operations.

The Commission believes that an improvement in the Community employment level is impossible without further development of the tertiary sector. Preliminary reflections show that there exists considerable scope for job creation in the sector. However, the realization of this potential is subject to two important conditions.

The first concerns the cost of these new activities for both the private and the public tertiary sector. The second condition concerns the efficacy of such operations in the public or non-market sector.

The Commission therefore suggests that discussion in the Standing Committee on Employment should be concentrated on the following lines:

- (i) understanding of the branches which constitute the tertiary sector;
- (ii) the role of small and medium-sized firms;
- (iii) the ways in which national policies can discriminate against services;
- (iv) the role of community services;
- (v) possible ways of reconciling budgetary constraints with the aim of wider access to services;
- (vi) new employment prospects in the public sector, and the obstacles which governments see to their development;
- (vii) the evaluation of job-creation programmes;
- (viii) the role of investment in creating and developing tertiary sector employment;
- (ix) the improvement of statistics.

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<sup>1</sup> Bull. EC 6-1977, point 1.1.7.

### 3. Customs union — A fresh impetus

#### Fresh impetus for the customs union

*1.3.1.* On 12 April Parliament<sup>1</sup> passed a Resolution on the development of the customs union and the internal market, thereby demonstrating its support for the Commission's efforts to promote progress in this field. Taking as its basis a report tabled by Mr Nyborg on behalf of the Committee on Economic and Monetary Affairs, Parliament described the customs union as it should be in its definitive form, and indicated ways and means of achieving this final goal.

The Commission has endorsed these guidelines and those contained in the Opinion delivered by the Economic and Social Committee on 30 March<sup>2</sup> and will during this year be presenting a multiannual programme outlining a number of concrete measures to lead up to the completion of the customs union. This programme, and proposals based on it, will form the framework for a debate among the Community institutions aimed at working out the optimum conditions for real and rapid progress.

*1.3.2.* The Commission Communication of 15 June 1977 on the State of the Customs Union<sup>3</sup> provided the preliminary outlines for these discussions. In that Communication the Commission summarized the situation on the eve of 1 July 1977 and stressed a number of points, including the need both to improve the free movement of goods within the Community and to work out more uniform and rational customs rules for trade with non-member countries.

In December,<sup>4</sup> the Commission, in an attempt to broaden the discussion, organized a conference on the customs union which was attended by representatives from the economic sectors concerned, national customs departments, and a delegation from the European Parliament. The conference, which was chaired by the former Luxembourg Prime Minister, Mr Pierre Werner, resulted in a clearer perception of the various obstacles

hampering free movement of goods and travellers within the Community, and a more detailed set of criteria for customs rules in general was drawn up. The conference also provided an opportunity to gauge the welcome and support which business and industry would give to various Commission initiatives.

In its Communication of 16 November 1977 on the prospect of economic and monetary union,<sup>5</sup> the Commission proposed that 'over a five-year period, such progress be achieved in establishing a single market as is necessary for putting economic and monetary union into effect'. It also pointed out that, although the common market would not be wholly comparable to the national markets of each of the Member States, unity of the market would be necessary in all cases where national legislation and practices, by virtue of their disparity, represented an obstacle to freedom of movement for goods or services, or entailed extra costs for firms.

Substantial progress in unifying the markets should be put in hand this year, in the first place because it is essential for the success of the Community's economic recovery strategy; the development of intra-Community trade is crucial in restoring growth rates to a more satisfactory level. This explains the measures proposed in relation to the customs union, elimination of technical barriers to trade, the common market for services, abolition of administrative frontiers, tax harmonization and freedom of capital movements.

<sup>1</sup> Point 2.3.14 and OJ C 18 of 8.5.1978.

<sup>2</sup> Bull. EC 3-1978, point 2.3.71.

<sup>3</sup> Bull. EC 6-1977, points 1.2.1 to 1.2.7.

<sup>4</sup> Bull. EC 12-1977, point 2.1.28.

<sup>5</sup> Bull. EC 10-1977, point 1.2.1.

### **The aims of customs policy in 1978**

1.3.3. In order to facilitate convergence of the Community economies, it is essential to strengthen those instruments of the customs union which are needed in the application of the common policies. In the immediate future, therefore, the Commission intends, where the customs union is concerned, to keep to the priorities which were outlined in its Action Programme for 1978.<sup>1</sup> In the main, these priorities reflect the need to enhance the reliability of the external customs border, thus gradually eliminating the risk of unilateral measures by Member States resulting in the creation of barriers between different markets. Here, gradual harmonization of customs rules should bring about greater uniformity in the administration of trade arrangements between the Community and non-member countries. Since this process will require fuller cooperation between customs and tax administrations, there is scope for substantial progress in the simplification of formalities and controls relating to trade.

As part of the same programme the Commission has recently put forward a number of proposals for early adoption by the Council, in the following fields:

- (i) administrative cooperation between customs departments;
- (ii) uniform arrangements for external trade and the implementation of sectoral measures;
- (iii) greater freedom of movement for goods inside the Community.

### **The prospects for a Community system of administration of trade arrangements**

1.3.4. One of the characteristics of a customs union, as opposed to a mere free trade

area, is to have common administrative structures which, in the eyes of users of the system, constitute a single customs territory. Consequently, in a situation where each customs department tends, in varying degrees, to cling to its traditions, it is essential to provide sound and effective legal instruments. The harmonization of external trade arrangements cannot stop at a common customs tariff and a core of approximately uniform principles; it must extend into the field of procedure, in order to prevent disparities of treatment. At the moment, users of the system have to comply with nine widely differing sets of procedures, which in practice make a mockery of the notion of a common customs territory. Procedures, formalities and documents can change entirely, depending on where a given customs operation is to take place. Users within the Community must be given the same practical facilities in customs matters which they enjoy for the same operations on a national basis.

To be fully effective, however, a harmonization policy of this sort will need to be accompanied by a strengthening of the institutional structures of the customs union. At present, there are a number of cumbersome procedures which seriously handicap the flexibility of existing instruments and the ability to react rapidly to unforeseen situations. These problems can only be solved by making wider use of the delegation of powers under Article 155 of the EEC Treaty. Thus the Commission's present competence in this respect will need to be extended to cover other areas, including temporary derogations from the Common Customs Tariff. Although the main aim of these tariff measures is to enable the Community to cope with unexpected shortages, the procedural requirements mean that more than six months have usually elapsed before the measures can be pu-

<sup>1</sup> Bull. EC 2-1978, point 1.2.1.

blished in the Official Journal. This proved to be particularly detrimental during the 1976 drought, for example, when an emergency tariff suspension for vegetables was necessary. This sort of thing undoubtedly reflects directly on the credibility of the Community's political instruments. The last few months' experience with measures on steel and textiles shows the extent to which the effectiveness and uniform implementation of a strategy in the Community as a whole depend not only on the authority given to the Commission, but on close cooperation between the Commission and Member States' administrations. In this context the regular contacts which have developed between the Commission and national customs experts have proved most fruitful and have already made it possible to solve a host of practical problems. Encouraging experiences of this kind should be imitated on a wider scale, going beyond the purely sectoral framework to which they are currently confined.

Coordinated action along these lines in the form of a reinforcement of legal and institutional structures is bound to add to the effectiveness of the customs union as an instrument of Community policy. Views on how this could be achieved do, of course, differ. In its motion for a Resolution on the development of the customs union, Parliament's Committee on Economic and Monetary Affairs felt that the customs union in its final form should have a common authority with responsibility for administering customs affairs at the external frontiers. While some people will not be prepared to go as far as this, the administration of trade arrangements with non-member countries undoubtedly can—and even must—be placed on a more Community footing. Clearly, however, it will be necessary, in order to generalize the impact of these measures, to achieve further harmonization of commercial policy measures within the Community. At the mo-

ment various tariff headings are still governed, both in trade with Eastern Europe and with GATT member countries, by different import rules in the nine Member States.

### **Measures to facilitate intra-Community trade**

*1.3.5.* The main reason why the Community's customs union still looks much more like a free trade area is that its internal frontiers appear to have remained intact. The introduction of the Community transit system has undeniably been of value in transferring the completion of customs formalities to within the Member States. Nevertheless, these formalities still survive, and even at the frontiers, although purely customs barriers have been removed, a great deal of trade is still subject to formalities and controls on tax, veterinary, health, statistical or other grounds.

These obstacles to free movement are out of keeping with the idea of a customs union, and in fact the Treaty of Rome provides legal means of cutting them down to a minimum, or even of getting rid of them completely.

A good many obstacles to the free movement of goods have been and will continue to be removed, with the support of various decisions of the Court of Justice, by application of the instruments which the Treaty makes available to the Commission to enforce the prohibition on customs duties or charges having equivalent effect to quantitative restrictions. Other obstacles remain, however, particularly in connection with certain controls which may even affect trade carried on within a Member State. The solution is not to abolish these controls where they apply to trade between Member States, but rather to harmonize and coordinate existing national rules so that disparities of treatment

## 4. Marine pollution and the carriage of oil

Fresh impetus for the customs union

are removed, and to reduce the repetition of formalities and controls to a minimum. The obvious examples here are the veterinary and health checks on goods moving between Member States. It is obvious that no substantial progress in this field will be possible without closer cooperation between the national customs or other administrative departments, which will call for a climate of confidence and a growing spirit of mutual assistance.

The Commission's plans for achieving a more tangible freedom of movement for goods meets the justified claims of Community citizens for unhindered travel between Community countries. The political effort required for a further opening-up of the internal frontiers should be directed primarily towards increasing travellers' duty-free allowances and adjusting customs rules in order to eliminate instances where goods are taxed twice, or escape charges altogether.

These policies for giving a fresh impetus to the customs union can be carried out only as part of a multiannual programme. It is clear, also, that the plans will require constant revision in the light of the experience and requirements of those most directly affected by the measures in question. The Commission is therefore planning to hold a second conference early next year, this time with the theme of customs and administrative formalities and practical ways of rendering them more flexible. Topics likely to prove particularly interesting include intra-Community trade statistics, and the possibility of replacing the present system of collecting these at frontiers by some means of return more compatible with the free movement of goods.

### Measures required at international and Community level

*1.4.1.* The recent grounding of the oil tanker Amoco Cadiz<sup>1</sup>—coming as it did after a number of similar incidents, frequently of catastrophic proportions—brought home the urgent need for the Community to take appropriate measures to help prevent such accidents and to deal with the consequences of any that do occur.

Although even before this accident the Commission had been attentive to the problems of preventing and combating pollution caused by oil spills, the very firm stands taken by the Community institutions in April<sup>2</sup> prompted the Commission on 27 April to send a new Communication to the Council accompanied by formal proposals.

Following up its Communication of 9 June 1977<sup>3</sup> and a memorandum sent to the Council on 7 April 1978, this new Communication highlights the ineffectiveness of existing international regulations and proposes a number of guidelines and concrete measures.

### The Community's position

#### Council

*1.4.2.* At the Council meeting on 4 April the Foreign Ministers heard a statement by Mr de Guiringaud, the French Foreign Minister, a statement by Mr Andersen, President of the Council, and an address by Mr Roy Jenkins, President of the Commission.

<sup>1</sup> Bull. EC 3-1978, point 2.1.46.

<sup>2</sup> Points 1.4.2 to 1.4.6.

<sup>3</sup> Bull. EC 6-1977, point 2.1.72.

The communiqué published at the end of the meeting states:

'Following the disaster which recently struck the coastline of Brittany as a result of the wreck of the oil tanker Amoco Cadiz, the President of the Council raised the problem of the pollution of the sea and coastlines of the Member States by oil. He called upon the Member States of the Community to act together in an effort to minimize the risk of further disasters of the same type.

The French delegation having in its turn put forward far-reaching suggestions for stepping up measures to combat the pollution of the seas and of the coastlines of the Member States, the Council agreed unanimously to ensure that Community measures would be taken as soon as possible to establish a common position on the steps to be taken at international level.

It took note of the fact that, in the light of the recent tragic events, the Commission would consider the desirability of submitting proposals in addition to those it had already forwarded to the Council in this matter and instructed the Permanent Representatives Committee to undertake preparatory work as soon as possible, taking particular account of the French communication.'

## European Council

1.4.3. The 'Conclusions of the Presidency' issued at the end of the European Council meeting in Copenhagen on 7 and 8 April included a statement on marine pollution. This statement—the complete text of which is reproduced below—calls on the Community to make the prevention and combating of marine pollution, particularly from hydrocarbons, a major objective.

'After hearing a statement by the President of the French Republic concerning the running aground of an oil tanker on the French coast, and bearing in mind the measures already taken and the proposals already put forward by the Commission and by some Member States concerning the fight against pollution and the imposition of minimum standards on ships, the European Council.

1. Considers that the Community should make the prevention and combating of marine pollution, particularly from hydrocarbons, a major objective,

2. Consequently invites the Council, acting on proposals from the Commission, and the Member States forthwith to take appropriate measures within the Community and to adopt common attitudes in the competent international bodies concerning in particular:

(a) the swift implementation of existing international rules, in particular those regarding minimum standards for the operation of ships;

(b) the prevention of accidents through coordinated action by the Member States

— with regard to a satisfactory functioning of the system of compulsory shipping lanes,

— and with regard to more effective control over vessels which do not meet the standards;

(c) the search for and implementation of effective measures to combat pollution.'

## European Parliament

1.4.4. At its part-session from 10 to 14 April Parliament devoted a long debate to the problems raised by the Amoco Cadiz disaster, the highlight being a speech by Mr Natali, Vice-President of the Commission. This was followed by the adoption of a strongly worded Resolution.

### *Speech by the Vice-President, Mr Natali*

1.4.5. In his speech to the House on 13 April, Mr Natali reviewed the proposals the Commission had already made and also stressed that the problem of marine pollution required action in a wider international context.

'But,' he said in substance, 'the Commission finds that the effectiveness of international action through conventions is often compromised by the excessive time lag between signature of the final act of a convention, its entry into force and its actual enforcement. Effectiveness also depends on the willingness of the parties to these international conven-

tions to cooperate and the possibilities of their doing so. And experience shows that such cooperation is difficult both at regional and at world levels. Furthermore, the facilities available to deal with the consequences of major pollution disasters bear no relation to the loads carried by tankers. And methods of treating oil slicks are not yet satisfactory, either in effectiveness or environmentally.'

Mr Natali also welcomed the strong political impulse given by the European Council in its stand on the question of preventing and combating accidental pollution caused by oil spills and shipping. Mr Natali further gave notice that the Commission was shortly to submit further proposals to the Council.

### *The Resolution*

1.4.6. Following the debate, the European Parliament adopted the following Resolution:<sup>1</sup>

— having regard to the 'Amoco Cadiz' disaster off the Brittany coast and the resulting oil slick,

— having regard to the serious ecological consequences of this disaster for the marine environment,

— considering that a disaster of this nature is a grave blow to fishermen, oyster farmers, shell-fish breeders, seaweed gatherers and others who depend on the sea for their livelihood.

1. Believes it essential for the common policy for the management and conservation of fishery resources to be supported by an overall policy on the sea aimed, in particular, at bringing sea transport within the compass of Community rules, and at preventing or fighting pollution of the sea by Community financing of the specialized equipment required to implement these objectives;

2. Recalls its resolution of 16 February 1978 on some aspects of the final version of the common fisheries policy,<sup>2</sup> in particular paragraph 5(c) thereof; feels that the formation of a European coastguard service would be the most effective way of ensuring the application of Community rules under the common fisheries policy or any other rules falling within the framework of an over-

all policy on the sea, especially with regard to the prevention of marine pollution;

3. Affirms that the Community is duty-bound to manifest its support for the Community regions so gravely affected by this disaster by granting more generous financial assistance both as compensation for those affected by the oil slick and for the cleaning up of the Brittany, Channel Islands and British coasts.'

### **The Commission's new proposals**

1.4.7. On 27 April the Commission sent to the Council a Communication (with two proposals for decisions and two draft resolutions annexed) urgently requesting the Council and Parliament to pronounce as early as possible on the proposals made earlier as well as on the new measures proposed in that document. The new measures may be grouped under five general headings.

### **Combating marine oil pollution**

#### *Action Programme*

1.4.8. The Commission's communication includes an Action Programme which concentrates on the type of measures required to combat pollution resulting from accidental oil spills. The programme provides for the following seven approaches:

(i) Computer processing of the existing data, or data still to be collected, on ways of dealing with marine pollution by oil with a view to the immediate use of these data in the event of accidental pollution.

(ii) Computer processing of relevant data on tankers liable to pollute the Community's waters or coasts and on man-made structures under the jurisdiction of Member States, with a view to the immediate use of these data if necessary.

<sup>1</sup> OJ C 108 of 8.5.1978.

<sup>2</sup> OJ C 63 of 13.3.1978.

(iii) A set of measures to enhance the cooperation and effectiveness of the emergency teams which have been or are to be set up in the Member States.

(iv) Study of a Community contribution to the design and development of clean-up vessels to which may be fitted the equipment needed for the effective treatment of oil spills.

(v) Examination of ways and means for a Community initiative to meet the qualitative and quantitative requirements for the towing of vessels in distress.

(vi) Study of the amendments and improvements which may have to be made to the rules of law regarding systems of compensation for risks of accidental pollution by oil.

(vii) Development of a research programme on chemical and mechanical methods of combating pollution by oil discharged at sea, what becomes of its and its effect on marine flora and fauna.

#### *Accession of the Community to certain international agreements*

1.4.9. In order to allow the Community to participate as such in the efforts to reduce oil pollution chiefly in the North Sea and the Mediterranean, and facilitate collaboration with non-member countries concerned in these matters, the Commission proposed two Council decisions. The first concerns the negotiation of Community accession to the Bonn Agreement of 9 June 1969 on Cooperation in dealing with Pollution of the North Sea by Oil. In the second, the Commission proposes that the Council conclude the Protocol on cooperation in dealing with pollution by oil and harmful substances which is annexed to the Barcelona Convention on the Protection of the Mediterranean Sea against Pollution from Land-based Sources.

#### **Ratification of various international conventions and tightening up of controls**

1.4.10. The Commission will be making formal submissions proposing that the Member States ratify the following conventions:

(i) the MARPOL and SOLAS Conventions and the Protocols thereto. These are Conventions which have been concluded within the Intergovernmental Maritime Consultative Organization (IMCO). The MARPOL Convention lays down rules concerning the discharge of oil and other hazardous substances by ships, lays down tougher construction standards for tankers, and organizes cooperation between States in the detection of infringements etc. It also provides for a system of safety inspection based on safety certificates issued by the Flag State and their examination by the Port State. The SOLAS Convention sets out rules on construction, stability, radio communications, life-saving equipment, on the inspection of instruments and gear and the operation of ships in general. Some of these provisions apply particularly to tankers.

(ii) Convention 147 of the International Labour Organization on minimal standards (merchant shipping) which is an outline Convention under which States undertake to ensure that their laws require minimum social provisions and safety standards equivalent to the rules already embodied in other ILO Conventions (seafarers), e.g. minimum age, shipowners' obligations in the case of sickness and accident, medical examination of seafarers, prevention of accidents, certificates of competency for officers and seamen's articles of agreement, accommodation and food for crews and repatriation of seamen.

Ratification by the Member States will not of itself bring these Conventions into force internationally; the Commission is therefore examining the possibility of adopting at Community level the provisions of these conventions on minimum standards.

The Commission is to study the measures needed to improve and harmonize the monitoring of present international and internal standards.



**Extension of territorial waters to twelve miles**

*1.4.11.* The effectiveness of regulatory measures and controls by Member States in respect of marine pollution by ships sailing in their territorial waters is directly linked with the extent of the areas of sea in which such measures may be applied. The Commission therefore calls on the Member States whose territorial waters are less than twelve miles wide to extend them to that limit.

**Extension of the administrative agreement on the North Sea**

*1.4.12.* The terms of the administrative agreement on the North Sea should be applied to cover the whole Community. This agreement, concluded on 2 March 1978 by eight North Sea riparian countries (Federal Republic of Germany, Belgium, Denmark, France, Netherlands, United Kingdom, Norway and Sweden), is concerned with the maintenance of standards and procedures to be applied in ports of the signatory States to all vessels, of whatever flag, below specific standards derived from international agreements in respect of the minimum age of seafarers, their certificates of competency, food, medical examinations, accommodation and the prevention of accidents on board. The Commission will consult Sweden and Norway before making a formal proposal to the Council.

**Joint action by the Member States within IMCO**

*1.4.13.* The proposed joint action within IMCO (Intergovernmental Maritime Consultative Organization) would cover the following fields:

- (i) improving the system of shipping lanes;
- (ii) enhancing the safety of navigation;
- (iii) mutual assistance when there is a threat of pollution arising from damage;
- (iv) crew qualifications.

# 5. Signature of the Community-China Trade Agreement

EEC-China Agreement signed

*1.5.1.* The Trade Agreement between the Community and the People's Republic of China, which was initialled on 3 February,<sup>1</sup> was signed in Brussels on 3 April by Mr Li Chiang, China's Minister of External Trade, Mr Andersen, President of the Council, and Mr Haferkamp, Vice-President of the Commission.

Here the political importance must be stressed of the visit to Brussels by a member of the Chinese Government. After meeting Mr Jenkins, President of the Commission, and Mr Haferkamp, Vice-President, Mr Li Chiang went to Council headquarters.

*1.5.2.* At the ceremony for the signature of the Agreement Mr Li Chiang, Mr Andersen and Mr Haferkamp delivered brief speeches emphasizing the importance of the Agreement and the desire to develop relations between the Community and the People's Republic of China.

## Mr Andersen's welcoming address

*1.5.3.* Welcoming the delegation of the People's Republic of China, Mr Andersen, President of the Council, addressed Mr Li Chiang as follows:

'... Your presence in person among us is an event of very special significance. It is in fact the first occasion that the Community institutions have had the honour of receiving a member of the Government of the People's Republic of China. Furthermore, the trade agreement which we are to sign in a few moments marks a decisive stage in the positive development which has characterized our relations, two other important milestones of which were the visit to Peking by Sir Christopher Soames in 1975 and the accreditation of a Chinese Ambassador to the Community in the same year.

It is our belief that the agreement is going to open up a new era in our trade relations. We have created the framework that is necessary for this purpose: we have undertaken precise mutual commitments to further our trade; a permanent forum has been set up to deal with problems that arise. In trade between the People's Republic of China and the Community there are considerable possibilities as yet unexploited. It will be up to our representatives on the Joint Committee and the economic operators to make the most of the possibilities thus offered to them. We are convinced that, with the support of the government authorities, they will do so ...'

## Statement by Mr Haferkamp

*1.5.4.* On behalf of the Commission, Mr Haferkamp, Vice-president, stressed the political significance of the Agreement, stating in particular:

'... The Agreement is a sign of the trust between the People's Republic of China and the European Community. This is particularly important in a world in which mutual trust is more necessary than ever to overcome economic and political tensions.

The Agreement demonstrates the favourable attitude of the People's Republic of China towards the political unification of the peoples of Europe. China has expressed its approval of European integration and recognized it as a significant factor helping to make world peace more secure. The European Community arose from the spirit of cooperation between its peoples. This principle of cooperation also determines the Community's external relations. Our Agreement is a further expression of this positive will—and is directed against no one ...'

<sup>1</sup> Bull. EC 1-1978, points 1.2.1 to 1.2.3.

## 6. Common insurance market

EEC-China Agreement signed

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### Reply by Mr Li Chiang

1.5.5. After noting that 'the signing of this Agreement marks a new development in political and economic relations between China and the EEC', Mr Li Chiang continued his address as follows:

'... The social system of our country is different from that of the States of Western Europe, but we are all faced with a common task, which is to safeguard our independence and sovereignty. We have much in common and should provide each other with mutual support. We support Western Europe in its union for strength and in its struggle against 'hegemonism'. We want to see a united and powerful Europe, and the countries of Europe, for their part, we are sure, want to see a prosperous and powerful China. We are prepared to make our distribution to the development of cooperation and friendship between our country and the EEC ...'.

### Coordination of co-insurance: a major step with regard to the provision of services

1.6.1. At its meeting on 17 April the Council approved the Directive on the coordination of laws, regulations and administrative provisions relating to co-insurance.

The Commission sent an initial proposal on this subject to the Council on 15 May 1974.<sup>1</sup> Subsequently, taking account of the observations of the Economic and Social Committee<sup>2</sup> and of the European Parliament<sup>3</sup> (published on 19 December 1974 and 18 February 1975 respectively), and also of the judgment of the Court of Justice on the direct applicability of provisions relating to freedom to provide services,<sup>4</sup> the Commission amended its proposal on 21 May 1975.<sup>5</sup>

### Rules governing co-insurance transactions

#### Contents of the Directive

1.6.2. Co-insurance exists where two or more insurers share in the cover of a risk which is generally too large for a single insurer. They may do so by mutual agreement but without joint and several liability, i.e., each covers only that part of the risk for which he has assumed responsibility. The conditions of insurance and the tariffs are

<sup>1</sup> OJ C 72 of 27.6.1974 and Bull. EC 5-1974, point 2112.

<sup>2</sup> OJ C 47 of 27.2.1975 and Bull. EC 12-1974, point 2451.

<sup>3</sup> OJ C 60 of 13.3.1975 and Bull. EC 2-1975, point 2427.

<sup>4</sup> CJEC 3.12.1974, Case 33-74 (*van Binsbergen*) — [1974] ECR 1299.

<sup>5</sup> Bull. EC 5-1975, point 2121.

determined by one of the insurers, who in a way acts for them and is known as the leading insurer.

Co-insurance differs therefore from re-insurance. In the case of the former, different portions of the insured's risk are covered directly by several insurers simultaneously, whilst in the case of re-insurance, the insured deals with only one insurer who covers all the insured risk, but re-insures himself with one or more insurers.

The directive applies to most classes of indemnity insurance, but only where the nature or magnitude of the risks falling within these classes require that two or more insurers share in covering them. These are, in fact, risks for which international cover is genuinely useful. The directive does not apply therefore to accident insurance, sickness insurance, motor vehicle liability insurance, etc.

### Objectives of the directive

*1.6.3.* The purpose of the directive therefore is to facilitate at Community level the conclusion of co-insurance contracts between insurers from different Member States. To this end it makes provision for a minimum degree of coordination of laws, regulations and administrative provisions.

At present co-insurance is practised in certain Member States only at national level. An insurer established in another Member State cannot therefore be a party to a contract of this type. The directive abolished this restriction. It is careful to stipulate that an insurer who wishes to transact co-insurance with insurers from other countries is totally free to select the latter and may do so even if they are agencies whose head office is situated in the State of the leading insurer or head offices with an agency in the State of the leading insurer. It is indeed in the inter-

est of the leading insurer or the broker to be able to select co-insurers on the basis of their financial standing or the extent to which they specialize in the risks to be covered or other criteria inherent in the business in question, and not simply according to the State in which the co-insurer is established.

To this end the directive provides for close cooperation between the supervisory authorities in order to prevent its being used for purposes other than that for which it was intended, namely to allow international cover of risks of a certain magnitude.

The directive gives the Member States eighteen months in which to amend their laws and these are to be applied by the undertakings within two years of the date of notification of the directive.

### Towards a common insurance market

*1.6.4.* The adoption of this directive therefore represents a step towards a common insurance market. In a community in which goods circulate relatively freely it represents a major contribution towards the creation of a common market in financial services.

Freedom of establishment in respect of indemnity insurance, and the considerable degree of coordination which that implies, have already been secured by the Council Directive of 24 July 1973.<sup>1</sup> The co-insurance directive realizes considerable progress towards the next stage, and greatly facilitates its attainment, i.e., the effective exercise of freedom to provide indemnity insurance and the supplementary coordination which this entails. It will be easier therefore for insurance undertakings to offer their services in other Member States without being established there.

<sup>1</sup> OJ L 228 of 16.8.1973 and Bull. EC 7/8-1973, point 2122.

# 7. Introduction to the Competition Report

*1.7.1. The Seventh Competition Report*<sup>1</sup> was approved by the Commission in April and transmitted to Parliament.

The Introduction to the Report, which is reproduced below, outlines the Commission's action on the competition front in 1977.

*1.7.2.* 'The economy of Europe is undergoing a difficult period of transition. Much structural weakness has become apparent or become worse following a reduction in demand accompanied by increased pressure of imports. If structural change is essential in order to reach a new economic balance, it is as well to realize that this will be difficult to achieve in a climate of poor economic growth unless clear perspectives are maintained.

The role of the Commission must therefore be to promote and establish structural change within a socially acceptable framework. The illusion must be resisted that enterprises can protect themselves against those necessary changes by coming to terms with their competitors or by seeking excessive protection from national authorities.

Competition policy plays an important role in the application of the basic rules which govern the integration of markets. The flow of trade creates the need for constant structural adaptation. The maintenance of non-competitive behaviour or anti-competitive practices, on the other hand, leads to partitioning of markets in the sectors directly involved, which then tends to spill over into related sectors in the downstream markets.

It is no coincidence that these simple but basic rules should be challenged at a time when the forces of competition seem to demand excessive sacrifices in certain sectors, particularly so far as employment is concerned, following a lasting slowing-down in the growth of or a switch in demand. Private arrangements for organizing markets or government intervention affecting the competitive ability of undertakings have the object of softening the rigours of market forces. If some of these measures are prompted by the market, others on the other hand substitute themselves for the market, the decisions in such cases being centralized, whether they concern production capacities or given production itself or prices.

Whatever the means chosen to 'organize' a sector, that is to say protect it from competition, one should bear in mind that the direct or implicit object is always to re-establish at least temporarily an artificial profitability by

raising prices. Thus the cost of the salvage operation is supported by the market, that is the user, the processor and finally the ultimate consumer or the taxpayer. Measures for organizing the market therefore tend to have repercussions and to spread, especially to later stages in the manufacturing process, particularly when these remain exposed to the competitive pressure of imports.

Accordingly it is essential that public intervention in the markets should be governed by the rules and procedures which correspond best with the common interest in the sense of the Treaty. In particular, restrictions of competition should be part of a plan for reinforcing competitiveness not only in the sector concerned but in the Community economy as a whole. The latter cannot support indefinitely the high costs of poorly adapted structures.

Market structures have been a priority concern of competition policy during the year 1977. The work of analysing degree of concentration, competition and price formation has been extended, the object being to highlight the underlying causes of the poor functioning of competition. About a hundred markets have been identified in which the most important undertaking holds more than a half-share. It has also been possible to establish that there is a strong tendency towards concentration in the distribution field and that there are some important price differences for the same product at all levels even on the purely local level.

The Commission has the firm intention of systematically applying Article 86 against undertakings in a dominant position which directly or indirectly impose discriminatory or unfair prices. It is not the Commission's objective to set itself up as a price control organization, nor to put an end to price variations which are an essential part of the competitive process, but solely to attack practices which become illegal when they are carried out by undertakings in a dominant position; the reason is the injury which these practices can cause to the user and the consumer.

The Commission considers that the recent Decision in the United Brands case is of great importance for the development of an effective policy regarding the control of abuse of dominant position. The considerations ex-

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<sup>1</sup> Seventh Report on Competition Policy, published in conjunction with the Eleventh General Report on the Activities of the European Communities.

pounded by the Court of Justice have given concrete form to the question of the applicability of Article 86 to abnormal price situations. Though it may remain very difficult to specify in general terms the criteria which enable one to define an unfair price, nevertheless the Court has provided highly valuable pointers which will guide the Commission's work.

In its desire to safeguard competitive structures the Commission has also strengthened its policy of support for small and medium-sized firms. The Commission shares the view expressed by the European Parliament in its Resolution of 16 February 1978, when it stated that the existence 'of a healthy and strongly developed sector of small and medium-sized firms is a condition for the smooth functioning of a modern economy'.

The Commission has therefore taken certain measures which enlarge the possibilities of extensive cooperation between such firms. It has revised in this direction the Notice on agreements of minor importance and the Regulation exempting certain categories of specialization agreements. The work undertaken in the field of sub-contracting agreements of patent licensing has the same objective.

For the present it is in the area of State aids that competition policy has been subjected to the greatest pressures.

The general policy objectives remain valid. Aids should not be granted except where they are really necessary and only at an intensity proportionate to the real difficulties of each national situation. They should be accorded in such a manner that in practice they rapidly contribute to and provoke the necessary changes.

The aim is to assure the efficacy of the Community economy and society in facilitating free and equal competition between the different economic agents, to safeguard the mobility of the factors of production both temporally and spatially by preventing their sterilization which would inevitably be costly and to leave open possibilities for progress and innovation. Necessary corrective actions must, of course, be accepted: protective measures which are really transitory and which enable the break-down of threatened structures to be avoided during the time necessary to bring about a restructuring, regional aids, aids to industrial adaptation, compensatory measures for certain artificial distortions provoked by third countries, liberal social measures.

Nevertheless, as regards the latter, even in the context of the present employment position, it is necessary to

avoid a situation where these measures would lead to a prolonged subsidization of undertakings or the production of goods the survival of which would not justify the sacrifice of resources for their benefit by the community in general. Such resources, if they were better utilized, would guarantee greater employment in the future.

The activities of the Commission concerning aids can appear to be excessively rigorous having regard to the social consequences of unemployment in the present economic situation. They are, however, completely justified when account is taken of the fact that the measures concerned are essentially palliatives. On the one hand, the Commission's activities enables the exporting of unemployment to be limited considerably and reactions by way of outbidding and escalation to be prevented. They also prevent the perpetuation of hopeless situations and stimulate the public and private authorities to seek more positive solutions than the simple preservation of redundant jobs.

In this regard, action in relation to aids is an important element in the policy aimed at restoring employment. The criteria on which it is based ought to take account of the two major justifications mentioned above while at the same time facilitating the necessary transition. It is in this context that aids to employment have in particular been introduced; such aids, under different forms, have had a tendency to multiply. The Commission accepts that the present social circumstances can justify protective measures for employment in the sectors which are particularly stricken by the crisis when implemented in conjunction with measures favouring the creation of new employment. However, aids to the maintenance of employment must not be perpetuated in undertakings which can benefit in a manner which allows them to maintain without change non-competitive production likely to aggravate the crisis to the detriment of other undertakings.

These considerations influenced most of the positions taken by the Commission in 1977 in relation to State aids.

As regards sectoral aids, the Commission drafted a fourth directive on national aids in the shipbuilding sector. This retains the concept that aids in this sector should be abolished once the sector has re-established its competitiveness on the basis of more limited and fundamentally renovated productive capacity. The present

draft, while providing for adequate discipline, takes into consideration all the measures which could prove to be necessary in the context of the existing serious crisis.

In the case of steel, the Commission defined the principle orientations of its policy on aids to this sector which is also faced with a serious crisis. It is at present examining the need to complete this work by a more precise framework, based on Article 95 ECSC, after unanimous Council approval, for aids and other interventions by the Member States in this sector.

In the synthetic fibres sector, the Commission defined its policy on the basis of the existence of surplus productive capacity. It asked the Member States to suspend the granting of aids which would have the effect of leading to a further increase in productive capacity. It stressed that it envisaged not only the specific aids to the sector concerned, but in principle also all aids which could find their basis in general or regional aid systems.

In addition, the Commission considers that in these sectors the coordination of sectoral aids ought to be accompanied by a policy of thorough re-organization, defined at the level of the Community, to resolve the structural problems common to several Member States.

The Commission will take initiatives of the same order in relation to aids when this is called for by the situation in a sector. It must be emphasized in this regard that this is not to be taken as a type of veiled industrial planning which would be effected by means of a general sectoral modulation of regional or general aids. The Commission considers that in certain cases, where at the level of the Community branches of industry face an extremely grave situation which appears destined to continue, aids which contribute to the development of capacity are harmful from the sectoral point of view and do not assure development on a sound basis from the regional point of view.

As regards regional aids, the Commission has pursued, with the experts from the Member States, the technical work necessary for the development of the coordination of regional aids both at the general level of the coordination principles applicable to such aids and at the level of the examination of the different systems of regional aids in force in the Member States.

It should be reaffirmed that all the disciplines which the Community fixes for aids to sectors in difficulty run the risk of being evaded where State intervention is already strong and is susceptible to be reinforced precisely to take account of the difficulties encountered. The Com-

mission will use the possibilities available to it under Article 90(3) EEC to clarify the financial relationships between public undertakings and their responsible authorities. The Commission will also actively take account of this problem in the disciplines which it develops in relation to State aids.'







**PART TWO**

**ACTIVITIES  
IN APRIL 1978**

# 1. Building the Community

## Economic and monetary policy

### Economic situation

#### European Council meeting in Copenhagen

2.1.1. The European Council, which met in Copenhagen on 7 and 8 April, proceeded to a detailed examination of the economic and social situation in the Community. The results of the discussions were outlined in the 'Conclusions of the Presidency', released at the end of the meeting.<sup>1</sup>

#### Meeting of the Council (Economic and Financial Affairs)

2.1.2. At a meeting held on 17 April the Council considered action to be taken further to the discussion held in the European Council on 7 and 8 April of the economic situation in the Community and its Member States. The Council agreed on a procedure to be followed with a view to establishing, on the basis of the guidelines set forth by the European Council, an overall strategy for attaining the objectives of growth and stability agreed by the Heads of Government.

