

Bulletin
of the
**EUROPEAN
COMMUNITIES**


Commission

No 2
1978
11th year

The Bulletin of the European Communities reports on the activities of the Commission and the other Community institutions. It is edited by the Secretariat-General of the Commission (rue de la Loi 200, B-1049 Brussels) and published eleven times a year (one issue covers July and August) in the official Community languages and Spanish.

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The following reference system is used : the first digit indicates the part number, the second digit the chapter number and the subsequent digit or digits the point number. Citations should therefore read as follows : Bull. EC 1-1977, point 1.1.3 or 2.2.36.

Supplements to the Bulletin are published in a separate series at irregular intervals. They contain official Commission material (e.g. communications to the Council, programmes, reports and proposals). The Supplements do not appear in Spanish.



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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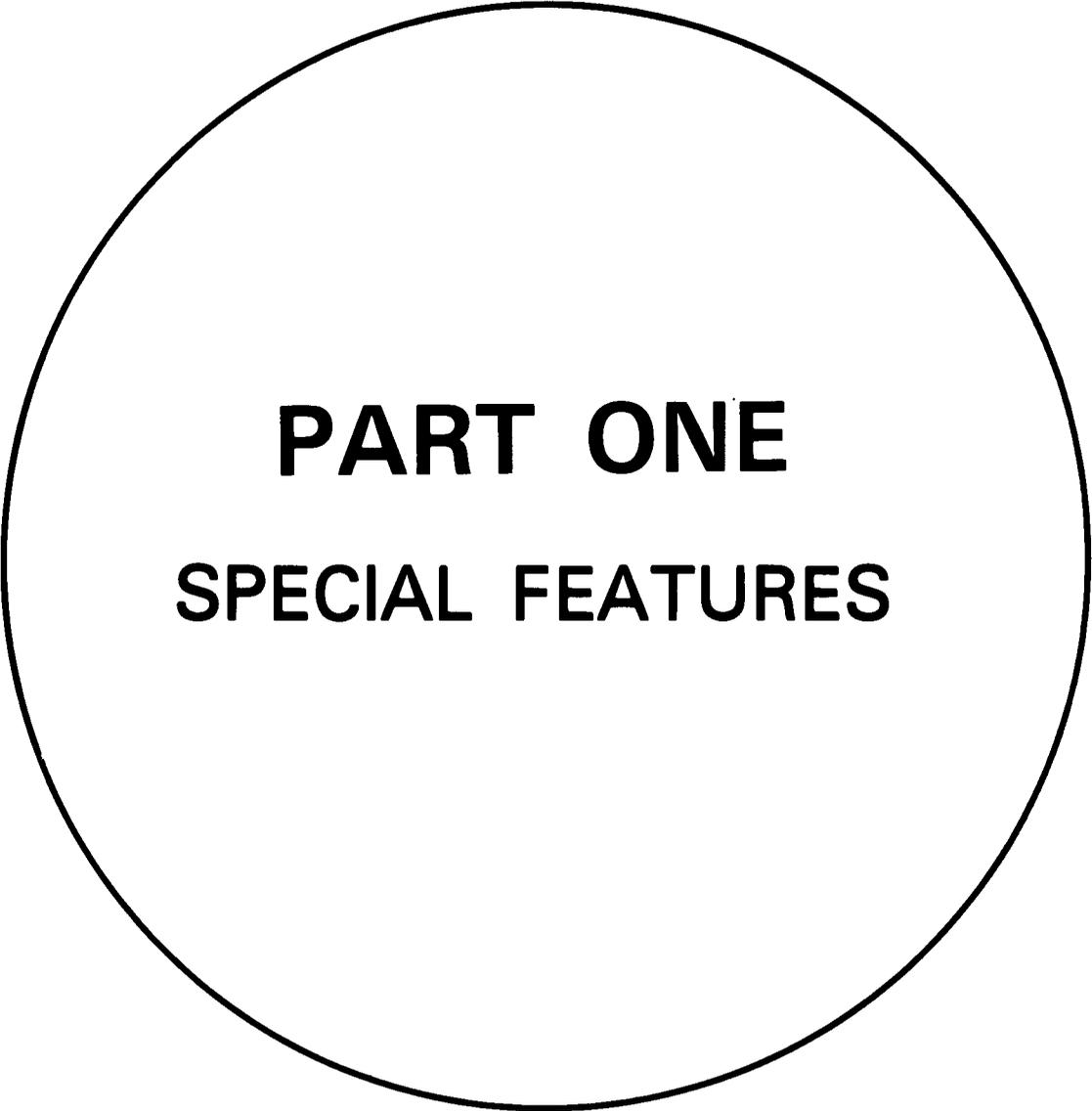
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Publications of the European Communities



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

DKR = Dansk krone

FF = Franc français

DM = Deutsche Mark

LIT = Lira italiana

HFL = Nederlandse gulden (Hollandse florijn)

UKL = Pound sterling

EUC = European unit of account

USD = United States Dollar

1. The Commission programme for 1978

Commission programme for 1978

**Address by Mr Roy Jenkins,
President of the Commission,
to the European Parliament on 14 February**

1.1.1. 'A year ago, I presented the Commission's annual work programme to Parliament for the first time. Many of the issues I then marked out will be with us for many years to come. They touch on the nature of our Community and its prospects for the future.

During the year which has since passed, the broad lines of our strategy have, I think, become clear. We have put forward a number of ideas and proposals; we have registered some successes; we have known some disappointments. This is not, however, the occasion for too much retrospect. The Commission's general report has been submitted to you, and I shall be glad to reply to any detailed questions arising from it later in the debate. For the moment I want to concentrate on the future and how we would like to shape it.

Policy should begin at home. Our priority is the economic and political development of the Community itself. Not only are we guardians of a Treaty in which nine sovereign States undertook obligations with regard to each other, defined certain common purposes, and created common means to bring them about. We also share responsibility for the welfare and protection of the 260 million people who constitute the citizens of Europe. The Europe of the Community is no island. Three other European States, each with its ancient and proud traditions, want to join us. Beyond Europe the Community forms an essential part of the Western economic system, and shares many of the problems which affect the industrial world as a whole. More perhaps than any of our major partners, we also have a closely knit relationship with countries all over the world which are long tied to us by history, by interest and indeed

by affection, and to whose development we contribute. It has become something of a platitude that the Community looks stronger, sometimes more imposing, to those outside it than to those within. If such an imbalance exists, I do not think it can long persist. Hence when I come to speak in more detail on the points I have just mentioned, you will find that at the end I will return to the idea we have of ourselves and to the future role of the Community as representative of the common interest of its members.

The greatest problem which now faces the Community is the state of the *economy* and particularly the level of its *unemployment*. More than any other international grouping, we live by trade, both within the Community and with others outside it. This is not an easy time for any industrial society. We face the associated problems of inflation, high unemployment and relative lack of growth. The aims of the Commission are two-fold. In the shorter term we are concerned with emergency action to sustain industries which for reasons I do not have to give are no longer fully competitive. In the longer term we are concerned to promote the economic growth which will enable us to provide employment and prosperity for our citizens, and give us the opportunity to become once more the exemplars rather than the laggards of world economic progress.

The recovery of Community industry depends in the first instance and primarily on a continued assurance of the strength of the Community market. But we must not take refuge behind a theoretical concept of the market economy in order to sidestep the responsibilities which the crisis of industry imposes on the governments and on the Com-

NB. The Commission programme for 1978 was set out by Mr Jenkins when he presented the Eleventh General Report on the Activities of the European Communities to Parliament.

munity. If the restructuring of the sectors in trouble were left to the play of market forces alone, or were conducted solely in markets defined and circumscribed by national boundaries, it would proceed in haphazard fashion and destructive of the very purpose of the unified market itself and involving social and economic sacrifices which Community action could and should keep within bounds. The initial results which have been achieved in the steel and textile industries, and the prospect of results in the shipbuilding industry show the real contribution the Community can make towards tackling the crisis, when it is given the powers and the means to do so. The problems of European industry are continental in scale. Action at Community level, therefore, can give a coherence to restructuring policy which autarchic, possibly conflicting, action by individual States alone cannot.

Equally, the Community can provide the solidarity which enables the more efficient to feel their labours will not be wasted and the weaker to know that they will not be sacrificed to the over-rigorous logic of a classic market system.

The trade understandings the Community has negotiated on textiles and is in the process of negotiating on steel demonstrate its ability to combine two important elements. First the preservation of traditional trade flows. Second, the need to adjust the growth of our partners' exports to take account of the slowdown in European consumption. But our industrialists should not engage in any wishful thinking as to the object of the Community's trade policy. It is not the provision of protectionist featherbedding. The relatively short breathing-space which the trade understandings can give to industry is only justified if it is used to modernize Community production and enable it to withstand international competition. The Commission's discussions with producers, with workers and

consumers in the crisis-hit sectors stamp on our minds that modernization must be accompanied by reconversion to other job-creating activities in the regions affected by sectoral restructuring.

This means that the Community must launch sectors of growth which will strengthen its industrial capability through greater technological advance. The time has come, and the chance is there, to make real progress in Community ventures in the fields of aerospace, data processing, electronics components and telecommunications. We have no right to pass up these opportunities for growth. It would be quite intolerable for a Europe in industrial crisis not to exploit its own vast market in these high-technology sectors.

At the same time we must recognize that the attempt to restore competitiveness to declining industries will not, in itself, or in the short-term, tackle the problem of unemployment. Now it is not, of course, the Community's function to intervene massively and directly on the labour market. We do not have the powers to do so. But on a smaller scale there are Community funds directly available for retraining policies. These must be fully used. The main impetus, however, for tackling the problem of unemployment will not come from such policies despite their utility. Indeed, the very size of the problem guarantees that it cannot be tackled in that way: it overshadows all our industrial and economic activities. The present reality is of 6½ million unemployed. The future reality, between now and 1985, is of a further 9 million young people added to the Community labour force and looking for jobs. This is not merely an economic problem: it is tragic for individuals and it could threaten the foundations of our society, and its institutions. We cannot be complacent about our existing means of tackling this problem. The alarm bells need to be sounded. No national econ-

omy in the Community is exempt from the prospect of present levels of unemployment persisting, or indeed growing. No national government offers, in my view, a long-term solution and this in itself is a hindrance to any general economic revival.

What in these circumstances can the Community do? First, our sectoral and regional policies must be put together in a coherent way, and we must build on last year's limited but successful steps. We have created the new Community borrowing power which we foreshadowed last year and which can underpin new investments. We have pushed forward plans of action to deal with structural problems in several industrial sectors: we must turn to the best possible account the new appropriations for industrial restructuring and the extra funds allocated to the European Coal and Steel Community. In addition we have strengthened the Community's other financial instruments, in particular by improving the operation of the Social Fund and developing the Regional Fund. The pursuit of these policies and their coordination is essential but they will never in themselves be a fully satisfactory medium-term answer to our economic difficulties. Hence there must in our view be a second level of operation, not just supplementary to the first, but different in kind. Our need is for a new economic impulse on an historic scale, and we believe that this can be given in the Community *by a redefined and faster move towards economic and monetary union.*

I do not intend today to rehearse again the arguments which have led us to this view. Last month Vice-President Ortoli and I set them out before you in Luxembourg. I will only emphasize two points today. First, we should not allow ourselves to be deluded by temporary economic improvements in some Member States into believing that a fundamental economic turn-round is, for the Community as a whole, simply a matter of time.

In the long run we know that we are all dead; in the medium term a lot of European citizens will, while they wait, be without work. Second, a Community which lives by trade both internally and externally needs international monetary stability, for its own health and for that of the world as a whole. A Community monetary union could play a major international role and make a major contribution to this end. Last year saw the reaffirmation of the avowed Community objective of economic and monetary union. In the past few months we have developed the arguments in support of a renewed effort to realize the objective. During 1978 we shall push forward the programme to which the European Council gave a 'fair wind' at the end of last year. The first stage of our five-year plan—that for this year—will shortly be presented to you. We intend to follow through these concrete proposals as well as encouraging public debate on the wide basic issues involved.

So far I have spoken of our industrial and economic objectives. I should like now to turn to two other sectors of high priority—energy and agriculture.

Energy policy is of vital importance for the Community both economically and politically. This in itself is hardly a remarkable statement. Calls for a Community energy policy in the face of import dependence and balance-of-payments deficits are a stock-in-trade of politicians' weekend speeches. But the reality is still here a long way from aspiration. What the ordinary citizen sees now is that there is for the moment an actual oil surplus in the Community. It has even induced a relative reduction in energy prices. He may, therefore, find the talk about the risk of a future shortage of energy both confusing and irrelevant. He also sees, from time to time, demonstrations against the construction of nuclear power plants. I believe that in 1978 we have two obligations.

First, to make the Community picture a more comprehensible one; and second, to take some useful decisions at a Community level. To do both we need political impetus more than rhetoric.

Four years after the oil crisis of 1973 all governments are clear that increasingly stringent limits must be set for energy consumption; our awareness of our limited resources and longer-term needs is sharper than it was. Economic and environmental constraints block off the path of unlimited expansion of domestic energy production. The pressure of the oil-producing and exporting countries on the one hand, and the need to minimize the risks of nuclear proliferation on the other, set additional limits. In the long term all the countries of the Community, even if they possess some temporary abundance, are in the same boat.

What should be the shape therefore of a Community energy policy for 1978? We must, I think, see it in two different time scales, the one up to 1985, and the other beyond. The Community's objectives for 1985, now under revision in the Council, are ambitious—reduction of oil imports, more energy saving, and development of internal sources of oil, gas and coal. Energy-saving measures taken so far, especially in comparison with the position in the United States, are significant, but they have not so far involved any fundamental change of habits. Further progress in energy saving will be harder because it will involve real sacrifices. In this area we can build on national initiatives at Community level, but for this we need decisions and not delay.

The second time scale concerns investment with long-term returns, principally in research and development. We already have a multiannual research programme concentrating on energy matters: we have at last settled the issue of JET. But in the field of

new sources—such as solar, geothermal and wind and wave power—and in the development of existing sources, especially indigenous sources, there is, in my view, good scope for a Community lead and a more ambitious programme. For example, Community-backed demonstration projects would be of both real and symbolic value.

We have two other obligations at Community level. First, and of major importance, we must defend Community interests in the energy field *vis-à-vis* third countries. The Commission is well placed to do this, particularly in view of our role under the Euratom Treaty in nuclear energy and nuclear supply. Second, we have to build bridges of explanation between various aspects of Community energy activity. In particular we should make clear the connections, as we see them, between energy policy and our general economic strategy. Our future standards of living, style of life, and growth prospects depend on both and their interaction upon each other. Energy policy should not take place, or be seen to take place, or appear to take place in a vacuum.