The Council also made preparations for the meeting of the Interim Committee of the International Monetary Fund to be held in Mexico on 29 and 30 April.<sup>2</sup>

### Community loans

2.1.3. On 12 April Parliament gave its Opinion<sup>3</sup> on the proposal for a Council Decision empowering the Commission to issue loans for the purpose of promoting investment within the Community.<sup>4</sup> The Economic and Social Committee<sup>5</sup> also adopted an

Opinion on this subject, at a plenary session held on 26 and 27 April.

### Monetary Committee

2.1.4. On 4 April the Monetary Committee held its 239th meeting in Brussels, with Mr van Ypersele de Strihou in the chair. The main item on the agenda was a discussion of international monetary problems in preparation for the meeting of the Interim Committee of the IMF in Mexico. The Committee also held a preliminary discussion of the Commission communications on the prospects for economic and monetary union<sup>6</sup> and the action programme for 1978.<sup>7</sup> The Committee agreed to adopt a report on these communications at its next meeting.

The Working Party on Securities Markets, chaired by Mr Hernandez, met in Brussels on 6 April to begin, under new instructions, its examination of the draft third directive on capital movements.

### Economic Policy Committee

2.1.5. On 7 April, the Economic Policy Committee held its 61st meeting in Brussels, with Mr Tietmeyer the chair. The meeting was devoted to the adoption of a report drawn up by an *ad hoc* working party chaired by Mr Leonard to the Council and the Commission on the action programme for 1978 and to a detailed preparation of forthcoming

<sup>1</sup> Point 1.2.2.

<sup>2</sup> Point 2.2.37.

<sup>3</sup> Point 2.3.7 and OJ C 108 of 8.5.1978.

<sup>4</sup> OJ C 37 of 14.2.1978.

<sup>5</sup> Point 2.3.58.

<sup>6</sup> Bull. EC 10-1977, point 1.2.1.

<sup>7</sup> Bull. EC 2-1978, points 1.2.1 to 1.2.3.

discussions between the Committee and workers' and employers' representatives.

The Committee's Working Party on Public Finance met in Brussels on 27 April, with Mr Davies in the chair. It continued its scrutiny of the financing of budgetary deficits and adopted a programme of work for extending the scope of the annual budgetary guidelines to all public authorities.

## Internal market and industrial affairs

### Free movement of goods

#### *Removal of technical barriers to trade*

#### Measuring instruments

2.1.6. On 5 April the Commission sent to the Council a proposal for a Directive adapting in line with technical progress the Directive of 19 November 1973<sup>1</sup> on the approximation of the laws of the Member States relating to material measures of length.

The proposal is intended to allow for the alterations or improvements in the way these instruments are built since the Council adopted the original Directive.

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2.1.7. On 11 April Parliament gave its Opinion<sup>2</sup> on the Commission's proposal amending the Directive of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products.

## Harmonization of legislation

### *Company law*

#### **Proposal for an eighth Directive: auditors' qualifications**

2.1.8. On 24 April<sup>3</sup> the Commission transmitted to the Council a proposal for a Directive to determine the conditions under which persons may be authorized to carry out statutory audits of the annual accounts of limited liability companies.<sup>4</sup> It has become clear that, although some Member States entrust the task of carrying out such statutory audits to highly-qualified persons, this is not the rule in all Community countries. This proposal for an eighth Directive would provide shareholders, employees and third parties, such as creditors, which equivalent guarantees as to the quality of the statutory audits carried out. Such equivalent guarantees are afforded by ensuring that only highly qualified and independent persons of good repute obtain from Member States the authorization necessary to carry out statutory audits.

#### **European Cooperation Grouping**

2.1.9. On 5 April the Commission decided<sup>5</sup> to amend the proposal for a Regulation it had submitted to the Council in December 1973<sup>6</sup> concerning the establishment of a European Cooperation Grouping (ECG).

<sup>1</sup> OJ L 335 of 5.12.1973 and Bull. EC 11-1973, point 2116.

<sup>2</sup> OJ C 8 of 10.1.1978 and Bull. EC 12-1977, point 2.1.9.

<sup>3</sup> OJ C 112 of 13.5.1978.

<sup>4</sup> Supplement 4/78 — Bull. EC.

<sup>5</sup> OJ C 103 of 28.4.1978.

<sup>6</sup> Supplement 1/74 — Bull. EC; OJ C 14 of 15.2.1974 and Bull. EC 12-1973, point 2130.

The Economic and Social Committee and Parliament delivered Opinions on the original proposal on 27 February 1975<sup>1</sup> and 14 June 1977<sup>2</sup> respectively.

The amendments deal principally with the following points:

(i) The Regulation stipulates that employees' interests must be taken into account, particularly when the Grouping is being set up or when it is being voluntarily wound up. The mechanisms involved fall into three categories: prior information, negotiations and, where the latter break down, application of the laws of Member States governing the relevant employment relationships.

(ii) Greater publicity will be given to groupings: notice of their formation, together with the date and place of publication in the Member State where the head office is situated, is to be given in the Official Journal of the European Communities.

(iii) The purpose of the Grouping is made clearer, and a limit is set on the duration for which it may be formed; the number of employees a grouping may have is also increased to 500.

\*

2.1.10. On 13 April Parliament adopted a Resolution on the legal policy of the European Communities.<sup>3</sup>

## Free movement of persons, right of establishment

### Professions

#### Veterinary surgeons

2.1.11. On 11 April the Commission sent the Council a draft Decision to set up an Advisory Committee on Veterinary Training.

The Committee would work towards the standardization of veterinary training for the purpose of the mutual recognition of diplomas, certificates and other veterinary qualifications, and for the coordination of the conditions for taking up veterinary activities.

## Industry

### Iron and steel

#### Internal market situation

2.1.12. At the Council meeting on 4 April Mr Davignon, Member of the Commission, reported on the operation of the crisis plan adopted by the Council on 19 and 20 December 1977.<sup>4</sup>

Mr Davignon stated that the Commission will continue to apply scrupulously all the surveillance and sanction mechanisms available to deal with any infringements of the price rules.

2.1.13. On 1 April<sup>5</sup> the Commission adopted a Decision adjusting the minimum prices for hot-rolled wide strips, merchant bars and concrete reinforcing bars, and a Communication concerning the publication of guidance prices for certain steel products, to take account of fluctuations in exchange rates since its Decision of 28 December 1977.<sup>6</sup>

<sup>1</sup> OJ C 108 of 15.5.1975 and Bull. EC 2-1975, point 2462.

<sup>2</sup> OJ C 163 of 11.7.1977 and Bull. EC 6-1977, point 2.3.7.

<sup>3</sup> Point 2.3.16 and OJ C 108 of 8.5.1978.

<sup>4</sup> Bull. EC 12-1977, points 1.1.1 to 1.1.4.

<sup>5</sup> OJ L 87 of 1.4.1978.

<sup>6</sup> OJ L 352 of 31.12.1977 and Bull. EC 12-1977, point 1.1.3.

2.1.14. On 26 April the Commission decided to consult the ECSC Consultative Committee and the Council on a Decision it is planning to take under the first paragraph of Article 95 of the ECSC Treaty on Community rules for Member States' aids and assistance to the steel industry.

### Loans to industry

2.1.15. The Commission decided to grant the following loans under Article 54 of the ECSC Treaty:

- (i) FF 50 million to Société des Aciéries et Laminoirs de Lorraine SA (Sacilor), Hayange, to finance a modernization programme for the wire-rod mill at Gandrange-Rombas;
- (ii) FF 130 million to Société Lorraine de Laminage Continu SA (Sollac) Paris, for installing two continuous slab casting lines in the Sérémange steelworks;
- (iii) DM 5 million to Thyssen AG, Duisburg, to help finance extensions to the technical training centre at the company's Ruhrort works;
- (iv) HFL 114 million to Hoogovens IJmuiden BV, IJmuiden, to help improve product quality by constructing the first continuous casting plant in the Netherlands.

### Shipbuilding

2.1.16. The OECD Working Party on Shipbuilding, which met in Paris from 17 to 19 April,<sup>1</sup> dwelt on the need for all the organization's member countries to embark on the process of adjusting production and capacity. The Commission itself is continuing to liaise with all the interested circles in an attempt to identify all the possible lines of action for countering the crisis affecting the shipbuilding industry.

## Commerce, small and medium-sized enterprises and tourism

### *Small and medium-sized enterprises*

2.1.17. Following the parliamentary debate of 16 February on the proposal for a Resolution on the problems of small and medium-sized enterprises<sup>2</sup> in the Community, the Commission sent on 15 April, to Parliament a paper amplifying Mr Davignon's speech.

The paper summarizes the Commission's main comments on the Resolution. It begins with an account of the aims and principles the Commission intends to be guided by, and then comments on the main points raised in the Resolution.

The Commission has set itself the following aims:

- (i) to ensure that the prevailing economic, legal, tax and social framework allows existing enterprises to develop and to keep up with changing circumstances, while allowing new enterprises to be set up;
- (ii) to help small and medium-sized enterprises to find the most appropriate means of overcoming the special problems they face as a result of their size.

The Commission's basic principles are as follows:

- (i) the interests of small and medium-sized enterprises and artisans must be fully reflected in all Community policies;
- (ii) a multi-faceted approach must be adopted which will take account of the wide range of problems encountered by the many differ-

<sup>1</sup> Point 2.2.39.

<sup>2</sup> Bull. EC 2-1978, point 2.3.13.

ent types of small and medium-sized enterprises;

(iii) national and Community measures must complement each other;

(iv) the Commission itself should intervene only where strictly necessary.

The concrete steps that have been taken, or are currently being prepared, effect the following areas in particular: the simplification of administrative formalities, public contracts, financing, taxation, exports, cooperation between undertakings, training of staff and employers, subcontracting, research and development, and economic and technical information.

## Customs union

### Fresh impetus for the customs union

2.1.18. Parliament held a debate during the part-session from 13 to 17 March on the work being done by the Commission to give fresh impetus to the customs union.<sup>1</sup>

## Tariff measures

### Tariff quotas

2.1.19. In connection with the Association Agreement between the EEC and Cyprus, and with a view to fulfilling the Community's obligations towards the island, the Council adopted a Regulation on 17 April<sup>2</sup> concerning the arrangements applicable to trade in the agricultural sector.<sup>3</sup> This Regulation provides that from 1 April 1978 customs duties on imports into the Community of certain agricultural products originating in Cyprus will be reduced by percentage rates which vary according to the product. In addition, Common Customs Tariffs duties on various products originating in Cyprus are wholly or partially suspended within the limit of Community tariff quotas, for periods which vary according to the different products (see Table 1).

<sup>1</sup> Points 1.3.1 to 1.3.5.

<sup>2</sup> OJ L 106 of 20.4.1978.

<sup>3</sup> Point 2.2.56.

Table 1 — *Tariff quotas for products originating in Cyprus*

Description	Quota volume	Quota duty	Period
New potatoes (ex 07 01 A II a))	25 000 t	5.2%	1.4 to 15.5.1978
New potatoes (07.01 A II b))	75 000 t	7.3%	16.5 to 30.6.1978
Carrots (ex 07 01 G II)	2 200 t	6.8%	1.4 to 15.5.1978
Tables grapes (ex 08 04 A I a))	500 t	7.2%	8.6 to 30.6.1978
Sweet peppers (07 01 S)	75 t	4.5%	1.4 to 30.6.1978
Dried grapes, in immediate containers of a net capacity of 15 kilograms or less (08 04 B I)	125 t	exemption	1.4 to 30.6.1978
Wine of fresh grapes, in containers holding 2 litres or less (ex 22.05 C I a) and C II a))	2 500 hl	3 u a./hl and 3.5 u a./hl	1.4 to 30.6.1978

## Origin and methods of administrative cooperation

2.1.20. On 10 April<sup>1</sup> the Commission adopted a Regulation on the determination of the origin of textile products falling within Chapters 51 and 53 to 62 of the Common Customs Tariff.

This Regulation lays down precise rules for determining the origin of each textile product, in order to ensure the uniform application and smooth operation of the new arrangements for textiles imports in force since 1 January.

## Competition

### Seventh Report on Competition Policy

2.1.21. The Commission has transmitted to Parliament its Seventh Report on Competition Policy,<sup>2</sup> published in conjunction with the Eleventh General Report on the Activities of the European Communities. Like its predecessors this report outlines developments in Community competition policy during the past year.

### General rules applying to undertakings

#### Limitation periods relating to pecuniary sanctions under the ECSC Treaty

2.1.22. On 6 April the Commission adopted a decision concerning limitation periods in proceedings and the enforcement of sanctions under the ECSC Treaty.<sup>3</sup>

The decision fills in a gap in Community law. Numerous provisions of the ECSC Treaty give the Commission

power to impose fines and periodic penalty payments on companies and persons who infringe Community law, together with the power to have its decisions enforced. Hitherto there were no limitation periods applying to the determination and recovery of such penalties.

The new provisions are aimed chiefly at giving the persons and companies concerned a degree of certainty as to the law. In substantive terms they correspond to the Council Regulation of 26 November 1974<sup>4</sup> concerning limitation periods for the purposes of the EEC Treaty. The Regulation determines the limitation periods which will apply depending on the case, the point from which time begins to run and the actions which will interrupt or suspend the limitation period.

Limitation periods in proceedings vary in accordance with the nature and gravity of the infringement. There is a three-year limitation period for infringements concerning information and investigations and a five-year period for infringements of substantive rules. Time begins to run on the day on which the infringement is committed, but for a continuing or repeated infringement it begins on the day on which the infringement ceases. As for enforcement, there is a single limitation period of five years running from the date when the relevant decision becomes final.

The rules concerning interruption and suspension of limitation periods in both proceedings and enforcement are identical to those in the EEC Regulation of November 1974.

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

#### Mergers

##### Formation of a wire-drawing company

2.1.23. On 27 April the Commission, acting under Article 66 of the ECSC Treaty, authorized two French steel companies, Creusot-Loire SA (CL) and Ugine Aciers SA (UA), to

<sup>1</sup> OJ L 101 of 14.4.1978.

<sup>2</sup> Points 1.7.1 and 1.7.2.

<sup>3</sup> OJ L 94 of 8.4.1978.

<sup>4</sup> OJ L 319 of 29.11.1974.

form a wire-drawing company to produce stainless-steel wire.

The two parent companies will transfer to the new venture all their manufacturing and marketing business in this field, along with their subsidiaries and shareholdings in the stainless-steel wire-drawing industry. CL and UA hope that, by marrying their respective resources, they will be able to rationalize their stainless-steel wire business, and remain competitive without loss of jobs.

The new wire-drawing company will use stainless-steel wire rod, a product covered by the ECSC Treaty, in its manufacturing process. The firms concerned will be required to rationalize production and distribution of stainless-steel wire rod. Consideration of the effects of such rationalization in the light of Article 66(2) has shown that they satisfy the tests for authorization.

As regards the market in stainless-steel wire, which falls under the EEC Treaty, consideration of the transaction in the light of Article 86 of the EEC Treaty also revealed that, on the information at its disposal, the Commission had no cause to oppose the joint venture.

## State aids

### *Regional aids*

#### United Kingdom

2.1.24. The Commission approved a number of changes made by the British Government to its regional aid schemes notified to the Commission as required by Article 93(3) of the EEC Treaty.

It will be recalled that these schemes are applied in areas classed as Special Development Areas, Development Areas and Intermediate Areas and in Northern Ireland that for each of these areas an aid intensity ceiling has been fixed for regional assistance expressed as a percentage of investment made, pursuant to the principles of coordination adopted by the Commission in 1975.<sup>1</sup>

On 6 April the Commission informed the British Government that it could introduce a first series of amendments. The included an extension until 30 June of a scheme of assistance already applied in Special Develop-

ment Areas consisting of a subsidy of UKL 20 per week for six months for each additional job created in firms with less than fifty employees. It was also proposed to extend the job creation subsidy to firms with under 200 employees in all Assisted Areas from 1 July to 31 March.

In view of the fact that the subsidy was extended for a relatively short period only, that it was a job creation (and not an ongoing) aid of particular importance in a period of economic downturn, that it was available only to small and medium-sized firms and that the amount involved was small (380 EUC net per job created), the Commission decided to raise no objection to its maintenance. However, it reserved the right to change its position pending the overall decision now being drawn up on the compatibility of the British regional aid schemes with the common market pursuant to Article 93(1) and in the light of any changes to the 1975 principles of coordination that might arise in the meantime.

Moreover, the British Government ensured the Commission that if the subsidy should be combined with other types of regional assistance in any given case the Community aid ceiling pursuant to the principles of coordination would be respected.

2.1.25. On 14 April the Commission took a decision on changes to the regional aid system for the Scottish Highlands and Islands.

The Highlands and Islands Development Board (HIDB) was set up by the Highlands and Islands Development Act 1965 to encourage economic and social growth in rural areas of Scotland located far from residential centres and long affected by high outward migration and job shortage.

The HIDB is authorized to provide grants, low-interest loans and rent-free periods in government factors. It operates in all sectors: industry, agriculture, fisheries and services. The Community ceiling on regional aid intensity applicable to the area covered by the HIDB was fixed under the 1975 principles of coordination at 30% in net grant equivalent of investment.

The effect of the changes is to increase all the types of assistance to which the area is entitled. The maximum theoretical intensity of assistance is raised slightly for small schemes and, what is more important, raised considerably for major schemes.

<sup>1</sup> Bull. EC 2-1975, point 2108.



Even in 1975 the HIDB aid scheme could exceed the 30% intensity ceiling if local and national assistance were combined. The British Government requested a derogation from the ceiling, which the Commission authorized on account of the poor economic and social situation in the area and the limited scope of the scheme concerned.<sup>1</sup>

Examination of the current socio-economic situation in the area reveals that its economic circumstances are worse than in other Community areas subject to the 30% aid ceiling. However, this relative situation has improved recently both in relation to the rest of Scotland and the United Kingdom as a whole. The improvement would appear to be linked with the expansion of the North Sea oil industry, but the trend is not uniform over the whole area.

The Commission accordingly decided to continue to authorize the granting of assistance up to the 30% intensity ceiling in the area and to raise no objection to the implementation of the proposed changes by continuing to authorize a derogation from the ceiling. However, since the increased assistance will mainly be used for major schemes and since the situation has improved somewhat, the Commission made its decision subject to prior notification by the British Government of schemes involving over 600 000 EUC in cases receiving over 30% assistance and of the reasons for exceeding the ceiling. The Commission set a limit on possible derogations from the ceiling at 78% net grant equivalent. It will continue to receive an annual report on the activities of the HIDB. As in the case of the scheme considered above, the Commission's decision has no bearing on the overall decision now being prepared.

**2.1.26.** On 27 April the Commission stated its views on a Bill designed to regenerate certain inner-city areas in the United Kingdom by setting up Partnership Areas and Industrial Improvement Areas.

Within these areas the local authorities will be empowered to make various grants and loans and to grant rent-free periods to firms operating in government factories. The new measures would not raise assistance beyond the intensity ceiling already fixed for the cities located in Assisted Areas; the British Government undertook to observe the Community ceilings. The total amount of assistance which could be granted to cities located outside Assisted Areas will be at only a relatively low average percentage, up to 5.8% in exceptional cases.

In view of the economic and social situation in inner-city areas, the limited area concerned, the small estimated budgetary expenditure, the relatively small amount of aid involved and the fact that the assistance is intended for small and medium-sized firms, the Commission, acting by virtue of Article 92(3)(c) raised no objection to implementation of the Bill.

However, since some of these inner-city areas are located in relatively well-developed areas and therefore not in assisted areas, the Commission requested the British Government to notify in advance major schemes of assistance in these areas. It will also receive an annual report on the local authorities' related measures. Once again, this decision has no bearing on the overall decision on regional aid schemes.

## France

**2.1.27.** On 13 April the Commission informed the French Government that it raised no objection to the introduction of amendments to its regional development premium (PDR)<sup>2</sup> as applied to the Languedoc-Roussillon area.

In February the French Government had informed the Commission of its intention to step up regional development in Languedoc-Roussillon by including almost the whole area (twenty-eight new cantons in the Hérault department and sixteen new cantons in the Gard department) in the priority PDR area of the west, south-west and Massif Central and by increasing the PDR intensity in the Aude and East Pyrenees departments and in the two mining cantons of Alès and St-Ambroix.

Socio-economic analysis of the areas revealed that the area as a whole was suffering from unemployment aggravated by the crisis in the wine industry, while the inadequate size and structure of its industrial set-up prevented it from tackling the rise in unemployment alone. For these reasons the Commission authorized the French Government to extend the geographical coverage of the scheme and raise the level of assistance.

<sup>1</sup> Bull. EC 5-1975, point 2115.

<sup>2</sup> Bull. EC 12-1976, point 2132.

## Netherlands

2.1.28. On 21 April the Commission decided to raise no objection to implementation of the Investment Account Bill (*Wet Investeringsrekening — WIR*); it had been notified by the Dutch Government,<sup>1</sup> as required by Article 93(3) of the EEC Treaty, early in 1977.

The Bill was to introduce a number of investment premiums: three of them—the general regional premium, the special regional premium and the premium payable in accordance with town and country planning considerations—raised problems of compatibility with the common market as regards the areas covered and the types of eligible investment.

On 26 May 1977 the Commission informed the Dutch Government of its decision to initiate the procedure of Article 93(2) in respect of the Bill. In view of the Commission's concern and following a series of bilateral consultations, the Dutch Government informed the Commission in March of its amendments to the Bill. The main amendments are: the general regional premium, to be granted for all investment outside the Randstad, an area where about half the economic activities of the Netherlands are concentrated, was discarded; the planning premium will be payable only to investment involving the transfer of economic activity from the Randstad, and its intensity has been reduced by 25%; the special regional premium for particularly hard-hit areas will be granted only in that part of the country which has traditionally been assisted, i.e. the north and south-east. Finally, the Dutch Government will introduce appropriate administrative procedure to prevent assistance being granted for replacement investment.

Since the Bill had been amended to take account of its objections, the Commission decided not to oppose its implementation and informed the Dutch Government that it would close the procedure initiated under Article 93(2).

## Industry aids

### Shipbuilding

2.1.29. On 4 April<sup>2</sup> the Council formally adopted the Fourth Directive on aid to shipbuilding; it approved it on 7 March.<sup>3</sup>

## Iron and steel industry

2.1.30. On 25 April the Commission decided to consult the ECSC Consultative Committee and the Council on a Decision it wishes to take pursuant to Article 95 of the ECSC Treaty on aids and interventions for the steel industry.

The objective of the decision would be to provide a framework ensuring that the assistance granted and steps taken by Member States—as the necessary means of helping the industry to overcome the present crisis—are compatible with Community policy on the industry and do not distort competition between Member States to an extent contrary to the common interest. The legal provisions of the ECSC Treaty are not sufficiently flexible if these objectives are to be attained.

The decision would apply to all forms of aid and intervention, whatever their form or origin as general and regional assistance, funds provided to public undertakings and aids and measures by local or regional authorities would all be subject to the same procedures. Specific articles concern aids and intervention to promote investments and plant closures and for those intended to help certain firms or plants stay in business (production assistance and company rescue plans). Assistance to defray the costs of plant closure would be verified after the event. Specific criteria will be defined for all other types of aids and intervention and the Commission will have to assess the compatibility of national measures prior to their implementation.

## Footwear industry

### United Kingdom

2.1.31. On 28 April the Commission decided to inform the British Government that it raised no objection to the implementation of certain measures of assistance for the footwear industry which had been notified by

<sup>1</sup> OJ C 114 of 17.5.1978.

<sup>2</sup> OJ L 98 of 11.4.1978.

<sup>3</sup> Bull. EC 3-1978, point 2.1.26.

the British Government and later amended in response to Commission objections.

Under the definitive scheme a total of UKL 7 million is earmarked for the proposed two years of application (1978 and 1979):

- (i) aid to encourage small and medium-sized firms to employ consultants to review their operations, formulate proposals for improving management performance and monitor the action taken on recommendations. Grants worth up to 50% of consultancy fees will be made available;
- (ii) a grant of 25% of full investments costs in replacement plant and machinery for closing or related processes;
- (iii) aid to promote projects aimed at rationalizing and restructuring firms in the form of loans at concessionary rates for up to 50% of costs.

Assisted projects must be completed within three years of the scheme's introduction.

## Financial institutions and taxation

### Financial institutions

#### *Insurance*

#### **Coordination of co-insurance: Council agreement**

2.1.32. On 17 April<sup>1</sup> the Council reached agreement on the Directive on the coordination of the laws, regulations and administrative provisions relating to co-insurance. This approval in principle is a significant step towards freedom to provide insurance services and the creation of a true common market in the insurance sector.

#### **Examination by the Council of the progress made in the insurance sector**

2.1.33. At the same meeting on 17 April, the Council reviewed progress made and the remaining obstacles to be overcome before the other insurance directives submitted can be adopted.

On 14 March 1977 the Council had asked its committees to complete their work on insurance by March 1978 or, if this should not prove possible, to submit a progress report. The report subsequently drawn up deals with the three proposals for directives which were then being examined by the appropriate committees.

The first of these directives, on co-insurance,<sup>2</sup> was approved by the Council on 17 April.

The proposal for a Directive on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct life assurance was transmitted by the Commission to the Council on 14 December 1973.<sup>3</sup> The aim of this Directive is to facilitate the setting-up of agencies or branches of insurance undertakings in Community member countries other than the country of the registered place of business by coordinating national legislation relating to the taking-up and pursuit of the business of life assurance. It attempts to do for life assurance what the Directive of 24 July 1973<sup>4</sup> did for indemnity insurance. However, it has still to be adopted.

The report reviews the major problems still outstanding. These concern, firstly, the financial guarantees which insurers must pro-

<sup>1</sup> Points 1.6.1 to 1.6.4.

<sup>2</sup> Points 1.6.1 to 1.6.4 and 2.1.32.

<sup>3</sup> OJ C 35 of 28.3.1974 and Bull. EC 12-1973, points 2126 to 2129.

<sup>4</sup> OJ L 228 of 16.8.1973 and Bull. EC 7/8-1973, point 2122.

vide and, secondly, the problem of the coexistence, within the Community, of national arrangements requiring life assurance companies to specialize in this branch only and arrangements enabling undertakings to provide indemnity insurance as well. As there are still some differences of opinion on these matters, the Council decided to include discussion of this directive in the agenda of one of its next meetings.

As regards the last of the directives mentioned in the report, i.e. the second Directive coordinating indemnity insurance and laying down provisions to facilitate the effective exercise of freedom to provide services, which was transmitted by the Commission to the Council on 30 December 1975,<sup>1</sup> the Council urged its committees to speed up their work in this field.

### *Banks and other financial institutions*

#### **Building loans**

2.1.34. A detailed working paper on the co-ordination of legislation relating to building loans was drawn up by Commission staff and submitted to those active in this field in early April. The latter have been asked to transmit their comments, suggestions and views to the Commission by the end of June to enable the Community bodies directly involved to begin work.

As a result, the Commission should be in a position to present, early in 1979 probably, a proposal for creating a common market for home loans; the ultimate aim is to enable building societies to operate, i.e. by granting loans and accepting deposits, beyond national frontiers. This initiative follows the adoption by the Council of the first directive coordinating Member States' banking legislation on 12 December 1977.<sup>2</sup>

## **Taxation**

### *Indirect taxes*

#### **Turnover taxes**

##### *Mutual assistance by revenue departments*

2.1.35. On 28 April the Commission adopted, for transmission to the Council, a proposal for a directive designed to extend the arrangements for mutual assistance by the competent authorities of the Member States, already provided for in the Council Directive of 19 December 1977<sup>3</sup> in the field of direct taxation, to value added tax as well.

The adoption of the Directive of 19 December 1977 concerning direct taxation was the first major step towards combating international tax evasion and avoidance. For many reasons, the Commission feels that, as a second stage, the assistance arrangements should now be extended to VAT. A number of factors suggest that Community action with regard to VAT is a particularly urgent need.

For one thing, the information received by the Commission from the Member States shows that there is much illegal practice involving this tax international trade, including fraudulent importation and the use of false export invoices.

Secondly, the implementation of certain provisions of the Sixth VAT Directive, particularly those concerning the location of the supply of services and tax deduction for transactions effected abroad, makes it highly

<sup>1</sup> OJ C 32 of 12.2.1976 and Bull. EC 12-1975, point 2136.

<sup>2</sup> OJ L 322 of 17.2.1977; Bull. EC 11-1977, point 2.1.49 and 12-1977, point 2.1.64.

<sup>3</sup> OJ L 336 of 27.12.1977; Bull. EC 11-1977, point 2.1.51 and 12-1977, point 2.1.69.

desirable that there should be close cooperation between national revenue departments in order to ensure that VAT is properly charged and that all cases of non-taxation or double taxation are avoided. Because a part of the Community's own resources is to accrue from VAT, fraud or failure to collect the tax may entail revenue losses not only for the Member States, but also for the Community, so that the drive to eliminate evasion and avoidance in this field will in future constitute a direct Community interest.

Thirdly, closer cooperation between national authorities with regard to VAT will make it easier, by means of the cross-checks it will allow, to assess income and profits tax liabilities accurately. Such cooperation will therefore be an extremely useful addition to the mutual assistance procedure already adopted by the Council with regard to direct taxes.

## Employment and social policy

### Employment

2.1.36. In April a number of meetings were held and statements made, whilst the Commission forwarded to the Council various documents directly or indirectly concerning the unemployment problem and measures to be taken to combat it.

#### *European Council*

2.1.37. The conclusions of the Presidency issued at the close of the European Council meeting on 7 and 8 April in Copenhagen included a statement on the economic and social situation.<sup>1</sup> The European Council expressed its deep concern over the persistent high rate of unemployment and agreed that

an improvement in the employment situation was a key objective of the common overall strategy of the Community. It was particularly concerned about youth unemployment and the need for specific measures to combat unemployment, particularly through work-sharing.

#### *General position of the Commission*

2.1.38. The Commission's general position on unemployment problems was reiterated on several occasions during the month; firstly, in a press release following meetings on 5 April<sup>2</sup> with a delegation from the European Trade Union Confederation on the occasion of the 'European Employment Day' and secondly, by Mr Vredeling, Vice-President of the Commission, in a speech to Parliament<sup>2</sup> on youth unemployment on 10 April and in his address to the Irish Management Institution on 28 April in Killarney dealing with the Commission paper on work-sharing.<sup>2</sup>

#### *New proposals to the Council*

2.1.39. The work undertaken following the guidelines emerging from the Tripartite Conference of June 1977<sup>3</sup> was continued in preparation for the next 'tripartite', to be held in autumn 1978. The proposals, communications and documents issued by the Commission since last spring, together with other activities, were followed up in April by further initiatives. On 17 April the Commission forwarded to the Council a key working paper (addressed to the Standing Committee on Employment in preparation for the next Tripartite Conference) on the contribution of

<sup>1</sup> Point 1.2.2.

<sup>2</sup> Point 1.2.4.

<sup>3</sup> Bull. EC 6-1977, points 1.1.2 to 1.1.7.

the tertiary (services) sector<sup>1</sup> to job creation. On 10 April, in accordance with its mandate from the Council, it presented proposals on a new form of intervention by the European Social Fund to promote the employment of young people under 25.<sup>2</sup> Further, on 26 April the Commission adopted a Communication to the Council on guidelines for the management of the European Social Fund during 1979, 1980 and 1981, and transitional guidelines for 1978.<sup>3</sup>

*Meeting of representatives  
of the employment services*

2.1.40. The first meeting of representatives of the employment services in the Member States, held on 18 April, was intended to promote closer liaison between national ministries of labour or their national specialized branches, to facilitate the exchange of information and as far as possible promote co-operation at operational level. In the course of the discussion, participants defined their common interests and worked out a programme of activities with a view to finding solutions to priority problems, such as the unemployment of young people and the quantitative imbalance between supply and demand on the labour markets.

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2.1.41. On 14 April Parliament passed a Resolution on the campaign by trade unions in the Member States to overcome unemployment problems.<sup>4</sup>

## European Social Fund

### Management of the Social Fund: guidelines proposed by the Commission

2.1.42. On 26 April the Commission adopted a Communication to the Council on

guidelines for the management of the European Social Fund for 1979-81 and transitional guidelines for 1978. They give the priority options determining Fund operations and have been published in the Official Journal.<sup>5</sup>

The Communication from the Commission, the only body competent in this area, was addressed to the Council and the European Parliament by way of information. This is the first time that Commission guidelines have been published before applications for aid are forwarded to it by the Social Fund, which should help Member States to assess the eligibility of the applications.

The guidelines are based on the economic and social situation in the Community and take account of the scale of the imbalances on the labour market and the economic capacity available to remedy them.

In the Community's present economic crisis workers are encountering difficulties finding jobs even after attending vocational training courses. The Commission will therefore try to give priority to those training operations most likely to lead to employment.

The situation is different in regions with the most serious and chronic employment imbalances due to a lag in development or a decline in major activities. In these regions efforts must be concentrated on training skilled labour if investments are to be attracted.

Young people—especially those looking for their first jobs—are among the hardest hit by the crisis; the Commission will therefore continue to support operations to give unemployed young people or job-seekers the skills essential to their integration into the working world. It will also provide greater assistance to young people who have already worked and to certain specific programmes which it wished to encourage.

Generally speaking, bearing in mind the specific employment problems in each area of the Fund's operations, the Commission has sought to concentrate assistance in areas and regions where employment problems

<sup>1</sup> Point 1.2.7.

<sup>2</sup> Point 1.2.6.

<sup>3</sup> Point 2.1.42.

<sup>4</sup> OJ C 108 of 8.5.1978.

<sup>5</sup> OJ C 116 of 19.5.1978.

are particularly serious. Special importance is accordingly attached to regions and areas qualifying for aid from the European Regional Development Fund and affected by serious problems of industrial reorganizations in sectors for which special Community action has been or will be taken.

In view of the employment situation the Commission wishes in 1978 to encourage schemes, in the various areas of operation, of aid to promote better employment conditions in Greenland, the French overseas departments, Ireland, Northern Ireland and the Mezzogiorno, regions covered by the Council Regulation of 20 December 1977<sup>1</sup> concerning operations qualifying for a higher rate of intervention by the European Social Fund.

### Social Fund Committee

2.1.43. The European Social Fund Committee met in plenary session on 6 April. It first discussed a draft decision on certain administrative and financial procedures for the operation of the European Social Fund; this proposal should make it possible to adapt certain Fund operating procedures to the new provisions adopted by the Council on 20 December 1977<sup>2</sup> and improve others in the light of experience. Next, the Committee considered the guidelines to be laid down for the management of the European Social Fund for the financial years 1978 to 1981; they were later incorporated in a Communication adopted by the Commission on 26 April.<sup>3</sup>

### ECSC re-adaptation measures

2.1.44. The Commission and the Luxembourg Government concluded an agreement on financial aid under Article 56 of the ECSC Treaty whereby the Commission would contribute to the cost of early retirement for about 600 workers in the Luxembourg iron and steel industry. The agreement is valid for three years from 1 January 1978.

An amount of about 1.25 million EUC (LFR 50 000 000) will be charged to the Commission. Mr Vredeling, Vice-President of the Commission, and Mr Berg, the Luxembourg Minister of Social Affairs, signed the agreement on 11 April in Luxembourg.

### Freedom of movement and social security for migrant workers

2.1.45. Exchanges of employment services officials began in 1973 but have so far been confined to Italy, Germany and Belgium; they are now to be extended to another Member State—France. A meeting to this effect was held on 5 April in Brussels under the auspices of the Commission, to prepare the 1978 programme of training visits.

The Council Regulation of 15 October 1968<sup>4</sup> on the freedom of movement of workers within the Community provides the framework for these exchanges, which have been taking place for several years between Member States under the patronage of the Commission and with its technical and financial help. The exchanges are intended to improve the knowledge of the services concerned both as regards employment possibilities and available manpower. Further, through the active participation of Italian employment officials, for example, in the everyday work of employment services in another Member State, they become familiar with placement techniques in the host country and at the same time can offer their help as regards the assistance and reintegration into the labour market of unemployed Italian workers. The exchanges usually last six months.

Exchanges of officials were first organized in 1973 between Italy and Germany, and have since been continued every year. Subsequently, the Belgian and Italian authorities expressed their willingness to organize exchanges of specialized officials in 1976. Encouraged by the positive results obtained, the French authorities have recently got together with the Italian authorities to organize exchanges for the first time. The Commission held an inaugural meeting in Brussels on 5 April, which

<sup>1</sup> OJ L 337 of 27.12.1977.

<sup>2</sup> Bull. EC 12-1977, point 2.1.71.

<sup>3</sup> Point 2.1.42.

<sup>4</sup> OJ L 257 of 19.10.1968.

was attended by officials responsible for the administration of employment services in the two countries concerned, and by the specialized employment officials due to participate in the exchange programme from 10 April. The meeting was intended to work out the technical details and organization of the programme.

The sixth Italo-German exchange scheme began on 9 and 10 February in Berlin, while the second Italo-Belgian scheme was wound up—and the third scheme began—on 29 March in Reggio Calabria.

## Living and working conditions

### Equal pay for men and women

2.1.46. On 11 April Parliament<sup>1</sup> adopted a Resolution on equal pay for men and women in the Member States of the Community.

### Housing

2.1.47. Under the second instalment of the eighth programme of financial aid to low-cost housing for workers in ECSC industries, the Commission has approved the following loans:

(i) *France*, iron and steel and coal industries: FF 22 500 000 for approximately 2 500 dwellings in three regions—Centre-Midi, Nord and Lorraine;

(ii) *Italy*, iron and steel industry: LIT 4 053 520 000 for approximately 900 dwellings in the north and the Taranto region; in addition, a global loan of LIT 10 950 million from borrowed funds is planned;

(iii) *Netherlands*, iron and steel industry: HFL 2 945 660 for approximately 260 dwellings in IJmuiden;

(iv) *Luxembourg*, iron and steel industry: LFR 22 500 000 for approximately 75 dwellings in Esch-sur-Alzette and other communes.

## Industrial relations

### Protection of employees in the event of the insolvency of their employer

2.1.48. On 13 April the Commission sent to the Council a proposal for a Directive on the approximation of the laws of the Member States concerning the protection of employees in the event of their employer's insolvency.

Investigations by the Commission in this field have shown that employees are inadequately protected by the provisions of bankruptcy law in the event of their employer becoming bankrupt. In many cases, the assets are not sufficient to meet outstanding claims arising from the employment relationship, even where these have a preferential ranking. There is certainly little chance of covering, from the bankruptcy assets, claims which have already arisen but will only become due at a future date; e.g., those arising from a company retirement pension scheme. The income situation of employees is, in this respect, different from that of other economically active population categories in that they are entirely dependent on the remuneration received in return for their labour.

Moreover, bankruptcy proceedings often take a very long time. The necessity of awaiting their conclusion for the satisfaction of his claims represents at least a temporary threat to the means of subsistence of the employee and his family. The proceedings are as a rule very complicated and the employee cannot be expected to bear the considerable costs of legal representation to assist him.

Finally, the employee is entirely unprotected in cases where the employer's insolvency does not lead to bankruptcy proceedings, either because there are no assets for distrib-

<sup>1</sup> Point 2.3.10 and OJ C 108 of 8.5.1978.



ution or for other reasons. All these considerations have led the majority of Member States to introduce guarantees under national legislation designed to protect employees from losses resulting from the insolvency of their employer.

The object of the proposed Directive is to oblige all Member States to set up appropriate institutions to meet the outstanding claims of employees arising from their employment relationship before the employer ceased to meet his obligations. The organization, financing and operation of these institutions will, however, be regulated by the individual Member States, subject to certain rules laid down in the Commission's proposal.

In this way, Member States which have already set up such institutions will be able to maintain their existing system in large part, whilst the others will be free to choose the solutions most appropriate to their situation.

Amongst other things, the Directive defines the criteria for insolvency, the concept of claims arising from a employment relationship and the limitations which Member States will, in certain cases, be entitled to place on the liability of the guaranteeing institutions.

The provisions of the proposed Directive represent minimum requirements only, and thus in no way prevent Member States from applying rules which are more favourable for employees.

### **Paul Finet Foundation**

2.1.49. At its meeting in Luxembourg on 14 April the Executive Committee of the Paul Finet Foundation examined 505 cases

and granted financial aid totalling about BFR 3 100 000 to 326 young people whose fathers had been employed in coal or iron mining or an ECSC steel industry and who died as a result of industrial accidents or occupational diseases.

## **Regional policy**

### **Financing operations**

#### *Conversion*

#### **Financing new activities**

2.1.50. On 17 April the Council gave its assent<sup>1</sup> under Article 56(2)(a) of the ECSC Treaty for the Commission to grant a conversion loan of 2.59 million European Units of Account (about FF 15 million) to the Société Lorraine de Développement et d'Expansion (Lordex) to facilitate the creation or extension of small and medium-sized undertakings in Lorraine. The Commission had requested this assent in a communication forwarded to the Council on 3 March.

2.1.51. Further to a Council decision of 20 March endorsing a Commission proposal for an ECSC conversion loan to PSA Peugeot-Citroën,<sup>2</sup> the following details concerning this financing operation, described as 'the biggest ECSC industrial redevelopment loan', were published in April in a communiqué released by the Commission:

<sup>1</sup> OJ C 102 of 27.4.1978.

<sup>2</sup> OJ C 77 of 31.3.1978 and Bull. EC 3-1978, point 2.1.44.

'The Council of Ministers has just given its assent to the granting of an industrial redevelopment loan by the Commission, under Article 56 of the ECSC Treaty to Société Mécanique Automobile de l'Est, a subsidiary of the Citroën and Peugeot motor companies.

The purpose of the loan—for a sum of FF 450 million (approximately 80 million EUC)—is to set up an engine manufacturing plant at Ennery (near Hagondange) and to extend the existing gearbox plant at Metz. The PSA Peugeot-Citroën group decided on this investment project in order to rationalize and regroup future production of engines and gearboxes for cars and simultaneously to establish the necessary capacity for models of the next generation.

This project will create over 4 000 new jobs in northern Lorraine during the period 1979-85.

The restructuring of the steel industry in Lorraine will mean a heavy reduction in the number of jobs between now and 1983. The planned investment will thus allow the redeployment of former steel workers after retraining. The Société Mécanique Automobile de l'Etat has undertaken to give priority to former steel workers in recruiting new personnel. The redeployment feature of the arrangement provides justification for an interest subsidy to be financed by the ECSC for the first five years of the currency of the loan.

The terms and conditions of the loan (duration, rates of interest, etc.) will be laid down in a contract between the firm and the Commission'.

## Regional Policy Committee

2.1.52. The Regional Policy Committee held its fourteenth meeting on 25 and 26 April in Brussels. The main item on the agenda was an examination of the regional development programmes of the Netherlands, Denmark and Luxembourg.

## Environment and consumer protection

### Environment

#### *Reduction of pollution and nuisances*

#### Marine pollution by oil

2.1.53. On 27 April, the Commission sent a Communication to the Council on the measures to be taken to prevent and reduce marine pollution caused by the accidental discharge of hydrocarbons.<sup>1</sup> This document includes a seven-point action programme<sup>2</sup> to avoid the consequences of disasters like the pollution of the Brittany coast following the wreck of the tanker *Amoco Cadiz*. This Communication is a follow-up to the declarations made by the Council, the European Council in Copenhagen and the European Parliament. The Commission had previously sent a memorandum to the Council on 7 April on the Community's efforts to combat accidental pollution caused by oil spills.

2.1.54. For the first time the Commission attended as an observer—from 19 to 21 April in Bonn—the second meeting of the Contracting Parties to the Bonn Agreement of 9 June 1969 on Cooperation in dealing with Pollution of the North Sea by Oil.

#### Control of chemical products

2.1.55. From 11 to 13 April in Stockholm the Commission took part in an international meeting on the control of chemical products. Represented at this meeting were the fifteen

<sup>1</sup> Points 1.4.1 to 1.4.13.

<sup>2</sup> Point 1.4.8.

most highly industrialized nations of the Western world, including seven Community States. Discussion centred on the harmonization of national policies for the control of chemical products.

### Air pollution

2.1.56. Pursuant to the Council Decision of 24 June 1975<sup>1</sup> on the exchange of information on the measurement of atmospheric pollution from sulphur dioxide and suspended particles, a three-day training session—organized jointly by the United States Environmental Protection Agency, the Institute for Hygiene and Epidemiology and the Commission—was held in Brussels from 19 to 21 April on the operation and maintenance of equipment used to measure this type of pollution.

### Cooperation with Austria on the environment

2.1.57. Cooperation on the environment between the Commission and the Austrian Government is to be established under an exchange of letters on 28 April between Mr Natali, Vice-President of the Commission, and Mr Seyffertitz, Head of the Austrian Mission to the European Communities.<sup>2</sup> Similar arrangements have already been made with the United States (in 1974), with Canada and Switzerland (1975) and with Japan and Sweden (1977).

## Agriculture

### 1978/79 farm prices, related measures and Mediterranean policy

2.1.58. At its meeting on 4 and 5 April and again from 24 to 27 April the Council dis-

cussed the various proposals for the 1978/79 farm prices and related measures—including agri-monetary measures—and the proposals regarding the development of the Mediterranean regions.

Because the problems involved were so complex, the Council decided on 27 April that, although it had made substantial progress, it would continue its discussions at its meeting on 8 and 9 May and endeavour to reach an agreement then.

Meanwhile,<sup>3</sup> it was agreed to extend the 1977/78 marketing year for milk and for beef and veal until 21 May and to fix the basic price and the purchase price for cauliflowers at 12.01 u.a./100 kg and 5.25 u.a./100 kg respectively for May.

On 27 April the Economic and Social Committee<sup>4</sup> delivered its Opinion on the Commission's additional proposals<sup>5</sup> on the prices for certain agricultural products and certain related measures. On 13 April Parliament<sup>6</sup> adopted its Opinion on the additional proposals and on the Commission's Communication on the guidelines for the development of the Mediterranean regions in the Community. The problems of Mediterranean agriculture had been discussed at length at the January sittings.<sup>7</sup> The price proposals were approved. These included the amendment to allow the co-responsibility levy on milk and milk products to range from 0 to 4% instead of from 1.5 to 4%. The proposals relating to Mediterranean agriculture<sup>8</sup> were broadly approved as regards structural measures and with reservations as regards the market or-

<sup>1</sup> OJ L 194 of 25.7.1975.

<sup>2</sup> Point 2.2.61.

<sup>3</sup> OJ L 117 of 29.4.1978.

<sup>4</sup> Point 2.3.55.

<sup>5</sup> Bull. EC 3-1978, point 2.1.54.

<sup>6</sup> Points 2.3.12, 2.3.13 and OJ C 108 of 8.5.1978.

<sup>7</sup> Bull. EC 1-1978, point 2.3.18.

<sup>8</sup> Bull. EC 12-1977, point 1.3.5 and OJ C 50 of 28.2.1978.

ganizations, but Parliament rejected most of the amendments proposed by the Commission regarding olive oil.

2.1.59. On 21 April, in the light of the debates in Parliament and the Council and following consultations with the Member States concerned—Italy and France—the Commission amended two main points in its initial proposal on olive oil (production aid and marketing aid arrangements) and introduced certain new provisions designed to improve the operation of the planned market organization.

2.1.60. Similarly, following the Council discussion of the structural proposals, on 18 April the Commission proposed that provisions governing outline operations be introduced together with a system of advances into the common measure to improve public facilities in certain rural areas. On 24 April it adopted a proposal for a common forestry measure in certain dry Mediterranean areas of the Community.<sup>1</sup>

### Measures connected with the monetary situation

2.1.61. On 6 April<sup>2</sup> the Commission adopted a Regulation which provides for the application in respect of most liqueur wines with effect from 1 May 1978 of stabilized daily rates for the conversion of free-at-frontier reference prices into the national currencies of the Member States. These rates, which are roughly equal to the real rates for the currencies concerned, will remain, in principle, unchanged for six months. The introduction of these rates proved necessary for the effective application of the references price from 1 May onwards for the product concerned. Conversion of these prices on the basis of the green rates would have been liable, in

the absence of monetary compensatory amounts, to cause deflections of trade, goods being cleared through customs in the Member States with depreciated currencies.

2.1.62. Since 3 April operators have been able to fix monetary compensatory amounts in advance in trade with non-member countries, provided that the import levy or export refund is also fixed in advance. On 27 April<sup>3</sup> the Commission extended this facility to the pigmeat sector.

### Common market organizations

2.1.63. In view of market trends and the demand from exporting industries for basic cereals and rice products, some additions needed to be made to the list of goods not covered by Annex II to the Treaty (agricultural products) eligible for export refunds. On 4 April<sup>4</sup> the Council amended the regulations on the common organization of the market in these two sectors accordingly.

2.1.64. Similarly, on 4 April<sup>5</sup> the Council amended its Regulation of December 1972 to include isoglucose in the list of basic products on which an export refund is granted on exports in the form of non-Annex II products. The basic Regulation on isoglucose was amended accordingly (in line with the rules on sucrose)<sup>6</sup> and the rules on sugar were amended to update the list of processed products qualifying for export refunds in respect of the sugar incorporated. For sugar the aim is to provide more outlets to take up the

<sup>1</sup> OJ C 117 of 20.5.1978.

<sup>2</sup> OJ L 93 of 7.4.1978.

<sup>3</sup> Bull. EC 1-1978, point 2.1.40.

<sup>4</sup> OJ L 116 of 28.4.1978 and point 2.1.72.

<sup>5</sup> OJ L 94 of 8.4.1978.

<sup>6</sup> Bull. EC 11-1977, point 2.1.70.

large surpluses of white sugar in the Community.

On 28 April the Commission proposed to the Council that new arrangements be introduced for granting producer refunds on sugar used in the chemicals industry, based on the principle of equal treatment in the use of sugar and maize.

The Commission also asked the Council for a mandate to negotiate with the ACP States listed in Protocol No 3 on sugar annexed to the EEC-ACP Lomé Convention, the guaranteed sugar prices for the period 1 July 1978 to 30 June 1979.

*2.1.65.* Continuing its line of encouraging production of oilseed varieties with a low erucic acid content,<sup>1</sup> the Council decided on 28 April to restrict the subsidy, with effect from 1 July 1979, to colza seeds of such quality, with the exception of seeds rich in erucic acid, the oil of which is intended for non-food uses. The Council also amended the rules on intervention in respect of colza and rape,<sup>2</sup> because the intervention price in Denmark and the United Kingdom has been at the common level since January 1978.

*2.1.66.* The rules for the application of the system of reference prices for fruit and vegetables were amended by the Commission on 4 April,<sup>3</sup> the recording of prices being extended to markets other than the representative markets. The aim is to stop the practice in certain exporting countries of selling small quantities of products at high prices on the representative import markets and large quantities at any price, often below the reference prices, on other markets.

*2.1.67.* On 6 April<sup>4</sup> the Commission fixed the new reference prices valid until 15 December 1978 in the wine sector. It also amended the rules on imports of wine products from certain non-member countries.

As a result of this amendment a special exchange rate—the stabilized daily rate—and not the green rate is applied to liqueur wines, which are not subject to monetary compensatory amounts.

*2.1.68.* After taking note of the Commission's annual report on the production and marketing of hops and the proposals it made in February,<sup>5</sup> the Council fixed<sup>6</sup> the amounts of aid for producers in respect of the 1977 harvest (9.6% increase for aromatic varieties and 17.3% increase for bitter varieties, 8.75% reduction for other varieties) and adopted<sup>6</sup> the list of regions in which aid would be granted only to recognized producers groups with effect from the 1978 harvest. On 28 April<sup>7</sup> the Commission adopted rules for the certification of hops and amended the list of the various groups of varieties cultivated in the Community.

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*2.1.69.* On 14 April Parliament delivered its Opinion on the Commission's proposal relating to aid to hop producers for the 1977 harvest.<sup>5</sup>

*2.1.70.* On 10 April<sup>8</sup> the Commission adopted provisions for promotional, publicity and market research measures in the Community in respect of milk and milk products.

The Regulation, adopted in connection with the measures financed by the co-responsibility levy, concerns the implementation of measures relating to the expansion of mar-

<sup>1</sup> OJ L 150 of 18.6.1977.

<sup>2</sup> OJ L 116 of 28.4.1978.

<sup>3</sup> OJ L 90 of 5.4.1978.

<sup>4</sup> OJ L 93 of 7.4.1978.

<sup>5</sup> Bull. EC 2-1978, point 2.1.45.

<sup>6</sup> OJ L 94 of 8.4.1978 and L 116 of 28.4.1978.

<sup>7</sup> OJ L 117 of 29.4.1978 and Bull. EC 7/8-1977, point 2.1.72.

<sup>8</sup> OJ L 98 of 11.4.1978 and L 108 of 22.4.1978.

kets, the search for outlets, and the development of new or improved products, up to the end of 1979.

As regards trade, on 18 April<sup>1</sup> the Commission adopted special measures relating to the export refund on certain milk products exported to Austria. It took this opportunity to consolidate the rules on export refunds in respect of other non-member countries. On 28 April<sup>2</sup> it amended the special conditions governing the price of certain cheeses for export to Spain.

On 24 April the Council took note of the Commission's report on the fat content of drinking milk.

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2.1.71. At its meeting on 26 and 27 April the Economic and Social Committee<sup>3</sup> delivered its Opinion on the Commission's proposals for amending the common organization of the market in milk and milk products.<sup>4</sup>

2.1.72. During April the trend which began in January continued and prices for pig carcasses dropped further, bringing the Community average to 90% of the basic price. In order to relieve the Community market, the Commission increased refunds on processed meat and reintroduced refunds on fresh meat, which were suspended on 14 November 1977.<sup>5</sup> On 27 April<sup>6</sup> it also drew up a list of pigmeat products qualifying for the advance fixing of export refunds and laid down detailed rules for the application of the system of advanced fixing certificates for refunds. The advance fixing of refunds, which entered into force on 1 May, but which had in principle been authorized since the end of 1972 by the Council Regulations of 12 December 1972, is thus rendered applicable to this sector and at the same time permits the advance fixing of the monetary compensatory amount linked with the refund.

## European Agricultural Guidance and Guarantee Fund

### Guarantee Section

2.1.73. On 10 April<sup>7</sup> the Commission amended its Regulation of 31 March 1977<sup>8</sup> on the use of a separate heading in the Communities' budget for the financial effect of the different conversion rates applied for measures financed by the EAGGF Guarantee Section, to take account of the amendments to the 1978 budget nomenclature, and fixed the coefficients for the 1978 financial year. If the representative rates change during the financial year, the coefficients have to be revised.

### Conditions of competition

2.1.74. Pursuant to Articles 92 and 94 of the EEC Treaty, the Commission decided on 7 April to initiate the procedure laid down in Article 93(2) of the EEC Treaty in respect of certain measures provided for by the draft law of the Region of Lombardy on the financing of regional agricultural activities for 1977. The Commission considers at this stage of its examination that the interest rate subsidies on loans contracted by certain fruit and vegetable cooperatives and by various growers' associations constitute operating aid which is incompatible with the common market.

<sup>1</sup> OJ L 105 of 19.4.1978.

<sup>2</sup> OJ L 117 of 29.4.1978.

<sup>3</sup> Point 2.3.58.

<sup>4</sup> Bull. EC 12-1977, point 2.1.107.

<sup>5</sup> OJ L 99 of 12.4.1978.

<sup>6</sup> OJ L 116 of 28.4.1978.

<sup>7</sup> OJ L 98 of 11.4.1978.

<sup>8</sup> Bull. EC 3-1977, point 2.1.77.

2.1.75. The Commission had no comments to make under Article 93(3) with regard to the implementation of the following measures:

(i) in Baden-Württemberg, subsidies for the maintenance of young forests to improve the structure of plantations, reinforce the ecological balance and increase the yield of forests which consist largely of small forestry holdings;

(ii) in France, aid for the development of economic organization in the fruit and vegetable sector. This aid, available for three years, will enable the authorities to establish a network of technical advisers who will conduct an information campaign on the economic organization of the fruit and vegetable trade;

(iii) in Italy, in the region of Lombardy, a regional development programme laying down provisions relating to intervention in agriculture; the Commission has, however, asked the Italian authorities for further information about a measure to publicize techniques for the application of plant protection products;

(iv) in the Netherlands, payment by the State, during the period from 1 January 1978 to 15 April 1979, of the costs of veterinary inspection of exported poultry;

(v) in the United Kingdom, the extension to two more islands of a subsidy which had been applicable for several years to some Scottish islands; the Commission has, however, asked the United Kingdom authorities to review the mechanism for granting the aid, which takes the form of a subsidy per cow or per sheep;

(vi) in the United Kingdom, alteration of the amount of an existing aid in Northern Ireland granted to a co-operative for investments in the processing and marketing of cattle and sheep products.

## Harmonization of legislation

2.1.76. After several years' work on the general revision of the Community conditions and standards for the certification of seeds of fodder plants, cereals and oil and fibre plants, on 18 April<sup>1</sup> the Commission adopted three Directives amending the annexes to the Council Directives on the marketing of seeds. The aim of these Directives

is to improve the quality of seeds, make more allowance for ecological conditions on their production and to reduce the last remaining barriers to the free movement of seeds.

As regards the content of seeds of other plant species, any distinction between 'weeds' and 'cultivated plants' has been removed, since this distinction was often difficult to apply, even at the national level. The conditions and standards have also been aligned on international systems of certification (OECD system), in particular in the case of maize. The Directives are also more in line with international methods of seed testing (the methods of analysis of the International Seed Testing Association).

Lastly, they constitute the necessary basis for eliminating the special conditions relating to the presence of *Avena fatua* in fodder plant seeds, which to some extent have hindered trade in seeds between Member States.

2.1.77. In April<sup>2</sup> the Commission published the fourth complete edition of the common catalogue of varieties of vegetable species.

2.1.78. On 21 April<sup>3</sup> the Commission decided to set up a Scientific Committee for Pesticides, which will give opinions on scientific and technical problems relating to the use and placing on the market of pesticide and to their residues.

The Decision to establish this Committee was taken in the light of experience gained from the working of the similarly constituted Scientific Committees for Food and for Animal Nutrition set up in April 1974<sup>4</sup> and September 1976<sup>5</sup> respectively.

<sup>1</sup> OJ L 113 of 25.4.1978.

<sup>2</sup> OJ C 86 of 10.4.1978.

<sup>3</sup> OJ L 124 of 12.5.1978.

<sup>4</sup> Bull. EC 4-1974, point 2236.

<sup>5</sup> Bull. EC 9-1976, point 2230.

The Committee may be consulted on questions concerning the efficacy of pesticides and their safety for plants, man, animals and the environment.

The Committee will consist of highly-qualified scientists in the fields of toxicology, ecotoxicology, chemistry, applied biology and agronomy.

### Cooperation with trade bodies

2.1.79. The Advisory Committee on Feedingstuffs, which was set up in July 1977,<sup>1</sup> held its first meeting in Brussels on 27 April.

## Fisheries

### Conservation and management of resources

#### *Internal aspects*

2.1.80. At two brief meetings of the Council (Fisheries) on 3 and 24 April there was no significant movement towards agreement on a fisheries policy. Mr Gundelach, Vice-President of the Commission, noted that in view of the situation within the Council, where there was agreement between eight Member States on the Commission's proposals, the Commission would try first of all to examine in more depth the problems of the ninth Member State, the United Kingdom. Contacts would then resume with the other Governments before the next meeting of the Fisheries Council scheduled for 19 and 20 June. All the Ministers, including the UK Minister, Mr Silkin, repeated their wish to reach a final solution.

2.1.81. As regards the national conservation measures resulting from the agreement

of the Eight on 30 January 1978<sup>2</sup> the Commission approved a number of measures submitted by Ireland on the size of catches and by the Netherlands on flatfish.

### External aspects

2.1.82. Mainly because of the deadlock on the internal arrangements, the Council has not been able to agree on the Commission proposals defining for 1978 measures for the conservation and management of fishery resources, applicable to vessels from the Faroe Islands, Sweden and Norway. These proposals provide, in addition to quotas, for the introduction of a fuller system of licences and the extension of the obligation to report catches.

On 24 April the Ministers merely extended for one month—until 31 May 1978—the interim measures enabling fishermen from the Faroe Islands, Sweden and Norway to enter Community water to fish the quotas granted unilaterally by the Community. The allocation of the quotas granted in return to Community fishermen by Norway and the Faroe Islands will be decided upon later by the Council.

## Transport policy

### Inland transport

#### *Working of the market*

#### Access to the market

2.1.83. The fourth session of the Diplomatic Conference on a European agreement liber-

<sup>1</sup> Bull. EC 7/8-1977, point 2.1.89.

<sup>2</sup> Bull. EC 1-1978, point 2.1.53.



alizing occasional international coach and bus services was held in Paris on 4 and 5 April. Its deliberations were concerned with institutional matters, in particular following the Council Decision of 20 February 1978<sup>1</sup> by which the Council defined the scope of the agreement in question and the administrative tasks which will be assigned under it to the Secretariat of the European Conference of Ministers of Transport (ECMT). The session was attended by delegations from the Community, Austria, Finland, Greece, Norway, Portugal, Spain, Sweden, Switzerland and Turkey, with the Secretariat-General of the ECMT having observer status.

### Rates and conditions

2.1.84. The Commission has sent to the Council and Member States the ninth report on developments in the market in the international carriage of goods by road in the Community, which relates to the first half of 1976 and 1977. The report compares and comments on statistical data relating to movement in rates, the breakdown of transport operations by class of goods and tonnage, the part played by transport auxiliaries and the application of reductions for quantity.

This report will be the last produced by the Committee of Experts on International Road Tariffs set up by the Council Regulation of 10 July 1968<sup>2</sup> on the introduction of a system of bracket tariffs, which expired at the end of 1977. The report marks a transition to the new arrangements resulting from the Council Regulation of 12 December 1977<sup>3</sup> which provides for a committee on tariffs to draw up an annual report on changes in rates and conditions relating to the carriage of goods by road between Member States.

### Alignment of structures

#### Technical aspects

2.1.85. On 14 April Parliament approved the proposal<sup>4</sup> sent to the Council by the Commission last January for amending the Directive of 20 January 1976<sup>5</sup> on the reciprocal recognition of navigability licences issued in respect of inland waterway vessels.

### Sea and air transport

#### Activities of certain State-trading countries in shipping

2.1.86. On 7 April the Commission presented to the Council a draft decision on the activities of certain State-trading countries in liner shipping. By adopting this decision the Council would create machinery for the Community to set limits on the predatory and non-commercial activities, in the liner shipping sector, of certain State-trading countries, the USSR in particular. Under the decision, each Member State would set up a system for monitoring the development of State-trading countries' liner traffic; when the time came the Council could then decide on the joint application by the Member States of the suitable counter-measures provided for a national laws. Such measures could include an authorization requirement for liner services and quantitative restrictions on the activities

<sup>1</sup> Bull. EC 12-1977, point 2.1.140 and 2-1978, point 2.1.62.

<sup>2</sup> OJ L 194 of 6.8.1968.

<sup>3</sup> OJ L 334 of 24.12.1977 and Bull. EC 12-1977, point 2.1.150.

<sup>4</sup> OJ C 13 of 17.1.1978 and Bull. EC 1-1978, point 2.1.60.

<sup>5</sup> OJ L 21 of 29.1.1976.

of ships from State-trading countries in Community ports.

### Advisory Committee on Transport

2.1.87. The Advisory Committee on Transport, meeting in Brussels on 27 April, continued its examination of the first part of the draft report on transport problems in the context of East-West relations; the report also analyses the situation. The Committee also set up an augmented group of rapporteurs to study how the energy problem affects national and Community transport policies.

## Energy policy

### Sectoral problems

#### *Hydrocarbons*

#### Minimum level for oil stocks

2.1.88. At its plenary meeting on 26 and 27 April<sup>1</sup> the Economic and Social Committee delivered its opinion on the Commission's proposal to amend the Council Directive of 20 December 1968,<sup>2</sup> which requires the Community Member States to maintain a minimum level of stocks of crude oil and petroleum products.

#### *Coal*

#### The Community coal market in 1977: forecast for 1978

2.1.89. On 19 April, the Commission adopted the Report on the Community coal market in 1977 and the forecasts for 1978.<sup>3</sup>

This Report shows that total coal consumption had fallen to 255 million tce (tonnes coal equivalent) from 263 million tce in 1976. The severe recession in the steel industry caused a drop in coke consumption of 6.8%, whereas consumption of steam coal rose by about 2%.

Community coal production—218 million tce in 1977—fell by about 4% from 1976. In 1978, it is expected to be about the same as in 1977. Coal imports from non-member countries increased from 43.7 million tonnes in 1976 to 44.7 million tonnes in 1977 (a rise of about 2%), but are likely to drop by about 1 million tonnes from 1977 to 1978, mainly owing to lower coking coal imports.

Very large stocks of coal and coke, mainly in Germany, give rise to concern on account of their potentially adverse effect on the Community's longer-term coal production capacity.

#### Coking coal and steel industry coke

2.1.90. On 13 April the Commission sent to the Council and the ECSC Consultative Committee, for consultation, a draft decision extending until the end of 1978 the Decision of 5 October 1977,<sup>4</sup> which expired at the end of last year. This decision eases the conditions for granting aids and alignment rebates for coking coal and coke for the iron and steel industry, in order to keep supplies flowing to the steel companies in 1977, in line with their delivery programmes.

It was decided to relax the conditions following the adoption of the crisis measures designed to improve the balance of supply and

<sup>1</sup> Point 2.3.56.

<sup>2</sup> OJ L 308 of 23.12.1968.

<sup>3</sup> OJ 118 of 22.5.1978.

<sup>4</sup> OJ L 256 of 7.10.1977 and Bull. EC 10-1977, point 2.1.83.

demand on the steel market—measures which, for many steel companies, had caused a decline in coking coal and coke requirements as against the tonnages contracted for. The fact that these measures, introduced in 1977 to meet the steel crisis, still apply in 1978, some with a wider scope, is the reason that the Commission has decided to extend by one year its 1977 decision relaxing the conditions for granting aids and alignment rebates.

2.1.91. On 28 April, the Commission, under its Decision of 25 July 1973,<sup>1</sup> authorized the Governments of Belgium, the Federal Republic of Germany and France to grant aid to the production of coking coal for the manufacture of blast-furnace coke. For the Kempen coalfield in Belgium, this aid will amount to BFR 784 per tonne of coking coal; for Germany, DM 13.5 per tonne; for France, FF 129 per tonne for the Nord-Pas-de-Calais and FF 30 per tonne for the Centre-Midi coalfield.

### Technical research

2.1.92. After consulting the ECSC Consultative Committee and receiving the assent of the Council, the Commission decided to grant 16 million EUC for financial aid to coal research, particularly mining technology and coal derivatives. The programme comprises thirty projects grouped in subprogrammes: preparatory work, firedamp, ventilation and strata pressure, coal winning, general underground services, coal preparation, carbonization and coal derivatives.

### Industrial loans

2.1.93. After receiving the assent of the Council on 17 April,<sup>2</sup> the Commission decided, under Article 54(2) of the ECSC Trea-

ty, to grant a loan of FF 700 million to Charbonnages de France. The purpose of this loan is to assist in the financing of a new coal-fired generating plant with a gross output of 600 MW, to be constructed by Houillères du Bassin de Lorraine at Carling. By providing this financial assistance, the Commission will be aiding Charbonnages de France in its efforts to develop and find markets for secondary products which are not readily saleable. The commissioning of the new generating plant will help to stabilize the rate of extraction and to save jobs in the area.

2.1.94. In April the Commission approved the grant—also under Article 54 of the ECSC Treaty—of a global loan of UKL 31 million to the National Coal Board: this loan will help to finance fourteen investment projects.<sup>3</sup>

## Research and development, science and education

### Science, Research and development

#### Construction of JET: Commission proposals

2.1.95. On 7 April the Commission sent the Council a number of proposals for Decisions concerning the implementation of the JET project.

<sup>1</sup> OJ L 259 of 15.9.1973 and Bull. EC 7/8-1973, point 2247.

<sup>2</sup> OJ C 102 of 27.4.1978.

<sup>3</sup> Point 2.3.69.

The Commission is asking the Council to approve the construction, commissioning and initial operation of the JET, the total estimated cost of which is 184.6 million EUC with a staff of 320, and to include this project in the five-year fusion programme (1976-80) now in progress. To this end, it proposes that the upper limit for expenditure commitments for this programme be raised to 102.4 million EUC and the staff be increased by 150 temporary staff.

To implement the project, the Commission proposes to the Council that a Joint Undertaking pursuant to Articles 45 to 51 of the Euratom Treaty be established and its statutes adopted. It also proposes that certain advantages, mainly in the form of tax concessions, be granted to that joint undertaking.

### **Nuclear research: two new Commission proposals**

2.1.96. On 24 April the Commission sent the Council two proposals on indirect action research programmes to be carried out over a five-year period starting on 1 July 1978, but subject to review, if necessary, after an initial two-year period. These programmes relate to safety in thermal water reactors and the decommissioning of nuclear power stations. These programmes answer calls made at the public hearings on nuclear energy.<sup>1</sup>

#### *Safety in thermal water reactors*

2.1.97. In the Community thermal water reactors provide the greater part of the electricity generated by nuclear energy. The programme proposed by the Commission relates specifically to this type of reactor but some of the scheduled work is also applicable to other types of nuclear facilities. This programme is in line with the Council Resolu-

tion of 22 July 1975<sup>2</sup> on the technological problems of nuclear safety, as a result of which the Commission set up two working parties of Community experts; one is concerned with the harmonization of methods, criteria and standards, and the other with research on water reactor safety.

The programme proposed by the Commission is based on the discussions of the latter working party; it is intended to supplement, improve and consolidate the technical know-how resulting from research carried out by the Community at the Joint Research Centre (direct action) by the Member States in specialized establishments, and by the United States, Japan and Sweden.

The work will be concentrated on three points: loss of coolant accidents (LOCA) and the functioning and performance of the emergency core cooling system (ECCS); protection of nuclear installations against explosive gas clouds generated by conventional industrial plant in the proximity of the nuclear installations; theoretical study of the escape of radioactive fission products and their dispersion in the atmosphere.

It is the Commission's intention that work on each of these topics will be carried out in several parallel research projects on a shared cost basis by specialized organizations in the Member States which already have the necessary experimental facilities and which will work in close cooperation.

The total charge to the Community budget for the five-year period is estimated at 8.8 million EUC. The Commission proposes that the powers of the Advisory Committee on Programme Management (ACPM) for the reactor safety direct action programme, alrea-

<sup>1</sup> Bull. EC 11-1977, point 2.1.96, 1-1978, point 2.1.63 and 3-1978, point 1.2.3.

<sup>2</sup> OJ C 185 of 14.8.1975 and Bull. EC 7/8-1975, point 2262.

dy existing under the Joint Research Centre programme, be extended to the indirect action programme.

### *Decommissioning of nuclear power stations*

2.1.98. The decommissioning of nuclear power stations comprises all operations to be carried out after the final shutdown of the power station, including the gradual dismantling of the installations. The research programme proposed by the Commission is a consequence of the second Community action programme on the environment adopted on 17 May 1977.<sup>1</sup>

The studies and experimental work (which complement those carried out by the Member States and by international organizations specializing in nuclear matters) are designed to develop methods, techniques and procedures for managing disused nuclear power stations and the radioactive waste arising from their dismantling, so as to provide the best possible protection for the public and the environment. In establishing the technical content of the programme, account was taken of the work on radioactive waste in the direct and indirect action programmes and on contamination in the direct action programme.

The proposed programme includes both specific research and development projects (such as decontamination for decommissioning purposes, dismantling techniques, treatment of specific materials in the power station, etc.) and studies to formulate certain guiding principles (design of power stations to facilitate subsequent decommissioning, first steps towards a Community policy on power station decommissioning).

The research and development projects will be carried out by means of shared-cost contracts with specialized public or private bo-

dies in Member States; the total financing from the Community budget is estimated at 6.38 million EUC for the five-year period concerned.

### **Recycling of paper and paperboard: adoption of a research programme**

2.1.99. At its meeting on 17 April the Council adopted<sup>2</sup> a three-year research programme (1978-80) on paper and board recycling, thus approving the proposal that the Commission had transmitted to it in August 1977.<sup>3</sup> The aim is to upgrade the various kinds of recycled papers and to ensure a better distribution of papermaking materials depending on the products manufactured.

This programme of indirect research projects to be carried out by shared-cost contracts with specialized national bodies and the paper industry has been accorded 2.9 million EUC from the Community budget. It complements the first two research programmes adopted by the Council in March 1978<sup>4</sup> to alleviate the Community's raw material supply problems.

### **European cooperation in the field of scientific and technical research**

2.1.100. On 19 April the Commission sent the Council a communication on European cooperation in the field of scientific and technical research (COST) which was established in 1970 between nineteen European States, including the Member States, on the initiative of the Community.

<sup>1</sup> OJ C 139 of 13.6.1977.

<sup>2</sup> OJ L 107 of 21.4.1978.

<sup>3</sup> Bull. EC 7/8-1977, point 2.1.117.

<sup>4</sup> Bull. EC 3-1978, points 2.1.96 to 2.1.98.

After reviewing the problems encountered since the outset and those likely to arise in the future, especially as regards the legal and organizational procedures applicable, the Commission suggests that the Council classify the various types of COST projects in four categories to which the following procedures would be applied:

(a) projects initiated in the Community in which COST countries are invited to cooperate (e.g. indirect action programme on radiation protection): cooperation agreement between the Community and the interested non-member States, the implementation of which is supervised by a joint committee consisting of representatives of the Community and of the non-member States concerned. Responsibility for the execution of the projects and for secretarial services would be entrusted to the Commission, assisted by the technical committees of the Community, expanded to allow the non-member countries to participate;

(b) projects originally put forward in COST and then elaborated as Community projects with a view to cooperation within COST (e.g. concerted action project on sewage sludge processing): cooperation agreement between the Community and the interested non-member States, managed by a 'board' composed of representatives of the Commission and of the non-member States concerned; this board would be assisted by a technical concerted action committee composed of those responsible for the national programmes included in the project. Secretarial services for the board could be provided by the Commission or by a non-member country;

(c) projects drawn up and implemented in COST with the Community participating alongside some of the Member States (e.g. COST project 11 on the European Informatics Network): intergovernment agreement or memorandum of understanding signed by

the participants (Community, Member States and non-member States concerned), managed by a management committee responsible for the execution of the project; secretarial services for this management committee could be provided by the Commission, a Member State or a non-member country;

(d) finally, projects drawn up and executed in COST without the participation of the Community as such (e.g. COST project 43 on oceanographic data buoy network); intergovernmental agreement or memorandum of understanding between Member States and the non-member countries concerned, managed by a management committee responsible for the execution of the project; secretarial services for this management committee could be provided by the Commission, a Member State or a non-member country.