I turn now to *agriculture* and fisheries. The aim of the common agricultural policy is to ensure security of supplies to the consumer at reasonable prices, and a fair standard of living for the producer. Our achievements in both directions have been considerable. For the agricultural community, our system of guaranteed prices and regulated markets has provided a degree of security which has been enjoyed by few other sectors of the economy—and this has been particularly significant for farmers during the general economic turndown from which Europe has recently been suffering. For the consumer, there has been in the last year a period of stable supplies, with price rises lower than the rate of increase in most other sectors and significantly lower in most cases.

Nevertheless, we have still clearly not succeeded to master the problem of surpluses in European agriculture. For several important products the long-term supply trends are still tending to move ahead of demand. One of the most sobering documents which I have studied recently was the series of graphs, showing trends of production and consumption in the main farm products, which we submitted to you together with our price proposals in December. These graph lines mark out clearly how difficult is the market situation now and for the future. This very serious prospect continues to preoccupy the Commission and, as I foreshadowed in my speech last year, we take the view that a very prudent policy for prices is the only way to handle this problem. If we are faced with persistent surpluses of, for example, milk or sugar—which we have to dispose of through either expensive internal measures, or export with the aid of large subsidies to any available markets—it is not because the mechanisms of the CAP are at fault: it is rather because the price levels at which we operate the mechanisms have been imprudent.

Last year, therefore, we proposed only very modest increases in the common prices. For the next season we have followed the same course; and we shall follow it for as long as is necessary to check the surpluses. This long-term policy will not be an easy or a popular one with the farming sector. I recognize that it is already causing difficulties. But I must say that in our view it is the *only* policy which can avoid the introduction of even harsher measures to bring excess production under control, or ultimately the disintegration of the common policy itself.

Another aspect of the agricultural policy where we have made modest progress in the last year is the dismantling of the monetary compensatory amounts. Here we are moving back towards the unity of the market—over a reasonable period of time, for a sudden ab-

olition of monetary compensatory amounts would of course compromise our basic policy of price moderation. We have to continue this process so as to restore a fair basis for competition between agricultural producers in the different Member States. Of course, the monetary fluctuations which have overtaken the agricultural policy are in no way the fault of the agricultural sector. They are the symptoms of an underlying lack of economic and monetary integration in the Community. Progress towards monetary stability is essential for the long-term future of our farm policies.

In the *fisheries* sector the Community has yet to take the decisions about how to apply its common policy to the vast areas of sea within 200 miles of our coasts. Because of overfishing and threatened stocks of fish we must limit our catches and adopt strict conservation rules, both for our own fleets and for those of third countries. In negotiating for reciprocal fishing rights we have made good progress in the last year, and opened up important new dimensions in the relations between the Community and the rest of the world. On the internal regime there has also been substantial progress. The Commission has put before you, and before the Council, all the necessary elements for an equitable share-out of the catch, and for effective conservation of the resources. I do not believe that a solution is far away. It will require political courage from the Council. Ministers have to take their responsibilities. But we have the right to demand that courage. Both the rules of the Treaty, and the need to manage Europe's fishery resources, demand a common solution in the common interest of all.

In the case of *Mediterranean agriculture* we have become increasingly conscious of the need for improving the situation of rural communities in the regions of Italy and southern France—and not forgetting the perspective of

an enlargement of the Community which would bring in three more countries in the south. In the last year the Commission has submitted detailed proposals for Mediterranean agriculture; they will be one of our priorities for action in the next year. Our emphasis will be on methods of help which avoid the build-up of wasteful surpluses of Mediterranean products, whether in the Community of Nine or in a future Community of Twelve.

This brings me to the vital subject of *enlargement* itself. The way in which the Community now handles this issue is the hinge on which turns the relationship between our internal and our external policies. 1978 will be a crucial year for this. The Commission has already made the first of what will be a steady stream of proposals for dealing with certain problem areas in the negotiations with Greece. We must aim at least to break the back of these negotiations by the end of this year. The Opinion, the Commission's Opinion, on Portugal's application should be ready by the end of March—the end of next month. Spain, as we know, made its application rather later than the others. Talks are now beginning and the formal Opinion may be expected at the beginning of 1979.

It is clear from this timetable that the phases of the negotiations with the three applicant countries will not be concurrent. Indeed, it is accepted that the negotiations should not be lumped together. But inevitably similar problems affecting all three will arise. There is, for example, the transitional period which will be required after entry, and there is the problem of the transfer of resources, the adaptation of the Treaties, and the working of the Community institutions. In so far as these questions are interlinked, the Commission will be bringing forward ideas at the same time as the presentation of the Opinion on Portugal, that is by the end of March.

The world outside the Community knows that enlargement will be for us a test of our political will and capacity for economic integration. The world outside, I believe, wants us to succeed because the Community has a substantial position in the world and any weakening of our strength would have damaging consequences.

The Member States of the Community are economically, intimately interlocked. As a result, as I have argued, a major new initiative of Community scope is required for a generalized Community economic revival, but the Community as a whole is not isolated but is an integral and important part of the world economy. We are therefore to a considerable degree dependent on the external world for the permanence of any economic upswing we may be able to achieve. As the world's largest trading bloc it is essential that we are clear about the results we wish to obtain in bilateral or multilateral forums. The *multilateral trade negotiations* are now beginning their crucial phase in Geneva. They are of fundamental long-term importance as they will do much to set the pattern of trade over the next ten years. At the same time we need urgent progress to avoid any short-term slip into protectionism.

Of equal importance are *the Community's relations with the developing world*. On my recent official visit to the Sudan—a country which will have the crucial dual role as Chairman of the Arab League and of the Organization of African Unity in the period of renegotiation of the Lomé Convention, on my visit there—I had the occasion in my speech to set out our approach to our relations with the Third World. I said there was a need to reconsider the relationship between the industrialized nations and the rest. We cannot allow those relations to be falsified by any historical hangover of an approach of inequality. The reality is one of greater reciprocity in establishing more realistic contem-

porary economic relations. We need a just international division of labour and resources because there is a close interdependence between the prosperity of the economies of the industrialized world and the rest. We need to ask ourselves how our economic relations should be adapted to growing industrial development in third countries at a time when the problems of inflation and unemployment in the industrialized nations hamper our ability to stimulate renewed growth. The impulse of the Third World has, in my view, a major part to play in improving the position.

By 1978 decisions will be required on the establishment of a Common Fund, and concrete progress must be made on commodity agreements. We must also deal with questions of the transfer of resources, in particular the debt problems of the least-developed and poorest countries.

This year will also witness two important events. First, our southern Mediterranean agreements in the Mashreq and Maghreb will come into force. Second, we shall begin to renegotiate the successor to the Lomé Convention. I do not want to anticipate the discussions of the first proposals for directives for negotiation which we shall put forward but I think it right to emphasize our pride in the first Lomé Convention. It has proved to be exemplary for relations between the industrialized world and the developing world. In carrying it out we have acquired a good deal of valuable experience. But we must not simply rest there but take fresh initiatives.

This will require intensive consultation among the three main economic groupings of *industrialized countries*. It is fortunate that our relations with the United States continue to be excellent. Our frequent contacts at official level were recently consolidated by President Carter's visit to the Commission on 6 January. It was a visit of great symbolic

and practical value. At the President's invitation, I shall myself be paying another visit to the United States later on this year.

The Community's relations with Japan, which have been difficult in the past, are I hope now taking on a new pattern of more direct and regular consultations. I found my visit to Tokyo last October extremely useful. We have followed it up with two recent meetings with Mr Ushiba, the Japanese Minister for External Economic Relations, but there will inevitably continue to be difficulties until we can be seen to be moving towards a more balanced trading relationship with Japan.

I am also glad to recall that last year was the occasion of the first Western Economic Summit at which the Community itself was represented. As I told the House immediately afterwards, we greatly welcomed this important advance. The President of the Council and I will continue to represent the Community at future Western Economic Summits to deal with matters within the competence of the Community.

I have marked out for you some of our internal and external priorities for the coming year. I have not, and cannot, deal with every aspect of policy of interest to each Member of the House. But there are two additional points which I should like to make to you.

First, to carry through these priorities effectively the Commission has to ensure that its special place as the institutional balance of the Communities—as initiator and executor of agreed programmes—is not undermined by unreasonable staff constraints. We are continually called on to produce bold, new imaginative solutions to the Community's problems. This is what we want to do. Sometimes we succeed. But at other times our contribution is less, qualitatively rather than quantitatively, than we would wish. The reason is simple. Many parts of the Commis-

sion's services are simply running hard to keep up with the pressure of daily events, of day-to-day business.

After a year's experience of the work of the Commission I fully accept that we have a responsibility to do all we can to put our house in order—and this, I believe, is to a large degree in hand. I know also of the resistance there is in Member States to any significant growth in the number of officials. But we cannot ignore the relatively low base from which we start and we must recognize that the role of the Community is not contracting, but expanding. We have had in the last year much more work to do on fish, on textiles, on steel, on enlargement, not to mention new areas of Community activity like health and postal questions. All these have been added without taking away any other areas of activity. These, and other new activities, cannot be managed simply by cutting down on others. Neither Parliament nor the Council of Ministers, in the last analysis, want that. This Parliament in itself criticized the inability of the Commission to provide an adequate service in some sectors. A directly-elected Parliament will no doubt make further demands but our ability to meet them will not automatically increase. I therefore ask simply for a more realistic appreciation of the need for staff resources to cope with new and developing tasks.

I have mentioned the *directly-elected Parliament*. We had all hoped that 1978 would be the year of direct elections. It is, unfortunately, now clear that this will not be so. The delay is unnecessary and regrettable, for the Community badly needs the impulse which a directly-elected Parliament can give.

Nevertheless, within the next twelve months the campaign will begin and this is why in presenting to you the Commission's report on activities in 1977, and our programme for 1978, I have picked out the central themes

on which, I believe, such a European election should be fought. We know that we shall have a directly-elected Parliament. What we cannot be sure of is whether that election will be fought, as it should be, on the major European issues. We in the Commission will do all we can to ensure that that is so. We must be ready to give, especially to you, an even more thorough-going justification of our policies than in the past. You must ensure, and all the candidates for election also, that the occasion does not become a substitute for action nor a diversion into national obsessions. The issues we face together are too serious for that.

With that in mind I want finally to say a word about the *Community* itself, *its relationship with the Member States, the working of its institutions*, the way in which it engages public opinion: in short ourselves in a looking glass. Recently there has been some reluctance to look too closely. I have heard it said, sometimes in this House, that it is better to proceed from day to day, dealing in practical fashion with practical problems, rather than to look too far ahead and to seek the way in which we want to go. I am not among those who want constant obsessive, introspective re-examination of fundamentals; I believe that we must see things as they are, that we must try also to map the course ahead, and sometimes lift up our eyes to the hills. If we do not do so, there is a real danger that our enterprise will go backwards rather than forwards.

The prospect of enlargement compels us to look at ourselves in just the way I have in mind. I start from the basic point that the Community is designed to represent the common interest of the States and peoples of which it is composed. In certain areas that interest has been defined, common policies have been worked out, and the necessary mechanisms for giving them effect have been set in place. That process is of course

continuing. Like all living organisms the Community does not necessarily evolve in the most logical way. It may, for example, be logical for us to work out a common fisheries policy, but it is less obviously logical to find the Community giving such priority to common policies for industries in difficulty or decline. Nevertheless recent events have well demonstrated what the Community is for. It is for dealing with problems, not with all problems but with those which can best be dealt with by all of us together. The institutions are there. The framework for argument, for give-and-take, for the expression of solidarity, and for effective decision exists. The means of action are there or can rapidly be created. All that is necessary is the will to use them.

During the past year I have seen from the inside how symbiotic is the work of the Council of Ministers and the Commission. Their relationship is, I think, sometimes one of constructive tension, but also and more often one of mutual reliance, mutual need and mutual respect for each other's independence and competence. Recognition of that reliance, that need and that respect should, I think, become a kind of mental reflex when problems of more than national scope arise and assume a European perspective. This is equally true of the Commission's relationship with this House. Recognition of mutual reliance, mutual need and mutual respect should again cause a European reflex. I have already said that we hope that the direct elections of next year will be fought on major European issues. We want the European reflex to extend not only to governments and administrations and parliaments, but to the citizens of our Community.

I was much struck recently when an Irish magistrate, faced with a problem of what to do with a trawler which had been arrested for illegal fishing, concluded that the issue was too big for his court, or indeed any na-

tional court, and should go to the European Court of Justice. His reflex was right: that Court is not only a Community body but also a judicial organ of each Member State and its decisions are directly enforceable throughout the Community. Here we see Europe in the making. You may count upon the Commission playing a major role in that process of creation. Let us ensure that the strength of our internal purpose is at least as great as our external power of attraction.'

2. Economic and monetary union: Action programme for 1978

Economic and monetary programme for 1978

Guidelines proposed by the Commission

1.2.1. On 14 February the Commission sent a communication to the Council containing proposals for implementing, in 1978, the economic and monetary action programme which it presented last December.

The Commission prepared a communication on the prospects for economic and monetary union¹ for the meeting of the European Council on 5 and 6 December.² The Heads of Government reacted favourably to the paper,³ which contained proposals for a five-year economic and monetary action programme; the details would be set out in annual instalments and regular reviews would be made at the highest political level to ensure that it was implemented. The paper the Commission has just approved and sent to the Council presents the broad lines of the programme for 1978.

These broad lines constitute an overall plan of action for the different sectors in the coming year (economic and monetary policy, customs administration, social, regional and structural policy, energy and so on) aimed at paving the way for economic and monetary union while at the same time attempting to come up with lasting solutions to the European economic crisis.

The main lines of the programme

1.2.2. The Commission intends to attack on three main fronts:

- (i) increased convergence of economies and economic policies;
- (ii) progress in the creation of a single competitive market;
- (iii) development of Community structural and social policies.

Increased convergence of economic policies is a prerequisite of progress towards European integration. In view of the present degree of economic interdependence, any solution on the price, economic growth and employment fronts in any one Member State is closely tied up with the action taken in the neighbouring State. In view of this the coordination of short-term economic policies must take on a new dimension, to become more realistic in practice and wider in application.

The Commission will therefore concentrate on working towards a closer coordination of monetary and budgetary policies and the re-establishment of monetary cohesion within the Community.

With regard to the *achievement of a single Community market*—a step towards integration, a growth factor and a guarantee against the temptations of protectionism—the Commission trusts that the Council will in 1978 make full use of the political stimulus provided by the last European Council by adopting a number of important proposals now before it, particularly those relating to tax harmonization, the elimination of technical barriers to trade and the opening of public contracts to competitive bidding.

In order to promote the free movement of goods within the Community steps should be taken in the course of the year to encourage greater harmonization of customs regulations in respect of both internal and external Community trade.

The Commission will also endeavour in the months ahead to improve the quality of *sectoral* information in an attempt to obtain early warning of crisis symptoms and hence be able to define more clearly the action to be taken in the different industries. It also in-

¹ Bull. EC 10-1977, point 1.2.1.

² Bull. EC 12-1977, point 2.3.26.

³ Bull. EC 12-1977, point 2.1.1.

tends to pursue its policy of concerted action with the national authorities to remedy existing structural problems, to outline prospects for the development of the Community economy in the priority areas of the growth sectors and energy and to ensure that the necessary investment programmes are carried out.