Apart from questions of a legal or operational nature, the most acute problem is the financing of secretarial services, especially for the last two categories of projects. The Commission proposes that the Council instruct it to take on these duties, the necessary funds being put at its disposal.

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2.1.101. In April Parliament and the Economic and Social Committee delivered Opinions on several communications or proposals from the Commission to the Council on research and development matters.

At its part-session from 10 to 14 April Parliament approved two new proposals on concerted action research projects forwarded by the Commission to the Council at the end of January 1978;<sup>1</sup> one related to the analysis of organic micro-pollutants in water and the other to the physico-chemical behaviour of atmospheric pollutants.

<sup>1</sup> Bull. EC 1-1978, point 2.1.64.

Meeting in plenary session on 26 and 27 April the Economic and Social Committee<sup>1</sup> give its Opinion on the communications from the Commission in July and August 1977<sup>2</sup> defining the basic constituents of a Community nuclear strategy and of Community projects in the spent fuel reprocessing, radioactive waste, and fastbreeder reactor sectors.

## Joint Research Centre

### General Advisory Committee

*2.1.102.* The General Advisory Committee of the JRC met in Karlsruhe on 13 and 14 April. Items on its agenda included problems concerning scientific staff in the execution of its programme and the status of programmes already under way, i.e. research on plutonium fuels and actinides, management of nuclear materials and radioactive waste, studies on the environment and resources and work on the METRE (measurements, standards and reference techniques) programme.

The Committee took note with regret of the resignation of its Chairman, Mr J. Horowitz; Professor S. Amelinckx, Director-General of the Mol Centre for Nuclear Studies in Belgium, was elected Chairman in his place.

From the detailed discussion of staff problems it emerged that in national laboratories and the JRC there is a growing need for graduate specialists, especially in the fields of model building, statistics, systems analysis, biochemistry, chemical engineering, thermo-hydraulics and structural mechanics. The Committee issued a recommendation urging the Director-General of the JRC to propose that the staff structure be modified so as to obtain a larger proportion of highly-qualified staff, mainly by outside recruitment and, if

possible, by means of exchanges with national research centres or with industry.

With regard to the status of the programmes, the members of the Committee expressed their satisfaction with the work on plutonium and actinides, which they had seen for themselves during a visit to the Karlsruhe laboratories, and with the results of research on atmospheric pollution and the application of remote sensing by satellite and aircraft to agriculture and marine pollution.

## Multiannual programmes

### Interim JET Council

*2.1.103.* The Interim JET Council set up in November 1977<sup>3</sup> following the Council Decision of 25 October 1977<sup>4</sup> completed its work at a meeting held on 19 April. It will be succeeded by the JET Council, having a similar composition, as soon as the Council of the European Communities has adopted the statutes of the Joint Undertaking that will implement the JET project; the Commission sent the Council a proposal on these statutes on 7 April.<sup>5</sup>

The Interim JET Council reached general agreement on the draft of the financial regulations for the Joint Undertaking, the convention with the host country, the staff regulations, and the organizational principles for the JET team; these matters will now be handed over to the JET Council, the first meeting of which is scheduled for 13 June 1978.

<sup>1</sup> Points 2.3.53 and 2.3.54.

<sup>2</sup> Bull. EC 7/8-1977, points 1.3.1 to 1.3.4.

<sup>3</sup> Bull. EC 11-1977, point 2.1.106.

<sup>4</sup> Bull. EC 10-1977, points 1.7.1 to 1.7.4.

<sup>5</sup> Point 2.1.95.

### Advisory Committees on Programme Management (ACPM)

2.1.104. The ACPM responsible for the non-nuclear part of the direct action programme on reference measurements, standards and techniques (METRE) and for the indirect action programme on reference methods and materials—Community Bureau of References (CBR) met in Brussels on 19 and 20 April.

After examining the 1977 progress reports on the non-nuclear part of the METRE programme, the Committee expressed its satisfaction at the quality of the work done. It also made some practical recommendations on the drafting of the progress reports to make them more suited to user requirements.

Under the indirect action programme, the Committee delivered a favourable opinion on a draft proposal for a four-year programme (1979-82) for the CBR, prepared by Commission staff as a follow-up to the current three-year programme (1976-78); alongside the continuation of current work, this draft provides for cooperation projects in the field of applied metrology. It will be submitted to the Scientific and Technical Research Committee (CREST) and sent to the Council by the Commission.

The Committee also approved the certification of nine new reference materials (in particular five hydrocarbons with a certified flashpoint) and gave a favourable opinion on the launching of eight new projects in various sectors of the programme.

2.1.105. The ACPMs on geothermal energy, energy conservation, hydrogen and solar energy responsible for these research projects under the indirect action programme (and for the last two, the direct action programme as

well) met on 13, 21, 25, 26 and 27 April respectively.

These Committees continued the discussions started at previous meetings<sup>1</sup> on draft proposals for multiannual indirect action programmes to follow on from the existing programmes on 1 July 1979. The Commission intends to send the Council proposals on this subject in the near future; CREST will be asked for its opinion.

## Education

### Education Committee

2.1.106. At its meeting on 18 and 19 April the Education Committee discussed a Commission working paper on the study of the European Community in schools; the Commission will shortly be sending a communication to the Council on this subject.

It also received a report on the Community activities concerning the education of migrants, summarizing the initiatives taken pursuant to the education action programme<sup>2</sup> and following the adoption in July 1977 of the Council Directive<sup>3</sup> on the education of the children of migrant workers.

### Transition from education to working life

2.1.107. In connection with the Resolution on the transition from education to working life,<sup>4</sup> the Commission, in collaboration with IFAPLAN, organized a meeting of directors of the pilot projects concerned with adoles-

<sup>1</sup> Bull. EC 2-1978, point 2.1.83 and 3-1978, point 2.1.105.

<sup>2</sup> OJ C 38 of 19.2.1976.

<sup>3</sup> OJ L 199 of 6.8.1977.

<sup>4</sup> OJ C 308 of 30.12.1976.



## 2. External relations

Scientific and technical information

cents ending compulsory schooling without qualifications and with little motivation; this was held from 25 to 28 April in Cannes.

### Scientific and technical information and information management

#### *Dissemination of research results*

2.1.108. A seminar devoted to publishing possibilities available to learned societies was held in Luxembourg on 3 and 4 April under the auspices of the Commission. There were some hundred participants representing learned societies and the scientific publishing world.

In view of the substantial increase in publishing costs, the discussions centred on the steps (generally of an innovating nature) to be taken by the societies themselves to cut costs and improve results. One of the seminar's most important recommendations was that these societies be afforded adequate assistance to enable them to cooperate on a European scale. It is felt that the pooling of certain resources and the experience gained will benefit the learned societies and the readers and will help to extend the influence of European thinking both within and outside the Community.

### Enlargement

#### **The problems of enlargement: important Commission Communication to the Council**

2.2.1. The enlargement of the Community as a result of the applications for membership presented by three new countries and the problems which this raises at all levels are reviewed in an important Communication which the Commission presented to the Council at the end of April.

This Communication—in which the Commission develops its general considerations on the problems of enlargement<sup>1</sup>—is accompanied by two further papers dealing with the transitional period and the institutional implications of enlargement,<sup>2</sup> and its economic and sectoral aspects.

#### **Accession negotiations: Greece**

2.2.2. The sixth session of the negotiations at ministerial level was held in Luxembourg on 3 April. After a general discussion on the progress of the negotiations since the beginning of the year, substantive negotiations took place in the fields of capital movements and the industrial customs union.

2.2.3. On 7 April the Commission transmitted to the Council a Communication containing formal proposals for Greece's accession to the ECSC. This is the fourth in a series of proposals concerning common positions submitted by the Commission to the Council this year as part of the sector-by-sector approach in preparation for the substantive phase of the negotiations.

<sup>1</sup> Points 1.1.1 to 1.1.7.

<sup>2</sup> Supplements 1/78 to 3/78 — Bull. EC.

2.2.4. At its meeting on 3 and 4 April the Council expressed satisfaction at the progress made at the Conference since the opening of the negotiations proper at the beginning of the year.

## Portugal

### Official visit to the Commission by the Foreign Minister

2.2.5. M. V. Sà Machado, the new Portuguese Foreign Minister, paid an official visit to the Commission on 25 April. He met Mr Jenkins, the President, and Mr Natali, Vice-President with special responsibility for problems connected with enlargement.

This visit forms part of the contacts established between the Commission and the Portuguese authorities after Portugal presented its application for membership. The talks covered the Communication of 20 April—containing the Commission's general considerations on the problems of enlargement<sup>1</sup>—and the preparation of the opinion on Portugal's application for membership which the Commission will shortly transmit to the Council.

## Spain

### Mr Jenkins's official visit to Madrid

2.2.6. Mr Roy Jenkins, the President of the Commission, paid an official visit to Madrid on 27 and 28 April. This visit forms part of the contacts which the Commission has established with the Spanish authorities to prepare its opinion on Spain's application for membership.

### Mr Calvo Sotelo's talks at the Commission

2.2.7. On 14 April Mr Calvo Sotelo, the Minister responsible for relations with the Community, had talks in Brussels with Mr Natali and Mr Gundelach, Vice-Presidents, and Mr Davignon, Member of the Commission.

## Political cooperation

2.2.8. At its meeting in Copenhagen on 7 and 8 April the European Council discussed—under the political cooperation head—East-West relations, the Middle East—in particular Lebanon—and Africa.

2.2.9. The 'Conclusions of the Presidency' on Namibia were as follows:

'The European Council took note of the proposal for a settlement in Namibia prepared by the Five Powers. The Council supports the action of the Five and considers the proposal to be a fair and reasonable settlement. It hopes that all the parties involved will feel able to accept this important opportunity for a negotiated peaceful solution in accordance with Security Council Resolution 385.'

## Multilateral trade negotiations

### Meeting between Mr Haferkamp, Mr Strauss and Mr Ushiba

2.2.10. Mr Haferkamp, Vice-President of the Commission, Mr Strauss, the United States President's Special Representative for

<sup>1</sup> Points 1.1.1 to 1.1.7 and Supplement 1/78 — Bull. EC.

Trade Negotiations, and Mr Ushiba, the Japanese Minister of State for International Economic Relations, who, for the Community and the US and Japanese Governments respectively bear political responsibility for the conduct of the GATT multilateral trade negotiations, met in Geneva on 9 and 10 April.

Bilateral and multilateral talks were held, with various other partners in the Tokyo Round taking part. The aim was to measure progress made so far by the negotiators, to try and clear away obstacles blocking certain issues, to identify areas of agreement and disagreement and to give the necessary political impetus to those aspects of the negotiations in which progress had been slower.

A further meeting of the same kind is planned for June.

### The pace of the negotiations

2.2.11. As the substantive phase of the multilateral trade negotiations gets under way, the pace of the work quickened somewhat, with rather more emphasis on bilateral and multilateral talks and informal conversations than on formal meetings of groups or subgroups.

The Community delegation continued and stepped up its informal consultations with most of its negotiating partners, both developed and developing countries.

In the discussions and consultations with the developed countries the Community delegation sought to clarify the exact content of tariff offers and made suggestions for improvements in these offers. The Community considered the concessions offered by its principal partners inadequate, and given the timetable for the negotiations, on 27 April the Community notified its list of possible withdrawals, which the Council had approved in principle on 4 April. These consultations also

served to explore possible solutions to particularly complex non-tariff problems, for example, the possibility of applying the selective safeguard clause, confirmation of the injury criterion for the application of countervailing duties and a greater degree of international discipline on subsidies, etc. There were similar exploratory discussions covering agriculture, with special reference to the adjournment of the conference to negotiate an agreement on cereals.

The Community delegation also stepped up its informal consultations with the delegations of the developing countries on the content of offers and requests made, and together they investigated ways and means of affording the developing countries more favourable differential treatment in those areas of the negotiation where this seems possible and appropriate.<sup>1</sup>

### Agriculture

2.2.12. The Dairy Products Subgroup met from 24 to 26 April and examined the various elements of a possible international arrangement for these products, in particular minimum export prices for milk powder and consultation and information procedures on bilateral undertakings and operations. The GATT Secretariat is to prepare a preliminary draft international arrangement in the light of these discussions, during which the Community again expressed its ideas on 'concerted discipline' in the dairy products sector.

<sup>1</sup> Bull. EC 3-1978, point 2.2.19.

## North-South dialogue: Development cooperation

### Continuation of the North-South Dialogue

2.2.13. In April North-South relations were discussed at several international and Community meetings; various statements were made, and documents were drafted by the Commission and the secretariats of international organizations in preparation for forthcoming meetings or activities.

#### *In the Community*

2.2.14. The European Council discussed North-South relations at its Copenhagen meeting on 7 and 8 April; the 'Conclusions of the Presidency' published at the end of the meeting noted 'that an overall increase in the flow of aid to the developing countries will facilitate their possibilities of playing a greater part in a general recovery of the world economy. The European Council reaffirmed the will of the Community to contribute constructively to progress in the North-South Dialogue in order to promote a more just and equitable world economic order'.

At its meeting on Development on 25 April the Council finalized a draft basic framework regulation on financial and technical aid to non-associated developing countries.<sup>1</sup> It also adopted food aid programmes for 1978.<sup>2</sup> The appropriate Council bodies also determined the Community positions on the various items on the agenda for the 3 to 12 May session of the United Nations General Assembly's Committee of the Whole.

The Commission prepared for this session, the first given over to substantive discussions, by preparing working papers on a number of major items on the agenda. It also

considered the situation on certain commodity markets.

#### *International discussions*

2.2.15. The Community took part in various international exchanges of views, some of which directly concerned North-South relations. It took part in the meeting of the UNCTAD Board,<sup>3</sup> in several preparatory meetings<sup>4</sup> held on the basis of the Resolution on the integrated programme for commodities adopted at the Nairobi Conference in 1976. It also continued the negotiations with a view to implementing the USD 1 000 million special action programme<sup>5</sup> agreed upon at the Conference on International Economic Cooperation through the International Development Association. The general question of relations between industrialized and developing countries was also raised at the special session of the OECD Executive Committee in Paris<sup>6</sup> and by the IMF Interim Committee in Mexico.

### UNCTAD integrated programme; commodities and world agreements

#### *Preparatory meetings*

#### **Jute and jute products**

2.2.16. Jute and jute products have again been discussed in the context of the integrated programme. The intergovernmental work-

<sup>1</sup> Point 2.2.28.

<sup>2</sup> Point 2.2.24.

<sup>3</sup> Point 2.2.33.

<sup>4</sup> Points 2.2.16 to 2.2.18.

<sup>5</sup> The convention on the special action programme was signed on 2 May.

<sup>6</sup> Point 2.2.38.

ing group met in Geneva from 10 to 14 April; the first meeting at this level had taken place in January.<sup>1</sup>

It will be recalled that satisfactory progress was made at the previous meetings (four have been held since October 1976) on measures to increase the competitiveness of jute (research, development, cost reductions, promotion). But there are still differences of opinion on the advisability of measures to stabilize the market by curbing excessive price fluctuations; the producer countries regard an international buffer stock as the only real answer, whereas most of the industrialized countries feel that it would not be an appropriate solution.

At the last meeting, the Commission representative put forward suggestions aiming to establish some sort of common ground, for views still differed rather widely. These suggestions, relating to possible ways and means of achieving a satisfactory degree of stability on the international jute market, are under consideration, and are to be discussed in detail at the next preparatory meeting, scheduled for the end of July.

### Copper

2.2.17. The Commission was represented at a meeting of a group of experts held in Geneva from 17 to 21 April at the request of the third preparatory meeting on copper last February for further consideration of the question of setting up a standing intergovernmental copper body.<sup>2</sup> The discussions covered the fundamental problems raised by the body's powers, statute and work programme; the final decision was deferred until the following meeting of the group, on 22 May.

### Iron ore

2.2.18. The Community was represented at the meeting of the intergovernmental group of experts on iron ore held in Geneva from 24 to 28 April.

The group considered what action to take on the recommendation made by the first preparatory meeting on iron ore. The discussions were mainly about studies and analyses to undertake in order to obtain greater market transparency.

Although the consumer countries had some reservations, the intergovernmental group came out in favour of two studies, one on costs and prices and the other on the standardization of iron ore qualities. The relevant international organizations and the governments were asked to provide the UNCTAD secretariat with all the necessary information and statistics.

It was agreed that measures to solve the problems identified would be discussed at the next meeting of the group in October, after the two studies had been examined.

### *Commodities and world agreements*

#### Cereals

2.2.19. In a Communication presented on 24 April the Commission recommended that the Council decide in favour of signing the Protocols to extend the International Wheat Agreement (which expires at the end of June 1978) for a further year, or—should signature within the appointed time prove impossible—to accede to the Protocols before the final deadline of 23 June.<sup>3</sup> It will be recalled

<sup>1</sup> Bull. EC 1-1978, point 2.2.8.

<sup>2</sup> Bull. EC 2-1978, point 2.2.14.

<sup>3</sup> Bull. EC 3-1978, point 2.2.19.

that the Conference held in Geneva from 13 February to 23 March failed to attain its objective of completing negotiations for a new international agreement and agreed to extend the existing agreement for a further year while the remaining problems were settled.<sup>1</sup>

### Olive oil

2.2.20. A Conference held in Geneva from 5 to 7 April under the aegis of the United Nations—and attended by the Community—decided to extend the 1963 International Olive Oil Agreement (last extended by a Protocol dated 23 March 1973) by one year, until 31 December 1979. The Community has been a member of the Agreement since 1 January 1978.

### Tin

2.2.21. Under the Fifth International Tin Agreement, the International Tin Council met in London from 12 to 14 April; twenty-seven countries were represented, including eight EEC Member States (Ireland was absent), as was the Community as such.

The Council examined the market situation and received a report from the Buffer Stock Manager. A motion, proposed by the producing countries, to increase the floor price to Malayan Dollar 1 400 per pikul and the ceiling price to Malayan Dollar 1 700 per pikul was put to the vote, but did not secure the majority required under the Agreement. The price range will again be reviewed at the next session of the Council in July 1978 in the light of the regular six-monthly report of the Economic and Price Review Panel, which will meet in Bangkok from 12 to 16 June at the invitation of the Government of Thailand.

Another motion, proposed by the producing countries, that the Buffer Stock Manager be authorized to operate in the middle sector of the price range until the next session of the Council also failed to secure the required majority.

The Council received a progress report on work in the US Congress relating to release of tin surplus to the United States strategic stockpile. A Working Party was established to keep under review all aspects of possible disposals of tin from non-commercial stockpiles, to ensure, in cooperation with the United States Government, that the Council was kept fully informed of the development of legislation by the United States Congress and, in consultation with the United States Government, to consider matters relating to the disposal of such tin.

The Council noted reports from Belgium and Luxembourg, Japan, the Netherlands and the United States of America on the latest steps which had been taken within their respective constitutional procedures, to make additional contributions to the buffer stock. It also reviewed the percentages and votes of the consuming countries.

The next sessions of the Council are to be held in London from 11 to 14 July and from 3 to 6 October.

### Tungsten

2.2.22. A preparatory working group to continue studying the tungsten market and proposals for stabilizing it will meet for the first time from 5 to 9 June. This decision was taken by the Trade and Development Board in Geneva on 4 April<sup>2</sup> after consideration of a report from the UNCTAD Committee on Tungsten. In the light of this pre-

<sup>1</sup> Bull. EC.3-1978, point 2.2.19.

<sup>2</sup> Point 2.2.33.

paratory work, the Secretary-General of UNCTAD can then, at the end of 1978, convene a negotiating conference or take the necessary measures to set up appropriate bodies on tungsten, if producers and consumers consider that this would be beneficial.

The decision was adopted by a consensus, but the producer countries entered a reservation on the question of setting up 'appropriate bodies', preferring the conclusion of an international agreement.

## Food aid and emergency aid

### The Flood II operation to help India

2.2.23. In the field of food aid the Council agreed in principle on 25 April that the Community should contribute to the implementation of the Flood II operation in India.<sup>1</sup>

This is a major multiannual rural development project to improve the living conditions of 10 million milk-producing families by creating an efficient dairy industry together with the necessary infrastructure. The distribution network to be set up involves more than 100 large towns with a total population of 150 million people.

Flood II will not only have the assistance of the Indian Government, but the World Bank—whose formal decision is expected in June—will be making a financial contribution and the Community will be supplying food aid consisting of 31 000 tonnes of skimmed-milk powder and 12 700 tonnes of butteroil. To enhance the effect of the Community's contribution in kind counterpart funds in local currency will be constituted from the proceeds of the sale of the products in question and will be used as an additional source of finance.

For 1978 the Community has already agreed on the supply of 6 000 tonnes of skimmed-milk powder and 3 500 tonnes of butteroil as a first instalment.<sup>2</sup>

## Programmes

### Milk and butteroil: 1978 programmes

2.2.24. At its meeting on 25 April the Council agreed<sup>3</sup> on the butteroil and skimmed-milk powder food aid programmes for 1978.

These aid programmes involve 125 000 tonnes of skimmed milk and 35 800 tonnes of butteroil. The breakdown by recipient country and agency is shown in Tables 2 and 3.

Table 2 — *Skimmed-milk powder food-aid programme 1978*

Recipient countries and bodies	Quantity (tonnes)
<i>Countries</i>	
Afghanistan	330
Antigua	600
Bangladesh	9 000
Burundi	90
Cape Verde	325
Central African Empire	170
Chad	475
Comores	1 000
Congo	50
Egypt	5 000
El Salvador	700
Ethiopia	3 000
Ghana	3 500
Guinea	250
Guinea Bissau	610
Guyana	500
Honduras	3 075
India	6 000

<sup>1</sup> Bull. EC 10-1977, point 2.2.27.

<sup>2</sup> Point 2.2.24.

<sup>3</sup> OJ L 115 of 27.4.1978.

Table 2 — (cont'd)

Recipient countries and bodies	Quantity (in tonnes)
Indonesia	2 000
Jamaica	1 000
Jordan	1 500
Laos	450
Lebanon	350
Mauritania	800
Mauritius	1 275
Pakistan	500
Peru	1 500
Ruanda	500
Sao Tome and Principe	150
Senegal	1 860
Seychelles	335
Sierra Leone	1 100
Sri Lanka	1 375
Sudan	2 325
Tanzania	2 000
Upper Volta	2 000
Uruguay	250
Vietnam	416
Yemen PDR	3 000
Zambia	1 500
<i>Bodies</i>	
Caritas	500
Catholic Relief Service	3 800
ICRC	2 500
League RCS	1 000
UNICEF	10 600
UNRWA	700
WFP	20 000
Reserve non-governmental organizations	20 000
Reserve	5 039
<b>Total</b>	<b>125 000</b>

*Emergency aid*

2.2.25. On 27 April the Commission decided to grant emergency food aid to the Palestine refugees in the Lebanon through UNRWA (United Nations Relief and Works Agency for Palestine Refugees in the Middle East). This aid, worth 181 000 EUC, comprises 1 460 tonnes of cereals, 40 tonnes of butteroil and 40 tonnes of sugar.

Table 3 — *Butteroil food-aid programme 1978*

Recipient countries and bodies	Quantity (in tonnes)
<i>Countries</i>	
Bangladesh	3 000
Burundi	50
Cape Verde	200
Chad	100
Congo	50
Egypt	800
Ethiopia	1 500
Ghana	200
Guinea	185
Guinea Bissau	175
Guyana	100
Honduras	200
Honduras	315
India	3 500
Jamaica	250
Jordan	1 125
Lebanon	650
Lesotho	60
Mali	50
Mauritania	900
Mauritius	100
Mozambique	100
Pakistan	2 000
Sao Tome and Principe	200
Sierra Leone	200
Sri Lanka	200
Upper Volta	750
Vietnam	4 000
Yemen PDR	550
Zaire	150
<i>Bodies</i>	
Caritas	100
Catholic Relief Service	2 000
ICRC	200
League RCS	200
UNICEF	2 000
UNRWA	3 200
WFP	5 000
Reserve	1 440
<b>Total</b>	<b>35 800</b>

2.2.26. On 13 April the Commission decided to grant emergency aid to Mozambique to deal with the critical situation arising from the catastrophic floods in certain regions of



the country. This aid, worth 420 000 EUC, comprises 1 500 tonnes of cereals and 350 tonnes of skimmed-milk powder.

2.2.27. On 26 April the Commission decided to grant emergency aid of 100 000 EUC to the Socialist Republic of Vietnam. This decision was taken in response to a request to the Community from the Vietnamese authorities for help in coping with the damage caused by a large-scale invasion of insects to tens of thousands of hectares of rice fields in the centre of the country. This emergency aid will be used to purchase and transport fungicides, insecticides and spraying equipment. The operation will be carried out via the FAO.

### **Aid to the non-associated developing countries**

2.2.28. At its meeting on Development on 25 April the Council reached agreement on the broad lines of the regulation which is to govern Community financial and technical aid to the non-associated developing countries. The next stage before final adoption of the regulation by the Council will be the conciliation procedure between the Council and the Parliament, in the presence of the Commission.

2.2.29. On the same day the Council also drew up general guidelines for implementing the 1978 programme of financial and technical aid to the non-associated developing countries. An amount of 70 million EUC has been entered in the budget for this programme. According to these guidelines, the regional breakdown will be as follows: Asia: 74%, Latin America: 21%; non-associated African countries: 5%.

### **Relations with non-governmental organizations**

2.2.30. Following the decisions taken at the NGO's annual assembly last February,<sup>1</sup> the NGO's Liaison Committee decided at its meetings on 13 and 28 April to undertake two major campaigns to educate European public opinion on development:

- (i) organization of a European forum of reflection and research centring upon the forthcoming negotiations for the renewal of the Lomé Convention, with a view to preparing for the campaign for elections to the European Parliament (June 1979);
- (ii) organization of a 'European exhibition' of the educational materials and media used by the specialized NGOs to form public opinion.

Both campaigns will be organized during the last three months of 1978.

2.2.31. During the first four months of 1978 the Commission received 87 applications for cofinancing from 35 NGOs, representing a total of 4 691 249 EUC. Of these 87 projects, 40 have already been approved, amounting to a total Community commitment of 1 530 647 EUC.

## **International organizations**

### **United Nations**

#### *Economic and Social Council*

#### **Economic Commission for Europe**

2.2.32. The Community participated in the annual session of the United Nations Econ-

<sup>1</sup> Bull. EC 2-1978, point 2.2.24.

omic Commission for Europe (ECE), which took place from 11 to 22 April in Geneva. The participants noted that the five-year programme adopted last year<sup>1</sup> was making good progress and that encouraging results had already been achieved.

In the customary examination of the ECE's wide activities since the last meeting, interest centred mainly on questions to do with the environment, energy, science and technology, transport and trade. As far as trade was concerned, the Commission representative shared the concern of the Executive Secretary of the ECE, Mr Stanovnik, about the danger of Protectionism. He repeated that despite some difficulties the Community is against the use of all protectionist measures. He said that the Community intended to maintain and deepen its traditional relations with all its trading partners, but stressed that a careful watch should be kept since protectionism could take various forms according to the different economic and social systems.

Referring to the difficult situation in which the world steel market found itself at present, he drew attention to the first positive results issuing from the arrangements concluded by the Community with certain steel-supplying countries.

The possibility of convening, within the ECE, a high-level conference on the protection of the environment was once again examined. On this very complex matter, government advisers on environmental problems are to start preparatory work, particularly in the area of cross-frontier atmospheric pollution from remote sources, low-polluting or non-polluting technology, and waste recycling. In the light of the work, the next session will have to take a decision on the convening of the high-level meeting. The need for closer international cooperation in the area of energy was also stressed. It was therefore agreed that exchanges of information on this subject

should be stepped up. The Community supported a proposal of the Executive Secretariat of the ECE to set up a new subsidiary body to deal with these matters.

### *UNCTAD*

2.2.33. The Trade and Development Board held a brief meeting in Geneva on 4 April which dealt principally with procedural questions and the work programme. A decision was taken, however, in the matter of setting up a preparatory working group on tungsten.<sup>2</sup>

2.2.34. Several preparatory meetings<sup>3</sup> were also held in April in connection with the implementation of the UNCTAD integrated programme for commodities.

### *FAO*

#### **World Food Programme**

2.2.35. The Community took part in the meeting of the World Food Programme Committee on Food Aid Policies and Programmes, which took place from 10 to 21 April in Rome.

The Committee examined the progress made in the implementation of better food aid policies in accordance with the recommendations of the World Food Conference and the World Food Council. It formulated criteria and principles to guide the allocation of both bilateral and multilateral food aid. It also studied the Secretariat's estimates of the amount of food aid in cereals required up to 1985 and the requirements in vegetable oil and milk products.

<sup>1</sup> Bull. EC 4-1977, point 2.2.44.

<sup>2</sup> Point 2.2.22.

<sup>3</sup> Points 2.2.16 to 2.2.18.

### **Committee on World Food Security**

2.2.36. The Community took part in a meeting in Rome of the FAO Committee on World Food Security from 24 to 28 April. Discussions focussed on the following points: a general examination of food security, measures taken to implement the international undertaking on world food security, and activities of the aid programme for world food security, and activities of the aid programme for world food security.

### *International Monetary Fund*

#### **Interim Committee**

2.2.37. The IMF Interim Committee met in Mexico on 29 and 30 April under the chairmanship of Mr Denis Healey, the Chancellor of the Exchequer of the United Kingdom. The Community's views were put by Mr Heinesen, Danish Minister of Finance and President in office of the Council. Mr Ortoli, Vice-President of the Commission, also attended the meeting.

A detailed communiqué published at the end of the meeting<sup>1</sup> dealt with the various problems examined by the Interim Committee—world economic outlook, agreement on the broad outline of a concerted strategy to promote non-inflationary growth, an improvement in the characteristics of special drawing rights, an extension of their use, review of quotas, etc.

### **Organization for Economic Cooperation and Development**

#### **Executive Committee**

2.2.38. A special meeting of the OECD Executive Committee was held on 14 April in Paris.

The Committee discussed the prospects for discussions between industrialized countries and developing countries and on the position that the countries of the OECD will take at these discussions to avoid the appearance of forming a bloc. The members of the Committee felt that the progress that had already been made should not be underestimated and that specific matters concerning North-South relations (commodities, technology and industrial development, investment, food security and trade) should be examined from the point of view of the mutual interests of the different partners.

On this matter the Committee also focussed its attention on the growing role and competitive capacity of the industrializing countries. The Committee would like to see the growth in these countries directed more towards an increase in internal consumption and a liberalization of imports.

Finally, the Committee held a preliminary discussion on the recent tendencies in adjustment policies and the possibility of steering these policies in a more positive direction in order to avoid compromising the option of lasting and non-inflationary growth. In this discussion, which is to be continued, the delegations stated the objectives of current industrial reorganization policies and the risks that certain aspects of these policies may involve for the freedom of trade.

#### **Working Party on Shipbuilding**

2.2.39. The Community participated in a meeting of the OECD Working Party on Shipbuilding in Paris from 17 to 19 April

<sup>1</sup> The statement made by the President of the Council on behalf of the Community and the text of the final communiqué will be published in the next issue of the Bulletin.

which continued the search for international solutions to the crisis in this industry.<sup>1</sup>

It was noted that, as a result of action on all sides, the imbalance in the distribution of orders in 1976 had smoothed out appreciably in 1977. Finding that all member countries had not yet begun the process of adjusting production and capacity, the Working Party stressed the need to take action without delay in accordance with the general guidelines defined by the OECD.

## Council of Europe

### Parliamentary Assembly

2.2.40. The Parliamentary Assembly of the Council of Europe held the first part of its 30th ordinary session from 24 to 28 April. A Commission delegation was present with observer status.

The Assembly's first item of business was to elect Mr De Koster (Netherlands) its new President in succession to Mr Czernetz. A new Deputy Secretary-General of the Council of Europe, Mr Adinolfi, was also elected.

At this meeting the Assembly adopted a recommendation on cooperation between Member States of the Council of Europe in combating tax evasion and avoidance. The recommendation proposes a catalogue of concrete measures and a multilateral European Agreement on cooperation between the different national taxation authorities.

The Assembly also adopted a resolution on the multilateral trade negotiations which calls in particular for strong action to ensure that developing countries are accorded preferential treatment.

The Danish Minister for Greenland presented the regional autonomy plans which will shortly be submitted to the Folketing.

The speech made by Chancellor Schmidt was the culminating point of this meeting. The Chancellor spoke at length on the problem of human rights and the merits of the European Convention for the Protection of Human Rights and Fundamental Freedoms. He considered that the guarantee of social rights was principally a political matter rather than a legal one. In conclusion, he said that practical steps should be taken to extend progressively the powers of the European Parliament.

### Committee of Ministers

2.2.41. The Committee of Ministers of the Council of Europe met on 27 April. It adopted a declaration on human rights, in which the importance of the European Convention was reaffirmed. The Committee also decided to give priority to work being done to extend the lists of individual rights, especially social, economic and cultural rights, which are to be protected by European conventions or other means.

## Commercial policy

### Formulating and implementing the common commercial policy

#### *Import arrangements*

#### **Easing of restrictive measures**

2.2.42. Under the Council Decision of 27 March 1975 on unilateral import arrangements in respect of State-trading countries,<sup>2</sup>

<sup>1</sup> Point 2.1.16.

<sup>2</sup> OJ L 99 of 21.4.1975.

the Commission has taken the following measures relaxing import restrictions:

*Italy-Romania*: exceptional opening of an import quota for ball-bearings;<sup>1</sup>

*Italy-Albania*: exceptional opening of additional import quotas for various products;<sup>2</sup>

*Italy-Czechoslovakia*: exceptional opening of an import quota for ball-bearings;<sup>3</sup>

*Italy-Bulgaria*: exceptional opening of an import quota for acrylonitrile.<sup>3</sup>

### **Investigation, surveillance and safeguard measures**

#### *Anti-dumping/anti-subsidy procedures*

2.2.43. In April the Commission initiated anti-dumping procedures concerning certain chemical wood pulp from Canada, Finland, Sweden and the United States,<sup>4</sup> ferrochromium from South Africa and Sweden<sup>5</sup> and winding wire from Spain.<sup>1</sup>

#### *Import surveillance*

2.2.44. On 7 April<sup>6</sup> the Commission decided to introduce Community surveillance of imports of footwear from eleven countries: Brazil, China, Czechoslovakia, Hong Kong, Malaya, Pakistan, Poland, Romania, South Korea, Spain and Taiwan.

This measure is applicable from 1 May to 31 October 1978, and was prompted by the considerable increase in recent years in imports of footwear of various origins, which threatens to cause serious injury to Community producers of similar or competing products.

This new system of prior surveillance (by means of an import document) supersedes the retrospective control on certain types of

footwear introduced by a Commission Decision of 13 March 1975,<sup>7</sup> and extended on 13 June 1977<sup>8</sup> until the end of December 1978.

This surveillance will in no way hamper imports, since the import documents should be issued or stamped automatically by the Member States' customs within five days of the application being made.

### *Trade agreements: tacit renewal or extension*

2.2.45. On 25 April<sup>9</sup> the Council authorized the extension or tacit renewal of a number of trade agreements between Member States and non-member countries (second batch for 1978). The expiry date or deadline for denunciation of these agreements falls between 1 May and 31 July 1978.

### *Credit insurance and export credit*

#### **Consensus on export credits: Council decision**

2.2.46. Under a decision taken by the Council on 4 April, the Community is to apply, with effect from 1 April, the new consensus on export credits arising from international negotiations in which the Commission took part on behalf of the Community. Agreement on these new guidelines for offi-

<sup>1</sup> OJ C 100 of 25.4.1978.

<sup>2</sup> OJ C 104 of 29.4.1978 and C 105 of 3.5.1978.

<sup>3</sup> OJ C 104 of 29.4.1978.

<sup>4</sup> OJ C 89 of 12.4.1978.

<sup>5</sup> OJ C 90 of 13.4.1978.

<sup>6</sup> OJ L 94 of 8.4.1978.

<sup>7</sup> OJ L 90 of 11.4.1975.

<sup>8</sup> OJ L 169 of 7.7.1977.

<sup>9</sup> OJ L 123 of 11.5.1978.

cially supported export credits was reached in February.<sup>1</sup> In addition to the Community as such, eleven countries took part in the negotiations, which were aimed at renewing and if possible improving the guidelines defined in 1976 and adopted by the Council on 4 March 1977.<sup>2</sup>

### Specific measures of commercial policy

#### *Textiles*

#### Operation of the agreements

2.2.47. Following the renewal of the Multi-fibre Arrangement the new GATT Textiles Surveillance Body was formally set up in Geneva on 3 April. The Body consists of representatives from the Community and Colombia, Finland, India, Japan, South Korea, Thailand and the United States.

2.2.48. On 3 April<sup>3</sup> the Commission adopted a Regulation making imports of certain textile products originating in State-trading countries subject to common rules for authorization and quantitative limitation. This is a provisional arrangement, the decision on the final arrangements being for the Council.

#### *Steel*

#### Anti-dumping

2.2.49. In April the Commission adopted a number of important decisions on anti-dumping measures concerning steel imports, as part of its action programme to combat the crisis in the iron and steel industry.

The following measures were taken with regard to the countries which have signed

bilateral steel agreements with the Community (i.e. the EFTA countries, Czechoslovakia, Japan and South Africa):

(i) where anti-dumping procedures have been initiated, but no provisional anti-dumping duty applied, the procedure will be determined;

(ii) where provisional anti-dumping duties have been imposed following the initiation of a procedure, the provisional duties already charged will be confirmed for a further three-month period pending the outcome of the investigation, but the duty on future imports will normally be suspended, as for instance in the case of Japan;<sup>4</sup>

(iii) where countries have not yet signed agreements with the Community, but appear likely to do so, the provisional duties which have already been applied will be maintained for a further three-month period, as was done in the case of Spain,<sup>5</sup> until a satisfactory arrangement was worked out.<sup>6</sup>

In the case of countries with which no agreement is impending, the Commission has decided to make the provisional anti-dumping duties definitive. Guarantees set at the same level as the duties will now be required. The countries affected are South Korea (iron and steel coils for re-rolling),<sup>7</sup> and Bulgaria, East Germany and Romania (certain plates and sheets of iron or steel).<sup>8</sup>

The investigations carried out by the Commission following the application of provisional anti-dumping duties confirmed that the level of the base prices published by the Commission was reasonable and that considerable

<sup>1</sup> Bull. EC 2-1978, point 2.2.35.

<sup>2</sup> Bull. EC 3-1977, point 2.2.22.

<sup>3</sup> OJ L 96 of 10.4.1978.

<sup>4</sup> OJ L 94 of 8.4.1978 and L 106 of 20.4.1978.

<sup>5</sup> OJ L 115 of 27.4.1978.

<sup>6</sup> OJ L 120 of 4.5.1978.

<sup>7</sup> OJ L 106 of 20.4.1978.

<sup>8</sup> OJ L 108 of 22.4.1978.

injury had been caused to the Community iron and steel industry by the imports in question.

The definitive anti-dumping duties are set at the same level as the provisional ones, which corresponds to the difference between the Commission's published base price for the product in question and the import price. Special arrangements will apply to cheap low-quality products.

2.2.50. The Commission's decision to terminate certain anti-dumping/anti-subsidy procedures relates to imports of certain galvanized steel sheets and plates originating in Finland and Austria,<sup>1</sup> bars and rods of alloy steel,<sup>1</sup> and wire rod originating in Japan,<sup>1</sup> angles, shapes or sections of iron or steel originating in South Africa, and haematite pig iron originating in Canada.<sup>2</sup>

2.2.51. On 19 and 26 April<sup>3</sup> the Commission extended its Decision of 14 March prohibiting alignment by Community firms on offers of iron and steel products originating in certain non-member countries to cover Czechoslovakia, Japan, South Africa and Spain, following the conclusion of arrangements with these countries.

2.2.52. The Commission also extended Community surveillance of imports of certain iron and steel products to cover Japan and South Africa.<sup>4</sup>

### Negotiation of arrangements with non-member countries

2.2.53. Arrangements with Czechoslovakia, Japan, South Africa and Spain concerning deliveries of iron and steel products were concluded or signed in April.

\*

2.2.54. On 11 April<sup>5</sup> Parliament passed a Resolution on dumping and the threat to Europe from uncontrolled competition, which particularly hits the crisis industries such as steel, textiles, shipbuilding and footwear.

## Mediterranean countries

### Greece

2.2.55. The EEC-Greece Association Committee met in Brussels on 24 April.

The main items of business were the report to be submitted by the Association Council to the Joint Parliamentary Committee, the difficulties in the Community textile industry, the functioning of the customs union and a number of problems in agriculture (Samos liqueur wines, olive oil and tomato concentrates).

### Cyprus

2.2.56. The Supplementary Protocol to the Association Agreements between the Community and the Republic of Cyprus, and the Protocol laying down certain provisions for trade in agricultural products<sup>6</sup> were initialled on 7 April by the Commission and the Cypriot authorities.

The arrangements cover the main agricultural exports from Cyprus, in particular citrus fruits, grapes, new potatoes, carrots, preserved fruit and juices and wines, including

<sup>1</sup> OJ C 97 of 22.4.1978.

<sup>2</sup> OJ C 100 of 25.4.1978.

<sup>3</sup> OJ L 107 of 21.4.1978 and L 115 of 27.4.1978.

<sup>4</sup> OJ L 105 of 19.4.1978.

<sup>5</sup> Point 2.3.17 and OJ C 108 of 8.5.1978.

<sup>6</sup> Bull. EC 3-1978, point 2.2.53.

liqueur wines. The concessions made by the Community take into account the importance of agricultural exports for the Cypriot economy and also the previous treatment applied on certain Community markets up to the end of last year; in the light of these considerations exceptional arrangements have been accorded to Cyprus.

The two agricultural protocols will be signed in May and will enter into force on 1 July. Meanwhile, the Community will apply unilateral arrangements in agricultural trade with Cyprus.

### Malta

2.2.57. A joint mission from the Commission and the European Investment Bank was in Malta from 17 to 21 April to determine the projects and operations that might be financed under the EEC-Malta financial protocol.

### Yugoslavia

2.2.58. The negotiations between the Community and Yugoslavia for the conclusion of a new cooperation agreement to replace the present trade agreement, which expires on 30 August 1978, continued in Brussels on 11 April.<sup>1</sup>

The aim of this second negotiating meeting was to specify and examine in greater depth the respective positions and points of view of the two delegations on the content of the future agreement.

The Yugoslav delegation held that the Community's present negotiating directives<sup>2</sup> would not permit the translation into practical terms of the political will expressed in the Belgrade Joint Declaration<sup>3</sup> to strengthen

economic and trade ties between the two partners.

\*

2.2.59. On 14 April Parliament passed a resolution on the mandate for the negotiations between the Community and Yugoslavia.

## ACP States and the OCT

### European Development Fund

2.2.60. Following the favourable opinion delivered by the EDF Committee, the Commission decided on 27 April to finance the following projects:

(i) *under the third EDF*

*OCAM Equalization Fund* — Aid for the marketing of sugar exported by the Associated States 1 085 034 EUC

(ii) *under the fourth EDF*

*Malawi* — New Blantyre dairy scheme 2 100 000 EUC; — Building and equipping the Mangochi and Nsanje district hospitals 4 000 000 EUC

*Guinea* — Equipment and technical assistance for the Institut polytechnique secondaire maritime 1 970 000 EUC

*Uganda* — Improvement of the artificial insemination programme 155 000 EUC

*Mali* — Development of stock-farming in southern Mali 1 820 000 EUC

*Swaziland* — Multiannual training programme 2 000 000 EUC

<sup>1</sup> Bull. EC 2-1978, point 2.2.44.

<sup>2</sup> Bull. EC 1-1978, point 2.2.38.

<sup>3</sup> Bull. EC 11-1976, point 2340.



*Senegal* — Exceptional aid 3 385 000 EUC  
*Mauritania* — Exceptional aid 1 007 000 EUC  
*Mali* — Exceptional aid 500 000 EUC  
*The Gambia* — Exceptional aid 500 000 EUC  
*Guinea Bissau* — Exceptional aid 167 000 EUC  
*Guinea* — Exceptional aid 2 735 000 EUC

## Other countries

### Industrialized countries

#### EFTA countries

##### *Austria*

2.2.61. An exchange of letters between the Commission and Austria took place on 28 April 1978 with a view to establishing cooperation on the environment.

This cooperation will involve regular exchanges of information in certain sectors, such as water protection, the fight against atmospheric pollution, waste disposal, education in ecology and exchange of documents. Cooperation of this kind already exists with Canada, Sweden, Switzerland, Japan and the United States.

#### Japan

2.2.62. A delegation from the Japan Federation of Economic Organizations (Keidanren) led by its President, Mr Doko, visited the Commission on 20 April and had talks with President Jenkins, Mr Brunner, Mr Davignon and Mr Tugendhat.

The Commission side stressed the need for the joint Community-Japan communiqué of 24 March 1978<sup>1</sup> to be effectively implement-

ed. Private industry had a vital part to play in this respect, particularly in the steps to be taken to increase the share of manufactures in Japan's imports. Mr Doko recognized that greater efforts were needed and declared that the Keidanren was ready to provide its assistance. The Commission drew attention to the benefits to be derived, in the present period of economic difficulty and structural change, from increased cooperation in the industrial field.

2.2.63. The 'Conclusions of the Presidency' issued at the end of the European Council meeting in Copenhagen on 7 and 8 April included a statement on relations between the Community and Japan.<sup>2</sup>

### Developing countries

#### *Asia*

##### Iran

2.2.64. As part of the negotiations with Iran for an outline economic and trade cooperation agreement, exploratory talks took place between an Iranian delegation and Commission staff on 20 and 21 April in Brussels. These talks focussed on the state of the negotiations and the clarification of certain problems. The last round of discussions took place in Teheran in January 1978.<sup>3</sup>

#### *Latin America*

2.2.65. The headquarters of the Commission Delegation for Latin America, recently

<sup>1</sup> Bull. EC 3-1978, points 1.1.4 to 1.1.9.

<sup>2</sup> Bull. EC 3-1978, point 1.1.10.

<sup>3</sup> Bull. EC 1-1978, point 2.2.51.

transferred from Santiago to Caracas, were officially opened on 18 April in the presence of Mr W. Haferkamp, Vice-President of the Commission.

During his stay in Venezuela Mr Haferkamp was received by the President of the Republic, Mr Carlos Andres Perez, and also had several contacts with government representatives. He had useful discussions with the Ministers of Foreign Affairs, Energy, and International Economic Affairs on energy problems, the North-South Dialogue and the work of the last session of UNCTAD. Certain other problem relating specifically to relations between the Community and Venezuela, the Andean Group and the Latin American System (SELA) were also discussed.

The European Parliament also sent a delegation to Caracas.

2.2.66. The Commission was represented by an observer at the nineteenth annual Assembly of Governors of the Inter-American Development Bank which was held in Vancouver from 17 to 19 April. Most of the Community States have become members of the bank in recent years, and the Community is working with the IDB to finance development projects in Latin America.

## **State-trading countries and Council for Mutual Economic Assistance**

### **Council for Mutual Economic Assistance**

2.2.67. It was agreed in April that Mr Haferkamp, Vice-President of the Commission, would meet Mr Faddeyev, Secretary of the Council for Mutual Economic Assistance, in Moscow on 29 May. This visit will be a follow-up to the talks which Mr Haferkamp had with the Chairman of the CMEA Exec-

utive Committee, Mr Marinescu, in September 1977 in Brussels.<sup>1</sup>

### **China**

2.2.68. The Trade Agreement between the Community and China was signed in Brussels on 3 April.<sup>2</sup>

<sup>1</sup> Bull. EC 9-1977, points 1.2.1 to 1.2.4.

<sup>2</sup> Points 1.5.1 to 1.5.5.

# 3. Institutional and political matters

## Institutional developments — European policy

### Special rights for Community citizens

2.3.1. During its April part-session Parliament reviewed the progress still to be made by the Community in legal matters.<sup>1</sup> It was particularly concerned 'at the backlog of work on civil law, consumer protection, enforcement law, company law, securities law, competition law, copyright law and insurance law'. The Resolution tabled by Mr Calewaert (S/B) and others to follow up the written question put to the Council and the Commission also called for the institutions' work on special rights for Community citizens to be pursued with added vigour. Parliament called on the Commission to conclude its work in this area by June 1978 on the basis of the decision of the Heads of State or Government of 9 and 10 December 1974<sup>2</sup> and the Resolution of Parliament of 16 November 1977.<sup>3</sup> Parliament itself decided to convene a Round Table on the granting of special rights to Community citizens for autumn 1978 in Florence, at which, under the chairmanship of its draftsman, Mr Mario Scelba, representatives of the institutions of the Community and the Parliaments of the Member States would meet to draw up a draft 'Community Charter of Citizens' Rights'.

In his answer to the oral question Mr Andersen, President of the Council, confirmed that the *ad hoc* working party set up after the 1974 Paris Summit was looking into matters concerning European citizens' right to vote and to stand for election and other related rights (freedom of expression and of association, etc.), and the right of residence. Mr Jenkins recalled that the Commission had come to the following two conclusions in its July 1975 report:<sup>4</sup> each Member State must

confer on members of other Member States certain civil and political rights based on a principle parallel with that underlying the Community Treaties, namely the same economic footing as nationals; the special political rights would be mainly the right to vote and the right to stand for and occupy public office.

Mr Jenkins went on to say, however, that the Commission, taking into account certain changes in connection with the direct election of the European Parliament, could in principle endorse the approach taken in Parliament's Resolution of 16 November 1977<sup>3</sup> and modify the definition of special rights given in its report. The Commission wished to stress that in this field its conception of special rights was a pragmatic one and that it wished to take all opinions into account as far as possible.

### European Council in Copenhagen

#### *Institutional aspects*

2.3.2. The Copenhagen European Council spent a great deal of its time discussing institutional and political matters, and produced a number of texts and statements setting out its conclusions. These included statements on elections to Parliament by direct universal suffrage, and on democracy.<sup>5</sup> The following statements were also issued after the meeting:

<sup>1</sup> Point 2.3.16.

<sup>2</sup> Point 11 of the communiqué; Bull. EC 12-1974, point 1104.

<sup>3</sup> Bull. EC 11-1977, point 2.3.9.

<sup>4</sup> Bull. EC 7/8-1975, points 1301 to 1303.

<sup>5</sup> Bull. EC 3-1978, preliminary chapter.

### *European Foundation*

2.3.3. 'In pursuance of the decision of principle taken at the meeting of the European Council on 5 and 6 December 1977<sup>1</sup> the Heads of State and of Government laid down the scope and objectives of the Foundation and agreed on the framework for its structure and financing. The European Council decided that formal discussions on setting up the Foundation should be conducted as soon as possible.

The seat of the Foundation will be Paris.'

### *Terrorism*<sup>2</sup>

2.3.4. 'The European Council declared its deep distress at the kidnapping of Aldo Moro and the murder of his escort. The Council wished in this connection to express its complete solidarity with the Italian people and Government.

The Council expressed its great concern at the continually increasing number of acts of this kind and at the extension of terrorism in general which, if not effectively combatted, will strike at the functioning and the very principles of democracy. The Council stressed that the nine Member States were firmly resolved to do everything to protect the rights of individuals and the foundations of democratic institutions.

The European Council agreed that high priority must be given to efforts to intensify cooperation among the Nine to defend our societies against terrorist violence.

It was agreed that the relevant Ministers will increase their mutual cooperation and will as soon as possible submit their conclusions on the proposals before them for a European judicial area.'

## Institutions and organs of the Communities

### Parliament

#### *Part-session in Luxembourg from 10 to 14 April*

2.3.5. The April sittings<sup>3</sup> devoted much time and thought to the conclusions reached at the latest meeting of the European Council in the light of the statements issued by the Heads of State or Government, particularly the statement on terrorism,<sup>4</sup> which the House debated separately. Another item of special importance was the discussion of the new financial instrument designed to promote investment in the Community.<sup>5</sup> Pursuant to the 1975 interinstitutional agreement<sup>6</sup> Parliament reserved the right to call for the conciliation procedure to be initiated if the Council were to depart from the Opinion adopted by Parliament. On the budgetary side the House passed a Resolution supplementing the guidelines for the budgetary and financial policy of the Community for 1979.

<sup>1</sup> Bull. EC 12-1977, point 2.3.6.

<sup>2</sup> Parliament also debated this issue at its April part-session; see point 2.3.9.

<sup>3</sup> This report was prepared from *Le point de la session* published by Parliament's Secretariat. The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 108 of 8.5.1978.

The political group and nationality of members are indicated in brackets by the following abbreviations: C-D = Christian Democrats, S = Socialists, L = Liberals and Democrats, C = European Conservatives, EPD = 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.

<sup>4</sup> Point 2.3.4.

<sup>5</sup> Bull. EC 6-1977, points 1.4.1 and 1.4.2.

<sup>6</sup> OJ C 89 of 22.4.1975.

A whole day was devoted to Community commercial policy: dumping, dealings in licences and relations with Comecon, Japan and China. The debates also covered the slow progress in completing the customs union and in the approximation of legislation notably in respect of company law. Parliament dealt at length with the additional proposals on agricultural prices and on Mediterranean agriculture, with particular reference to the enlargement of the Community.

In the social sphere two subjects predominated: equality of pay and working conditions and unemployment among young people. Mr Vredeling presented the Commission's proposals recently addressed to the Council. The question of Yugoslav migrant workers in the Community was also raised in connection with the forthcoming negotiations for extending the Cooperation Agreement between the Community and Yugoslavia and the House expressed its support for the trade unions in Europe in their joint campaign against unemployment.

Parliament also took a hard look at the Community's problems arising from marine pollution following the Amoco Cadiz disaster.<sup>1</sup> As regards development aid the Commission was asked whether a provision concerning the respect of human rights should be inserted when the Lomé Convention was renewed. Lastly, the House passed a Resolution welcoming the accession of the Republic of Djibouti to the Lomé Convention.

### **Budgetary and financial policy** (14 April)

2.3.6. Parliament added to the guidelines which it had defined in March for the budgetary and financial policy to be followed by the Communities in 1979.<sup>2</sup> Presenting his report on behalf of the Committee on Budgets, Mr Bangemann (*L/D*) supported

the Commission's proposal that the Community budget should finance those activities where, as compared with the national scale, the Community dimension offered an economic or political advantage. The Community budget could thus be aptly applied in the fields of employment and energy.

The rapporteur also stressed that being geared more to structural action—regional policy and sectoral policies—the budget could help in pulling the national economies closer together.

The priority target of the 1979 budget must therefore be to help in improving structures. Urgent measures would be needed here, particularly on the regional and social fronts, in industry and the energy sector and in the policies enabling the Community to prepare for the future: preparations for enlargement, cooperation with the non-associated developing countries, research, science, technology and the environment. Lastly, Mr Bangemann felt that a better balance ought to be struck between agricultural expenditure and other common expenditure. Parliament approved his proposals and adopted his Resolution.

Speaking for the Commission, Mr Giolitti agreed with the main guidelines advocated by Parliament and particularly with the point that aid for the aircraft industry should be funded exclusively by the Community.

### **New Community loan facility** (12 April)

2.3.7. Parliament gave its opinion on the Commission's proposal which would empower it to issue loans for the purpose of promoting investment within the Community.<sup>3</sup>

<sup>1</sup> Points 1.4.1 to 1.4.13.

<sup>2</sup> Bull. EC 3-1978, point 2.3.9.

<sup>3</sup> OJ C 37 of 14.2.1978 and Bull. EC 1-1978, point 2.1.1.

The review of the proposal gave rise to a lively debate on the report by Mr Spinelli (COM/I). Though it supported the Commission's proposal, the report made a number of basic reservations which, in the Resolution put to the House and adopted, were in fact conditions for its acceptance. The Commission's proposal should therefore be amended.

The conditions on which Parliament insisted were that:

- (i) the new financial instrument must serve a policy of recovery for the Community;
- (ii) the loans raised must be entered into the Budget and approved under the budgetary procedure (i.e. with the full involvement of Parliament);
- (iii) The Commission must be directly responsible for granting loans.

The Committee on Budgets held that the allocation of funds must be the direct responsibility of the Commission and not—as would result *de facto* from the proposal—the responsibility of the European Investment Bank; the Bank must simply manage the funds. Nor could the Committee accept the Commission's proposal to the effect that each loan transaction would require only a decision by the Council ruling alone, even if only by a qualified majority. Lastly, the report emphasized that the new financial instrument must be used to serve a Community policy of economic recovery and not solely as a means of providing the Bank with greater financial resources.

The debate largely turned on the question of who was to have direct responsibility for granting the loans. A majority of the members felt that this should lie primarily with the Commission. Others, including Mr Müller-Hermann (C-D/D), spokesman for the Committee on Economic and Monetary Affairs, contended that the Commission should not do the work of a bank. Having decided

whether a project qualified for a loan, the Commission should reserve the final decision for itself only in special cases.

Defending the Commission's proposal Mr Ortolí made the following points: unlike the ECSC, the EEC had not provided for a loan facility but, instead, had established a bank, one which did not operate like an ordinary bank in that profitability was not its basic concern. It was therefore quite normal that the Commission should call in the Bank.

Furthermore, and this was the crux of the matter, the Commission was not abandoning its political responsibility. It was retaining responsibility for raising loans, general guidelines, directives issued to the Bank, decisions on the eligibility of projects, depending on whether they were compatible with adopted policy, and lastly the actual signature. So it was definitely the Commission which was taking the risk.

At the close of the debate Parliament did not change its position and adopted the report of the Committee on Budgets as it stood.

### European Council in Copenhagen (12 April)

2.3.8. The Presidents of the Council and of the Commission reported on the meeting of the European Council in Copenhagen. Mr Andersen welcomed the positive results of the deliberations of the Heads of State or Government and reviewed the matters dealt with at the meeting.

He highlighted the decision setting the dates of the direct elections<sup>1</sup> between 7 and 10 June 1979. He emphasized that this was a definite date, set in accordance with Parliament's wishes expressed in its Resolution of

<sup>1</sup> Bull. EC 3-1978, preliminary chapter.

16 February,<sup>1</sup> but it would not be formally adopted until the normal procedures had been completed.

Mr Andersen also spoke of the statement concerning terrorism whereby the Nine intend to maintain and intensify their efforts to protect society from this scourge. For this purpose the Ministers of the Interior would have to meet and present proposals within the framework of a 'European legal territory'.<sup>2</sup> But the main subject discussed in Copenhagen had been an appraisal of the economic and social situation with a view to the forthcoming European Council in Bremen and the Western Economic Summit also to be held in Germany in July.

The Nine had striven to find a common strategy to tackle the difficulties and, in particular, reduce unemployment, one of the main objectives being to improve the employment market. The European Council also considered that the Community must achieve a growth rate of at least 4.5% by the middle of 1979. It also asked the European Investment Bank to double its capital.<sup>3</sup>

Commenting in turn on the conclusions of the European Council, Mr Jenkins said that he derived greatest satisfaction from the wide-ranging and far-reaching discussions concerning economic and monetary questions and the convergence of thought which had emerged. The President of the Commission also found it particularly encouraging that the Council had recognized that the pursuit of greater internal cohesion within the Community implied the reduction of regional imbalances.

The reaction of the group spokesmen to the Council's statements was later described by President Jenkins as 'one of tentative optimism intermingled with continuing scepticism'. While recognizing the political importance of the decision setting the election date and what this meant for the future of the

Community, members had shown that they were weary of all the prevarication which had delayed it for so long. After all, said Mr Fellermaier (*S/D*) the decision was twenty years late! Many members therefore hoped that the ratification instruments would be deposited very quickly so that the date could be formally set.

Speaking of the reasons for the delay, Mr Fellermaier, in company with other members, raised the question of Parliament's seat. Nobody, he said, would be able to prevent the directly elected House from establishing its seat and putting an end to this 'traveling circus'.

As regards the economic problems, all speakers acknowledged that the change of outlook assuredly reflected a new political cohesion, but all expressed the hope that words would become deeds, even though the question of the means to be applied was still unresolved. Mr Rippon (*C/UK*) was not alone in fearing that little might come of the whole thing, his misgivings being prompted by reports after the European Council that Chancellor Schmidt did not really believe that the target of 4.5% growth by mid 1979 would be achieved. Many speakers having emphasized the problem of unemployment declared that a European solution must be found.

Several members, in particular Mr Johnston (*L/UK*) and Mr Rippon (*C/UK*) were concerned that the European Council had made no mention of the problems of enlargement. Mr Johnston warned against the possible harmful effects on political stability in Europe if the hopes of Greece, Spain and Portugal were frustrated. In the same vein, Mr Rippon made the point that the development needs of the applicant countries could solve the Community's overcapacity problem, thus

<sup>1</sup> Bull. EC 2-1978, point 2.3.11.

<sup>2</sup> Point 2.3.9.

<sup>3</sup> Point 1.2.2.

making enlargement 'the very key to the necessary recovery plan'.

Mr Bertrand (C-D/B) was alarmed to see the European Council embarking further and further on intergovernmental cooperation, as evidenced by its determination to see the new Community loan instrument 'the Ortolani loan') administered by the EIB, thus putting it beyond Parliament's control, and by the decision not to make the future European Foundation into a Community body.<sup>1</sup> Nor could he understand how the Belgrade Conference had been made out to be a positive step when, to his mind, it had been just the opposite, since the Nine had betrayed their weakness by failing to get any statement on human rights included in the final communiqué.

Mr Brugha (EPD/IRL) hoped that the future elected Parliament would speak with one voice on the major political issues rather than indulge in the 'futile exercise' of trying to increase its powers.

### **Terrorism** (12 April)

2.3.9. After the general debate on the results of the European Council, the House began a special debate on terrorism, on which the Heads of State or Government had also issued a statement in Copenhagen.<sup>2</sup>

Though tabled by all the political groups, the Resolution, in its final version, did not secure unanimity. The Socialist and Communist groups abstained because they felt that, like any attempt to establish 'European legal territory', the creation of an anti-terrorist network was too hazardous.

In the Resolution, Parliament, a month after the kidnapping of Mr Aldo Moro, condemned 'this kind of terrorism which represents not only a serious attack on the dem-

ocratic institutions but also a grave violation of human rights'. The House expressed its solidarity with Italy and approved the 'firm stand taken by the Italian Government and the Italian political and social organizations in response to the demands of the kidnapers'. It asked the Council of the Communities, the Governments of the Member States and the European institutions, in accordance with its Resolution of 17 March,<sup>3</sup> 'to intensify cooperation in Europe in the fight against terrorism—while respecting the democratic rights and the guarantees embodied in the individual constitutions—and to take practical, swift and effective steps against this scourge'.

### **Social policy** (10 April)

#### *Equal treatment for men and women at work*

2.3.10. Though written into the Treaty of Rome (Article 119), the principle that men and women should receive equal pay for equal work is not yet fully applied in many Member States. This was the basis of the report presented by Mrs Dunwoody (S/UK). Parliament and the Commission were right to criticize the slowness with which these provisions had been applied; the Member States had been insistently urged to give legal force to the principle.

Mrs Dunwoody expressed her concern about the deteriorating situation of women when it came to equality of opportunity. She felt that the Directives of 10 February 1975 and 9 February 1976<sup>4</sup> relating to equal pay and equal treatment for men and women underestimated the size of the problems involved. The Resolution urged the Commission to

<sup>1</sup> Point 2.3.3.

<sup>2</sup> Point 2.3.4.

<sup>3</sup> Point 2.3.15.

<sup>4</sup> OJ L 45 of 19.2.1975 and L 39 of 14.2.1976.



publish new statistical material as soon as possible so that Parliament could assess what progress had been made; the Commission should also ask for information from the Member States on how they intend to overcome the practical difficulties.

Answering a question put by Mrs Cassanmagnano Cerretti (C-D/I) and other members, Mr Vredeling welcomed Parliament's persistence in following up this matter. The Commission, said Mr Vredeling, would scrupulously take action against any infringements in this area, basing itself on the rulings of the Court of Justice which held that Article 119 was directly applicable. But it would have to wait until the Directive took full effect on 12 August before it could act freely.

#### *Unemployment among young people*

2.3.11. Mr Vredeling also presented the proposals which the Commission had addressed to the Council on 5 April<sup>1</sup> concerning unemployment among young people. He stressed the pressing need for additional aid for young people. Of the 6 million unemployed in the Community, 2 million, i.e. 30%, were 25 years old or younger, whilst they represented only 17% of the working population. The Commission's proposals therefore sought to widen the scope of Social Fund operations for the young unemployed, not only by allocating them substantial resources—110 million EUC in 1979—but also by adding new weapons to the armoury of the Fund to help young people to find jobs.

#### **Agricultural policy**

##### *Agricultural prices for 1978/79* (12 April)

2.3.12. Further to its proposals for fixing the farm prices, the Commission has sent

the Council a number of proposals for measures to assist potato-starch manufacturers and improve the functioning of the milk and beef markets.<sup>2</sup> Since it had not been possible to deal with them in March, when the House had considered the farm price proposals,<sup>3</sup> they were covered by a separate report presented by Mr Hughes (S/UK).

The report approved the substance of the proposals but called for certain conditions to be met if intervention in milk powder is suspended: market prices to be kept up, marketing to be improved and consumption of milk products to be encouraged. In this connection the Commission was asked to report of the measures designed to offer producers possibilities for disposal of the same quantities of skimmed milk and skimmed-milk powder as would have been accounted for by intervention; a report was also called for on price trends in the Community following the suspension of intervention buying. To take account of the opinion of the Committee on Budgets, the report adopted by Parliament also urged that the limits for the co-responsibility levy should be changed from 1.5-4% to 0-4% of the target price in order to make the prices policy and application of intervention measures more flexible. The House approved the adjustments to the intervention arrangements for beef and veal. The Commission's proposals for increasing aid for potato-starch were also approved after all the amendments tabled against them had been rejected.

The lengthy debate turned in the main on the more flexible intervention mechanisms for milk products and beef and veal provided in the proposals. Welcomed by the Socialist, Liberal and Conservative groups, they ran into stiff opposition from the European Pro-

<sup>1</sup> Point 1.2.6.

<sup>2</sup> Bull. EC 3-1978, point 2.1.54.

<sup>3</sup> Bull. EC 3-1978, point 2.3.11.

gressive Democrats, the Christian Democrats and the Communists.

Mr Power (*EPD/IRL*) considered that the proposals would be a further step towards concerted demolition of the common agricultural policy while Mr Eberhard (*COM/F*) declared that they all amounted to a direct or indirect withdrawal of the guarantees to the producers.

Vice-President Gundelach rebutted the charges that the Commission's proposals would wreck the agricultural policy. It would be wrong, and even dangerous, to overlook the consumers, because if there were no consumers there would be no producers. Moreover, though the market outlets must be widened, it was also necessary to save money wherever we could. Likewise, the suspension of intervention for milk powder was definitely not intended to reduce farmers' incomes; the aim was to diversify the market and increase the demand for milk products for animal feed since the gap between production and consumption was widening all the time. Mr Gundelach emphasized that this new strategy did not set out to curtail surpluses by lowering incomes but would inject more flexibility without impairing the prices policy in order to obtain more balance and a better grip of the market.

#### *Development of the Mediterranean regions* (13 April)

2.3.13. During the January sittings, Parliament had considered at length the problems of Mediterranean agriculture.<sup>1</sup> It had highlighted what it felt were the principal factors in the imbalance between agriculture in the north and in the south—without going into the problems involved with enlargement. The first set of Commission proposals<sup>2</sup> for developing the Mediterranean regions were re-

viewed in a report presented by Mr Ligios (*C-D/I*).

The motion for a Resolution before Parliament largely approved the main lines of the Commission's proposals. It did, however, express certain reservations, particularly as to how effective the proposed measures would be and concerning the size of the financial allocation provided for improving infrastructure in certain rural areas (125 million EUC over five years). The Resolution also expressed concern over the lifting of the ban imposed on the granting of aids by Member States for the renewal of certain types of orchard and found the Commission's proposed adjustments concerning olive oil to be unsatisfactory. In general terms, Parliament considered that enlargement of the Community was bound to aggravate considerably the agricultural problems of the Community's Mediterranean regions and that they therefore needed 'decisive and effective' support.

Countering the reservations made, in particular by Mr Scott-Hopkins (*C/UK*) as to the expenditure planned for structural action, Mr Gundelach pointed out that many Mediterranean regions were suffering from underdevelopment: obsolete infrastructures, unsuitable agricultural structures, very low farming incomes (one third of the average) and high unemployment.

But these regions were producing 18% of all the Community's agricultural production. We must therefore help them with agricultural measures but measures which would lead to integrated development of all their activities. Furthermore, we must help them in terms of the present imbalance, regardless of future enlargement, although that problem, too, must not be overlooked. As improving structures boiled down to boosting produc-

<sup>1</sup> Bull. EC 1-1978, point 2.3.18.

<sup>2</sup> Bull. EC 12-1977, points 1.3.1 to 1.3.5.

tion, the question arose of how to avoid surpluses. The Commission's answer would be to shun any protectionist approach and strive to promote the improvement in quality and, the two ideas being interdependent, throw open the markets to southern produce.

Towards the end of the debate, Mr Gundelach emphasized that though the Community must act to help the least developed regions catch up, all concerned, not least the authorities of the regions themselves, must show that the will is there. It was not enough simply to ask for money; viable projects had to be presented. Describing the philosophy behind the proposals, the Vice-President said that the prime consideration in the Commission's policy on agriculture was to ensure that the consumer enjoyed quality products at reasonable prices, since this was in the interests of the farmers, big or small, for if the consumer did not buy, incomes could not develop and surpluses piled up on the markets. He therefore felt duty bound to take a hard line and refuse to go any further than the present proposals. Alluding to the difficulties besetting the olive-oil producers, he felt that it was impossible to go on in 'the old fashioned manner' which had led to a fall in consumption and a decline in production.

The motion for a Resolution included in Mr Ligios's report was adopted with one or two amendments. One was tabled by Mr Herbert (*EDP/F*) in order to emphasize that 'there are other agricultural areas of the Community that suffer from disadvantages similar to the Mediterranean regions'.

#### **Development of the customs union and the internal market** (11 and 12 April)

2.3.14. The European Council in Copenhagen stressed the need for more progress in

removing barriers to the free movement of goods within the Community.<sup>1</sup> The report presented by Mr Nyborg (*EPD/DK*) on the development of the customs union<sup>2</sup> was inspired by the same concerns.

In the Resolution it adopted Parliament observed that twenty years after its establishment, the customs union still does not function in complete accordance with its objectives despite 'the Commission's unremitting efforts'. The House took note of results obtained but found that serious difficulties or barriers still existed largely because of reluctance on the part of the various authorities. This was a dangerous attitude because by acting in this way the Member States were helping to develop their cooperation much more in the direction of a free trade area than towards a customs union. The rapporteur also stressed that as long as tax rates remained uncoordinated and monetary or other disparities were still there, certain minimum formalities and controls would still be required in connection with internal trade, all of which was in contradiction with the aims.

In the face of these difficulties, Parliament considered that a new decision procedure must be introduced whereby the three institutions of the Community would define the characteristics of the customs union—the Commission being empowered to make the necessary implementing arrangements through broad delegation of the Council's powers. The House also proposed that a number of measures be implemented to promote the achievement of a real customs union, to which it attributes, in its final form, the following characteristics:

'externally:

— common rates of duty, common legislation and common documents;

<sup>1</sup> Point 1.2.2.

<sup>2</sup> Points 1.3.1 to 1.3.5.

— common commercial policy, under which any trade and cooperation agreements, agreements on preferences, quantitative restrictions, etc., should apply to the customs union as a whole and not to the individual Member States;

— a common authority to administer customs regulations at the external frontiers of the Community;

internally:

— abolition of trade and travel formalities; checks at the Community's internal frontiers only where security controls are required'.

On behalf of the Commission, Mr Davignon replied to the group spokesmen who had generally supported Mr Nyborg's report. Noting that in the discussion of this 'question vital to our future', the key participant, the Council, was missing, Mr Davignon did not hide his bitter disappointment that twenty years after the creation of the 'common market', Community citizens were being treated, as regards administrative formalities relating to internal movement, in much the same way as nationals of non-member countries. He wanted to see real cooperation between the Member States' authorities. Since the customs union was the prerequisite for monetary harmonization and the introduction of an industrial policy, there should at least be a joint authority to organize the collection of duties at the external frontiers of the Community. This was absolutely necessary in order to avoid disguised protectionism and ensure the respect of Community preference justified by the existence of the customs union and European integration. But all this meant nothing without a genuine internal market.

*Dealings in licenses*  
(11 April)

2.3.15. The growth of protectionism over the last few years in international dealings in

licences led Mr van Aerssen (C-D/D) and other signatories to ask the Commission what it intended to do to put an end to the uncertainty as to the law in that field and to prevent protectionist practices within the Community, which they felt the Commission was encouraging when it claimed to be protecting economically weak firms.

In reply Mr Vouel declared that the Commission was in fact working to safeguard the common market from excessive protectionism, while at the same time endeavouring to reconcile the objectives, both through the law on industrial and commercial property and through Community competition law. The Commission was also pressing ahead with the preparation of a regulation providing overall exemption for certain patent licensing agreements, which was intended to settle the situation within the Community. Once the consultations had been wound up, the final text should be drawn up next year. Mr Vouel said that the Commission did not think that its present policy in the field of contract licences would disturb or appreciably curtail dealings in licences. An exemption regulation should in fact make it easier to conclude contracts by eliminating restrictive clauses which they might otherwise contain. This was particularly relevant for small and medium-sized firms in respect of which the Commission was planning to make particularly favourable arrangements.