Methods

1.2.3. The 1978 action programme proposed by the Commission, which is the first annual programme under the five-year plan presented to the European Council last December, will be submitted for approval to the different Council meetings (Foreign Affairs, Social Affairs, Agriculture, Economic and Financial Affairs, Energy).

The programme as a whole constitutes a coherent framework for action by the Member States and the Community to support the economy, to deal with structural problems and to lead Europe out of the current crisis. It also constitutes the foundation on which to build a genuine economic and monetary union, to be constructed as progress is made in the different fields.

If this programme is to be implemented satisfactorily, it must be monitored throughout and given effective political backing; in addition the European Council should carry out a review at the end of each year. It will also necessitate close cooperation with both sides of industry.

1.2.4. The Council should consider the action programme during the first quarter of 1978 and take the necessary decisions to implement it during the year.

At the Council meeting on economic and financial affairs held on 20 February, Mr Ortoli, Vice-President of the Commission with

special responsibility for economic and financial affairs, presented the Commission's communication on the action programme for 1978. This was well received by the Council which, in preparation for its deliberations on the substance of the programme, instructed the Permanent Representatives Committee and the Committees specializing in economic, financial and monetary affairs to examine the Commission's paper and submit a report covering all matters raised in it.

3. Renewal of the Lomé Convention

Preparation for the negotiations

1.3.1. The renewal of the ACP-EEC Convention of Lomé is henceforth part of the work plan of the Community institutions.

On 16 February the Commission presented to the Council a memorandum on the preparation of the forthcoming negotiations with the ACP States for the renewal of the Convention.

This initial communication does not cover all the subjects which may be discussed. The Commission will make more detailed proposals in due course.

The Convention, which was signed in Lomé on 28 February 1975¹ between the Community and 46 ACP countries—now 53—came into force on 1 April 1976² and is due to expire on 1 March 1980.

From the Treaty of Rome to the Yaoundé Convention

1.3.2. The Lomé Convention developed out of the relationship between the countries signatory to the EEC Treaty and a number of overseas countries.

The Treaty of Rome, which entered into force on 1 January 1958, made provision for the implementation and continuation of an association with the overseas countries and territories. This association was solemnly defined in the preamble to the Treaty and more precisely in an Implementing Convention annexed to it, laying down the conditions of an association to last five years.

The accession to independence of most of the overseas countries and territories was to change rapidly and fundamentally the framework within which the first convention of association was concluded.

Signed in Yaoundé on 20 July 1963, the new convention³ entered into force on 1 June 1964 laying down, for a period of five years, the conditions and procedure for the associations between the Community of the Six and the 18 Associated African States and Madagascar (AASM). The Convention was renewed in July 1969 and expired on 31 January 1975.

The ACP-EEC Convention of Lomé

1.3.3. The enlargement of the Community was to lend a new dimension to the relationship between the Nine and the Third World. Protocol No 22 to the Act of Accession offered twenty Commonwealth countries the possibility of concluding with the Community a convention of Association comprising reciprocal rights and obligations, particularly in the field of trade.

The negotiations opened in Brussels in July 1973⁴ and ended in the signature in February 1975 of the ACP-EEC Convention of Lomé.

This agreement was described at the time as both historical and serving as an example, since it constituted a new model for relations between Europe and the developing countries by combining and putting to common use all the instruments of development aid.

The preamble to the Convention stated that the contracting parties were 'resolved to establish a new model for relations ... compatible with the aspirations of the international community towards a more just and more balanced economic order'.

¹ Bull. EC 1-1975, points 1101 to 1105.

² Bull. EC 3-1976, points 1101 to 1109 and OJ L 25 of 30.1.1976.

³ OJ 93 of 11.6.1964.

⁴ Bull. EC 7/8-1973, points 1101 to 1106.

The Convention took over some of the basic tenets of the Yaoundé Convention—duty-free entry, financial and technical cooperation—and improved them. It also contained, however, some fundamental innovations, particularly the system for the stabilization of export earnings (Stabex); this original and exemplary instrument was designed to provide the poor countries with a guarantee against fluctuations in the price of commodities and to enable them to plan their development more easily.

Towards the renewal of the Convention

1.3.4. Since the Convention is due to expire on 1 March 1980, the Contracting Parties must, in September 1978—eighteen months before the expiry date, as stipulated in the final provisions of the Convention—‘enter into negotiations in order to examine what provisions shall subsequently govern relations between the Community and the Member States and the ACP States’.

This is why the Commission has now presented a memorandum on the subject to the Council, which will have to act on it before the end of the first half of 1978 and so that negotiations can commence on the appointed date.

Mr Cheysson, Member of the Commission with special responsibility for development problems, highlighted at a press conference certain aspects of the Commission’s memorandum, concerning notably the consolidation of the system.

Cooperation in trade and industry—The effects of free access to the Community market are beginning to show up in the statistics. Imports from the ACP States are growing more rapidly than those from other developing countries. In order to consolidate this

free access, account must be taken of it in the Nine’s own industrial planning. This means improving the arrangements for consultation and coordination in commerce and industry to take account of ‘sensitive’ areas. This would be a significant innovation and it should result in a relatively smooth adjustment of the development process.

It is also proposed that provision be included in the next convention to encourage private investment for those ACP countries that desire it—along the lines of the Commission’s recent proposals in this field.¹

Financial cooperation—The Commission proposes certain minor adjustments in this field:

- (i) more assistance for small and medium-sized firms and microprojects;
- (ii) provisions for cofinancing;
- (iii) greater emphasis on regional projects, notably by raising the proportion of the EDF earmarked for the purpose.

Bringing the EDF into the budget—The Commission will propose that the European Development Fund be included in the budget. Parliament has already formally requested this, notably when the 1977 and 1978 budgets were adopted.

The memorandum also draws attention to the importance of *human rights* in the eyes of the European public, whose support is vital for the continuation and enhancement of a real cooperation policy. It is suggested that a reference to human rights should appear in the new convention in a form still to be decided.

¹ Bull. EC 1-1978, points 1.4.4 to 1.4.6.

4. Greece: negotiations enter the substantive phase

Negotiations with Greece

1.4.1. The negotiations on Greece's accession to the Community, which opened in July 1976,¹ entered into a new phase in February, when substantive discussions took over from exploratory talks.

A new stage

1.4.2. The entry into this new stage, which was in line with the forecasts made and the intentions expressed by both sides, is none the less of some political and also psychological importance. The Community and Greece agreed at the fourth ministerial session of the Negotiating Conference, held in Luxembourg on 17 October 1977,² to set in train the negotiations proper in certain fields, as soon as the technical preparations permitted.

These preparations were completed in time for the fifth ministerial session of the Conference on 19 December 1977.³ On this occasion, Mr Natali, Vice-President, stated that the Commission would submit to the Council as soon as possible proposals for common positions under the sector-by-sector approach, starting with customs union for industrial products.³ On 25 January the Commission presented a communication to the Council containing the first proposals concerning the transitional arrangements to be applied to trade in those products within the enlarged Community.⁴

On the basis of these proposals, the Council adopted a common position on 7 February. It was agreed at the same time that the negotiations would move from the exploratory phase to the substantive discussions.

Having noted with satisfaction the Commission's intention of submitting proposals covering every field of the negotiations by the end of the summer, the Council declared that it was determined to conclude the substantive negotiations with Greece with all

possible speed and that it would make every effort to see that this phase of the negotiations could be concluded by the end of this year.

Two days later, the Commission transmitted to the Council its proposals concerning capital movements; in this case, too, a common Community position was quickly adopted.

Consequently, it was possible to open the substantive phase of the discussions during the two sessions of the negotiations conducted at deputy level (the eleventh and twelfth) in Brussels on 10 and 27 February. The work of these sessions covered customs union for industrial products and also, on 27 February, the problem of capital movements. In both areas agreement was reached on a number of points.

From 1975 to 1978

1.4.3. The negotiations have thus entered a more concrete phase some two years and eight months after Greece's application for membership. It is possible to trace the development of the negotiations.

1.4.4. Greece applied for membership of the Communities on 12 June 1975⁵ and on 24 June 1975 the Council called on the Commission to give its Opinion. In its Opinion, adopted on 28 January 1976,⁶ the Commission recommended that a clear positive answer be given to the application and that negotiations for Greek accession should accordingly be opened. The Opinion also stated that in view of the major structural changes

¹ Bull. EC 7/8-1976, points 1201 to 1205.

² Bull. EC 10-1977, point 2.2.3.

³ Bull. EC 12-1977, point 2.2.1.

⁴ Bull. EC 1-1978, point 2.2.2.

⁵ Bull. EC 6-1975, points 1201 to 1212.

⁶ Bull. EC 1-1976, points 1101 to 1111 and Supplement 2/76 — Bull. EC.

in the Greek economy that would be required it would seem desirable that some time be allowed to elapse before the obligations of membership were undertaken. After taking note of the Commission's Opinion, the Council stated on 9 February 1976 that it was in favour of the application and that the preparatory talks essential to the establishment of a common basis for negotiations should take place as soon as possible in a positive spirit.

1.4.5. The negotiations between Greece and the Community were then formally opened in Brussels¹ on 27 July 1976 by a Ministerial Conference at which both parties agreed that the basis for the negotiations would be the acceptance by Greece of all that the Community had already achieved, subject to appropriate transitional arrangements.

The first session at ministerial level was held in Luxembourg on 19 October 1976² to determine negotiating procedure and it was agreed that there would normally be one ministerial meeting every quarter and a meeting at deputy level once a month. This first ministerial session was followed by four others in 1977 (April, July, October and December).³

The first meeting at deputy level was held on 10 December 1976.⁴ It was followed by nine more meetings in 1977 and two in February 1978.

During these meetings the Greek delegation submitted to the Community a series of memoranda setting out its requests for transitional measures in the various areas covered by the negotiations: customs union, external relations, regional policy and State aids, budget, ECSC, agriculture, social affairs, right of establishment, capital movements, institutional matters, and Euratom.

The Community made preliminary statements commenting on all these memoranda except the last two.

In parallel with these negotiations the Commission and the Greek delegation have undertaken an examination of the Community's secondary legislation to determine what technical amendments need to be made as a result of Greek accession. This examination began in October 1976 and has made considerable progress although there is a fair amount of ground still to be covered in the agricultural sector.

¹ Bull. EC 7/8-1976, points 1201 to 1205.

² Bull. EC 10-1976, point 2328.

³ Bull. EC 4-1977, point 2.2.1, 7/8-1977, point 2.2.1, 10-1977, point 2.2.3 and 12-1977, point 2.2.1.

⁴ Bull. EC 12-1976, point 2338.

5. Energy: coal policy and oil refining

1.5.1. Energy policy was in the limelight in February; in addition to marking the twenty-fifth anniversary of the first common market—the coal market—the month also saw the presentation of two communications to the Council, one of which, on oil refining, is of particular importance both economically and politically.

Common market in coal: 1953 to 1978

1.5.2. The first of the European Communities, the ECSC, initiated by Robert Schuman's historic declaration of 9 May 1950, led to the establishment of the first common market—the coal market—on 10 February 1953.

In a document published by the Commission to commemorate the occasion, Mr Guido Brunner, Member of the Commission responsible for energy, underlines the significance of this event without, however, glossing over the difficulties encountered en route and the imperfections which still exist.

'When the European Coal and Steel Community was founded', said Mr Brunner, 'coal mining was one of the key industries and the prerequisite for economic growth. Five years later the oil boom plunged the coal industry into crisis. Coal has since passed through a painful process of adjustment. The impact of the 1973 oil crisis, the realization that for almost 59% of its energy requirements the Community was dependent on imports, and the difficulties in the development of nuclear energy certainly improved matters for the Community coal industry, but it will still be difficult to reach the production target of 250 million tce set by the European Community in 1974... Despite all the difficulties the Commission is convinced that coal, and the common market for coal,

will be able to make good progress even in a world altered by the energy crisis.'

Looking back over these past twenty-five years, three main phases of development are to be discerned.

First phase: 1953 to 1957

1.5.3. Coal shortage and rebuilding of the industry after the war; practically no world trade in coal and no problem of competition with oil. Coal's share of primary energy consumption was 70%. Coal production in the Community (of the Six) rose slowly from 242 million tonnes in 1953 to 254 million tonnes in 1957 (UK production was 228 million tonnes and 227 million tonnes respectively). It was hard to attract recruits to the pits. In the original six countries the workforce in the mines numbered some 1.1 million in 1953. Investments were low, and coal prices were regulated. The High Authority concentrated on promoting healthy competition between coal producers, reducing discrimination between coal users, eliminating barriers to cross-frontier trade and establishing common rail tariffs.

Second phase: 1957 to 1973

1.5.4. This phase was marked by increasing competition from cheap oil. Demand for coal fell from 290 million tonnes to 169 million tonnes. Coal's share of primary energy consumption dropped to 16%. Coal production sank from 250 million tonnes to 140 million tonnes. (In the UK in the same period coal production fell from 227 million tonnes to 130 million tonnes.) The number of producing pits shrank from 416 to 109. The workforce was reduced from just over a million to 341 000. (UK workforce just over 300 000 in 1973.) Rationalization rather than the crea-

tion of new capacity was the rule. Important measures taken in this period were aid for pits in difficulties, the creation of a system of Community aid permitting national governments to cover losses and the avoidance of social or regional problems caused by untimely pit closures.

Third phase: 1973 to 1977

1.5.5. This phase was marked by the oil crisis, the sudden rise in prices, and by the entry of the United Kingdom into the Community. As part of its plans to reduce energy consumption, the Community adopted the target of stabilizing coal production at 250 million tonnes by 1985. Further difficulties were forced on the coal industry, however, by general economic stagnation and the crisis in the steel industry. Production continued to fall reaching only about 220 million tonnes for the nine Member States at the end of 1977. Coal and coke stocks climbed to 55 million tonnes. The Commission's counter measures included extension of the system of Community aid, both direct and indirect, and surveillance of imports from non-Community countries. In 1977 the Commission proposed two further aid measures to the Council to assist the coal industry in its plight: Community aid for the construction of coal-fired power stations and Community help in the financing of coal and coke stockpiling. Neither of these two proposals has yet been adopted by the Council.

1978

1.5.6. On 23 February the Commission sent to the Council a communication on the introduction of a Community aid system for intra-Community trade in power-station coal; the aim is to boost Community coal sales. In this communication the Commission ex-

plains the principles and problems underlying such a system and proposes that annual Community aid of 120 million EUC be provided for intra-Community trade in steam coal. This measure—which will be applied over a three-year period—should increase trade (3 to 3.5 million tonnes in 1977) to 12 million tonnes per year.

Crisis measures for the oil-refining industry

1.5.7. A plan to help rationalize the oil-refining industry at Community level is proposed by the Commission in its communication on productivity problems in the Community oil-refining industry and possible solutions which it put before the Council on 23 February.