**Community law**  
(12 and 13 April)

2.3.16. Parliament was concerned about the delays in enacting into Community law those Community policies which had so far been implemented.

At the end of the debate on the oral question put by Mr Calewaert (S/B) and other

members to the Commission and Council, Parliament expressed disappointment over the meagre results obtained in many areas. The Resolution called on the Commission to do everything it could to speed up and intensify its work on legal policy. Parliament urged the Commission to concentrate on company law and to submit, according to an established schedule, its proposed amendments to the Fifth Directive (company structures) and its proposals relating to the Eighth (auditors) and Ninth (groups of companies) Directives and to inform Parliament of progress made on the International mergers Convention.

The Council was urged to initiate the promised information procedure in connection with the Statute for the European Company and to finally adopt the Third (mergers) and Fourth (annual accounts) Directives by June 1978, or else to apply the conciliation procedure to these Directives and initiate it immediately.

The Resolution also covered the question of 'special rights of citizens', a subject which was also broached by Mr Andersen and Mr Jenkins in their replies to Parliament.<sup>1</sup> Recapitulating the Council's deliberations on these matters, the President of the Council, Mr Andersen, said he hoped that the Third Directive, which concerns harmonization of company law governing mergers, could be examined before the summer. The Fourth Directive, on annual accounts, should also be reviewed by then. The examination of the Directive relating to collective investment undertakings for transferable securities, begun in 1977, was still going on. A working party was studying the Regulation concerning the Statute for the European Company. Mr Andersen admitted, however, that certain matters such as employee participation in the management of the company were posing problems and the solutions, which would

have to be studied at political level, could not be expected for some time.

Not all the original Member States have yet ratified the Convention of 29 February 1968 on the Mutual Recognition of Companies and Legal Persons and the work on modifications necessitated by the enlargement of the Community would start at the earliest opportunity; but priority was being given to the work on adapting the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters (this would very likely be signed in 1978); lastly, the European Patent Convention would come into force when it had been ratified by all the Member States. A third meeting might be held in the autumn in connection with the work being done on the initiative of the Ministers of Justice. The President of the Council went on to mention that at the request of the Council following the meetings of June 1971 and November 1974, the Commission had drafted two Protocols to the Treaties; one on the joint rules concerning protection under criminal law of the financial interests of the Community and on the prosecution of infringements of the provisions of the Treaties and the other on the joint rules concerning liability and protection under criminal law of Community officials.

When the debate was resumed, President Jenkins stressed the immensity of the task to be accomplished, which imposed on the Commission a choice of priorities. Replying to the call for greater selectivity in the Commission's proposals, President Jenkins said that the Commission was not pursuing harmonization as an end in itself. Reminding the House that the Commission was not responsible for the length of time taken by Council procedures, he assured members that the Commission would not spare its efforts to improve the situation.

<sup>1</sup> Point 2.3.1.

## Commercial policy and external relations (11 April)

### *Dumping and uncontrolled competition*

2.3.17. A major debate initiated by the Group of European Progressive Democrats centred on freedom of trade. In a report presented by Lord Brimelow (S/UK) on 'the practice of dumping and the threat posed to Europe by uncontrolled competition', Parliament considered the question of 'organized free trade'.

Though noting with concern 'the increasing number of instances of market disruption within the Community in recent years', the parallel deterioration in the trade balances of most of the Member States and 'the persistence of high rates of unemployment', the majority of the House opposed any return to protectionism.

It was in this vein that Parliament approved the report and motion for a Resolution presented by Lord Brimelow. The report noted with approval that the Commission had developed increasingly effective procedures for defensive action within the limits authorized by GATT, which it was requested to continue and reinforce 'within the limits imposed by its international obligations'. Parliament also requested the Governments of the Member States to cooperate with the Commission on trade in steel products. It also urged all the Community's trading partners to respect the OECD gentleman's agreement concerning credits for shipbuilding and the understanding about the fair distribution of new orders.

Parliament also supported the Commission's efforts to initiate systematic relationships with the State-trading countries.

It hoped that more would be done to encourage Community exports and that with this in mind a European Export Bank would be

swiftly established. Lastly, it suggested a number of aims which the Commission might pursue in the Tokyo Round: progressive harmonization of tariffs by making the biggest cuts in the highest tariffs; maximum reductions in the field of non-tariff barriers; greater precision and flexibility as regards international rules applicable to safeguard measures; harmonization of the various dumping practices; fullest possible consideration of the interests and needs of the developing countries and in particular of the least developed.

Speaking for the Socialist Group, Mr Albers (S/NL) who, like the rapporteur, was opposed to any escalation of protectionism, felt that to boost world trade would generate employment and improve the standard of living. Trade was declining because of protectionism and this was alarming. In the long run we would surely have to relax the restrictions instead of tightening them. He urged the Commission to examine several major questions such as the establishment of compulsory international standards guaranteeing minimum social protection for all workers and defining a policy which reconciled anti-dumping action with the interests of the consumers.

Like Mr Albers, Mr Müller-Hermann (C/D/D) also opposed protectionism and supported the development of trade. The Community must enhance its competitive position and strive to ensure that its external relation stood on an equitable basis. He also called for priority to be given to the poorest developing countries.

For the Liberal and Democratic Group, Mr De Clerq (L/B) condemned the tendency to camouflage the barriers to international free trade with 'hypocritical' argument. This minimized the interests of the developing countries whose industry was becoming competitive and the interests of the consumers who

were to be deprived of cheap products in order to preserve what were often ageing industries. The spokesman for the Communist Group, Mr Spinelli (COM/I), endorsed the Resolution emphasizing that we could not support the developing countries while they were undeveloped and then shut the door on them as they began to achieve development. He also made the point that what was sometimes incorrectly described as dumping was in fact no more than exporting at prices lower than those in the Community.

The spokesmen of the European Progressive Democrats Group took a more subtle approach. Mr Inschauspé (EDF/F) was not an 'unconditional freetrader'. He wanted to see the safeguard clause provided by GATT henceforth applied selectively and the most-favoured-nation clause annulled when the practice of artificial low wages was proven. Speaking of the upheavals in European industries due to uncontrolled import from countries where multinational companies were profiting from low wages, Mr Liogier (EPD/F) said that the point was not to fall back to protectionism but to marshal a more orderly growth of trade. It was high time to act in order to preserve a benevolent liberalism and avert a retreat towards national measures which would jeopardize European integration. Mr Cousté (EPD/F) regarded three things as essential: existing provisions must first of all be applied, a Community industrial policy must be established, for our first duty was to regain our own internal market and we must ensure that GATT decisions had real meaning and were not just purely and simply routine. He concluded that there was no point in reducing customs duties without reorganizing the international monetary system. Mrs Kelllett-Bowman (C/UK), speaking for the Conservatives, felt that though the Community must indeed help the poorest developing countries, it had to protect itself against the imports from

countries like Taiwan, Hong Kong and Brazil as well as from the State-trading countries and Japan. The Commission therefore needed to take vigorous action against dumping and subsidies.

In his statement, Vice-President Haferkamp said it would be a 'fatal blunder' if the Community, which lived by its exports, were to organize its economy on the lines of its agriculture. He none the less refused to equate anti-protectionism with forgoing any safeguards against illicit trading practices. But we could not stick the label of 'dumping' on every bugbear.

Turning to the GATT negotiations, Mr Haferkamp said that, as called for in the Brimelow Report, the Community was urging that the highest tariffs be reduced before the others, between 1980 and 1988, and that the safeguard clause be applied selectively if the situation on a particular market suddenly deteriorated. His feeling was that the Tokyo Round should wind up by the end of summer for, if these negotiations in themselves were of crucial importance, those now under way had a definite symbolic value. It was essential to make headway together despite the adverse conditions.

#### *Relations between the Community and Comecon*

2.3.18. How could relations between the western countries and Comecon be coordinated, especially as regards conditions of supply and credit? This was the gist of a question to the Commission by Mr Jahn (C/D/D) and others. The House was divided on the strategy to be followed, between the uncompromising attitudes of Mr Nyborg (EPD/DK) and Mr Normanton (C/UK) and the conciliatory approach advocated by Mr Schmidt (S/D) and Mr Spinelli (COM/I).

In his reply, Mr Haferkamp reminded the House that the Community wished to conclude trade agreements with each of the State-trading countries and establish working relations with Comecon itself. Talks on the subject were to be held shortly. Concerning the question of debt, following Comecon's refusal to discuss this, the Community had unilaterally established legal bases for trade. Something had already been done towards harmonizing credit terms: in June 1977<sup>1</sup> the Commission had laid a Directive before the Council establishing a number of relevant criteria. The Council was considering the proposal.

#### *Community relations with Japan*

2.3.19. The day after the latest negotiations between the Commission and the Japanese authorities,<sup>2</sup> Mr Haferkamp reported on the present position in response to the question put by Mr Müller-Hermann (C-D/D) and other members. The group spokesmen found it had to share Mr Haferkamp's relatively optimistic view. He had argued that the talks had been held at a bad time (when the Japanese Diet was discussing the budget) and that he had not been prepared to break off the negotiations in the present international circumstances.

#### *Relations between the EEC and China*

2.3.20. The framework agreement on trade and cooperation which has just been signed by the Community and the People's Republic of China<sup>3</sup> was the subject of an oral question by Lord Bessborough (C/UK) and other members. They wanted to know, in particular, how the joint committee provided for under the agreement would be formed and how it was to operate.

Mr Haferkamp told the House that the work on setting up the Committee was not yet complete. He emphasized the scope offered by the agreement, especially Article 6, which covers visits, fairs and personal relations, and Article 9, which establishes the joint committee—a body for permanent contacts—and the working parties. Parliament will hold a general debate on these matters.

#### **Renewal of the Lomé Convention** (13 April)

2.3.21. Parliament listened with keen interest to the ideas developed by Mr Cheysson in answer to an oral question by Sir Derek Walker-Smith (C/UK) and others on behalf of the European Conservatives concerning renewal of the Lomé Convention. They wanted to know whether the Commission accepted the 'necessity to include in any new Convention an obligation for all participating States to apply the basic human rights contained in Articles 3-14 of the Universal Declaration of Human Rights?'

Mr Cheysson described the proposal which the Commission had addressed to the Council on 16 February.<sup>4</sup> It wanted the new Convention to include a clear and explicit reference to the obligation for the signatories to respect the most basic human rights. The Community would also announce its intention to stipulate, in a formal unilateral statement, annexed to the agreements, that it reserved the right to condemn publicly any departures from principles or aims defined by the Convention. In this event, the Community would not break the contractual relationship unless the revocation clause was applied but would adopt special arrangements for

<sup>1</sup> Bull. EC 6-1977, point 2.2.27.

<sup>2</sup> Bull. EC 3-1978, points 1.1.1. to 1.1.10.

<sup>3</sup> Points 1.5.1. to 1.5.5.

<sup>4</sup> Bull. EC 2-1978, points 1.3.1 to 1.3.4.



implementing its aid to the ACP State in question. These procedures would enable the Community to ensure that the aid was channelled solely to projects or other operations which met the basic needs of the population, on conditions which would guarantee that the people would get the aid and that it would not be diverted for other purposes.

Mr Cheysson had certain reservations to make about the reference made in the question to the Universal Declaration of Human Rights. This was, in fact, a declaration of intent: to require its Articles to become rule of law could pose great problems. Besides, added Mr Cheysson, the Commission's intentions were apparently more clearly understood by the ACP States than by the Governments of the Community itself. 'On the Community side there are misgivings and signs of dissent which are causing the Commission grave concern. We fear—perhaps we are mistaken, Heaven hope we are—that certain Member States are opposing these measures simply because they fear that violations of basic human rights in our own house may be cited by our ACP partners'. 'There have been cases where migrant workers have not been treated as human dignity would command'.

Discussing what attitude the Community should adopt if human rights were violated by an associated country, Mr Cheysson stressed the need to consider the interests of the people themselves some of whom were the victims of 'psychopathic' leaders and emphasized that it would be an 'irresponsible' and, for those peoples 'dangerous', attitude simply to automatically break off aid and relations with certain countries if human rights were violated. With all these aspects to be considered, the Commission set great store on the position Parliament would take. 'When the Commission ventured into such a fundamental sphere, it had to feel that it had Parliament's backing and support.'

## Council

2.3.22. April saw the meeting of the European Council in Copenhagen and eight Council meetings: two on fisheries, two on agriculture, one on foreign affairs and one on economic and financial affairs, and a joint meeting on foreign affairs and finance to deal with preparations for the budgetary procedure. The last meeting was on development aid.

### European Council

(Copenhagen, 7 and 8 April)

2.3.23. *President:* Mr Jørgensen, Danish Prime Minister.

*From the Commission:* Mr Jenkins, President, Mr Ortoli, Vice-President.

*Economic and social situation:* The European Council's discussions on this topic centred on developing a common strategy based in particular on increased monetary stability. Other matters raised included trade, energy, agriculture (including Mediterranean agriculture), development aid and the Euro-Arab Dialogue.<sup>1</sup>

*Relations with Japan:* A statement was issued.<sup>2</sup>

*Direct elections to the European Parliament and declaration on democracy:* The European Council adopted a statement and a declaration.<sup>3</sup>

*European Foundation:* The Heads of State and of Government laid down the scope and objectives of the Foundation and agreed on the framework for its structure and financing.<sup>4</sup>

<sup>1</sup> Point 1.2.2.

<sup>2</sup> Bull. EC 3-1978, point 1.1.10.

<sup>3</sup> Bull. EC 3-1978, opening chapter.

<sup>4</sup> Point 2.3.3.

*Marine pollution:* A statement was agreed.<sup>1</sup>

*External relations:* The European Council discussed recent developments in East-West relations, the situation in the Middle East, particularly in Lebanon, and Africa. A statement was issued on Namibia.<sup>2</sup>

*Terrorism:* A statement was issued.<sup>3</sup>

### **507th and 512th meetings — Fisheries** (Luxembourg, 3 and 24 April)

2.3.24. *President:* Mr Dalsager, Danish Minister of Agriculture.

*From the Commission:* Mr Gundelach, Vice-President.

The Council continued its discussions on the development of a common fisheries policy. It agreed to reconsider the whole question at its meeting scheduled for 22 and 23 May.

### **508th meeting — Foreign Affairs/Finance** (Luxembourg, 3 April)

2.3.25. *President:* Mr Andersen, Danish Minister of Foreign Affairs.

*From the Commission:* Mr Jenkins, President, Mr Tugendhat, Member.

*Overall appraisal of the Community's budgetary problems:* The Council made an overall appraisal of the Community's budgetary problems on the basis of a Commission Communication,<sup>4</sup> the aim being to guide the Commission in its policy for the establishment of the 1979 budget and for medium-term multiannual planning. During the discussion the Member States expressed their views on future policies in the various areas of Community activity, and their respective priorities, and on the work which needed to be done to ensure that the major lines of general policy were more faithfully reflected in the budget.

### **509th meeting — Foreign Affairs** (Luxembourg, 3 and 4 April)

2.3.26. *President:* Mr Andersen, Danish Foreign Minister.

*From the Commission:* Mr Jenkins, President, Mr Ortoli, Mr Haferkamp, Mr Natali, Vice-Presidents, Mr Tugendhat, Member.

*Enlargement:* The Council prepared the common position of the Community for the sixth Ministerial meeting of the Conference with Greece which was held in Luxembourg on 3 April.<sup>5</sup> It expressed satisfaction at the progress made since the opening of the negotiations proper at the beginning of the year.

*Marine pollution:* The President of the Council raised the problem of oil pollution of the sea and of the coastlines of Member States, and called upon the Community countries to act together to minimize the risk of further disasters of the same type.<sup>6</sup>

*Multilateral trade negotiations:* The Council considered progress to date in the multilateral trade negotiations. After examining the tariff offers of its principal negotiating partners, it instructed the Commission to ask the Community's partners to improve their offers.<sup>7</sup>

*Economic Commission for Europe:* The Council laid down common guidelines for use by the Community delegation attending the 33rd meeting of the Economic Commission for Europe, which opened in Geneva on 11 April.<sup>8</sup>

<sup>1</sup> Point 1.4.3.

<sup>2</sup> Point 2.2.9.

<sup>3</sup> Point 2.3.4.

<sup>4</sup> Bull. EC 2-1978, points 2.3.4 to 2.3.7.

<sup>5</sup> Point 2.2.2.

<sup>6</sup> Point 1.4.2.

<sup>7</sup> Point 2.2.11.

<sup>8</sup> Point 2.2.32.

*Iron and steel problems:* The Council reviewed the state of negotiations with certain steel-supplying countries; it approved the outcome of negotiations with Japan and South Africa; it also endorsed the broad outlines of the arrangements to be concluded with Spain and Czechoslovakia.

*Export credits:* The Council adopted a decision on the application by the Community, from 1 April, of the guidelines negotiated by the principal countries providing officially supported export credits.<sup>1</sup>

*International Olive-Oil Agreement:* The Council authorized the Commission to represent the Community at the United Nations Conference in Geneva from 5 to 7 April in order to renew the International Olive-Oil Agreement for one year.<sup>2</sup>

*Emergency aid:* Following recent events in the Middle East, the Council agreed to grant emergency Community financial aid of 100 000 EUC to Lebanon.<sup>3</sup>

### **510th and 513th meeting — Agriculture** (Luxembourg, 4 and 5 April)

2.3.27. *President:* Mr Dalsager, Danish Minister of Agriculture.

*From the Commission:* Mr Gundelach, Vice-President.

*Potatoes:* The Council discussed the proposal for a Community organization of the market in new potatoes. This discussion is to be continued.

*Hops:* The Council stated that it was in principle in favour of granting production aid for hops harvested in 1977, except for areas in the first production year.<sup>4</sup>

*Maize groats and meal, and quellmehl:* Following certain judgments by the Court of Justice in October 1977,<sup>5</sup> the Council con-

sidered the possibility of temporarily reintroducing production refunds for maize groats and meal and broken rice for brewing, and also for quellmehl for breadmaking.

*Producer groups:* With reference to the amended proposal for a Regulation on producer groups and federations of such groups, the Council agreed that attempts must be made to obtain an overall compromise on the problems outstanding. A report will be given at the next Council meeting.

*Sheepmeat:* The Council took note of a Communication from the Commission on its recent proposal for a Regulation on the common organization of the market in sheepmeat.<sup>6</sup>

### **511th meeting — Economic and Financial Affairs** (Luxembourg, 17 April)

2.3.28. *President:* Mr Heinesen, Danish Finance Minister.

*From the Commission:* Mr Ortoli, Vice-President, Mr Burke, Mr Tugendhat, Members.

*European Council in Copenhagen:* The Council considered what follow-up to give to the discussions of the European Council on 7 and 8 April regarding the economic situation in the Community and its Member States. During this discussion the Council laid down the procedure for devising, on the basis of the guidelines issued by the European Council, an overall strategy, whereby the objec-

<sup>1</sup> Point 2.2.46.

<sup>2</sup> Point 2.2.20.

<sup>3</sup> Point 2.2.25.

<sup>4</sup> Point 2.1.68.

<sup>5</sup> Bull. EC 10-1977, point 2.3.60.

<sup>6</sup> Bull. EC 3-1978, point 2.1.53.

tives of growth and stability determined by the Heads of Government might be attained.<sup>1</sup>

*Interim Committee of the International Monetary Fund:* The Council prepared for the meeting of the Interim Committee of the International Monetary Fund which took place in Mexico on 29 and 30 April.<sup>2</sup> The Council finalized the statement which its President was to make on behalf of the Community at that meeting.

*Insurance:* The Council adopted the Directive coordinating the laws, regulations and administrative provisions relating to co-insurance.<sup>3</sup> This Directive governs the conditions under which co-insurance operations must be carried out by Community undertakings in respect of risks situated within the Community. It is a step towards coordinating all insurance operations which may be carried out by virtue of the freedom to provide services.

*Relations with Cyprus:* The Council adopted the Regulation concerning the arrangements applicable to agricultural trade between the Community and Cyprus.<sup>4</sup>

*Research/ECSC:* The Council adopted a multiannual research and development programme (1978-80) for the Community in the field of paper and paperboard recycling (indirect action).<sup>5</sup>

The Council gave its assent, pursuant to Article 55(2)(c) of the ECSC Treaty, to two Community coal research programmes in mining engineering and product beneficiation and to the establishment of a research programme on industrial hygiene in mines.

#### **514th meeting — Development Cooperation (Luxembourg, 25 April)**

*2.3.29. President:* Mrs Østergaard, Danish Minister without portfolio.

*From the Commission:* Mr Cheysson, Member.

*Financial and technical aid to non-associated developing countries:* The Council finalized the content of the framework Regulation for the implementation of financial and technical aid to non-associated developing countries.<sup>6</sup> The Council's conclusions took the form of joint positions which will be communicated to the European Parliament under the conciliation procedure which applies to this Regulation since the Council diverges from the Parliament's opinion, particularly as regards the detailed rules for administering the aid. The Council also issued general guidelines for the implementation of the 1978 financial and technical aid programme for non-associated developing countries.<sup>7</sup>

*Coordination and harmonization of development cooperation policies:* The Council held a wide-ranging discussion focussing on the volume and geographical pattern of official development aid.

*Food aid:* The Council agreed in principle that the Community would contribute to the implementation of the Flood II operation in India, a major multiannual rural development project aimed at improving the living conditions of 10 million milk-producing families by creating an efficient dairy industry together with the necessary infrastructure. The Council also agreed on the skimmed-milk powder and butteroil food aid programmes for 1978.

<sup>1</sup> Point 1.2.2.

<sup>2</sup> Point 2.2.37.

<sup>3</sup> Points 1.6.1. to 1.6.4.

<sup>4</sup> Point 2.2.57.

<sup>5</sup> OJ L 107 of 21.4.1978.

<sup>6</sup> Point 2.2.28.

<sup>7</sup> Point 2.2.29.

## Commission

### Activities

2.3.30. The Commission held four meetings in April. Important discussions took place on enlargement. In social affairs the Commission gave particular attention to unemployment and workers' protection. Several decisions were adopted on ECSC matters, particularly the steel side. Two nuclear research programmes and a proposal relating to the JET project were adopted. Measures to deal with marine pollution were also approved. A proposal on liner shipping was transmitted to the Council.

*Enlargement:* The Commission sent to the Council its general considerations on the problems of enlargement.<sup>1</sup> It also approved a Communication to the Council containing proposals relating to the accession of Greece to the ECSC as part of the broader negotiations on accession to the Community.<sup>2</sup>

*Social policy:* The Commission approved two Communications to the Council, one concerning Community action on youth employment,<sup>3</sup> the other on guidelines for the management of the European Social Fund from 1978 to 1981.<sup>4</sup> It also approved a working paper on the contribution by the tertiary (services) sector to the creation of jobs.<sup>5</sup> It adopted a proposal for a Directive to afford workers greater protection in the event of the insolvency of the employer.<sup>6</sup>

*ECSC operational budget:* The Commission approved two Communications, one on the ECSC balance sheet and the implementation of the ECSC operational budget for 1977,<sup>7</sup> the other on the transfer to the ECSC of customs duties levied on coal and steel products.<sup>8</sup>

*Steel:* The Commission decided to consult the ECSC Consultative Committee and the

Council on a draft Decision under the first paragraph of Article 95 of the Paris Treaty establishing Community rules for national aid to the steel industry.<sup>9</sup> It also approved a series of decisions on anti-dumping measures for steel imports.<sup>10</sup>

*Nuclear materials:* The Commission adopted a Communication to the Council on the International Convention on the physical protection of nuclear materials.

*Nuclear research programmes:* The Commission approved a proposal to the Council as part of the Community research programme (1967-80) for fusion and plasma physics (JET project);<sup>11</sup> it also approved two proposals for research programmes, one on the safety of thermal water reactors,<sup>12</sup> the other on the decommissioning of nuclear power stations.<sup>13</sup>

*Pollution:* The Commission transmitted a Communication to the Council containing a number of draft Resolutions and Decisions on marine pollution by oil spills.<sup>14</sup>

*Shipping:* The Commission adopted a draft Council Decision relating to the liner shipping activities of certain State-trading countries.<sup>15</sup>

*Special aid:* The Commission decided to grant special aid of 100 000 EUC to the Republic of Vietnam for the purchase and trans-

<sup>1</sup> Points 1.1.1. to 1.1.7; Supplements 1/1978, 2/1978, 3/1978 – Bull. EC.

<sup>2</sup> Point 2.2.3.

<sup>3</sup> Point 1.2.6.

<sup>4</sup> Point 2.1.42.

<sup>5</sup> Point 1.2.7.

<sup>6</sup> Point 2.1.48.

<sup>7</sup> Point 2.3.66.

<sup>8</sup> Point 2.3.67.

<sup>9</sup> Points 2.1.14 and 2.1.30.

<sup>10</sup> Point 2.2.49.

<sup>11</sup> Point 2.1.95.

<sup>12</sup> Point 2.1.97.

<sup>13</sup> Point 2.1.98.

<sup>14</sup> Point 2.1.53.

<sup>15</sup> Point 2.1.86.

port of insecticide following an invasion of insects and other parasites.<sup>1</sup>

### Relations with workers' and employers' organizations

2.3.31. Several preliminary consultation meetings in April enabled union experts from the European Trade Union Confederation (ETUC) to study problems concerning tax harmonization, company law, part-time working, migrant workers and employment policy in the metal industries.

At its briefing sessions the Commission explained to ETUC representatives the current situation in development policy and in the accession negotiations. Briefings on measures in the steel and transport industries were also given to metal industry and transport executives.

## Court of Justice<sup>2</sup>

### New cases

*Case 90/78 — Granaria BV, Rotterdam v* (1) Council, (2) Commission of the European Economic Community

2.3.32. In its judgment in Joined Cases 117/76 and 16/66,<sup>3</sup> the Court ruled that the grant of a production refund for 'Quellstärke' and not for 'Quellmehl' was discriminatory and that the institutions responsible for the common agricultural policy should take the necessary measures to remedy this situation. Following this judgment, a Quellmehl producer asked the Council and the Commission to take the necessary measures to guarantee it such refund with retroactive effect. Since the Council and/or the Commission had not replied within a period of two months follow-

ing this request, the producer brought an action for default before the Court of Justice on 3 April. This action was accompanied by a claim for damages.<sup>4</sup>

*Case 91/78 — Firma Hansen GmbH & Co., Flensburg v Hauptzollamt Flensburg*

2.3.33. A German producer of potable spirits brought an action before the Finanzgericht Hamburg against the German customs authorities concerning the increase in the tax on alcohol, which is applied without distinction to national and imported products. The revenue therefrom is intended, however, to compensate for the deficit of the national alcohol monopoly arising from the fact that the latter has maintained its purchase prices for home-produced alcohol, whereas it has reduced its selling prices by half, thus indirectly favouring national producers. In hearing this case, the Finanzgericht Hamburg asked the Court of Justice on 12 April for a preliminary ruling on whether Article 37 of the EEC Treaty has a *lex specialis* nature in relation to Articles 92 and 93 of the Treaty. If so, it wished to know whether the circumstances described above are compatible with Article 37, whether that Article is directly applicable and whether its scope extends to imports of products from non-member countries. In the event of a negative ruling on the last question, the court wishes to know whether rights arise directly from Article 2(1) of the Decision of 29 September 1970 on the association of the OCT with the EEC.<sup>4</sup>

<sup>1</sup> Point 2.2.27.

<sup>2</sup> For details, see texts published by the Court of Justice in the Official Journal and in the European Court Reports.

<sup>3</sup> Bull. EC 10-1977, point 2.3.58.

<sup>4</sup> OJ C 120 of 24.5.1978

*Cases 92/78 and 92/78 are* — S.p.A. Simmenthal, Aprilia v Commission

2.3.34. An Italian undertaking specializing in the manufacture of meat preserves brought an action before the Court of Justice on 13 April to annul Decision 78/258/EEC of 15 February 1978 fixing the minimum selling prices for frozen beef held by the intervention agencies and put up for sale by way of tender, and specifying the quantities of frozen beef for processing which may be imported under special terms from third countries in the first quarter of 1978,<sup>1</sup> and a number of other Community provisions forming a legal basis for this decision or connected with it. This action is accompanied by a request for interim measures seeking postponement of the application of this decision until the Court has ruled on the question of substance.<sup>2</sup>

*Case 93/78* — L. Mattheus, Windeck/Opperzau v Doego Fruchtimport and Tiefkühl eG, Dortmund

2.3.35. A commercial operator had stipulated in a contract for hire of services that the contract could be terminated before the agreed date if it was found that the accession of Greece, Spain and Portugal was legally impossible to achieve; such finding had to be made by the Court of Justice. The above-mentioned operator had broken the contract because he believed accession to be legally impossible and the Amtsgericht Essen asked the Court of Justice on 14 April for a preliminary ruling on whether Article 237 of the EEC Treaty lays down limits not only of form but also of substance in respect of the accession of non-member countries, what those limits are, and whether such limits make the accession of the three States in question impossible in the foreseeable future.<sup>2</sup>

*Case 94/78* — G. Martella, Roselies, v Fonds National de Retraite des Ouvriers Mineurs (FNROM), Brussels

2.3.36. In hearing a case concerning the rate of exchange applied to an Italian invalidity pension granted to a worker residing in Belgium, the Tribunal du Travail of Charleroi asked the Court of Justice on 19 April for a ruling on whether the conversion rate to be applied to the calculation of social benefits means not only that fixing the rights of the beneficiary, but also that determining the exchange value of the amount to be recovered on the arrears owed by the foreign institution.<sup>2</sup>

*Case 95/78* — S.p.A. Dolciora v Amministrazione delle Finanze dello Stato

2.3.37. In hearing a case concerning the levying of monetary compensatory amounts on exports of sugar confectionery from Italy to the other Member States and non-member countries, the Pretore di Milano asked the Court of Justice on 20 April for a ruling on the validity of Regulation (EEC) No 800/77 of 20 April 1977 and Regulation (EEC) No 2657/77 of 30 November 1977 fixing such amounts.<sup>2,3</sup> The application of such compensatory amounts to products not covered by Annex II of the EEC Treaty has already been questioned in other cases (151/77 and 11/78).<sup>4,5</sup>

<sup>1</sup> OJ L 69 of 11.3.1978.

<sup>2</sup> OJ C 120 of 24.5.1978.

<sup>3</sup> OJ L 97 of 21.4.1977, OJ L 308 of 1.12.1977.

<sup>4</sup> Bull. EC 12-1977, point 2.3.44 and Bull. EC 2-1978, point 2.3.30.

<sup>5</sup> Bull. EC 2-1978, point 2.3.30.

*Case 96/78* — Criminal proceedings against G. Brunetti

2.3.38. The Procuratore della Repubblica di Salerno asked the Court of Justice on 20 April for a preliminary ruling on the compatibility with Article 48 *et seq* of the EEC Treaty and with Regulation (EEC) No 1612/68 of 15 October 1968, on free movement of workers within the Community, of the practice followed by the Italian sport federations of allowing only Italian citizens to take part in football matches as professionals or semi-professionals, having regard to the fact that the clubs are economically viable but are not allowed to be profit-making under Italian law.<sup>1,2</sup>

*Case 97/78* — Fine imposed on F. Schumalla, Emmerich-Elten

2.3.39. In hearing a case concerning the payment of a fine for infringement of transport regulations, the Oberlandesgericht Düsseldorf asked the Court of Justice on 24 April for a ruling on the validity of Regulation (EEC) No 543/69 of 25 March 1969 on the harmonization of certain social legislation relating to road transport.<sup>2,3</sup>

*Case 98/78* — Firma A. Racke, Bingen/Rhein v Hauptzollamt Mainz

*Case 99/78* — Weingut G. Decker KG, Landau/Pfalz v Hauptzollamt Landau

2.3.40. In hearing cases concerning the payment of monetary compensatory amounts on imports of wines, the Bundesfinanzhof asked the Court of Justice on 26 April for a number of preliminary rulings on the interpretation of Article 191 of the EEC Treaty with regard to the date of entry into force of a Community act, and on the validity and interpretation of a number of regulations fixing the monetary compensatory amounts.<sup>4</sup>

*Case 100/78* — C. Rossi, Bologna v Caisse de compensation pour allocation familiales des régions de Charéroi et Namur, ASBL, Charleroi

2.3.41. The Tribunal du Travail of Charleroi asked the Court of Justice on 27 April for a number of preliminary rulings on the application of Article 79(3) of Regulation (EEC) No 1408/71 of 14 June 1971 with regard to the grant of family allowances where the rights to them have been acquired in a Member State,<sup>5</sup> but such rights are not fully effective in another Member State because of a peculiarity in its laws on the transfer of the status of head of household.<sup>4</sup>

*Case 101/78* — Granaria BV, Rotterdam v Hoofdproduktschap voor Akkerbouwprodukten

2.3.42. Following the judgment in Case 116/76<sup>6</sup> in which the Court ruled that Regulation (EEC) No 563/76 of 15 March 1976 on the compulsory purchase of skimmed-milk powder,<sup>7</sup> was invalid, the College van Beroep voor het Bedrijfsleven asked the Court of Justice on 27 April to interpret certain articles of that Regulation and Article 215 of the EEC Treaty to determine who is responsible for compensating the injured party.

## Judgments

*Case 57/77* — Commission official v Commission

2.3.43. A Commission official brought an action before the Court of Justice on 4 May

<sup>1</sup> OJ L 257 of 19.10.1968.

<sup>2</sup> OJ C 120 of 24.5.1978.

<sup>3</sup> OJ L 77 of 19.3.1969.

<sup>4</sup> OJ C 121 of 25.5.1978.

<sup>5</sup> OJ L 149 of 5.7.1971.

<sup>6</sup> Bull. EC 12.1976, point 2437.

<sup>7</sup> OJ L 67 of 15.3.1976.



1977 to annul an implied decision by the Commission dismissing his complaint of 27 September 1976 relating to his transfer.<sup>1</sup> Since the parties were able to arrive at an amicable settlement and the applicant withdrew his complaint, the Court by order of 10 April ordered this case to be removed from the register.<sup>2</sup>

*Case 74/77 — Commission official v Parliament*

2.3.44. The object of this action, which was brought on 29 June 1977, was to annul Parliament's decision not to admit the applicant to a competition.<sup>3</sup> In its judgment of 25 April 1978, the Court dismissed this action.<sup>4</sup>

*Case 75/77 — Commission official v Commission*

2.3.45. The applicant, who was included on a reserve list for recruitment as a member of auxiliary staff, was removed from the list on the grounds that she lacked the requisite physical aptitude. On 29 June 1977 she brought an action to annul the implicit decision rejecting her complaint. This action was accompanied by a claim for damages.<sup>5</sup> In its judgment of 13 April 1978, the Court upheld the action and awarded compensation to the applicant for non-material damage suffered.<sup>2</sup>

*Case 80/77 — Les Commissionnaires réunis SaRL, Mâcon v M. le Receveur des douanes, Bourg-en-Bresse*

*Case 81/77 — Les Fils de H. Rammel, Meximieux, v M. le Receveur des douanes, Bourg-en-Bresse*

2.3.46. In the course of hearing applications for the refund of the tax on imports of Italian wine introduced by France on 11 September 1975, the District Court of Bourg-en-

Bresse referred two questions to the Court of Justice on 4 July 1977 concerning the validity and the applicability on 11 September 1975 of Article 31(2) of Regulation (EEC) No 816/70 of 28 April 1970, which is the basic regulation governing wine.<sup>6</sup>

This tax was the subject of an infringement procedure initiated by the Commission against the French Republic which resulted in proceedings being brought before the Court.<sup>7</sup> The Commission withdrew its action when the tax was abolished and after the Council had decided in principle to repeal the above Article.<sup>8</sup>

In its judgment of 20 April, the Court ruled that the abovementioned provision is incompatible with Articles 13 (in particular paragraph 2) and 38 to 46 of the EEC Treaty and therefore invalid insofar as it authorizes producer Member States to introduce and levy charges having equivalent effect to customs duties on trade within the Community in products covered by the market organizations set up by Regulation (EEC) 816/70.<sup>4</sup>

*Case 90/77 — Firma H. Stimming KG, Witten, v Commission*

2.3.47. A German meat importer who had concluded a contract with a Romanian firm for delivery of 'Sauerbraten' for which he had received an official tariff classification, brought an action before the Court of Justice on 21 July 1977 for compensation for damage which he claims to have suffered as a result of the fact that the Council, in Regulation (EEC) No 425/77 of 14 February

<sup>1</sup> Bull. EC 5-1977, point 2.3.48.

<sup>2</sup> OJ C 111 of 12.5.1978.

<sup>3</sup> Bull. EC 6-1977, point 2.3.50.

<sup>4</sup> OJ C 120 of 24.5.1978.

<sup>5</sup> Bull. EC 6-1977, point 2.3.51.

<sup>6</sup> OJ L 99 of 5.5.1970.

<sup>7</sup> Case 197-75, Bull. EC 5-1976, point 2449.

<sup>8</sup> Bull. EC 7/8-1977, point 2.3.44.

1977,<sup>1</sup> increased the levies and monetary compensatory amounts for uncooked preparations of beef and veal but did not make provision for transitional measures for transactions in progress.<sup>2</sup> The Court of Justice dismissed this action in its judgment of 27 April.<sup>3</sup>

*Case 95/77 — Commission v Kingdom of the Netherlands*

2.3.48. The Commission brought an action before the Court of Justice on 29 July 1977 to establish that the Netherlands has failed to fulfil an obligation under the EEC Treaty by not implementing within the prescribed period the laws, regulations and administrative provisions necessary to comply with the provisions of Directive 71/347/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to the measuring of the standard mass per storage volume of grain.<sup>4,5</sup> The Court upheld this action in its judgment of 11 April.<sup>6</sup>

*Case 100/77 — Commission v Italian Republic*

2.3.49. The Commission brought an action before the Court of Justice on 2 August 1977 under Article 169 of the EEC Treaty to establish that Italy had failed to fulfil its obligations under Directives 71/316, 71/317, 71/318,<sup>7</sup> 71/347, 71/349,<sup>8</sup> 71/354,<sup>9</sup> 73/360, 73/362,<sup>10</sup> 74/148<sup>11</sup> and 74/331<sup>12</sup> on the approximation of the laws of the Member States relating to measuring instruments.<sup>13</sup> In its judgment of 11 April 1978, the Court upheld this action.<sup>6</sup>

*Case 101/77 — Commission official v Commission*

2.3.50. A Commission official brought an action on 1 August 1977 before the Court of Justice against the Commission for the annulment of a decision taken by the appointing authority rejecting his application in

connection with a vacancy notice.<sup>14</sup> The Court of Justice dismissed this action in its judgment of 13 April.<sup>6</sup>

*Case 134/77 — S. Ragazzoni, Brussels v Caisse de compensation pour allocations familiales 'Assubel', Brussels*

2.3.51. A dispute concerning the payment by Belgium of family allowances to an Italian worker whose wife and children live in Italy, where the wife is gainfully employed but is not recognized as head of household, was brought before the Brussels tribunal du travail, which referred the matter to the Court of Justice on 8 November 1977 for a preliminary ruling on the interpretation of Article 76 of Regulation (EEC) No 1408/71 of 14 June 1971 on the suspension of entitlement to family allowances.<sup>15,16</sup>

In its judgment of 20 April, the Court ruled that this suspension is not applicable where the father is working abroad in a Member State, while the mother is gainfully employed in the country of residence of the other members of the family and has not acquired the right to family allowances under the legislation of the said country of residence, either because only the father is recognized as head of household or because the conditions for granting the payment of allowances to the mother have not been met.<sup>17</sup>

<sup>1</sup> OJ L 61 of 5.3.1977.

<sup>2</sup> Bull. EC 7/8-1977, point 2.3.53.

<sup>3</sup> OJ C 120 of 24.5.1978.

<sup>4</sup> OJ L 239 of 25.10.1971.

<sup>5</sup> Bull. EC 7/8-1977, point 2.3.58.

<sup>6</sup> OJ C 111 of 12.5.1978.

<sup>7</sup> OJ L 202 of 6.9.1971.

<sup>8</sup> OJ L 239 of 25.10.1971.

<sup>9</sup> OJ L 243 of 29.10.1971.

<sup>10</sup> OJ L 335 of 5.12.1973.

<sup>11</sup> OJ L 84 of 28.3.1974.

<sup>12</sup> OJ L 189 of 12.7.1974.

<sup>13</sup> Bull. EC 7/8-1977, point 2.3.63.

<sup>14</sup> Bull. EC 7/8-1977, point 2.3.64.

<sup>15</sup> OJ L 149 of 5.7.1971.

<sup>16</sup> Bull. EC 11-1977, point 2.3.27.

<sup>17</sup> OJ C 121 of 25.5.1978.

## Economic and Social Committee

### *158th plenary session*

2.3.52. The 158th plenary session of the Economic and Social Committee was held in Brussels on 26 and 27 April, with Mr de Ferranti, the Committee Chairman, in the chair.

### Opinions

#### *Radioactive waste*

2.3.53. The Committee endorsed by 74 votes to 7, with 2 abstentions, the Commission's outline plan of action on radioactive waste.<sup>1</sup> The Committee shares the view that a satisfactory solution to the problem of radioactive waste has become decisive for the further development of nuclear energy in most of the Member States. It therefore gives full approval to the emphasis placed on the treatment of high-activity waste and, in view of the different processes being developed or tested, thinks that reliable ways of solidifying high-activity waste already exist and that they will be available for use by 1990 at the latest.

Given the organizational, technical and political issues involved, the Committee welcomes the suggestions that the plan of action should be spread over a longer period and run from 1978 to 1990. However, it would have liked to see the Commission compile a general list of potential techniques of waste management and solutions being considered for the permanent storage of waste and believes that the Member States must supply the Commission with comprehensive information about all the work that they are carrying out in this field.

In the Committee's view, retrievable storage of solidified high-activity waste can only be

a temporary solution, the real goal being to bury the waste in geological formations, isolated from the biosphere, where it can remain for ever. It believes that responsibility for such long-term storage sites must lie with the public authorities. The Committee welcomes the fact that the Commission has looked at the question of a Community network of sites for storing radioactive waste. It also endorses the setting-up of an Advisory Committee of top-level experts to assist in the execution of the Community's plan.

The Committee approved the setting up of an *ad hoc* Committee to help draw up a Community reprocessing strategy. In view of the large number of economic, structural and political problems involved, the Committee thinks it essential that all economic and social groups affected in the Member States should be adequately represented.

#### *Fast breeder reactors*

2.3.54. The Committee approved by 69 votes to 10, with one abstention, the Commission communication entitled: 'The fast breeder option in the Community context—justification, achievements, problems and future prospects'.<sup>2</sup>

The Committee believes that:

- (i) the fast breeder option should be kept open;
- (ii) demonstration projects should be pursued with the emphasis on safety, radiological protection and environmental considerations;
- (iii) the Community should play a supporting role in the achievement of these objectives.

The Committee notes that the use of fast breeder reactors will provide a way of consum-

<sup>1</sup> OJ C 249 of 18.10.1977; Bull. EC 7/8-1977, point 1.3.3.

<sup>2</sup> Bull. EC 7/8-1977, point 1.3.4.

ing plutonium and thereby closing the fuel cycle. It also notes that the Community ranks amongst the leaders in the technical development of fast breeder reactors and it believes that the further development of these should not be delayed, since a shortage of uranium could put the Community's energy supply at risk.

The Committee also thinks that it would be wrong to underestimate the many and difficult problems outstanding before fast breeder reactors can be used. In order to resolve these problems satisfactorily, it is essential that the transition to industrial use of fast breeder reactors must be phased in as prudently as possible.

The Committee therefore emphasizes:

- (i) the need to start Community discussions on measures to ensure that the plutonium arising from the wide-scale operation of fast breeder reactors is used exclusively for peaceful purposes;
- (ii) the need to intensify Community work in the field of safety R & D and codes and standards for fast breeder reactors;
- (iii) the advisability of looking closely at the specific technical problems involved in the reprocessing of fast breeder reactor fuel;
- (iv) the Commission's view on a Community contribution towards the financing of fast breeder demonstration projects.

#### *Agricultural prices*

2.3.55. The Committee adopted by 37 votes to 25, with 12 abstentions, its Opinion on the supplementary proposals on the prices for certain agricultural products and certain related measures.<sup>1</sup>

The Committee welcomes the fact that the Commission acted on its recommendations to continue and improve the scheme of

premiums for the non-marketing of milk and the conversion of dairy herds. However, it considers that to be sure of a better response, the scheme would need to be extended for a longer period. It feels that with its new proposals for milk and beef and veal, the Commission is aiming to change the way the markets are organized; these measures need to be discussed and examined in detail and therefore cannot be applied in 1978/79. The Committee fears that the temporary suspension of intervention in skimmed-milk powder will adversely affect farmers' incomes and trigger waves of intervention operations before and after the suspension period which would not otherwise occur.

The Committee asks the Commission to make sure that the changes in the intervention arrangements for beef and veal do not have an adverse effect on producer prices; it fears that the Management Committee will not be able to carry out all the tasks that the Commission seems to want to give it.

The Committee welcomes the Commission's efforts to improve the situation in the starch potato market. However, in view of the importance which it attaches to the need to maintain a balance between potato starch and cereal starch, it asks the Commission to review its proposals in the light of the Committee's comments on Community starch production and on refunds for both cereal and potato starch.

#### *Oil stocks*

2.3.56. The Committee adopted by 43 votes to 3, with 16 abstention, its Opinion on the proposal for a Council Directive amending the Council Directive of 20 December 1968, imposing an obligation on the Member States of the EEC to maintain minimum

<sup>1</sup> Bull. EC 3-1978, point 2.1.54.

stocks of crude oil and/or petroleum products.<sup>1</sup>

At present Member States are obliged to hold minimum security stocks of oil corresponding to 90 days' consumption. But they are allowed an exemption of up to 15% for oil produced and consumed indigenously. The Committee approves the Commission's proposal to increase the exemption, subject to a formal undertaking by the Member States that they will maintain trade if supply difficulties occur. But, in the absence of clear criteria, it does not take a stand on the 40% figure suggested by the Commission.

The Committee also realizes that the present exemption is only granted to oil-producing Member States. It believes it would be in the Community's interest to encourage all Member States to consume Community oil. The Committee therefore approves the proposal that the exemption should in future be extended to all Member States in respect of their consumption of petroleum products obtained from crude oil produced within the Community.

#### *Community loans*

2.3.57. In its Opinion adopted by 40 votes in favour and 9 abstentions, the Committee welcomed the proposal for a Council Decision empowering the Commission to issue loans for the purpose of promoting investment within the Community.<sup>2</sup> It sees the proposed new financing instrument as a practical demonstration of the Community's intent to make a move towards economic and monetary union. In supporting the Commission's proposal for such an instrument, the Committee hopes that investment projects will be facilitated which reflect the Community's priority structural objectives, and which would not, without this instrument, get off the ground.

The Committee regrets that the proposal fails to set down concisely the criteria to be used in determining which projects will be considered eligible for loans. It further suggests that it be consulted regularly on such important matters as the aims and criteria for eligibility. The Committee takes issue, however, with the Commission's proposal, regarding the relative roles of the Commission and the European Investment Bank. It considers that the mandate for making loans given to the EIB by the Commission, as summarized in Article 5 of the proposal and expanded upon in the draft Cooperation Agreement, could divert the proposed new financial instrument from its purpose.

The Committee believes that the Cooperation Agreement between the Commission and the EIB should be structured in such a manner that, when the EIB rejects an eligible project, the Commission should be in a position to make the final decision as to whether a project receives a loan or not. The Committee therefore proposes, by a large majority, that Article 5 of the draft Council Decision be amended so as to embrace the important alteration to the institutional aspect of the Commission's proposal.

#### *Changing the common organization of the market in milk and milk products*

2.3.58. The Committee adopted by 63 votes to 4, with 18 abstentions, its Opinion on the proposal for a Council Regulation amending the Council Regulation of 27 June 1978 on the common organization of the market in milk and milk products,<sup>3</sup> and on the proposal for a Council Regulation authorizing the setting-up or continuation of producers'

<sup>1</sup> OJ L 308 of 23.12.1968; Bull. EC 12-1977, point 2.1.171.

<sup>2</sup> Bull. EC 1-1978, point 2.1.1.

<sup>3</sup> OJ 148 of 28.6.1968.

organizations in the dairy industry of a type similar to the British Milk Marketing Boards. After pointing out that the consumption of milk products is as high in other Member States as it is in the United Kingdom, the Committee recognizes nevertheless the role of the Milk Marketing Boards in keeping consumption of liquid milk in the United Kingdom at a high level. It is therefore feels it would be wrong to upset a successful milk distribution system like the Boards.

However, in the Committee's opinion, the Commission proposals raise a number of major competition law issues since they are incompatible with the aims of Community policy established in the Treaty. The Committee therefore wants the Commission to revise its proposals. The Committee concludes by regretting the incompleteness of the proposals and with a reminder that the Commission, in the overall interest of the Community, ought not to forget that one of its main tasks is to present proposals which strike a balance between the various interests at stake—a balance which the Committee finds lacking in the proposals in question.

## European Investment Bank

### Loans granted

#### *United Kingdom*

2.3.59. The European Investment Bank has granted two loans totalling the equivalent of UKL 31 million (48.3 million EUC) towards financing water supply and sewerage schemes in the North of England.

With these funds, made available to the National Water Council (NWC), the Bank has now lent more than UKL 220 million for reinforcing and modernizing water supply

and sewerage systems in Great Britain in recognition of their cardinal importance to the economic advancement of regional development areas.

The first loan is for the equivalent of UKL 16 million, provided for fifteen years at a rate of interest of 8.55%, and will be passed on by NWC to the North West Water Authority for financing water supply, sewerage and sewage disposal schemes on Merseyside and in Lancashire and the Manchester and Lancaster areas. The second is for the equivalent of UKL 15 million, provided for twenty years at a rate of interest of 9.30%, and will be on-lent by NWC to the Yorkshire Water Authority for financing water supply schemes in the Yorkshire and Humberside region. The two EIB loans correspond to about 22% of the total capital investment cost (UKL 140 million) of the schemes concerned.

2.3.60. The equivalent of UKL 13.5 million (19.9 million EUC) has been lent by the European Investment Bank to help to meet the cost of road schemes in Aberdeen and improvements to water supply, sewerage and sewage disposal systems in Aberdeen, Edinburgh and Midlothian. The funds have been provided as follows:

(i) UKL 5 million in loan to Grampian Regional Council for fifteen years at an interest rate of 9.4%.

This will be used by the Council to carry out major improvements to the Aberdeen Through Road (relieving traffic bottlenecks) and construct a new bridge across the River Dee, plus roads to improve access to Aberdeen airport and surrounding industrial estates, a new reservoir, a preliminary sewage treatment station and a long sea outfall to the south of Aberdeen harbour.

<sup>1</sup> OJ C 13 of 17.1.1978; Bull. EC 12-1977, point 2.1.107.

The works have been made necessary by the rapid development of the North Sea oil and gas industry and related activities which have placed pressure on existing facilities.

(ii) UKL 8.5 million in a loan to Lothian Regional Council for 14½ years of 9.4%. The funds will go towards the buildings of a dam on the River Megget, the construction of aqueducts, the laying of new sewerage mains along the east and west coast of Edinburgh, a new sewage treatment plant and long-sea outfall.

These schemes will aid the economic development of the region where industrial expansion will call for more abundant water resources and a reinforced sewerage infrastructure. The EIB provided a UKL 25 million loan for the same investments in November last year.

These latest operations raise to almost UKL 330 million the amount provided by the EIB for projects in and/or directly benefiting Scotland since the United Kingdom's accession to the Community, exclusive of UKL 55.8 million also lent for development of oil and gas fields in the British sector of the North Sea.

### *Ireland*

2.3.61. The European Investment Bank has granted a loan for the equivalent of IRL 1 375 000 (about 2.1 million EUC) towards financing a new car ferry which will improve communications between Ireland and Great Britain.

The loan has been made available to the Minister for Finance for eight years at a rate of interest of 7.45% and will be provided to Shipping Finance Corporation Limited, for on-lending to British and Irish Steam Packet Company Limited (B+I). Built by Verolme Cork Dockyard Limited, the new 6 000

tonne car ferry will be able to carry 1 500 passengers and up to 342 cars or 39 commercial vehicles. The vessel is scheduled to come into service at the end of 1978 on B+I's routes between Ireland and Great Britain. Recruitment of crews and shore-based staff should provide some 210 jobs.

The EIB's loan will help to improve communications not only between two member countries of the Community, but also between Ireland and the Continent which is the source of a substantial proportion of Ireland's car ferry traffic. In July 1976 the Bank granted a loan for the equivalent of IRL 5.5 million to British Railways towards financing a new car ferry called the 'St Columba' now operating on the Holyhead-Dun Laoghaire route.

### *France*

2.3.62. The European Investment Bank has granted Société Sidérurgique Chatillon-Neuves-Maisons a loan for the equivalent of FF 55 million (9.5 million EUC) for fifteen years and at a rate of interest of 10.20%, to help finance investment to improve productivity at a number of the company's plants in Lorraine and the North of France.

Chatillon-Neuves-Maisons is the largest of the three companies recently amalgamated within the 'Chiers-Chatillon' iron and steel group; its two divisions produce flat rolled products (sheet steel) and sections. The Bank's loan will be used essentially to finance modifications to adapt the existing Neuves-Maisons' works near Nancy to receive the new modern steelmaking plant to be sited there, close to the Moselle which is canalized there for navigation, to replace obsolescent units as part of a programme for fundamental restructuring of liquid steel production.

The Bank's loan will also contribute to financing modernization of certain installations at the company's works at Longwy (Lorraine), Isbergues and Biache (North of France). These investments, the cost of which is estimated at around FF 11 million (19.3 million EUC), form part of a programme to put the iron and steel industry on a sounder and more profitable footing, which has the support of the French Government and the Commission by virtue both of the importance of the sector concerned at both the national and the Community level, and of the grave repercussions which the iron and steel industry's current difficulties are having on the economic life of the region. By rationalizing and modernizing its tools of production in line with the outlook on the world market, Chiers-Chatillon is aiming to re-establish conditions favourable to sustaining the activity of an industry which plays an essential role in the economy of Lorraine and the North of France.

#### *Denmark*

2.3.63. The European Investment Bank has granted a global loan for the equivalent of DKR 15 million (2.1 million EUC) to the Danish Regional Development Board (Egnudviklingsraadet) for financing small and medium-scale industrial ventures in the country's development areas. The funds have been made available for ten years with interest payable at 8.25%.

The Board's function is to promote economic expansion in less favoured areas of Denmark, using a range of financing instruments. Since 1975 it has attracted five global loans from the EIB worth a total equivalent of DKR 77.5 million, enabling it to co-financing 30 industrial projects expected to lead to the direct creation of 800 permanent jobs. The great flexibility of the global loan formu-

la enables the Bank to channel part of its resources towards financing smaller scale investment, drawing on the experience of local intermediary institutions. By fostering the setting-up or expansion of small and medium-sized businesses, the EIB can contribute towards regional development in line with the task entrusted to it under Article 130 of the Treaty of Rome.

#### *Italy*

2.3.64. Seven loans totalling the equivalent of LIT 177 000 million (164.9 million EUC) have been granted in Italy by the European Investment Bank towards industrial and infrastructure development in the Mezzogiorno and the exploitation of energy resources (natural gas).

Four of the loans (LIT 98 000 million in total) have been made through Istituto Mobiliare Italiano (IMI).

The first two are for ten years at 7.65% and will be on-lent to Fiat to contribute towards the restructuring and expansion of two car assembly plants at Cassino, Latium (LIT 40 000 million) and at Termini Imerese in Sicily (LIT 8 000 million). In Cassino the assembly lines are to be replaced for the production of a new medium-sized model; in Termini Imerese the Bank's loan will go towards increasing the production capacity of smaller models which is due to double to 500 units per day. In each case 1 000 new jobs are expected.

A loan of LIT 5 000 million has also been granted to IMI for ten years at 7.65% for another industrial investment in Scoppito, Abruzzi, where a pharmaceuticals factory is to be built by the German group Hoechst: 250 jobs are involved in the first phase. The fourth loan was for LIT 45 000 million for twenty years at 9.20%. It will be passed on by



IMI to Società Italiana per l'Esercizio Telefonico to help pay for improvement to the Sardinian telecommunications network. This should promote the island's economic development.

Two loans have been granted to Cassa per il Mezzogiorno and will be used for infrastructure investments; LIT 30 000 million, lent for twenty years at 9.20%, will help to finance the first construction phase of a port for the Cagliari industrial development area (the largest in Sardinia), together with various road works. This is the Bank's first operation for this major port project. The second loan (LIT 45 000 million) was also granted for twenty years at 9.20%. It will be used for road transport infrastructure, sewerage and waste water recycling facilities in the Augusta-Priolo-Syracuse (Sicily) industrial development zone; as well as affording better protection of the environment, these works will help to overcome the water shortage which would otherwise jeopardize the area's future development.

The remaining loan, LIT 4 000 million granted to ENI — Ente Nazionale Idrocarburi for twelve years at 7.9%, will be used by the group's subsidiary AGIP to help to bring into production the 'Hera Lacinia' natural gas-field in the Ionian Sea, south of Crotona.

By helping to reduce Italy's dependence upon imports for a large part of the natural gas it consumes, this loan represents a further contribution by the EIB to improving the Community's energy supply position.

### *Sudan*

2.3.65. Under the Lomé Convention, the European Investment Bank has lent 6.5 million EUC (approximately 2.86 million Sudanese pounds) to help to finance a textile mill in the Sudan. The operation, which is

the EIB's first in this country, takes the form of a conditional loan at an interest rate of 5.5%. It has been granted by the EIB, acting under mandate of the Community, from resources which have been set aside under the Lomé Convention for various risk capital operations to be managed by the Bank. The borrower is the Gezira and Managil Textile Company Ltd, whose majority shareholder is the Gezira and Managil Tenants Cooperative Corporation Ltd, which is owned by 96 000 cotton farmers in the region where more than half of the Sudan cotton crop is grown. The mill is to be built at Wad Medani (200 km south of Khartoum). Annual production should amount to 12 million metres of different types of cloth which should provide 900 jobs. The investment which the EIB is helping to finance will bring about a substantial increase in value added by the cotton industry and make an important contribution to improving the country's balance of payments by saving foreign exchange. It also fulfils three broad aims of industrial development in the country, namely self-sufficiency in basic consumer items, better use of local raw materials and a balanced regional development.

## Financing Community activities

### Budgets

#### *ECSC operational budget for 1977*

2.3.66. The balance sheet of the European Coal and Steel Community (ECSC) and the implementation of its operational budget for 1977, both of which the Commission has approved, show the trends of the past year: the pronounced effect of the general economic situation on restructuring and investment

volume in the steel and coal industries, and ECSC financial activity more closely integrated with Community policy for investment in certain sectors of industry. As a result, there has been a decrease in ECSC financial activity; total loans for all investment financing in the two sectors concerned have dropped in both absolute and relative terms. This also explains why borrowing by the ECSC on capital markets declined in 1977. With regard to financial operations in 1977, total loans increased by some 560 million EUC—reaching nearly 4 000 million EUC. In addition, in order to maintain a proper balance between outstanding loans and reserves, the latter were increased to 357 million EUC.

As to the volume of loans granted by the ECSC, the steel crisis has meant a drop in investment in this sector, from 3 150 million EUC in 1976 to 2 700 million EUC in 1977. Likewise, the depressed state of the coal market continues to hold back investment in the mines. ECSC financial operations, despite the attractive lending terms, conformed to this pattern: in 1977, the Commission granted 85 loans totalling 742 million EUC compared with 114 in 1976, totalling 1 064 million EUC. These accounted for 21% of the capital spending of Community steel and coal enterprises in 1977, as against 23% in 1976.

ECSC borrowing operations were conducted on all capital markets, from the United States to the Middle East, on the Eurodollar, Swiss franc and—for the first time—sterling markets. The lastmentioned issue received highly favourable comment in world financial circles. In 1977, 32 public and private borrowings were made, to a total of 729 million EUC, compared with 31, totalling 956 million EUC, in 1976.

2.3.67. The Commission has sent to the Council and Parliament a draft decision providing for the transfer to the European

Communities from financial year 1979 onwards of customs duties on products coming under the ECSC. The revenue in question—an estimated 50 to 60 million EUC—would be used to finance the ECSC's operational budget with a view to stepping up rationalization projects in the steel industry under that budget and strengthening the long-term financial position of the ECSC. The Member States, which have already made a special contribution of 32 million EUC to the ECSC Budget for financial year 1978, are to reach a decision on this matter by the end of July.

#### **Comprehensive review of the Community's budget problems**

2.3.68. In the comprehensive review of the Community's budget problems sent to the Council and Parliament<sup>1</sup> the Commission endeavoured to set out what, in its opinion, should be the main lines of the Community budget over the next few years and in 1979 in particular. It placed special emphasis on the major calls on the Community budget in the context of progress towards economic and monetary union and of the enlargement of the Community.

The joint Council meeting of Foreign Ministers and Finance Ministers on 3 April held a broad exchange of views on the basis of this Communication from the Commission. Although the Council did not reach any express conclusions, the attitudes taken by delegations nevertheless made it possible for the Commission to adopt a number of policy lines both with a view to the establishment of the 1979 budget and for the medium-term.

A broad consensus of opinion emerged on the major budget priorities proposed by the Commission.

<sup>1</sup> Bull. EC 2-1978, points 2.3.4 to 2.3.7.

Parliament, too, made a major contribution to this policy discussion. Mr Bangemann, its general rapporteur for the 1979 budget, has prepared a report, its first part concentrating chiefly on institutional matters of procedure and budget law, the second part dealing with priorities between sectors having regard to the opinions expressed to the rapporteur by the various specialist committees.

Even if these exchanges of views prior to budgetary procedure have no direct, quantifiable impact on the Community budget, the Commission considers it important to exchange views on the future outlook for the budget once a year in order to ensure consistency at all times between major lines of general policy and their translation into budgetary terms.

## Financial operations

### ECSC

#### Loans granted

##### *Loans paid*

##### Industrial loans

2.3.69. In April the Commission paid out a total of 98.26 million EUC in industrial loans under Article 54 of the ECSC Treaty. These loans were made to twelve undertakings to finance the following programmes:

##### *Coal industry*

- (i) Increase in coking capacity  
Ruhrkohle AG, Essen (Prosper coking plant)

- (ii) Rationalization and modernization of collieries

##### National Coal Board, London

- (a) Doncaster (Goldthorpe/Highgate, Askern, Frickley/South Elmsall and Bentley collieries)
- (b) Barnsley (Houghton Main and Grime-thorpe collieries)
- (c) Yorkshire (Manton colliery)
- (d) Nottinghamshire (Thoresby and Harworth collieries)
- (e) Midlands (Bagworth/Ellistown colliery)
- (f) North-Eastern (Wearmouth colliery)
- (g) Western (Lea Hall colliery)
- (h) Scotland (Seafield/Frances colliery)
- (i) Wales (Lady Windsor/Abercynon collieries)

Ruhrkohle AG, Essen (Lohberg and Niederberg collieries)

##### *Steel industry*

- (i) Infrastructure scheme  
Northumbrian Water Authority, Newcastle-upon-Tyne (British Steel Corporation's Redcar and Teesside works)
- (ii) Rationalization of pig iron and steel production  
Italsider SpA, Genoa (Genova-Carnigliano and Genova-Campi works)  
Stahlwerke Peine-Salzgitter AG, Peine (Salzgitter works)  
Acciaierie di Piombino SpA, Piombino/Leghorn  
Société Lorraine de Laminage Continu SA Sollac, Paris (Séréfange works)  
Acciaierie Ferriere del Tanaro SpA, Lesegno/Cuneo

(iii) Rationalization of section production  
Giuseppe e Fratello Redaelli SpA, Milan (Rogoredo works)

(iv) Production of fine and special steels  
Stahlwerke Bochum AG, Bochum (Bochum works)

Società per l'Industria et l'Elettricità Terni SpA, Rome (Terni works)

(v) Training centre

Thyssen Aktiengesellschaft vorm. August Thyssen-Hütte, Duisburg (Ruhrort training centre).

*Redevelopment*

France (Lorraine)

Société Lorraine de Développement et d'Expansion Lordex, Nancy (for various undertakings).

*Loan decisions*

2.3.70. The Commission also decided to grant two loans under the first paragraph of Article 54 of the ECSC Treaty, and obtained the agreement of the Council to grant two further loans, one under the second paragraph of Article 54, and the other under Article 56. These loans, which have been decided but not yet paid out, total 184.59 million EUC. They are for the following firms:

*Coal industry*

Power station

Charbonnages de France (collieries in the Lorraine Basin), Paris (Carling power station)

*Steel industry*

Rationalization of pig iron and steel production

Hoogovens IJmuiden BV, IJmuiden

Société Lorraine de Laminage Continu SA Sollac, Paris (Sérérange works)



**PART THREE**  
**DOCUMENTATION**

# 1. Units of account

## Units of account

### European unit of account

#### Changeover from the unit of account to the EUC

3.1.1. On account of the severe disturbances in international monetary relationships and the replacement of the system of fixed parities by floating exchange rates, the Community decided to introduce a new unit of account. Whereas the old unit of account (u.a.) was defined by reference to a given weight of fine gold, with fixed parities, the new 'basket' unit of account (EUC) reflects the day-to-day fluctuations between the various currencies on the foreign exchange markets.

A 'basket' unit of account is made up of different national currencies; the European unit of account is thus defined by reference to a sum of fixed amounts of Member States' currencies. When the EUC was introduced in 1975, these fixed amounts were obviously not chosen at random but took account, among other things, of the size of each Member State's economy.

The value of one EUC is the sum of the values of the following amounts: BFR 3.66, LFR 0.14, DM 0.828, HFL 0.286, UKL 0.0885, DKR 0.217, FF 1.15, LIT 109 and IRL 0.00759.

Depending on whether the rates of these different currencies are those recorded on the market in Brussels, Copenhagen or Paris, etc., the rate of the European unit of account is given in Belgian francs, Danish kroner or French francs, etc. The effect of this definition is that the value of the EUC in any national currency moves in line with changes in the weighted average of exchange rates in all the currencies in the basket; in other words, it reflects the aggregate movement in those currencies (Table 1).

The value of the EUC in the Member States' currencies is determined each day by the Commission on the basis of the official exchange rates notified by Member States' central banks; the value of the EUC is also calculated in a number of other currencies. Rates for the value of

Table 1 — *Values in national currencies of one European Unit of Account*

National currency	3 April 1978 <sup>1</sup>	14 April 1978 <sup>2</sup>	27 April 1978 <sup>3</sup>
Belgian franc and Luxembourg franc	39.6802	39.7663	39.9076
German mark	2.54213	2.55249	2.55885
Dutch guilder	2.72074	2.72395	2.73404
Pound sterling	0.677685	0.675264	0.677290
Danish krone	6.99634	7.02720	6.99302
French franc	5.76409	5.74215	5.69298
Italian lira	1 079.74	1 073.95	1 072.02
Irish pound	0.677685	0.675264	0.677290
United States dollar	1.27149	1.25485	1.23639
Swiss franc	2.32878	2.36909	2.41250
Spanish peseta	101.199	100.306	99.8564
Swedish krona	5.78259	5.75948	5.71333
Norwegian krone	6.68579	6.70878	6.69254
Canadian dollar	1.44252	1.4447	1.39879
Portuguese escudo	51.5327	51.8128	51.6269
Austrian schilling	18.3069	18.3848	18.3991
Finnish mark	5.26088	5.24621	5.22351
Japanese yen	277.678	276.155	275.225

<sup>1</sup> OJ C 80 du 4 4 1978

<sup>2</sup> OJ C 92 du 15.4.1978

<sup>3</sup> OJ C 103 du 28 4.1978

the EUC in the various national currencies are published daily.<sup>1</sup> In addition, anyone may contact the Commission to obtain this information.

### Scope of application of the EUC

3.1.2. Since it was devised in 1975, the EUC has been phased into use in various areas of Community activity:

1975: ACP-EEC Lomé Convention (Council Decision of 21 April 1975);<sup>2</sup> balance sheet of the European Investment Bank (Decisions of the Board of Governors dated 18 March 1975 and 10 November 1977);

1976: ECSC operational budget (Commission Decision of 18 December 1975);<sup>3</sup>

1978: General budget of the Communities (Financial Regulation of 21 December 1977).<sup>4</sup>

The European unit of account is now used in all areas of Community activity, apart from the common agricultural policy, operations of the European Monetary Co-operation Fund (EMCF), and the customs field. It will be used for customs purposes from 1 January 1979 onwards.

The EUC has also been in use for some time in the fields of banking and commerce (Table 2).

**Table 2 — Annual interest rates on banks deposits denominated in EUC**

	3 April 1978	14 April 1978	27 April 1978
1 month	6 - 7	5 <sup>7</sup> / <sub>8</sub> - 6 <sup>7</sup> / <sub>8</sub>	6 <sup>1</sup> / <sub>4</sub> - 7 <sup>1</sup> / <sub>4</sub>
3 months	6 <sup>3</sup> / <sub>16</sub> - 7 <sup>3</sup> / <sub>16</sub>	6 - 7	6 <sup>5</sup> / <sub>8</sub> - 7 <sup>5</sup> / <sub>8</sub>
6 months	6 <sup>1</sup> / <sub>4</sub> - 7 <sup>1</sup> / <sub>4</sub>	6 <sup>1</sup> / <sub>4</sub> - 7 <sup>1</sup> / <sub>4</sub>	6 <sup>15</sup> / <sub>16</sub> - 7 <sup>15</sup> / <sub>16</sub>
12 months	6 <sup>9</sup> / <sub>16</sub> - 7 <sup>9</sup> / <sub>16</sub>	6 <sup>5</sup> / <sub>8</sub> - 7 <sup>5</sup> / <sub>8</sub>	7 <sup>1</sup> / <sub>8</sub> - 8 <sup>1</sup> / <sub>8</sub>

(Rates obtaining in Brussels).

### 'Green' rates

3.1.3. The old unit of account (u.a.) is still used in connection with the common agricultural policy. However, the conversion procedures applied have been substantially modified; conversion into national currencies of common agricultural prices expressed in units of account (u.a.) has long ceased to be based on fixed parities determined by reference to a given weight of fine gold and is now determined by 'representative rates', which are used in the agricultural field only. Generally referred to as 'green' rates, representative rates are fixed by decision of the Council (Table 3). The difference between these rates and the rates obtaining on the exchanges is offset by monetary compensatory amounts.

**Table 3 — Conversion rates into national currencies for the unit of account used in connection with the common agricultural policy.**

National currency	April 1978
Belgian franc and Luxembourg franc	49.3486
Danish krone	8.56656
German mark	3.41258
French franc	6.00103
Irish pound	0.739700
Italian lira	1 096.00 <sup>1</sup>
	1 030.00 <sup>2</sup>
Dutch guilder	3.40270
Pound sterling	0.617513 <sup>3</sup>
	0.586638 <sup>4</sup>

<sup>1</sup> For milk and milk products, beef, pigmeat, sugar and tomato concentrates.

<sup>2</sup> For the other products.

<sup>3</sup> For beef and pigmeat.

<sup>4</sup> For the other products.

<sup>1</sup> In the Official Journal of the European Communities and in the press.

<sup>2</sup> OJ L 104 of 24.4.1975.

<sup>3</sup> OJ L 327 of 19.12.1975.

<sup>4</sup> OJ L 356 of 31.12.1977.

## 2. Additional references in the Official Journal

### Units of account

The market rates for the snake currencies (Benelux, Denmark, Federal Republic of Germany) are taken to be their central rates, with the result that the compensatory amounts for these countries are not changed unless the central rates and the representative rates are adjusted. The monetary compensatory amounts for the other Member States are normally fixed each week on the basis of the average exchange rate of the relevant national currency against the currencies in the snake.

*3.2.1.* This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

### **Bull. EC 1-1977**

#### *Point 2.1.32*

Grants from the European Regional Development Fund for the first half of 1977 (first allocation 1977).  
OJ C 99 of 24.4.1978.

### **Bull. EC 5-1977**

#### *Point 2.1.38*

Grants from the European Regional Development Fund for the first half of 1977 (second allocation 1977).  
OJ C 99 of 24.4.1978.

### **Bull. EC 7/8-1977**

#### *Point 2.1.58*

Grants from the European Regional Development Fund for the first half of 1977 (third allocation 1977).  
OJ C 99 of 24.4.1978.

### **Bull. EC 11-1977**

#### *Point 2.2.53*

Council Regulation (EEC) No 3026/77 of 28 November 1977 on the conclusion of the Supplementary Protocol to



the Association Agreement between the European Economic Community and Turkey consequent on the accession of new Member States to the Community.  
OJ L 361 of 31.12.1977.

**Point 2.3.83**

Final adoption of amending budget No 2 of the European Communities for the financial year 1977.  
OJ L 110 of 24.4.1978.

**Bull. EC 2-1978****Point 2.3.33**

Case 14/78: Action brought on 19 February 1978 by Denkvit Commerciale srl and Denkvit Nederland NV against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.34**

Case 15/78: Reference for a preliminary ruling by the Oberlandesgericht Köln (Cologne Higher Regional Court) by order of that court of 23 January 1978 in the case of Société Générale Alsacienne de Banque SA v. Walter Koestler.  
OJ C 83 of 7.4.1978.

**Point 2.3.35**

Case 16/78: Reference for a preliminary ruling by the Amtsgericht (Local Court) Reutlingen by order of that court of 13 February 1978 in the prosecution of Michel Choquet.  
OJ C 83 of 7.4.1978.

**Point 2.3.36**

Case 17/78: Action brought on 17 February 1978 by Fausta Deshormes, née La Vallé, against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.37**

Case 18/78: Action brought on 20 February 1978 by Renée Pipers, née Vandeput, against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.58**

Case 19/78: Action brought on 22 February 1978 by Xavier Authié against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.39**

Case 20/78: Action brought on 22 February 1978 by the Société Anonyme Brooke-Bond Liebig Benelux against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.40**

Case 21/78: Reference for a preliminary ruling by Københavns Byret by letter from the judge of that court of 10 February 1978 in the case of Knud Oluf Delkvist v Landsnævnet for Omnibuskørsel.  
OJ C 83 of 7.4.1978.