The Commission had already presented a communication to the Council defining a Community approach to the problems of the oil-refining industry¹ in March last year; although this was discussed by the Council at its meetings on 29 March, 14 June, 25 October and 13 December² no decision was taken. In this latest proposal, which supplements its earlier communication, the Commission describes the measures it intends to take in the oil-refining industry.

Although some improvement has been noted in the last few months in this sector, where 82 million tonnes of capacity have been shut down, the situation is still critical with unsatisfactory profits and even losses. The causes are manifold and are connected both with structures (excess distillation capacity, failure to adapt to demand, imports of products) and with the economic situation (stagnation in

¹ Bull. EC 3-1977, point 2.1.103.

² Bull. EC 3-1977, point 2.1.98, 6-1977, point 2.1.122, 10-1977, point 2.1.76 and 12-1977, point 2.1.168.

demand caused by economic difficulties, the current glut of crude oil supplies, a high level of stocks and differing pricing systems in Member States).

The general aim of the Commission's initial proposal was to seek solutions to these problems at Community level and to bring together the essential, balanced efforts of industry and public authorities.

This aim is still valid but the present situation demands more practical measures on the part of the Community, even if the difficulties are not as dramatic as in the steel and textile industries.

The measures envisaged leave a great deal of leeway for the industry itself, but if their response is inadequate, more binding measures will have to be taken. In any case, the Commission intends to build up close consultations with all firms concerned and the European Trade Union Confederation.

The main features and aims of the plan cover five aspects:

Distillation capacity

1.5.8. Supply can be adapted to demand if individual firms exercise self-discipline—with each one adjusting its throughput programmes in line with market trends—on the basis of:

- (i) an annual review compiled by the Commission, which will enable it to recommend an average target percentage for Community crude refinery throughput in relation to the preceding year;
- (ii) voluntary communication to the Commission by each company of throughput estimates and actual throughput figures for the preceding year;
- (iii) consultation between the Commission and the individual companies on their annu-

al throughput programmes and, in the medium term, on the scope for rationalization by closing down surplus distillation units.

Creation of new distillation units

1.5.9. New distillation units should not be built until the situation in the refining sector has improved with the exception of justified projects.

In order to ensure that this general rule is respected the Commission proposes:

- (i) to consult the Member States concerned about new projects communicated to them pursuant to the Council Regulation of 18 May 1972¹ on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors;
- (ii) to refuse direct Community aid (Regional Fund) for the construction or extension of distillation units;
- (iii) to recommend that the European Investment Bank should not make any loans for this purpose.

The Commission, pursuant to Articles 92 and 93 of the EEC Treaty, is also studying whether there is any need to discourage all national aid which might increase distillation capacity.

Creation of new conversion units

1.5.10. Progress has been made in the construction of new capacities to meet changing demand and prevent a deficit in light products. The Commission proposes to keep a close watch on the situation. If necessary the possibility of providing financial incentives could be considered.

¹ OJ L 120 of 25.5.1972.

6. The campaign against unemployment: a better division of work

Oil imports

1.5.11. Community policy on imports must strike a reasonable balance between the interests of Community industry and those of the exporting countries; this should be done bearing in mind the Community's policy of access to non-member countries but not excluding (if this is appropriate) commercial policy measures under the rules of the General Agreement on Tariffs and Trade (GATT). The Commission proposes a procedure consisting in establishing medium-term target forecasts for imports of refined products, consulting non-member countries, comparing annual estimates supplied by firms with the trends emerging from the target forecasts, consulting industry and commerce and studying the possible application of commercial policy measures.

Prices of oil products

1.5.12. To improve price information and market transparency the Commission will continue regular publication of its report on prices under the terms of the Council Directive of 4 May 1976¹ regarding a Community procedure for information and consultation on the prices of crude oil and petroleum products in the Community.

The national governments are also being asked to adapt their tax policies to prevent distortions in prices. The Commission intends to compile periodical reports on the economic and financial situation of the refining industry.

1.6.1. On 15 February the Commission approved a working paper on work-sharing. The paper, which is to be submitted to the Standing Committee on Employment at its next meeting in March, is based on a series of studies requested by the Tripartite Conference on Employment in June 1977¹ as part of the campaign against unemployment.

The aim of work-sharing is to redistribute the volume of work available in the economy in such a way as to increase the employment opportunities for all workers. The measures involved must, according to the Commission, respect the right of all persons resident in the Community to have an opportunity to work. They should also take into account the requirements of social progress and the quality of life, and avoid penalizing the least favoured groups in society.

In order to be fully effective work-sharing must meet a number of conditions to which the Commission wishes to draw attention, in particular:

- (i) account should be taken of the costs and their fair distribution amongst the various parties concerned and society as a whole;
- (ii) there should be awareness of the dangers of sidetracking the system (for example, clandestine work) and preventive steps should be taken;
- (iii) methods of work-sharing must be chosen on the basis of social policy priorities (for example, a reduction in the number of hours worked per year should favour persons engaged in difficult or dangerous occupations);
- (iv) the work-sharing policy should take into account the constraints on undertakings and public finances caused by international competition.

Having analysed these matters, the Commission is putting forward three groups of pos-

¹ OJ L140 of 28.5.1976; Bull. EC 3-1976, point 2286 and 5-1976, point 2282.

¹ Bull. EC 6-1977, point 1.1.7.

sibilities which, in its opinion, should be examined:

(a) In the medium term there should be a reduction in the number of hours actually worked per year in the Community, although the rates of reduction need not necessarily be the same in all the Member States. The Commission is planning to promote negotiations on this subject between both sides of industry;

(b) The following possibilities for Community measures should be studied:

(i) *a restriction on overtime*: the Commission could study the possibility of creating an instrument to discourage or restrict overtime, for example, by introducing paid compensatory rest periods to be taken throughout the year;

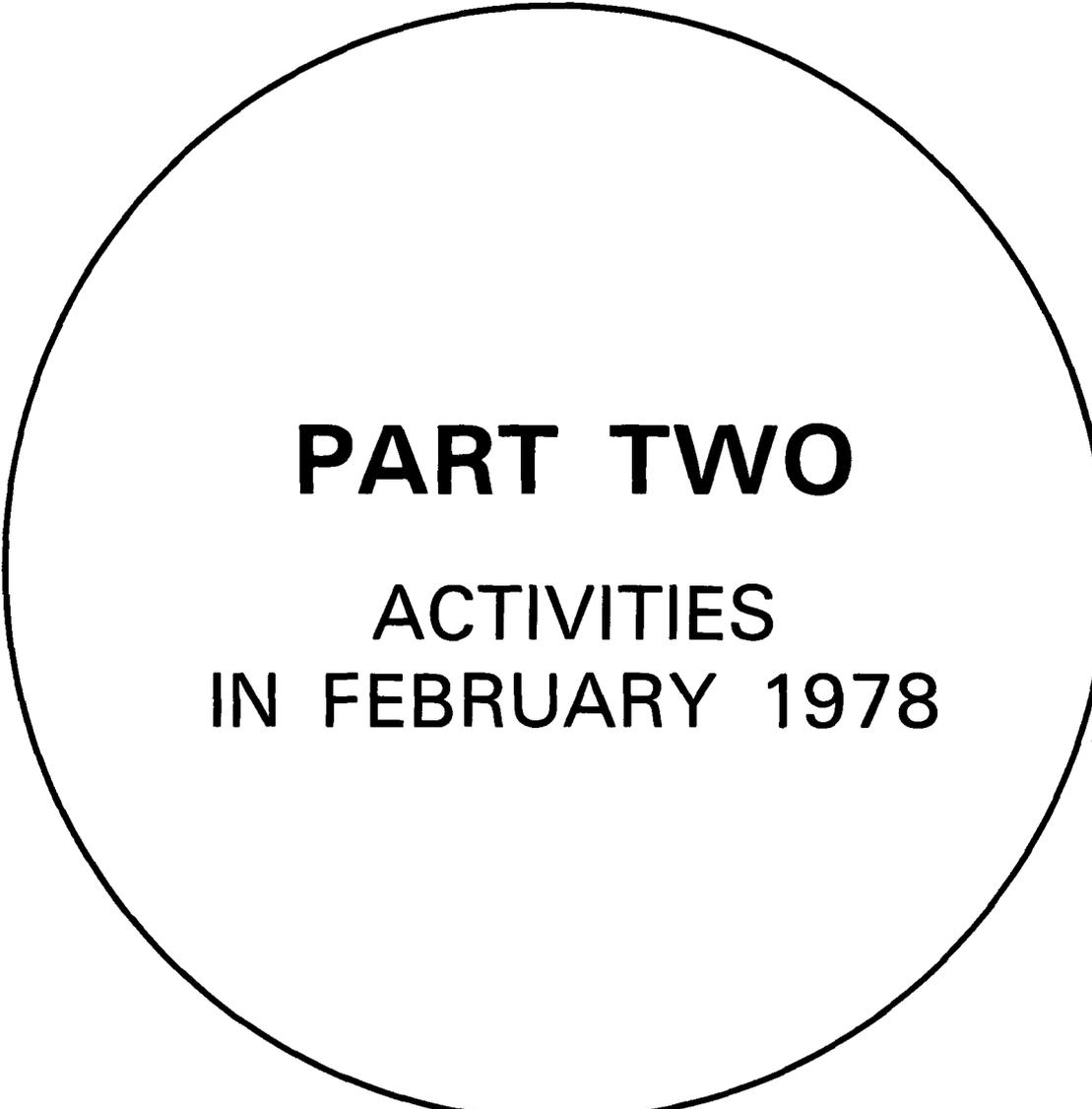
(ii) *a restriction on shift work*: the Commission plans to put before the Council an initial concrete proposal on the regulations governing night shifts;

(iii) *extension of entitlement to training*: the Commission is considering the possibility of creating an instrument to give young people greater access to training during the transitional period between school and full-time work. Moreover, it would be a suitable moment for promoting an increase in educational leave and continuous training in the Member States.

(c) Certain complex matters, such as a flexible retirement age, the role of temporary employment agencies and part-time working, will require more detailed study.

Lastly, since the Commission is aware of the cost, risks and limitations of the suggested measures concerning work-sharing, it requests the Standing Committee for Employment to compare these costs and risks with the much more serious threats involved in the present unemployment.

The Commission considers that work-sharing is only a partial solution to the present problem of unemployment and part of the overall approach outlined by the Tripartite Conference for a plan to return to full employment and restore economic growth capable of sustaining social progress.



PART TWO

**ACTIVITIES
IN FEBRUARY 1978**

1. Building the Community

Economic and monetary policy

Economic and monetary union

Economic and monetary action programme for 1978

2.1.1. On 14 February the Commission transmitted to the Council a communication proposing an economic and monetary action programme for 1978,¹ the first section of the five-year plan,² which was presented last December to the European Council and which was favourably received.³ A statement outlining the contents of the communication was given by Mr Ortoli, Vice-President of the Commission, to the Council (Economic and Financial Affairs) on 20 February and was favourably received.¹

Community loans for promoting investment in the Community

2.1.2. At its meeting on 20 February, the Council also heard a statement by Vice-President Ortoli on the draft decision empowering the Commission to issue loans for the purpose of promoting investment within the Community.⁴

Welcoming the proposal in general, the Council asked the Permanent Representatives Committee to examine its technical aspects and to draw up a report so that it could hold a discussion once it had received Parliament's opinion.

Foreign exchange markets

Devaluation of the Norwegian krone

2.1.3. At a meeting held in Copenhagen on 10 February, the Ministers of Finance and

Governors of the Central Banks of the countries participating in the Community exchange system approved an 8% devaluation, as from 13 February, of the Norwegian krone against the EMUA, a step necessitated by the Norwegian balance of payments position. This was the fourth realignment of this currency since October 1976—a total devaluation of 17% in 18 months.

Monetary Committee

2.1.4. On 28 February the Monetary Committee held its 238th meeting in Brussels, with Mr van Ypersele de Strihou in the chair. After reviewing monetary policy in France, Germany and the United Kingdom, the Committee adopted two reports: one on the Commission communication on improving coordination of the national economic policies⁵ and the other on the economic situation in Ireland.

The Working Party on Securities Markets met in Brussels on 23 and 24 February to review developments on national and international capital markets during the second half of 1977.

Economic Policy Committee

2.1.5. On 21 February the Economic Policy Committee held its 57th meeting in Brussels, with Mr Tietmeyer in the chair. The meeting was devoted to the adoption of a report on the improvement of coordination⁵ and the prospects for economic and monetary union

¹ Points 1.2.1 to 1.2.4.

² Bull. EC 10-1977, point 1.2.1.

³ Bull. EC 12-1977, point 2.1.1.

⁴ Bull. EC 1-1978, point 2.1.1.

⁵ Bull. EC 10-1977, point 2.1.5.

and to a thorough discussion of the Committee's programme and methods of work.

Working Party on the Comparison of Budgets

2.1.6. The Working Party on the Comparison of Budgets met in Brussels on 9 February. The experts discussed the arrangements for publishing, in collaboration with the Statistical Office, a statistical yearbook on government departments. They held a wide-ranging discussion on the content and structure of the forthcoming report on the comparison of budgets and completed the practical organization of the work involved.

Internal market and industrial affairs

Approximation of laws

Economic and commercial law

Fair competition

2.1.7. On 27 February the Commission adopted a proposal for a Directive relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading and unfair advertising.¹

Free movement of persons, right of establishment

Doctors

2.1.8. The Committee of Senior Officials on Public Health, set up by the Council De-

cision of 16 June 1975,² met on 27 and 28 February. The discussions bore mainly on the situation of the general practitioner under the health schemes of the Member States, the problems arising in this field and the possibilities of finding a harmonized solution for the entire Community.

The Committee heard progress reports by the representatives of the Member States which had undertaken³ to provide by 15 June 1978, a special status to enable nationals of the other Member States to practise in public hospitals when this practice entailed the status of public servant. It should, in principle, be possible for the necessary provisions to be introduced by the set time.

Lastly, the Committee was informed that the statistical tables on medical demography for 1960, 1970 and 1975, compiled by the Commission departments with the assistance of the Committee, will be available on 15 March.⁴

Professional footballers

2.1.9. On 23 February Mr Davignon, Member of the Commission, met representatives of the European Union of Football Associations (EUFA) and of the football associations of the nine Member States and observers from the associations of Spain, Greece, Portugal and Turkey.

The purpose of the meeting was to examine how to give effect to the principle of free movement for professional footballers, given that the rules and regulations of certain associations in the Community contain provisions restricting, on grounds of nationality, the number of nationals of other Community

¹ Point 2.1.36.

² OJ L 167 of 30.6.1975.

³ OJ C 146 of 1.7.1975.

⁴ Bull. EC 11-1977, point 2.1.22.

countries who may be signed by a club or who may play in national competitions.

Following this meeting, the representatives of the associations concerned undertook to submit to their governing bodies, before the 1978/79 season begins, the amendments required to eliminate all discrimination on the grounds of nationality against players from other Community countries.

But pending a final solution and because of certain practical difficulties in organizing the championships in the top two divisions, transitional arrangements were planned, so that in matches between teams in those divisions, clubs may field at least two nationals of another Community country; in the lower divisions, there will be no limits on the number of Community players and the restriction does not apply to Community citizens already established in another Member State.

Industry: sectoral action restructuring

Steel

Propensity to invest in the steel industry in 1977

2.1.10. During 1977 the Commission received declarations of investment decisions relating to a total of some 2 660 million EUC; the execution of these programmes was planned to be spread over the period from 1977 to 1981. A comparison between the Community countries (Table 1) shows that the amount involved in investment decisions is by far the highest in the United Kingdom.

As Table 2 shows, the total expenditure earmarked under these investment decisions

(including 1 280 million EUC for the Port Talbot project, the execution of which has been put off) seems to be comparable at current prices with the average for the past three years. It should, however, be noted that prices of capital goods increased by over 30% during the same period. Excluding the Port Talbot project, the total sum arising from projects declared is only 1 370 million EUC, appreciably below the average for the preceding years.

Investment in the foundry and crude steel sectors account for over one-quarter of the amounts declared. It may be noted that a large-capacity blast-furnace is being built in Luxembourg to replace several obsolete units. In the crude steel sector, investment in electric steelmaking plant (including direct reduction) plays a considerable part. Fulfilment of the projects declared would lead to increases in the potential for crude steel production, almost half of which would be attributable to electric steelmaking plant. This development would proceed in line with the forthcoming closure of a number of obsolescent steel plants, particularly open-hearth melting shops.

With regard to downline production plant, the bulk of the investment is for replacement purposes, with particular emphasis on improving productivity by the construction of continuous casting plants, intended in some cases to replace blooming and slabbing mills. Although its introduction involves costly investment, the continuous casting process is developing at a rate which exceed forecasts, no doubt because of the saving in operating costs which the undertakings concerned expect it to afford.

At the rolling-mill stage, investment is mainly concerned with flat products. The increase in capital expenditure in this sector is designed to secure better utilization of existing plant by the elimination of bottlenecks.

Table 1 — *Total amounts of advance declarations of investments in the Community steel industry made to the Commission in 1977**(million EUC)*

Category	Germany	Belgium	France	Italy	Luxembourg	Netherlands	United-Kingdom	Ireland	Community	Percentage of total
Steel industry coking plants	—	—	—	—	—	—	193	—	193	7%
Burden preparation and direct reduction	150	—	7	—	—	—	—	—	157	6%
Blast-furnaces	21	—	—	—	98	—	176	—	295	11%
Steelplants	10	8	58	10	—	—	269	3	358	13%
Continuous casting plants	18	—	172	58	—	89	128	4	469	18%
Rolling mills	75	—	33	92	15	—	764	14	993	38%
Power stations and miscellaneous	10	—	—	101	—	—	59	25	195	7%
Total	284	8	270	261	113	89	1 539	46	2 660	100%

Table 2 — *Total amounts of advance declarations of investments made to the Commission during the period 1969-1977**(million EUC)*

Years	Germany	Belgium	France	Italy	Luxembourg	Netherlands	United-Kingdom	Ireland	Community
1969	850	102	384	99	12	401	*	*	1 912
1970	411	152	1 965	1 307	35	177	*	*	4 047
1971	274	25	201	132	29	8	*	*	669
1972	443	109	61	186	2	—	*	*	806
1973	122	221	76	216	20	38	*	*	694
1974	432	247	287	771	24	129	345	—	2 284
1975	416	301	389	314	9	—	750	—	2 179
1976	529	7	267	85	28	—	491	—	1 406
1977	284	8	270	261	113	89	1 589	46	2 660

* Not available

In 1977 the Commission delivered eighteen opinions on investment programmes.

OECD Ad Hoc Working Party on the Iron and Steel Industry

2.1.11. The OECD Ad Hoc Working Party on the Iron and Steel Industry met in Paris on 15 and 16 February.¹

Textiles

Synthetic fibres

2.1.12. During February, the Commission continued its talks with experts and representatives of the synthetic fibre textiles industry to analyse the causes of the crisis besetting the industry. The measures taken last summer,² which were designed to prohibit any government action which might create new capacity, are clearly not effective enough to allow hopes of any improvement in the medium term. Market forecasts are that present capacities in Europe are well in excess of what is required if total production between now and 1981 is to find outlets. It therefore seems that there is no choice but to reduce capacity. The Commission is studying how this might be done in an orderly manner and with as few repercussions as possible on the social side.

Footwear

2.1.13. On 22 February the Commission reviewed development in the Community footwear industry over the last few years.

It took note of several factors which, in the Community and throughout the world, have weakened the industry's competitive position and of the concern in some Member States

and the protectionist tendencies in other industrialized countries caused by the imports from cheap-labour countries.

The attention of the industrialized countries must be drawn to the consequences of these protectionist measures.

Steps must also be taken to obtain assurances from certain cheap-labour countries that products which are surplus because of protectionist measures applied by other States are not diverted onto the Community market.

In the circumstances, the Commission considers that a system of prior statistical surveillance must be put into operation as soon as possible for imports from certain non-member countries under the Regulation of 19 December 1969³ and 4 June 1974.⁴

In the meantime, the Commission will continue its sectoral analysis in order to study the adjustments which would be needed at structural level if the current trend were to persist.

Foodstuffs

2.1.14. On 20 February⁵ the Council adopted a Decision on a Community concerted-action project regarding the effect of processing on the physical properties of foodstuffs.⁶

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2.1.15. On 15 February Parliament⁷ passed a Resolution on the problems of small and medium-sized firms in the Community.

¹ Point 2.2.31.

² Bull. EC 7/8-1977, points 1.5.1 to 1.5.3.

³ OJ L 19 of 26.1.1970.

⁴ OJ L 159 of 15.6.1974.

⁵ OJ L 54 of 24.2.1978.

⁶ Point 2.1.76.

⁷ Point 2.3.13 and OJ C 63 of 13.3.1978.

At its meeting on 2 February, the Economic and Social Committee¹ gave its Opinion on the Commission's Green Paper concerning employee participation and company structure in the Community.² At the same meeting it issued Opinions³ on a number of Commission proposals relating to the removal of technical barriers to trade: the driver's seat on tractors,⁴ cocoa and chocolate products intended for human consumption⁵ and partly or wholly-dehydrated preserved milk.⁶

Customs union

Common Customs Tariff

Classification

2.1.16. On 7 February⁷ the Commission adopted a Regulation on the classification of goods under heading No 58.10 of the Common Customs Tariff (plain-stitch embroidery); the aim is to ensure the uniform application of the nomenclature of the Common Customs Tariff.

Tariff measures

Suspensions

2.1.17. On 20 February⁸ the Council adopted a regulation suspending the autonomous duty on *sardinops sagax* or *ocellata* (pilchards), fresh, chilled or frozen, whole, headless or in pieces, intended for the processing industry (subheading ex 03.01 B I q), in order to counteract the present shortage of sup-

plies. The duty will be suspended at 4% until 30 June.

Customs value

2.1.18. On 2 February the Commission amended its two Regulations of 3 August 1970⁹ and 27 June 1975¹⁰ establishing standard average values for citrus fruits and also apples and pears. The amendment, common to both Regulations, is designed to update, with effect from 10 March, certain standard amounts representing various costs to be deducted from the gross proceeds from the sales used to establish the standard average values.

Experience has also revealed that certain alterations needed to be made to the classification for citrus fruit to eliminate certain origins which have very low import volumes and to amplify heading (7) 'Tangerines', in order to assemble under that heading all citrus fruits falling within subheading 08.02 B of the Common Customs Tariff not elsewhere included or designated in the classification.

¹ Point 2.3.59.

² Supplement 8/75 — Bull. EC.

³ Points 2.3.61, 2.3.64 and 2.3.66.

⁴ OJ C 229 of 26.9.1977 and Bull. EC 7/8-1977, point 2.1.8.

⁵ OJ C 8 of 10.1.1978 and Bull. EC 12-1977, point 2.1.9.

⁶ OJ C 123 of 25.5.1977 and Bull. EC 4-1977, point 2.1.11.

⁷ OJ L 38 of 8.2.1978.

⁸ OJ L 50 of 22.2.1978.

⁹ OJ L 171 of 4.8.1970.

¹⁰ OJ L 165 of 28.6.1975 and Bull. EC 6-1975, point 2108.

Competition

General rules applying to undertakings

Draft amendment to the block exemption regulation for exclusive dealing agreements

2.1.19. The Commission is planning to amend its Regulation of 22 March 1967 concerning the application of Article 85(3) of the EEC Treaty to categories of exclusive dealing agreements¹ in the light of experience and of relevant judgments of the Court of Justice. A communication published in the Official Journal² sets out the Commission's planned amendments as follows:

- (i) exclusive dealing agreements between firms in a single Member State which may affect intra-Community trade are to be brought within the Regulation;
- (ii) exclusive dealing agreements between competing manufacturers will not be eligible for block exemption;
- (iii) the block exemption will, in principle, apply to agreements only where the allotted territory has a population of no more than 100 million;
- (iv) the block exemption will be available only where the party for whose benefit the exclusive dealing clause was stipulated thereby obtains a market share of no more than 15%.

Restrictive practices, mergers and dominant positions: specific cases

Prohibited restrictive practices

Termination of pharmaceuticals agreement

2.1.20. Following the Commission's intervention the 'Pharmaceutische Handelsconventie' (PHC) has been terminated. This marks the end of a cartel which controlled the marketing of pharmaceuticals in the Netherlands. Almost all the country's manufacturers, importers and dealers belonged to the association, which accounted for between 80 and 90% of total sales of pharmaceutical products in the Netherlands. Some 70% of medicinal preparations sold in the Netherlands are imported, mainly from other Member States.

The PHC was recognized by the Dutch authorities. Its rules governing trade in pharmaceutical products had been notified to the Commission, which considered that they infringed Article 85 of the EEC Treaty in two important respects.

First, the collective, reciprocal exclusive buying and selling arrangements restricted competition between the manufacturers, importers and dealers affiliated to the PHC and completely prevented competition between those who were affiliated and those who were not. In the Commission's view the PHC's rules provided extensive control of distribution and consolidated the structure of the market, raising substantial barriers to entry by non-members such as parallel importers. Moreover, the conditions laid down by the PHC for affiliation went further than the provisions of the Dutch Act relating to the

¹ OJ L 57 of 25.3.1967.

² OJ C 31 of 7.2.1978

supply of medicinal preparations (e.g. the obligation to keep minimum stocks; the ban on substituting similar products for medicines expressly ordered). If they wished to sell to or buy from PHC members, manufacturers, importers or dealers had to become members themselves and hence accept the obligations inherent in PHC membership. Membership was therefore not really voluntary and market conduct was collusive.

Secondly, the Commission objected to the resale price maintenance which the PHC imposed upon its members in respect of all products, including imports. This represented an extensive alignment and strict control of prices that excluded competition between products of the same brand. The Commission considered that this, together with the fact that resale price maintenance was tied to a collective, reciprocal exclusive arrangements, affected trade between Member States.

It was unlikely that exemption would be granted under Article 85(3). The restrictions on competition imposed by the PHC rules did not contribute to an improvement in the distribution of goods: their main purpose was to shield the market to the detriment of the consumer. The Commission has not overlooked the fact that the PHC played an important role before the introduction of adequate statutory provisions. Nevertheless, the restrictions on competition associated with the PHC went beyond what was necessary to ensure a proper supply of pharmaceuticals.

The termination of the PHC is consistent with the Commission's policy of taking action against agreements that shield national markets and raise barriers to entry by manufacturers and dealers from other Member States.

Abuse of dominant positions

2.1.21. By judgment given on 14 February¹ the Court of Justice upheld most points of the decision issued by the Commission in December 1975² against the United Brands Company for abuse of dominance. The Court confirmed three of the four objections raised by the Commission.

Financial institutions and taxation

Financial institutions

Insurance

Indemnity insurance

2.1.22. On 15 February the Commission decided to amend its proposed Directives on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services; the original proposal was transmitted to the Council on 30 December 1975.³

The Commission drew up this new proposal in the light of the opinions given by Parliament⁴ and the Economic and Social Committee.⁵

¹ Point 2.3.46.

² Bull. EC 12-1975, point 2124.

³ Bull. EC 12-1975, point 2136, and OJ C 32 of 12.2.1976.

⁴ OJ C 36 of 13.2.1978 and Bull. EC 1-1978, point 2.3.15.

⁵ OJ C 204 of 30.8.1976 and Bull. EC 6-1976, point 2451.

The main amendment concerns the contract law applicable when the insurer and the policy-holder belong to different Member States. The Commission's original proposal distinguished between major risks, 'mass' risks and risks subject to compulsory insurance. In the first case, the 'choice of law by the parties' principle was to apply without exception, and in the last case, the law of the place where the risk was situated.

The main criticism from the consultative bodies was of the rules proposed for 'mass' risks, allowing of restricted choice of law by the parties. Parliament, in particular, pointed out that, in practice, the joint application of the laws of several Member States would lead to uncertainty as to the requirements of the law and would impair consumer protection, which is of special importance for those taking out insurance, because of the complexity of insurance arrangements.

The Commission felt that there was some substance in this objection and in the new proposal 'mass' risks are treated for this purpose as if they were risks subject to compulsory insurance.

The other amendments concern the application of the directive, certain procedural points and the arrangements for undertakings in non-member countries.

ment in March. The aim of work-sharing is to redistribute the total volume of work available in the economy in order to help combat unemployment.

Youth employment

2.1.24. On 15 February² Parliament passed a Resolution concerning measures to be taken to improve the preparation of young people for work and to facilitate their transition from education to working life. This proposal was examined by the Council and the Ministers of Education meeting within the Council on 29 November 1976.³

Vocational training

2.1.25. On 15 February the Commission attended the meeting in Geneva of the Advisory Committee—responsible for the programmes—of the Board of the International Centre for Advanced Technical and Vocational Training of the International Labour Organization in Turin. At this meeting the emphasis was placed on the cooperation which has been established between the Centre and the Commission.

European Social Fund

Social Fund

2.1.26. The Committee of the European Social Fund met in plenary session on 17 February. It was consulted on the initial

Employment and social policy

Employment

Work-sharing

2.1.23. On 21 February the Commission sent to the Council a working paper on work-sharing¹ intended for the meeting to be held by the Standing Committee on Employ-

¹ Point 1.6.1.

² Point 2.3.15 and OJ C 63 of 13.3.1978.

³ OJ C 308 of 30.12.1976 and Bull. EC 11-1976, points 1201 to 1203.

draft of a Commission proposal to the Council on the creation of special aid from the Fund to promote the employment of young persons.