**Point 2.3.41**

Case 22/78: Action brought on 24 February 1978 by 1, Hugin Kassaregister AB, Stockholm and 2, Hugin Cash Registers Ltd, London, against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.42**

Case 23/78: Reference for a preliminary ruling by the Bundesgerichtshof by order of that court of 1 February 1978 in the case of Kaufmann Nikolaus Meeth v Firma Glacetal sarl.  
OJ C 83 of 7.4.1978.

**Point 2.3.43**

Case 24/78: Action brought on 27 February 1978 by Hélène-A. Martin against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

**Point 2.3.44**

Case 25/78: Action brought on 28 February 1978 by Lucienne de Roubaix, née de Leye, against the Commission of the European Communities.  
OJ C 83 of 7.4.1978.

*Point 2.3.60*

**Economic and Social Committee**

Opinion on the proposal for a Council Regulation relating to the fixing of representative conversion rates in agriculture.

OJ C 84 of 8.4.1978.

*Point 2.3.61*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive amending for the fifth time Directive 73/241/EEC on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption.

OJ C 84 of 8.4.1978.

*Point 2.3.62*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive on certain immediate measures to adjust capacity in the fisheries sector.

OJ C 84 of 8.4.1978.

*Point 2.3.63*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive on aid to shipbuilding.

OJ C 84 of 8.4.1978.

*Point 2.3.64*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors.

OJ C 84 of 8.4.1978.

*Point 2.3.65*

**Economic and Social Committee**

Opinion on the proposals for:

— a Council Directive concerning products used in animal nutrition

— a third Council Directive amending Directive 70/524/EEC concerning additives in feedingstuffs

— a Council Directive amending Directive 74/63/EEC fixing maximum permitted levels for undesirable substances and products in feedingstuffs and amending Directive 70/373/EEC introducing Community methods of sampling and analysis for the official control of feedingstuffs.

OJ C 84 of 8.4.1978.

*Point 2.3.66*

**Economic and Social Committee**

Opinion on the proposal for a Council Directive amending for the first time Directive 76/118/EEC on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption.

OJ C 84 of 8.4.1978.

*Point 2.3.67*

**Economic and Social Committee**

Opinion on the guidelines for Community regional policy.

OJ C 84 of 8.4.1978.

**Bull. EC 3-1978**

*Point 2.3.27*

Case 30/78: Action brought on 8 March 1978 by the Distillers Company Ltd against the Commission of the European Communities.

OJ C 87 of 11.4.1978.

*Point 2.3.40*

Judgment of the Court (First Chamber) of 16 March 1978 in Case 115/76: Leonardo Leonardini v Commission of the European Communities.

OJ C 92 of 15.4.1978.

*Point 2.3.41*

Judgment of the Court (First Chamber) of 16 March 1978 in Case 7/77: Bernhard Diether Ritter von Wüllerstorff und Urbair v Commission of the European Communities.

OJ C 92 of 15.4.1978.

*Point 2.3.43*

Judgment of the Court (First Chamber) of 9 March 1978 in Case 54/77: Antoon Herpels v the Commission of the European Communities.

OJ C 87 of 11.4.1978.

*Point 2.3.45*

Judgment of the Court (First Chamber) of 9 March 1978 in Case 79/77 (reference for a preliminary ruling made by the Finanzgericht Hamburg): Firma Kühlhaus Zentrum AG v Hauptzollamt Hamburg-Harburg.

OJ C 87 of 11.4.1978.

*Point 2.3.46*

Judgment of the Court of 14 March 1978 in Case 83/77 (reference for a preliminary ruling made by the Tribunal du Travail, Brussels): Giovanni Naselli v Caisse Auxiliaire d'Assurance Maladie-Invalidité.

OJ C 87 of 11.4.1978.

*Point 2.3.47*

Judgment of the Court of 14 March 1978 in Case 98/77 (reference for a preliminary ruling made by the Centrale Raad van Beroep, Utrecht): Max Schaap v Bestuur van de Bedrijfsvereniging voor Bank- en Verzekeringstwezen Groothandel en Vrije Beroepen.

OJ C 87 of 11.4.1978.

*Point 2.3.48*

Judgment of the Court (First Chamber) of 16 March 1978 in Case 104/77 (reference for a preliminary ruling made by the Bundesfinanzhof): Firma Wolfgang Oehlschläger v Hauptzollamt Emmerich.

OJ C 92 of 15.4.1978.

*Point 2.3.49*

Judgment of the Court of 14 March 1978 in Case 105/77 (reference for a preliminary ruling made by the Centrale Raad van Beroep, Utrecht): Bestuur van de Sociale Verzekeringsbank v Mrs Boerboom-Kersjes (a widow).

OJ C 92 of 15.4.1978.

*Point 2.3.50*

Judgment of the Court of 9 March 1978 in Case 106/77 (reference for a preliminary ruling made by the Pretura di Susa): Amministrazione delle Finanze dello Stato v Simmenthal SpA.

OJ C 87 of 11.4.1978.

*Point 2.3.52*

Judgment of the Court (Second Chamber) of 9 March 1978 in Case 111/77 (reference for a preliminary ruling made by the Finanzgericht Hamburg): Blei-industrie KG, formerly Jung & Lindig v Hauptzollamt Hamburg-Walershof.

OJ C 87 of 11.4.1978.

*Point 2.3.53*

Judgment of the Court of 16 March 1978 in Case 115/77 (reference for a preliminary ruling made by the Landessozialgericht für das Land Nordrhein-Westfalen): Gert Laumann and Anja Laumann v Landesversicherungsanstalt Rheinprovinz.

OJ C 92 of 15.4.1978.

*Point 2.3.54*

Judgment of the Court of 16 March 1978 in Case 117/77 (reference for a preliminary ruling made by the Centrale Raad van Beroep): Het Bestuur van het Algemeen Ziekenfonds v Mrs G. Pierik.

OJ C 96 of 21.4.1978.

*Point 2.3.55*

Judgment of the Court of 16 March 1978 in Case 123/77: Unione Nazionale Importatori e Commercianti Motoveicoli Esteri (UNICME) and Others v Council of the European Communities.

OJ C 92 of 15.4.1978.

*Point 2.3.56*

Judgment of the Court (Second Chamber) of 15 March 1978 in Case 126/77 (reference for a preliminary ruling made by the Belgian Cour de Cassation): Maria Frangiamore v Office National de l'Emploi.

OJ C 96 of 21.4.1978.

### 3. Infringement procedures

Additional references in Official Journal

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#### *Point 2.3.58*

Judgment of the Court (First Chamber) of 16 March 1978 in Case 135/77 (reference for a preliminary ruling made by the Finanzgericht Hamburg): Robert Bosch GmbH v Hauptzollamt Hildesheim.

OJ C 92 of 15.4.1978.

#### *Point 2.3.60*

Order of the President of the Court (Second Chamber) made on 10 March 1978 in Case 19/78 R: Xavier Authié v Commission of the European Communities.

OJ C 96 of 21.4.1978.

#### *Point 2.3.63*

##### **Economic and Social Committee**

Opinion on the Commission proposals fixing prices for certain agricultural products and on certain related measures.

OJ C 101 of 26.4.1978.

#### *Point 2.3.64*

##### **Economic and Social Committee**

Opinion on the second report on the achievement of Community energy policy objectives for 1985.

OJ C 101 of 26.4.1978.

#### *Point 2.3.65*

##### **Economic and Social Committee**

Opinion on the proposal for a Directive on the protection of participants in home study courses.

OJ C 101 of 26.4.1978.

#### *Point 2.3.66*

##### **Economic and Social Committee**

Opinion on the proposal for a Council Directive relating to common principles to be adopted in export credit insurance systems for medium and long-term transaction with public and private buyers.

OJ C 101 of 26.4.1978.

#### *Point 2.3.67*

##### **Economic and Social Committee**

Opinion on the proposal for a Council recommendation on fluorocarbons in the environment.

OJ C 101 of 26.4.1978.

#### **Reasoned opinions**

3.3.1. In April the Commission delivered a reasoned opinion concerning the free movement of goods.

Infringement of Articles 95 and 30 of the EEC Treaty by reason of the preferential treatment accorded to home-produced spirits compared with similar imported products (Ireland).

**De europæiske Fællesskabers publikationer**  
**Veröffentlichungen der Europäischen Gemeinschaften**  
**Publications of the European Communities**  
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LIT  
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# Enkeltudgivelser – Einzelveröffentlichungen Non-periodicals – Isolés – Non periodici – Eenmalig

1

Intet offentliggjort / Keine Veröffentlichung /  
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Nessuna pubblicazione / Niet verschenen

1978. 122 p. (FR)  
BFR 40      DKR 6,30      DM 2,70      FF 4,90  
LIT 700      HFL 2,80      UKL 0.48      USD 1.15

CB-AK-77-B10-EN-C  
**Bibliography on Promotion of Consumers interests.**  
Volume II. Community legislation and publications.  
Selected articles.  
Documentation bulletin No B/10. January 1978.

1978. 115 p. (EN.FR.)  
BFR 40      DKR 6,30      DM 2,70      FF 4,90  
LIT 700      HFL 2,80      UKL 0.48      USD 1.15

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4

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Associeringen mellem Det europæiske økonomiske  
Fællesskab og Tyrkiet.

**12. Årsberetning om Associeringsrådets virksomhed  
til Det parlamentariske Associeringsudvalg.** (1.1.  
1976–31.12.1976).

1977. 116 p.      begrænset oplag

Assoziation zwischen der Europäischen Wirtschafts-  
gemeinschaft und der Türkei.

**12. Jährlicher Tätigkeitsbericht des Assoziations-  
rates an den gemischten parlamentarischen Aus-  
schuß.** (1.1.1976–31.12.1976).

1977. 116 p.      beschränkt verfügbar

Association between the European Economic Community  
and Turkey.

**12. Annual Report of the Association Council to  
the Parliamentary Committee of the Association.**  
(1.1.1976–31.12.1976).

1977. 116 p.      limited distribution

Association entre la Communauté économique euro-  
péenne et la Turquie.

**12° Rapport annuel d'activité du Conseil d'associa-  
tion à la Commission parlementaire d'association.**  
(1.1.1976–31.12.1976).

1977. 116 p.      diffusion restreinte

Associazione tra la Comunità economica europea e la  
Turchia.

**12° Relazione annuale d'attività del Consiglio di  
associazione alla Commissione parlamentare di  
associazione.** (1.1.1976–31.12.1976)

1977. 116 p.      diffusione limitata

3

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COMMISSION - COMMISSIONE - COMMISSIE

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**Fællesskabsretten. Uddrag af »Ellevte Almindelige  
Beretning om De europæiske Fællesskabers Virk-  
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**Entwicklung und Erprobung von Planheitsmeßgeräten.** Von B. Berger, H. Thies und G. Mücke. Verein Deutscher Eisenhüttenleute, Düsseldorf. Vertrag Nr. 6210-60/0/70. Abschlußbericht. Technische Forschung „Stahl“. 1977. EUR 5775.

1978. 39 p. (DE).

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90



CD-NC-77-018-DE-C

**Verschiedenes. Entwicklung von Systemtechniken und Software-Grundlagen für ein EVD-gesteuertes System der Produktionsplanung und -lenkung in Betrieben mit vielstufiger Massensortenfertigung.** Von M. Bauer. Betriebsforschungsinstitut, Düsseldorf. Forschungsvertrag Nr. 6210-74. Abschlußbericht. Technische Forschung „Stahl“. 1977. EUR 5777. 1978. 346 p. (DE)

Nur in Mikroform erhältlich:

BFR 360	DKR 64	DM 23,20	FF 54,40
LIT 10 000	HFL 24,80	UKL 6	USD 11.60

CD-NC-77-023-FR-C

**Mesures et analyses. Étude du frottement dans l'intercylindre au cours du laminage à froid.** Par L. Chefneux, S. Wilmotte, E. Economopoulos. Centre de recherches métallurgiques, Liège. Convention n° 6210-60/0/70. Rapport final. Recherche technique « Acier ». 1977. EUR 5839. 1978. 54 p. (FR)

Seulement disponible en microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NC-77-024-FR-C

**Propriété d'emploi. Influence de facteurs climatiques et polluants sur la corrosion atmosphérique de l'acier. Prédétermination en laboratoire.** Par J. Van Muylder (ULB, Bruxelles) et M. Pourbaux (Cebelcor, Bruxelles). Centre belge d'étude de la corrosion, Bruxelles. Convention n° 6210-92/2/201. Rapport final. Recherche technique « Acier ». 1977. EUR 5840. 1978. 53 p. (FR)

Seulement disponible en microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NC-77-025-IT-C

**Varie. Gestione delle imprese siderurgiche a ciclo integrale per mezzo di calcolatori elettronici.** F. Latini. Italsider, Genova. Convenzione n. 6210-74. Rapporto finale. Ricerca tecnica « Acciaio ». 1977. EUR 5835. 1978. 54 p. (IT)

Solamente disponibile in forma di microscheda:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NC-77-026-IT-C

**Acciaierie. Influenza del tipo di scaricatore e della geometria della bramma sui regimi di moto in lingottiera.** V. Giordano, A. Milani, G. Quintiliani, F. Rossetti. Centro sperimentale metallurgico, Roma. Convenzione n. 6210-50/4/401. Rapporto finale. Ricerca tecnica « Acciaio ». 1977. EUR 5836. 1978. 44 p. (IT)

Solamente disponibile in forma di microscheda:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NC-77-027-DE-C

**Metallphysik. Bestimmung des Gefügaufbaus in**

**Legierungen durch äußere magnetische Felder.** Von H.J. Neuhäuser, W. Pitsch, A. Raible, G. Sauthoff und G. Schlätte. Max-Planck-Institut, Düsseldorf. Forschungsvertrag Nr. 6210-70/1/510. Abschlußbericht, technische Forschung „Stahl“. 1977. EUR 5838. 1978. 52 p. (DE)

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

## 9

KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

CH-22-76-132-EN-C

**Community Energy Policy.** Texts of the relevant legislation. December 1976.

1978. 258 p.

(DE.EN.FR.IT.NL)

BFR 225	DKR 35,20	DM 14,45	FF 30
LIT 5 250	HFL 15,10	UKL 3.50	USD 6

CD-NB-77-027-DE-C

**Feinkoksherstellung aus Braunkohle.** Deutscher Braunkohlen-Industrie-Verein, Köln. Vertrag Nr. 6220-72/1/102. Abschlußbericht. Technische Forschung „Kohle“. 1977. EUR 5742. 1978. 59 p. (DE)

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-029-DE-C

**Verbesserung der konventionellen Vortriebstechnik.** Steinkohlenbergbauverein, Essen. Vertrag Nr. 6220-47/1/021. Abschlußbericht. Technische Forschung „Kohle“. 1977. EUR 5744. 1978. 108 p. (DE)

Nur in Mikroform erhältlich:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

CD-NB-77-030-DE-C

**Vollmechanischer Flözstreckenvortrieb mit Teilschnittmaschinen.** Steinkohlenbergbauverein, Essen. Vertrag Nr. 6220-47/1/001. Abschlußbericht. Technische Forschung „Kohle“. 1977. EUR 5745. 1978. 166 p. (DE)

Nur in Mikroform erhältlich:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

CD-NB-77-031-EN-C

**New Products and Processes based on Coal and Materials derived from Coal: Resins and Polymers.** National Coal Board, London. Research Project 6220-73/8/803. Final Report. Technical coal research. 1977. EUR 5765. 1978. 41 p. (EN)

Only available as microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-035-EN-C

**The preparation and preheating of coking blends.** National Coal Board, London. Research Project 6220-72/8/801. Final Report. Technical coal research. 1977. EUR 5822.

1978. 45 p. (EN)

Only available as microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-036-EN-C

**A Study of yield zones around roadways.** National Coal Board, London. Research Project 6220-AB/8/802. Final Report. Technical coal research. 1977. EUR 5825.

1978. 116 p. (EN)

Only available as microfiche:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

CD-NB-77-037-EN-C

**Development of heading/ripping systems and immediate roadway support.** National Coal Board, London. Research Project 6220-62/8/801. Final Report. Technical coal research. 1977. EUR 5827.

1978. 79 p. (EN)

Only available as microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-038-DE-C

**Feststellung der an die Dauerfestigkeit von Drähten, Litzen und Seilen für Schachtfördereinrichtungen zu stellenden Anforderungen.** Von Dipl.-Ing. M. Setzer. Westfälische Berggewerkschaftskasse, Bochum. Seilprüfstelle. Vertrag Nr. 6220-60/1/101. Forschungsbericht. Technische Forschung „Kohle“. 1977. EUR 5830.

1978. 170 p. (DE)

Nur in Mikroform erhältlich:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

CD-NB-77-039-EN-C

**Integration of face ends.** National Coal Board, London. Research Project 6220-68/8/801. Final Report. Technical coal research. 1977. EUR 5833.

1978. 30 p. (EN)

Only available as microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-040-EN-C

**Beneficiation and utilisation of colliery (washery) tailings.** National Coal Board, London. Research Project 6220-73/8/804. Final Report. Technical coal research. 1977. EUR 5847.

1978. 50 p. (EN)

Only available as microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-041-DE-C

**Untersuchungen zum Einsatz vorerhitzter Kohle.** Bergbau-Forschung GmbH, Essen. Vertrag Nr. 6220-72/1/101. Abschlußbericht. Technische Forschung „Kohle“. 1977. EUR 5821.

1978. 46 p. (DE)

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-042-DE-C

**Verwertung von heißem, ungereinigtem Koksofengas.** Bergbau-Forschung GmbH, Essen. Vertrag Nr. 6220/EC/1/101. Abschlußbericht. Technische Forschung „Kohle“. 1977. EUR 5823.

1978. 70 p. (DE)

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-043-DE-C

**Mechanisierung, Automatisierung und Rationalisierung der Förder- und Versorgungstechnik unter Tage (einschl. Fahrweg).** Steinkohlenbergbauverein, Essen. Vertrag Nr. 6220-54/1/011. Schlußbericht. Technische Forschung „Kohle“. 1977. EUR 5781.

1978. 242 p. (DE)

Nur in Mikroform erhältlich:

BFR 270	DKR 48	DM 17,40	FF 40,80
LIT 7 500	HFL 18,60	UKL 4.50	USD 8.70

CD-NB-77-044-DE-C

**Integrierte Mechanisierung der Gewinnung, des Ausbaus und des Versatzes bei großer Flözmächtigkeit. Schälende Gewinnung mit Schreitausbau und Blasversatz auf der Zeche Nordstern.** Bergbau-Forschung GmbH, Forschungsinstitut des Steinkohlenbergbauvereins, Essen-Kray, BR Deutschland. Vertrag Nr. 6220-49/1/001. Abschlußbericht. Technische Forschung „Kohle“. 1977. EUR 5739.

1978. 84 p. (DE)

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NB-77-045-FR-C

**Pression de terrains et soutènements. Prévisions et maîtrise des déformations dans les ouvrages miniers.** Par H. van Duyse. Institut national des industries extractives, Liège. Convention n° 6220-58/2/201. Rapport final. Recherche technique «Charbon». 1977. EUR 5826.

1978. 48 p. (FR)

Seulement disponible en microfiche:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

CD-NP-77-016-IT-C

**Misura di radioattività ambientale - Ispra 1976.** G. Dominici. Centro comune di ricerca, stabilimento di Ispra, Italia. Protezione radiologica. 1977. EUR 5805.

1978. 50 p. (IT)

Solamente disponibile in forma di microscheda:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

EUR 5579

**Maîtrise du dégagement grisouteux.** Cerchar, Paris. Convention n° 6220-04/3/033. Recueil de recherches « Charbon ». 1977. EUR 5579.

1978. 130 p. (FR)

Seulement disponible en microfiche:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

EUR 5582

**Beherrschung der Ausgasung.** Steinkohlenbergbauverein, Essen. Vertrag Nr. 6220-04/01/041. Forschungshefte „Kohle“. 1977. EUR 5582.

1978. 250 p. (DE).

Nur in Mikroform erhältlich:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

EUR 5585

**Maîtrise des dégagements grisouteux.** Par J. Boxho, Rapport de synthèse et résumé. Institut national des industries extractives, Liège. Convention n° 6220-04/2/042. Recueil de recherches « Charbon ». 1977. EUR 5585.

1978. 131 p. (FR).

Seulement disponible en microfiche:

BFR 180	DKR 32	DM 11,60	FF 27,20
LIT 5 000	HFL 12,40	UKL 3	USD 5.80

EUR 5594

**Chemische und physikalische Veredlung von Braunkohlenprodukten.** Deutscher Braunkohlen-Industrie-Verein e.V., Köln. Vertrag Nr. 6220-EB/1/101. Forschungshefte „Kohle“. 1977. EUR 5594.

1978. 27 p. (DE)

Nur in Mikroform erhältlich:

BFR 90	DKR 16	DM 5,80	FF 13,60
LIT 2 500	HFL 6,20	UKL 1.50	USD 2.90

## 10

KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

CD-22-77-047-IT-C

**Atti del Simposio europeo automobilistico e del Seminario sulle statistiche degli incidenti.** Dicembre 1975.

1978. Vol. I 431 p. — Vol. II 362 p.

(DA.DE.EN.FR.IT.NL)

Vol. I

BFR 300	DKR 47,25	DM 19,35	FF 40
LIT 7 150	HFL 20,25	UKL 4.70	USD 8

Vol. II

BFR 275	DKR 43,30	DM 17,75	FF 36,50
LIT 6 550	HFL 18,50	UKL 4.30	USD 7.35

Vol. I + vol. II

BFR 500	DKR 78,75	DM 32,25	FF 66,75
LIT 11 900	HFL 33,70	UKL 7.80	USD 13.50

## 11

KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

CA-22-77-596-4A-C

ISBN 92-825-0081-0

**Priser for frugt, grønsager og kartofler 1975-1976.** December 1977.

**Preise für Obst, Gemüse und Kartoffeln 1975-1976.** Dezember 1977.

**Prices of fruit, vegetables and potatoes 1975-1976.** December 1977.

**Prix des fruits, légumes et pommes de terre 1975-1976.** Décembre 1977.

**Prezzi di frutta, ortaggi e patate 1975-1976.** Dicembre 1977.

**Prizen van fruit, groenten en aardappelen 1975-1976.** December 1977.

1978. 130 p. (DE/EN/FR/IT)

BFR 200	DKR 34	DM 13	FF 27
LIT 4 800	HFL 13,60	UKL 3.20	USD 5.60

\*) VI/619/1978-FR

**Les marges brutes des produits agricoles dans la CEE.** Informations internes sur l'Agriculture n° 162. Septembre 1975.

1978. 292 p. (EN.FR)

Gratuit

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KOMMISSIONEN - KOMMISSION - COMMISSION  
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\*) CB-AK-78-013-FR-C

ISSN 0378-4428

**Bibliographie sur la politique régionale.**

Bulletin de renseignement documentaire n° B/13. Mars 1978.

1978. 122 p. (FR)

BFR 40	DKR 6,30	DM 2,70	FF 4,90
LIT 700	HFL 2,80	UKL 0.48	USD 1.15

\*) CB-NS-77-002-DA-C

ISBN 92-825-0140-X

**Regionaludviklingsprogram for Grønland 1977-1979.** Serie Regionalpolitik — 1977 nr. 2.

1978. 50 p. (DA.EN.FR.)

BFR 60	DKR 10	DM 4	FF 8
LIT 1 450	HFL 4	UKL 1	USD 2

## 13

RÅDET - RAT - COUNCIL - CONSEIL - CONSIGLIO - RAAD

Lomé-Konventionen AVS-EØF

**AVS/EØF-Ministerrådets anden årsberetning** (1. april 1977 — 28. februar 1978).

Commissionens beretning til AVS/EØF-Ministerrådet om forvaltningen af det finansielle og tekniske samarbejde i 1977. (Bruxelles, den 14. marts 1978).

1978. 130 p.

Gratis

AKP-EWG-Abkommen von Lomé

**Zweiter Jahresbericht des AKP-EWG-Ministerrates**  
(1. April 1977 – 28. Februar 1978).

Bericht der Kommission an den AKP-EWG-Ministerrat über die finanzielle und technische Zusammenarbeit 1977. (Brüssel 14. März 1978).  
1978. 130 p. Gratis

ACP-EEC Convention of Lomé

**Second annual report of the ACP-EEC Council of Ministers** (1 April 1977 – 28 February 1978).

Commission report to the ACP-EEC Council of Ministers on the administration of financial and technical co-operation in 1977. (Brussels 14 March 1978).  
1978. 130 p. Gratis

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**Deuxième rapport annuel du Conseil des ministres ACP-CEE** (1<sup>er</sup> avril 1977 – 28 février 1978).

Rapport de la Commission au Conseil des ministres ACP-CEE sur la gestion de la coopération financière et technique en 1977. (Bruxelles 14 mars 1978).  
1978. 130 p. Gratuit

Convenzione ACP-CEE di Lomé

**Seconda relazione annua del Consiglio dei Ministri ACP-CEE** (1<sup>o</sup> aprile 1977 – 28 febbraio 1978).

Relazione della Commissione al Consiglio dei Ministri ACP-CEE in merito alla gestione, nel 1977, della cooperazione finanziaria e tecnica (Bruxelles 14 marzo 1978).  
1978. 130 p. Gratuito

ACS-EEG-Overeenkomst van Lomé

**Tweede jaarverslag van de ACS-EEG-Raad van Ministers** (1 april 1977 – 28 februari 1978).

Verslag van de Commissie aan de Raad van Ministers ACS-EEG over het beheer van de financiële en technische samenwerking in 1977. (Brussel, 14 maart 1978). 1978. 130 p. Gratis  
(DA.DE.EN.FR.IT.NL)

KOMMISSIONEN - KOMMISSION - COMMISSION  
COMMISSION - COMMISSIONE - COMMISSIE

\*) X/66/78 (DE)

**Förderung des Absatzes von AKP-Produkten.**

Information: Zusammenarbeit – Entwicklung 172/78.  
1978. 7 p. Gratis

\*) X/66/78 (EN)

**Promotion of Trade and Marketing of ACP Products.**

Information: Cooperation-development 172/78.  
1978. 9 p. Gratis

\*) X/66/78 (FR)

**Promotion commerciale des produits ACP.**

Information: Coopération-développement 172/78.  
1978. 9 p. Gratuit

\*) X/66/78 (IT)

**Promozione delle vendite e commercializzazione dei prodotti dei paesi ACP.**

Informazioni: Cooperazione-sviluppo 172/78.  
1978. 9 p. Gratuito

\*) X/66/78 (NL)

**Bevordering van de handel en de afzet van ACS-produkten.**

Ter informatie: Ontwikkeling – samenwerking 172/78.  
1978. 9 p.  
(DE.EN.FR.IT.NL) Gratis

\*) X/34/78 (DE)

**Die Europäische Gemeinschaft und die Arabische Welt.**

Information: Zusammenarbeit – Entwicklung 169/78.  
1978. 31 p. Gratis

\*) X/34/78 (EN)

**The European Community and the Arab World.**

Information: Cooperation-development 169/78.  
1978. 30 p. Gratis

\*) X/34/78 (IT)

**La Comunità europea ed il Mondo arabo.**

Informazioni: Cooperazione-sviluppo 169/78.  
1978. 30 p. Gratuito

\*) X/34/78 (NL)

**De Europese Gemeenschap en de Arabische wereld.**

Ter informatie: Samenwerking – ontwikkeling 169/78.  
1978. 36 p.  
(DE.EN.FR.IT.NL) Gratis

\*) X/526/77 (NL)

**Samenwerkingsovereenkomst tussen de EEG en Tunesië.**

Ter informatie: Ontwikkeling en samenwerking 162/77.  
1978. 46 p.  
(DE.EN.FR.IT.NL) Gratis

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KOMMISSIONEN - KOMMISSION - COMMISSION  
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CD-NE-77-050-EN-C

**The solubility of solid fission products in carbides and nitrides of uranium and plutonium. Part II: Solubility rules based on lattice parameter differences.** By U. Benedict. Joint Research Centre, Karlsruhe Establishment, Germany. Nuclear science and technology. 1977. EUR 5766.

1978. 22 p. (EN)

BFR 140    DKR 24,70    DM 9    FF 20  
LIT 3 850    HFL 9,80    UKL 2.30    USD 4.50

CD-NE-77-071-EN-C ISBN 92-825-0054-3  
**The second Euratom sponsored 900°C HTR fuel irradiation experiment in the HFR Petten Project E 96.02. Part II: Post-Irradiation Examination.** By R. Röttger, J. de Bueger (Joint Research Centre, Petten), Th. Schoots (Netherland Energy Research Foundation ECN, Petten). Joint Research Centre, Petten Establishment, Netherlands. Nuclear science and technology. 1977. EUR 5463.  
 1978. 156 p. (EN)  
 BFR 780 DKR 132,20 DM 50,30 FF 105,40  
 LIT 8 600 HFL 53 UKL 12.25 USD 21.60

CD-NE-77-077-EN-C ISBN 92-825-0173-6  
**Prospects for plutonium recycling in light-water reactors in the European Communities.** B. Haijtkink. Research and Development Programme on Plutonium Recycling in Light-Water Reactors. Nuclear science and technology. 1977. EUR 5936.  
 1978. 24 p. (EN)  
 BFR 150 DKR 26,40 DM 9,70 FF 21,60  
 LIT 4 100 HFL 9,80 UKL 2.40 USD 5

CD-NE-77-078-EN-C ISBN 92-825-0165-5  
**A reference regional nuclear fuel centre.** Summary Report. Study contracts between the CEC and Belgonucléaire S.A., Brussels. Nuclear science and technology. 1978. EUR 5955.

CD-NE-77-078-FR-C ISBN 92-825-0166-3  
**Centre régional de référence à combustible nucléaire.** Rapport de synthèse. Contrat d'étude entre la CCE et Belgonucléaire S.A., Bruxelles. Science et techniques nucléaires. 1978. EUR 5955.  
 1978. 52 p. (EN,FR)  
 BFR 250 DKR 44 DM 16 FF 36  
 LIT 6 850 HFL 17,50 UKL 4 USD 7.80

CD-NJ-77-005-EN-C  
**EBRI. European biomedical engineering research inventory.** By H. Lorino. The Scientific and Technical Research Committee (CREST). Medicine. 1977. EUR 5818.  
 1978. 226 p. (EN)  
 BFR 490 DKR 83 DM 32 FF 66  
 LIT 11 700 HFL 33 UKL 8 USD 13.50

CD-NQ-77-008-FR-C  
**Évaluation du travail physiquement pénible.** Par W. Rohmert et W. Laurig. Institut für Arbeitswissenschaft der Technischen Hochschule Darmstadt. Hygiène et sécurité de travail. 1977. EUR 5221.  
 1978. 164 p. (DE,EN,FR,IT)  
 BFR 100 DKR 15,70 DM 6,80 FF 12,35  
 LIT 1 700 HFL 6,90 UKL 1.10

CD-NQ-77-010-DE-C ISBN 92-825-0112-4  
**Sauerstoff. Vorsichtsmaßnahmen für die Vorbehandlung von Gerät.** Allgemeiner Ausschuß für die Arbeitssicherheit und den Gesundheitsschutz in der Eisen- und Stahlindustrie. Arbeitshygiene und -sicherheit. 1977. EUR 5923.

CD-NQ-77-010-EN-C ISBN 92-825-0113-2  
**Oxygen. Précautions to be taken in the preparation of plant and equipment.** Steel Industry Safety and Health Commission. Industrial health and safety. 1977. EUR 5923.

CD-NQ-77-010-FR-C ISBN 92-825-0114-0  
**Oxygène. Précautions pour la préparation du matériel.** Commission générale de la sécurité et de la salubrité dans la sidérurgie. Hygiène et sécurité du travail. 1977. EUR 5923.

CD-NQ-77-010-IT-C ISBN 92-825-0115-9  
**Ossigeno. Precauzioni da osservare nella preparazione delle apparecchiature.** Commissione generale per la sicurezza e la salubrità nell'industria siderurgica. Igiene e sicurezza del lavoro. 1977. EUR 5923.

CD-NQ-77-010-NL-C ISBN 92-825-0116-7  
**Zuurstof. Voorzorgsmaatregelen bij de voorbereiding van het materieel.** Algemene Commissie voor de veiligheid en de gezondheidszorg in de ijzer- en staalindustrie. Arbeidshygiëne en arbeidsveiligheid. 1977. EUR 5923.  
 1978. 16 p. (DE,EN,FR,IT,NL)  
 BFR 140 DKR 23,80 DM 9 FF 19  
 LIT 3 350 HFL 9,50 UKL 2.20 USD 4

CD-NQ-77-011-DE-C ISBN 92-825-0117-5  
**Das Unfallverhütungsprogramm.** Allgemeiner Ausschuß für die Arbeitssicherheit und den Gesundheitsschutz in der Eisen- und Stahlindustrie. Arbeitshygiene und -sicherheit. 1977. EUR 5922.

CD-NQ-77-011-EN-C ISBN 92-825-0118-3  
**Accident prevention programme.** Steel Industry Safety and Health Commission. Industrial health and safety. 1977. EUR 5922.

CD-NQ-77-011-FR-C ISBN 92-825-0119-1  
**Le programme de prévention.** Commission générale de la sécurité et de la salubrité dans la sidérurgie. Hygiène et sécurité du travail. 1977. EUR 5922.

CD-NQ-77-011-IT-C ISBN 92-825-0120-5  
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## 15

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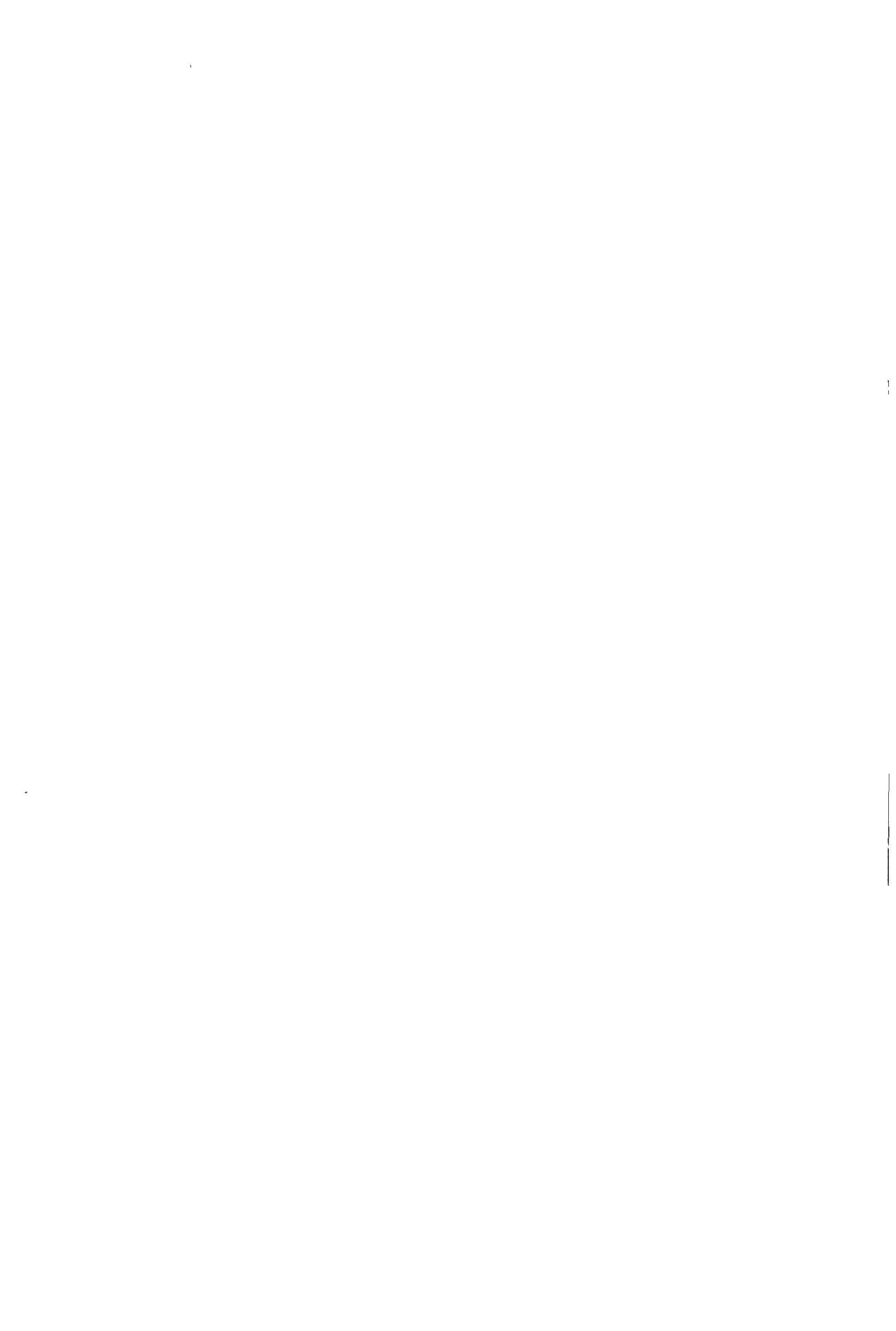
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