Industrial relations

2.1.27. The Economic and Social Committee delivered its Opinion on the Commission's Green Paper on employee participation and company structure in the Community¹ when it met in plenary session on 1 and 2 February.²

Health and safety

2.1.28. On 2 February the Commission decided to grant financial aid of 226 695 u.a. for two research projects under the third ECSC social research programme in ergonomics and readaptation of 2 December 1974.³ The two research projects involve the study of jobs which could be filled by handicapped persons and the retraining of workers in the iron and steel industry.

2.1.29. On 2 and 3 February the Commission organized a seminar on the vocational training of handicapped persons at the Berufsförderungswerk in Dortmund. It brought together the directors of twenty-eight rehabilitation and training centres which constitute a European network, and the representatives of the Governments of the Member States within the Working Party on Occupational Rehabilitation. The task of this Working Party is to help the Commission implement the action programme contained in the Council Resolution of 27 June 1974⁴ to improve the occupational rehabilitation of handicapped persons.

2.1.30. The Committee on the adaptation of safety signs at places of work to technical progress and the future development of international methods of signposting, set up by the Council Directive of 25 July 1977,⁵ held its first meeting on 1 and 2 February. It studied measures designed to supplement the Directive with norms governing the dimension, colour and luminosity of signs, and with certain prohibition and warning signs. The Commission will put forward a proposal for a directive on these measures.

2.1.31. A quality control programme on the measurement of blood lead levels, with acceptability criteria, was finalized at a meeting organized by the Commission from 30 January to 1 February in Luxembourg as part of the implementation of the Council Directive of 29 March 1977⁶ on biological screening of the population for lead. This programme should enable national authorities to make an objective choice of the laboratories which will take part in monitoring campaigns in order to obtain comparable results at Community level. It decided which sections of the population will be examined and a joint questionnaire was drawn up. The first campaign, which will involve 12 000 to 15 000 persons throughout the Community, will begin in spring 1979.

Regional policy

2.1.32. At its meeting on 1 and 2 February, the Economic and Social Committee⁷ adopt-

¹ Supplement 8/75 — Bull. EC.

² Point 2.3.59.

³ Bull. EC 12-1974, point 2228.

⁴ OJ C 80 of 9.7.1974.

⁵ Bull. EC 6-1977, point 2.1.59 and 7/8-1977, point 2.1.50.

⁶ OJ L 105 of 28.4.1977 and Bull. EC 3-1977, point 2.1.51.

⁷ Point 2.3.67.

ed a further opinion on the Guidelines on Community Regional Policy.¹ This opinion, prepared in the light of the conclusions reached by the European Council in December 1977 concerning the ERDF,² supplements the Committee's original opinion given in September 1977.³

Environment and consumer protection

Environment

Reduction of pollution and nuisances

Waste from the titanium dioxide industry ('red mud')

2.1.33. On 20 February⁴ the Council formally adopted a Directive aimed at reducing by stages and finally eliminating marine pollution caused by waste from the titanium dioxide industry, better known as red mud because of the colour. It approved this important Directive at its 12 December 1977 meeting.⁵

The Commission sent its proposal on 18 July 1975.⁶ Most plants producing titanium dioxide—a pigment used in many products, including paint, varnish, plastics and inks—at present discharge their waste on the high seas or in estuaries, and checks have shown that these discharges could be, or in fact are, harmful to the aquatic environment.

To reduce and, eventually, eliminate the pollution caused by red mud, the new Directive provides for:

(i) a system of authorization before each discharge;

(ii) an ecological check on the environment where the waste is discharged;

(iii) national programmes of measures to be taken to reduce and eventually eliminate the pollution caused by this industry. These programmes set out objectives to be achieved by 1 July 1987 at the latest, with varying phases and degrees for the plants in question, depending on whether these are new or old and taking account of various technical and economic aspects of the question.

Improvement of the environment

Conurbations

2.1.34. On 7 February⁷ the Council decided to implement a concerted Community research effort on the development of conurbations, a matter on which it had received a proposal from the Commission on 3 August 1977.⁸

Since urbanization is a social phenomenon of major importance, understanding of its causes and consequences is essential to those responsible for these problems of the Member States and the Community institutions. The aim is to give greater depth to our knowledge of the dynamism and effects of urban concentration.

The programme will be of the 'concerted-action' type, that is to say the twenty-three research projects included in it will be carried

¹ Bull. EC 5-1977, points 1.1.1 to 1.1.9 and Supplement 2/77 — Bull. EC.

² Bull. EC 12-1977, point 2.1.85.

³ Bull. EC 9-1977, point 2.1.34.

⁴ OJ L 54 of 25.2.1978.

⁵ Bull. EC 12-1977, point 2.1.93.

⁶ OJ C 222 of 29.9.1975 and Bull. EC 7/8-1975, point 2241.

⁷ OJ L 45 of 16.2.1978.

⁸ OJ C 199 of 20.8.1977 and Bull. EC 7/8-1977, point 2.1.118.

out by the Member States in their national institutes, the necessary coordination being carried out at Community level. The Commission has instructed the European Research Institute for Regional and Urban Planning (Eriplan), which has offices in The Hague and Brussels, to assist in the task of coordination.

This concerted-action programme will last for two years, at the end of which the Commission will send the Member States and the European Parliament a comprehensive report on the results obtained. The programme is a large-scale attempt at cooperation between the Commission and the Member States aimed at getting urban research experts to work together on the various aspects of a subject of major interest to the Community and the Member States.

Consumers

Consumers Consultative Committee

2.1.35. On 24 February the Consumers Consultative Committee held a meeting which was attended by Mr Burke, the Member of the Commission responsible for consumer affairs.

At the meeting Mr Burke surveyed the many Community measures relating to the promotion of consumer interests. Plan for 1978 include projects concerned with the following fields:

- (i) accidents in the home,
- (ii) unfair clauses in contracts,
- (iii) premium offers,
- (iv) informative labelling of textiles,
- (v) unit pricing of non-food products,
- (vi) the safety of toys.

Consumer protection

Misleading and unfair advertising

2.1.36. On 27 February the Commission approved and sent to the Council a draft Directive concerning misleading and unfair advertising. This falls both within the preliminary programme of the Community for a consumer protection and information policy¹ and the policy of approximating the laws, regulations and administrative measures of the Member States in a number of fields.

The draft Directive aims at approximating the legislation of the Member States in the interests of improving the protection of consumers, of persons engaged in commercial, industrial or professional activities and of the interests of the general public against misleading and unfair advertising. In view of the considerable disparities between the consumer protection laws of the Member States—disparities which reflect different legal traditions and advertising practices—the draft Directive does not attempt to achieve a complete harmonization of legislation, but pursues a more limited objective: that of laying down general uniform criteria at Community level for determining whether advertising is misleading or unfair. The establishment of such criteria is proving more and more necessary as advertising increasingly reaches beyond the frontiers of individual Member States.

The Directive:

- (i) admits comparative advertising where it permits comparisons between material and verifiable details;
- (ii) provides for a limited reversal of the burden of proof, the advertiser being required, if need be, to prove the accuracy of his claim;

¹ OJ C 92 of 25.4.1975.

(iii) introduces the possibility of quick court proceedings to stop misleading or unfair advertising and requires the publication of corrective statements or the publication, in part or in full, of court decisions.

It recognizes the usefulness of bodies set up by business circles in some Member States for the self-regulation of advertising and neither their existence nor their scope will be affected by the measures proposed.

Finally, the Member States are authorized, in exceptional circumstances, to adopt or maintain more exacting provisions, where such provisions prove necessary: for example, for certain products such as weapons, medicines and tobacco or as regards advertising through certain media such as television or by telephone.

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2.1.37. On 17 February¹ Parliament gave its Opinion on the proposal sent by the Commission to the Council on 26 May 1977² on the protection of consumers in respect of price indications for foodstuffs.

Agriculture

Economic effects of the agri-monetary system

2.1.38. The agri-monetary system as it has been applied has proved harmful because, instead of constituting a temporary adjustment mechanism, it has, over an extended period, protected the agricultural sector—which already escapes to some extent from the laws of the market—from the normal consequences monetary changes have on the other sectors of the economy.

The Commission comes to this conclusion in a report presented to the Council on 13 February on the economic effects of the agri-monetary system. It reiterates the absolute need for monetary compensatory amounts to be progressively phased out over a period of seven years, as it proposed in October 1977.³

In preparing the report, the Commission did not limit itself to dealing with certain isolated cases, such as pigmeat, where problems seemed to arise. It tried, despite the difficult and complex problems encountered, to cover as wide a range as objectively as possible. To this end, it entered into consultations with Member States, trade associations and scientific researchers.

The report discusses in turn the effects of the agri-monetary system on the common agricultural policy, on production and consumption, on the allocation of resources and on trade and attempts to estimate its economic and financial cost. Besides giving the background to the system and a detailed statistical analysis, it deals more particularly with three specific subjects: milk and fresh cream, pigmeat and trade between Ireland and Northern Ireland.

The Commission's views can be summarized as follows:

- (i) the application of green rates which are different from market rates has disrupted the unity of the agricultural common market;
- (ii) in so far as production and consumption of agricultural products are determined by prices, the effect of the agri-monetary system is undeniable; it is especially marked when price differences are great and remain so for a long time;

¹ Point 2.3.19 and OJ C 63 of 13.3.1978.

² OJ C 167 of 14.7.1977 and Bull. EC 5-1977, point 2.1.45.

³ Bull. EC 10-1977, point 2.1.48.

(iii) the agri-monetary system partially reduces the effects monetary changes normally have on that part of the agricultural sector to which it applies;

(iv) there are no clear-cut effects as far as trade is concerned, but in certain specific cases effects have been observed and the method used for the monetary compensatory amounts has caused difficulties;

(v) it is difficult to quantify the economic cost; the agri-monetary system, however, accounts for a large share of EAGGF Guarantee Section expenditure (14% in 1977) and gives rise to transfers of resources between Member States.

Measures to improve balance on the wine market

2.1.39. On 13 February the Commission proposed to the Council a set of measures intended to achieve the best possible balance on the Community wine market until such time as the restructuring process which will be undertaken in this sector in the coming years begins to bear fruit.

The Commission had already provided for the reinforcement and speeding-up of measures to improve the structures of the Languedoc-Roussillon vineyards in its proposals of December 1977¹ on the development of agriculture in the Mediterranean regions of the Community. It will also shortly be making new proposals for improving Community wine-growing structures, in particular by encouraging the location of vineyards in the most suitable areas and by limiting production of high-yield varieties which give poor-quality wine.

Until the structural measures bring practical results, temporary measures are necessary to improve market equilibrium during the transitional period. The Commission is of the

opinion that the Council must consider adopting the current proposals for transitional measures bearing in mind that the longer-term structural measures to which these are necessarily linked will have to be adopted in the future.

The immediate transitional measures, mostly limited to the next four wine-growing years, provide for:

(i) the setting-up of a European joint-trade table wine organization,

(ii) the possibility, in the event of surpluses, of compulsory storage of part of the table wine available,

(iii) the possibility, in the event of a serious crisis on the market, of prohibiting transactions in table wine below a floor price during a certain period,

(iv) incentives to producer groups recognized by the Community which contribute to improving the quality of table wines.

European joint-trade wine organization — In order to achieve a better organization of the wine sector, which is an essential condition for the improvement of wine growers' incomes, the Commission is proposing to unite producers, traders and processors of table wine in joint-trade organizations set up at regional and national level. A joint-trade table wine organization would coordinate their activities at European level.

This organization could be a unique link between the trade and the Community bodies and could thus participate effectively in preparing decisions concerning, for example, intervention measures in the event of market crises, the delimitation of wine-growing areas, the adjustment of wine-growing potential to marketing possibilities, and incentives for wine growers to improve the quality of table wines. Moreover, it could contribute to

¹ Bull. EC 12-1977, points 1.3.1 to 1.3.5.

the setting-up of an information network to ensure better market transparency.

Compulsory storage in the event of surpluses — Since the system of aid for voluntary private storage has not always been adequate to restore market prices of table wines in the event of temporary surpluses, the Commission wishes to introduce the possibility of deciding to block temporarily part of the table wine available instead of having recourse to distillation at prices which are of little benefit to producers. This is a decision which the Commission could take, after obtaining the opinion of the Management Committee on Wine, at the request of a regional or national joint-trade organization. The decision to block 30 to 50% of the quantities available for a maximum period of six months could be taken only if the forward estimate showed a definite imbalance or if market prices were particularly unsatisfactory. This 'compulsory storage' would give rise to the granting of aid corresponding to the storage costs plus interest on the capital invested.

Introduction of a 'floor price' — The Commission considers that the market management mechanisms for table wines should be reinforced in order to deal with a surplus situation characterized by a sharp drop in prices. It therefore proposes that the Council, in the event of a serious crisis on the wine market, should be able to decide to prohibit all transactions below a 'floor price' during a specific period. In order to emphasize that this is a transitional measure, the Commission is proposing to apply the floor price progressively during the next four wine-growing years and to use as the point of reference for fixing it 70% of the guide price for each of the types of table wine.

Incentives for producer groups — Producer groups recognized at Community level which pursue a policy of improving the quality of

their table wines, would have certain advantages as regards intervention:

- (i) the purchase price of wine for preventive distillation will be maintained at 65% of the guide price, as for the 1977 harvest, while in the case of other producers this level will drop to 60% for the 1978 harvest and 55% for the 1979 and following harvests in accordance with the current basic Regulation,
- (ii) long-term private storage aid may be increased by up to 30% compared with that granted for short-term storage (20% maximum for other producers).

Measures connected with the monetary situation

2.1.40. To prevent distortion of competition between products, the Council decided on 14 February¹ that the new green rate fixed for the United Kingdom on 31 January² would apply to isoglucose with effect from 1 July 1978 and that the new green rate applicable in Italy since 1 February² to peeled tomatoes would also be applied to tomato concentrates as from 20 February.

2.1.41. At the beginning of February, the French franc was subject to such sudden movements on the exchange market, that it was not immediately clear how representative its quotations were. The Commission therefore decided on 10 February³ to freeze (for the period beginning 13 February) the components used to calculate the differential amounts and the monetary compensatory amounts at the level applicable up to then; this procedure has been followed on several occasions in the past in similar cases. As the downward trend of the French franc was

¹ OJ L 46 of 17.2.1978.

² Bull. EC 1-1978, point 2.1.39.

³ OJ L 41 of 11.2.1978.

subsequently confirmed, however, the Commission applied the normal rule when fixing the rates for the following week. Since 20 February,¹ the coefficient used to calculate compensatory amounts in respect of France has been 21.5%.

2.1.42. Examination of the Commission's proposal on the constant adjustment of representative rates and the resulting automatic reduction of monetary compensatory amounts² has continued in the various Community institutions. In its generally favourable Opinion delivered on 1 February, the Economic and Social Committee³ again emphasized the need to restore the unity of the Community agricultural market as soon as possible.

Common organization of the markets

2.1.43. On 13 February⁴ the Council amended its Regulation of 19 December 1974 on the allocation and alteration of the basic quotas for *sugar*. In accordance with the Commission's proposal of 27 January,⁵ France is authorized to amend the basic production quota for undertakings situated in the overseas departments for the period from 1 July 1977 to 30 June 1980.

2.1.44. On 16 February⁶ the Commission adopted a Regulation on the distillation of *wines* suitable for yielding certain potable wine spirits of designated origin for the 1977/78 wine year.

The harvest of this type of wine is over a million hectolitres more than last year, which means that the conditions laid down in the basic rules on this market organization are satisfied.

2.1.45. On 8 February the Commission presented to the Council its annual report on

the situation regarding the production and marketing of *hops* and a proposal for a Regulation⁷ laying down the amount of aid to producers for the 1977 harvest.

The report describes the production and market situation at world level and in the Community, gives medium-term forecasts and traces the development of producer incomes.

The proposed aid is for the first time differentiated according to group of varieties. The average aid for areas in full production would thus increase from 299 u.a./ha in 1976 to 320 u.a./ha in 1977 and the area concerned would be 25 289 ha in 1977, as compared with 24 292 ha in 1976.

On 27 February the Commission also forwarded to the Council a proposal for a Regulation adopting the list of regions where, from the 1978 harvest onwards, aid to hop producers will be granted only to recognized producer groups. These are regions in which groups are able to ensure a fair income for their members and to achieve a rational management of supply. The list was prepared on the basis of information supplied to the Commission by the Member States concerned.

2.1.46. On 28 February the Commission proposed that should the Council not adopt the prices for the 1978/79 marketing year until after 2 April, the 1977/78 marketing year for *beef and veal* be extended until 30 April.

The many intervention measures adopted in February included a provision for the sale on the Italian market of frozen beef bought in

¹ OJ L 48 of 20.2.1978.

² Bull. EC 10-1977, point 2.1.48.

³ Point 2.3.60.

⁴ OJ L 45 of 16.2.1978.

⁵ Bull. EC 1-1978, point 2.1.42.

⁶ OJ L 46 of 17.2.1978.

⁷ OJ C 44 of 22.2.1978.

by the Italian intervention agency and arrangements for sales to Italian social welfare institutions and bodies,¹ which will keep prices expressed in lire at the level fixed before the recent devaluation of the green lira.²

Structural policy

2.1.47. In February the Commission adopted three decisions³ and issued three opinions concerning the implementation of the reform of agricultural structures in Italy.

European Agricultural Guidance and Guarantee Fund

Guarantee Section

2.1.48. A number of rules on the financing of intervention expenditure by the EAGGF Guarantee Section were adopted in February.

On 13 February⁴ the Council updated the Annex to its Regulation of 28 December 1972 laying down general rules for the financing of intervention by the EAGGF Guarantee Section. This Annex lists the measures which can be defined as intervention to stabilize agricultural markets.

The Council decided on 20 February⁵ to amend its Regulation of 22 April 1969 on the financing of intervention expenditure in respect of cereals because, since the beginning of the 1978/79 marketing year, wheat of bread-making quality can be bought in at the reference price.

For this same reason the Commission on 2 February⁶ adapted its Regulation of 2 February 1977 which lays down practical rules for the Community financing of expenditure incurred from the supply of agricultural products as food aid.

2.1.49. Under the market regulations, operators are required to provide securities guaranteeing that certain transactions will be duly executed. This applies in a number of cases: the issue of import or export licences, tendering procedures, private storage contracts, sales of goods from intervention stocks and food-aid operations. Under the common agricultural policy there are over a hundred cases in the major agricultural sectors where securities have to be provided.

Where Community rules are not observed, the securities are not refunded and it has therefore proved necessary to specify what is to be done with securities thus forfeited. After two years of discussions, the Council on 20 February⁵ adopted a Regulation which lays down that all securities forfeited are to be deducted by the paying authorities or bodies in the Member States from EAGGF or food-aid operations expenditure as the case may be. This provision does not, however, apply to securities provided in respect of the issue of import or export licences or under a tendering procedure for the sole purpose of ensuring the submission by tenderers of genuine tenders.

Conditions of competition

2.1.50. Pursuant to Articles 92 to 94 of the EEC Treaty, the Commission has decided to initiate the procedure laid down in Article 93(2) in respect of two Italian draft laws:

(i) the first, of the Region of *Apulia*, concerns provisions relating to uncultivated

¹ OJ L 47 of 18.2.1978

² Bull. EC 1-1978, point 2.1.39.

³ OJ L 69 of 11.3.1978.

⁴ OJ L 45 of 16.2.1978.

⁵ OJ L 50 of 22.2.1978.

⁶ OJ L 32 of 3.2.1978.

land.¹ The Commission considers at this stage of its examination that in their present form the proposed contributions to expenditure relating to the fixed remuneration of personnel managing cooperatives are incompatible with the common market.

(ii) the second, proposed by the Region of *Tuscany*, lays down provisions to assist agricultural cooperatives.² The Commission finds that the rate of investment aid for agricultural cooperatives and unions of cooperatives in respect of harvesting, storage, processing and marketing of agricultural products exceeds the limit authorized for stock-farming.

2.1.51. The Commission has decided to terminate the procedure laid down in Article 93(2) of the EEC Treaty which it initiated on 20 April 1977 in respect of a draft law of the Region of *Apulia* on the purchase of selected durum wheat and fodder crop seeds.³

2.1.52. The Commission has no comments to make under Article 93(3) concerning the implementation of the following measures:

(i) a draft aid scheme in *France* for a plan regarding the selection of geese for the production of *foie gras*;

(ii) a draft law of the Region of *the Marches* providing for subsidies for local institutions for drawing up development plans for agricultural areas and providing in 1977 for the transfer of regional funds for local institutions to enable them to finance the finalization of the regional reorganization plans;

(iii) a draft law of the Region of *Apulia* laying down measures to promote the cultivation of olive trees, involving the grant of subsidies for the pruning of olive trees;

(iv) a draft law of the Region of *Sicily* laying down measures in respect of operating loans in agriculture for farmers and cooperatives;

(v) a draft law of the autonomous Province of *Trento* amending, implementing and providing for further financing of various provincial laws in the agricultural sector. This draft provides notably for low-interest loans in

respect of rural land and investment projects relating to the processing and marketing of agricultural products;

(vi) a draft law of the Region of *Valle d'Aosta* providing for further financing of Regional Law No 34/73 laying down measures to assist agricultural cooperatives. This draft allocates subsidies for 1977 to the regional authorities for operations to promote the establishment and purchase of equipment for harvesting, processing, treatment, storage and joint marketing of livestock for dairy and meat production.

The Commission draws the attention of the Italian authorities, however, to the criteria for granting investment aid in the dairy sector;

(vii) a draft law of the Region of *Sicily* laying down emergency measures in agriculture

This draft provides for subsidies for the joint market preparation, processing and marketing of agricultural products, for the establishment of an integrated programme to combat citrus fruit scale, and for the health protection of hazel trees. As regards the latter measure, the Commission decided that in future in the fruit and vegetables sector, it would consider compatible with the common market aid for the purchase and application of plant health products specific to the sector concerned where such aid was granted in connection with operations which were compulsory under regional, national or Community legislation.

(viii) a United Kingdom programme applicable in *Northern Ireland* for the genetic selection of cattle. This programme is accompanied by two types of incentive: grants to farmers owning high-performance animals and a subsidized artificial insemination service during a limited period.

(ix) a draft law of the *Isle of Man* laying down measures to encourage agricultural apprenticeships by granting subsidies to employers who train apprentices under programmes prepared and run by the Manx Agriculture and Fisheries Department.

2.1.53. On 15 February the Commission amended its proposal of 1 June 1977⁴ for a Regulation concerning producer groups and

¹ OJ C 65 of 14.3.1978.

² OJ C 38 of 15.2.1978.

³ Bull. EC 4-1977, point 2.1.69.

⁴ OJ C 146 of 22.6.1977 and Bull. EC 5-1977, point 2.1.48.

associations thereof, in the light of the Opinion delivered by Parliament on 20 January.¹ The amendment concerns the definition of 'producers' and affirms the principle that not only individual producers but also associations of producers can belong to producer groups.

Fisheries

Conservation and management of resources

Internal resources

2.1.54. Since there is still no agreement on the internal arrangements for the conservation of resources,² four countries adopted national measures in February:

- (i) the United Kingdom extended the conservation measures in force on 31 January 1978;
- (ii) France, Ireland and the Netherlands took measures designed mainly to prohibit herring fishing in sensitive zones.

The Commission approved all but the United Kingdom's measures, concerning which it has requested additional information.

2.1.55. At the February part-session of Parliament, Mr Gundelach, Vice-President of the Commission, pointed to the responsibility of the Council (fisheries) which, because of its repeated failure to find a solution, is creating an atmosphere of uncertainty which could affect the Community in other ways at a time when it is confronted with numerous economic and social problems. He felt that since the United Kingdom's specific needs had been largely met in the Commission's proposals, that country should stipulate its

requests clearly now that it was clear that disagreement stemmed from demands that are incompatible with the Treaty.

2.1.56. On 16 February³ the Court of Justice gave its judgment in the case opposing the Commission and Ireland in connection with unilateral measures prohibiting vessels over 33 metres long from fishing in Irish waters.⁴ It recognized that the measures in question were discriminatory.

External aspects

2.1.57. On 20 February⁵ the Council extended the interim arrangements applicable to vessels from Spain until 31 May 1978.

2.1.58. The Commission has pursued its consultations with Norway, Sweden and the Faroe Islands with a view to determining the possibilities of reciprocal fishing for 1978. These consultations have led to the conclusion of arrangements with the Faroe Islands; similar arrangements will shortly be adopted with Norway and Sweden.

2.1.59. Following the extension, with effect from 1 January 1978, of the fishing zones of Sweden, Poland and the German Democratic Republic, the two Member States bordering on the Baltic Sea, Germany and Denmark, agreed to extend their fishing zones in that sea. These measures, which are to take effect on 1 March, will not affect the fishing quotas allocated by the Commission in the Baltic Sea for 1978.

¹ OJ C 36 of 13.2.1978 and Bull. EC 1-1978, point 2.3.20.

² Bull. EC 1-1978, point 2.1.53.

³ Point 2.3.49.

⁴ Bull. EC 7/8-1977, point 2.1.76.

⁵ OJ L 49 of 21.2.1978.

2.1.60. On 16 February Parliament¹ passed a Resolution on the final arrangements for a common fisheries policy and gave its Opinion on a number of Commission proposals to the Council concerning the Community's internal fisheries policy. At its plenary session on 1 and 2 February the Economic and Social Committee² delivered an Opinion on the Commission proposals concerning certain immediate measures to adjust capacity in the fisheries sector.³

Transport policy

Surface transport

Working of the market

Access to the market

First Directive on common rules for road carriage

2.1.61. On 20 February⁴ the Council formally adopted the amendments to its Directive of 23 July 1962⁵—on the establishment of certain common rules for carriage of goods by road between Member States—which it had approved on 20 and 21 December 1977.⁶ These amendments extend the area of carriage exempt from quota or authorization arrangements with regard to the definition of frontier zones and carriage within such zones, and the carriage of vehicles requiring repairs and of spare parts for aircraft.

International carriage of passengers by road

2.1.62. The Council also formally adopted on 20 February the Decision amending the guidelines on negotiations⁷ between the

Community and non-Community countries on the rules applicable to occasional international carriage of passengers by coach and bus, which it had approved in December 1977.⁸ The new Decision is concerned particularly with the multilateral character of the agreement and the administrative tasks which can be entrusted to the secretariat of the European Conference of Transport Ministers (ECMT).

*

2.1.63. At its sitting on 14 February Parliament⁹ gave its opinion on two Commission proposals:¹⁰ one on the establishment of common rules for coach and bus shuttle services between the Member States and the other on the establishment of common rules on regular coach and bus services between the Member States.

European laying-up fund

2.1.64. On 20 February the Council formally adopted a Decision—which it had approved in December 1977¹¹—amending the guidelines on negotiations with Switzerland on an agreement setting up a European Laying-up Fund for Inland Waterway Vessels.

This Decision authorizes the Commission to negotiate with Switzerland the amendments to be made to the draft agreement which has

¹ Point 2.3.12 and OJ C 63 of 13.3.1978.

² Point 2.3.62.

³ Bull. EC 10-1977, point 1.6.5.

⁴ OJ L 54 of 25.2.1978.

⁵ OJ 70 of 6.8.1962.

⁶ Bull. EC 12-1977, point 2.1.143.

⁷ Bull. EC 10-1975, point 2268.

⁸ Bull. EC 12-1977, point 2.1.140.

⁹ OJ C 63 of 13.3.1978.

¹⁰ OJ C 293 of 6.12.1977 and Bull. EC 11-1977, point 2.1.88.

¹¹ Bull. EC 12-1977, point 2.1.145.

been intialled, so as to meet the requirements set out in Opinion 1/76 of the Court of Justice of 26 April 1977¹ and resolve, at the request of the Dutch Government, the special problems facing the Netherlands.

Alignment of structures

Social conditions

2.1.65. On 15 February the Commission decided to send a reasoned opinion to the United Kingdom and serve notice on Ireland regarding the non-application by these countries of the Council Regulation of 20 July 1970² on the introduction of recording equipment in road transport.

Taxation

2.1.66. The Commission has informed the Austrian Government of its grave concern regarding the draft law which would introduce a road tax for commerical vehicles in Austria as from 1 July 1978. The main points of concern are that the tax is very high and it will have the effect of discriminating against non-Austrian carriers. Discussions have been opened with the appropriate Austrian authorities.

Improving the railways

2.1.67. On 10 February the Commission sent the Council a proposal for a Decision regarding acceptance by the Community of Resolution No 212 (revised) of the United Nations Economic Commission for Europe (ECE), adopted in February 1977 by the ECE's Inland Transport Committee, on the facilitation of health and quality inspection in the international carriage of goods by rail.

This being a matter for which the Community has responsibility, the Commission proposed to the Council that this resolution be adopted in respect of transport between the Community and non-Community countries which are signatories to it.

Infrastructures

Infrastructure investments

2.1.68. On 20 February³ the Council formally adopted a Decision instituting a consultation procedure and setting up a Committee on Transport Infrastructure, a Decision which it had approved in December 1977.⁴

Infrastructure costs

2.1.69. On 20 February the Commission sent the Council its fifth report on the accounting system for expenditure on and the utilization of rail, road and inland waterway infrastructures. This report, drawn up pursuant to the Council Regulation of 4 June 1970,⁵ contains the figures notified to the Commission by the Member States for 1975.

¹ OJ C 107 of 3.5.1977 and Bull. EC 4-1977, point 2.3.59.

² OJ L 164 of 27.2.1970 and L 110 of 27.4.1973.

³ OJ L 54 of 25.2.1978.

⁴ Bull. EC 12-1977, point 2.1.146.

⁵ OJ L 130 of 15.6.1970.

Energy policy

The common market in coal— twenty-five years on

2.1.70. The common market in coal, the first common market to be established, was inaugurated on 10 February 1953 and so has now been in existence for twenty-five years.¹ This anniversary was celebrated in various ways in February. To mark the occasion the Commission reviewed the major developments in the common market in coal since its inception, and its future prospects, taking into account the energy crisis.

Formulating and implementing a Community energy policy

Energy savings

2.1.71. On 13 February the Council formally adopted a Directive on the performance of heat sources for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of the heat and domestic hot-water distribution systems in new non-industrial buildings. The Council had approved this text—which is part of the Community's rational use of energy programme—at its meeting on 13 December 1977.²

Sectoral problems

Hydrocarbons

Community refining industry

2.1.72. On 23 February the Commission sent the Council a communication on prob-

lems concerning the economics of the refining industry in the Community and the means of resolving them.³

Coal

Aid for intra-Community trade in power-station coal

2.1.73. On 23 February the Commission sent to the Council a communication on the introduction of a Community aid system for intra-Community trade in power-station coal⁴ to enable additional quantities of steam coal to be disposed of at competitive prices.

Nuclear energy

Aid for uranium prospecting programmes

2.1.74. As part of the Community financial aid measures for uranium prospecting programmes within the territories of Member States, the Commission published a communication in the Official Journal⁵ in February inviting those interested to submit applications for aid for projects to be carried out in the period 1978-80. The sum of 5 million EUC is included for this purpose in the budget of the Communities for 1978.

This financial support is based on the first paragraph of Article 70 of the Euratom Treaty. Aid will total 30-70% of the project cost. This is the third invitation published by the Commission concerning uranium exploration. The first programme, in 1976,⁶ was al-

¹ Points 1.5.1 to 1.5.6.

² Bull. EC 12-1977, point 2.1.163.

³ Points 1.5.7 to 1.5.12.

⁴ Point 1.5.6.

⁵ OJ C 40 of 17.2.1978.

⁶ OJ L 221 of 14.8.1976; Bull. EC 7/8-1976, point 2281 and 11-1976, point 2276.

located 1 million u.a. Seven projects have been funded under the programme.

As part of the second programme launched in March 1977,¹ the sum of 5 million u.a. has been earmarked, for the period 1977-79, for the funding of thirteen selected projects² in Ireland, the United Kingdom, Belgium, Germany, Greenland and Italy.

Research and development, science and education

Science, Research and Development

Adoption of three concerted-action research programmes

Medical research

2.1.75. Acting on proposals put forward by the Commission in June 1977,³ the Council adopted on 13 February⁴ three concerted-action research projects in medicine and public health. This is the first time that medical research projects carried out by the Member States individually are to be coordinated at Community level.

The Commission is to have the task of coordinating research activities relating to the following main themes: registration of congenital abnormalities (1978-80), cell ageing and diminished functional capacity of organs (1978-81) and extracorporeal oxygenation (1978-81). The Commission will be assisted in its work by 'concerted-action committees' composed of persons who are responsible, in the respective countries, for research activities relating to these problems.

The cost of the various national projects to be coordinated in this way is approximately

10 million EUC for four years; the maximum amount to be spent on coordination—financed from the Community purse—is set at 1.09 million EUC for the same period. All the Member States will contribute to all three fields of research; the ten non-member countries participating in COST (European Cooperation in the field of Scientific and Technical Research) may also take part in the Community programme if they wish.

Several other research topics of particular relevance to the Community as a whole have been selected with the assistance of the Committee on Medical Research and Public Health (CRM) and the Scientific and Technical Research Committee (CREST); these will be the subject of a Commission proposal to be put forward in 1978, for a second medical research programme.

Physical properties of foodstuffs

2.1.76. At the meeting on 20 February⁵ the Council adopted a decision on the implementation of a programme of concerted-action research into the physical properties of foodstuffs.

This programme, which was proposed by the Commission to the Council in August 1977,⁶ began to take shape at the meeting of the Committee of Senior Officials responsible for European Cooperation in the field of Scientific and Technical Research (COST), to which Sweden had submitted in 1975⁷ a number of topics suitable for cooperation in

¹ OJ C 60 of 10.3.1977.

² Bull. EC 7/8-1977, point 2.1.109.

³ Bull. EC 6-1977, point 1.3.6; Eleventh General Report, point 419.

⁴ OJ L 52 of 23.2.1978.

⁵ OJ L 54 of 25.2.1978.

⁶ Bull. EC 7/8-1977, point 2.1.119.

⁷ Ninth General Report, point 321; Tenth General Report, point 387.

the general area of food production. The programme was prepared with the assistance of experts from the Member States and from non-member countries taking part in COST. It provides for coordination at Community level of the research activities being conducted in this field in the Member States. The objective is to acquire a better knowledge of the physical properties of food products both during processing and in the finished state.

COST countries that are not members of the Community will be invited to take part in the programme. An amount of 250 000 EUC is to be assigned to Community-level coordination of research over a period of three years (1978-80).

Large conurbations

2.1.77. Another programme of concerted-action research—concerning the development of large conurbations¹—was formally adopted by the Council on 7 February.² A proposal on this subject had been laid before the Council by the Commission on 3 August 1977.³

Fast reactors

2.1.78. On 17 February⁴ Parliament delivered an Opinion on the Commission's communication to the Council on the fast-breeder option⁵ in the Community context—justification, achievement, problems and future prospects.

Scientific and Technical Committee

2.1.79. At a meeting on 16 and 17 February the Scientific and Technical Committee (STC) examined two draft Commission proposals to the Council on indirect-action re-

search programmes concerning the decommissioning of nuclear power plants and the safety of water-cooled thermal reactors. The Committee expressed a favourable opinion on these two draft proposals, which cover a period of five years starting on 1 July 1978.

The Committee also expressed a favourable opinion on the draft Commission proposal for a one-year extension of the indirect-action research programme on plutonium recycling in light-water reactors, which had been adopted by the Council on 17 December 1974⁶ for a period of four years starting from 1 January 1975.

Multiannual programmes

Interim JET Council

2.1.80. At its meeting on 21 and 22 February the Interim JET Council unanimously adopted, subject to a few amendments, the draft Statute for the JET Joint Undertaking submitted by the Working Party on the Statute;⁷ this draft will be forwarded⁸ by the Commission to the Council for a decision in May. The Interim JET Council was also informed of the progress of work in the other three specialized working parties.

Advisory Committees on Programme Management (ACPM)

2.1.81. The ACPM for the programme on radioactive-waste management and storage

¹ Point 2.1.34.

² OJ L 45 of 16.2.1978.

³ Bull. EC 7/8-1977, point 2.1.118.

⁴ Point 2.3.18 and OJ C 63 of 13.3.1978.

⁵ Bull. EC 7/8-1977, point 1.3.4.

⁶ Bull. EC 12-1974, point 2260.

⁷ Bull. EC 12-1977, point 2.1.81, 1-1978, point 2.1.67.

⁸ Bull. EC 10-1977, point 2.1.85.

(direct and indirect action) met on 20 and 21 February 1978. Most of its attention was devoted to a study of the programme of indirect action for 1975-79.¹ It expressed satisfaction with the progress achieved so far.

The Committee none the less voiced its concern at the delay in the implementation of certain projects relating to waste disposal in geological formations. Since no headway could be made in the technical development of radioactive-waste storage facilities without experimental research *in situ*, the Committee urged—in an opinion transmitted to the Commission and to the Council—that all appropriate steps for this purpose be taken.

2.1.82. The ACPM for the programme of indirect action on plutonium recycling in light-water reactors, which met on 24 February, was informed of the progress made in that programme and declared itself satisfied. The Committee continued its study, started at the previous meeting,² of research topics suitable for inclusion in the Commission proposal to be put forward in 1978 under the second multiannual programme (1980-84) on plutonium recycling. The Committee recommended that meetings of specialist working parties be held in order to make a detailed study of some of the topics, particularly the fabrication and transport of mixed-oxide fuels.

2.1.83. The ACPM for research on solar energy (direct and indirect action) devoted its meeting on 24 February to a preliminary discussion of the substance of a Commission proposal, to be submitted to the Council in 1978, for the extension of the present multiannual programme beyond June 1979. The facts and figures assembled by the competent Commission departments indicate the need for a substantial increase in the present activities in order to meet the Community's requirements in the field of solar-energy re-

search. The ACPM endorsed the guidelines suggested.

Several members of the Committee considered that the present programme should be supplemented by new projects on wind power and solar heating in industry and agriculture.

Education

2.1.84. On 15 February³ Parliament adopted a Resolution on measures to improve the preparation of young people for working life and to help them make the transition from school to their first job. These measures were first set out in a Council Resolution adopted by the Ministers of Education meeting within the Council on 29 November 1976.⁴

Scientific and technical information and information management

Three-year plan of action

Commission Report

2.1.85. The Commission transmitted to the Council on 21 February and to Parliament on 27 February its report on the implementation of a three-year (1975-77) plan of action in the field of scientific and technical information and documentation, in accordance with the decision taken by the Council on

¹ Bull. EC 6-1975, point 2257.

² Bull. EC 10-1977, point 2.1.93.

³ Point 2.3.15 and OJ C 63 of 13.3.1978.

⁴ OJ C 308 of 30.12.1976 and Bull. EC 11-1976, points 1201 to 1203.

18 March 1975¹ when it adopted this initial plan of action. The report, which concerns 1977, analyses the work accomplished during this last year of the plan but also mentions further action to be taken on it.

Activities in this field in 1977 related to the setting-up of sectoral documentation systems covering the most important Community sectors, to the creation of Euronet, which is due to become operative in December 1978, and to the support actions, particularly the training of specialists, aids to users and machine-aided translation.

As regards Euronet, the report emphasizes in particular that for the first time the nine Postal Administrations of Member States had cooperated for the purpose of setting up a common network for data communication. This cooperation has resulted in an opening-up of the European market to Community undertakings—in view of the resulting possibility of equipment standardization—and can lead to better alignment of certain aspects of the management of postal administration, since they for their part have agreed to consult each other on tariff matters.

The entry into service of the network will be only the beginning of a broader, long-term effort directed towards cooperation and the sharing of resources as recommended by the Council in its Resolution of 24 June 1971.² Consequently, the second three-year (1978-80) plan of action proposed by the Commission in July 1977³ provides for further efforts to afford greater assistance to users by turning Euronet into a public operational network, by improving the existing services and the means of access to them and by assisting users to make better use of the services offered. It is also planned to promote the technology and methodology of information systems and to make Euronet accessible to European countries outside the Community.

Euronet

Adoption of a common tariff

2.1.86. An important step forward has been taken by the European Community through joint action with the nine postal administrations of Member States, who have agreed among themselves and with the Commission on a common tariff for the Euronet telecommunications network. This tariff is independent of distance and is based on data volume transmitted rather than on fixed subscriptions, thus especially benefiting small and medium-scale users. Euronet's telecommunications facilities will offer a reduction to between 1/3 and 1/5 of present-day charges for comparable services and of 60% compared with those for less reliable forms of transmission—to the ultimate benefit of thousands of industrial, institutional and individual users in the Community. The postal administrations have also agreed to substantial reductions during the off-peak period, i.e. at night and at the weekend.

Industrial and technological innovation

Meeting held with the heads of industrial affairs departments

2.1.87. In view of the complex nature of the problem of industrial innovation and of the multiplicity of measures taken at government level in all the Community countries, the Commission invited the heads of industrial affairs departments of the Member States to a meeting, the purpose of which was to adopt the necessary measures to keep

¹ OJ C 100 of 21.4.1975 and Bull. EC 3-1975, point 2249.

² OJ C 122 of 10.12.1971.

³ Bull. EC 7/8-1977, points 1.4.1 to 1.4.3.

2. External relations

Scientific and technical information

track of developments together with the Commission, with a view to optimizing all the efforts undertaken and preventing divergences and inconsistencies. The Community could carry on vigorously with such measures as those relating to standards, information and the integration of markets within well-defined sectors, since such measures supplement those of the governments, so as to stimulate useful innovation.

As certain 'horizontal' schemes give rise to innovations involving several sectors, the heads of industrial affairs departments agreed at their meeting on 17 February to set up a working party which could keep a constant watch on the process of innovation and its industrial spin-off.

Enlargement

Accession negotiations: Greece

2.2.1. In February 1978 the negotiations between the Community and Greece entered the substantive phase.¹

2.2.2. The eleventh and twelfth sessions of the negotiations at deputy (ambassador) level were held in Brussels on 10 and 27 February.

The 10 February session covered customs union and the free movement of industrial goods. Significant progress was made and points of view were brought much closer together.

These matters were again on the agenda on 27 February, when an initial examination was also made of the problems relating to capital movements. In this case too, agreement was reached on a number of points.

Spain

Mr Natali's visit to Madrid

2.2.3. Mr Natali, a Vice-President of the Commission, paid an official visit to Madrid from 13 to 15 February 1978.

The main purpose of this visit was to make contact with the Spanish Government to prepare the way for the collaboration required over the next few months in formulating the Commission's Opinion on Spain's application for membership of the Communities.²

¹ Points 1.4.1 to 1.4.5.

² Bull. EC 7/8-1977, points 1.1.1 to 1.1.5.

Mr Natali had talks with King Juan Carlos and with Mr Suarez, the President of the Government, Mr Oreja, the Foreign Minister, and Mr Calvo Sotelo, the Minister responsible for relations with the European Communities. He also met the members of the Spanish Government who are most directly involved in the matter of accession, and the leaders of the main parliamentary parties.

In the course of these meetings Mr Natali noted the unanimity of the Spanish political and economic forces in favour of rapid accession to the Community, as an essential support for the stabilization of democracy in Spain.

In this context, the Spanish representatives stressed to Mr Natali the importance of avoiding any delay in carrying out the various phases of the integration process as laid down in Article 237 of the Treaty of Rome.

Political cooperation

Ministerial meeting

2.2.4. The Foreign Ministers of the Member States met in Copenhagen on 14 February under the chairmanship of the Danish Foreign Minister, Mr Andersen. The Commission was represented by Vice-President Haferkamp and Mr Cheysson.

The main items on the agenda were the Conference on Security and Cooperation in Europe, the situation in Africa and recent developments in the Middle East.

Multilateral trade negotiations

New phase of negotiations: study of offers made in Geneva

2.2.5. Following the unofficial meeting in January, which marked the beginning of the new, substantive phase¹ in the multilateral trade negotiations, efforts are now mainly being devoted to analysing the offers made in Geneva. A number of bilateral meetings were held in Geneva in February to prepare a detailed presentation of the offers.

The Community is examining the offers—the figures involved and the implications—in order to press ahead with the negotiating process.

Informal multilateral meetings are also taking place in an effort to push forward the work on the various working hypotheses, particularly in respect of non-tariff measures.

Non-tariff measures

2.2.6. The Customs Matters Subgroup met in Geneva on 8 and 9 February.

Talks continued on the draft code on customs valuation submitted by the Community at the last meeting of the Subgroup on 15 November 1977.² Most members felt that the draft code formed a satisfactory basis for future work. Japan, the United States and the Nordic countries said that they were prepared to negotiate on the basis of the Community's draft code.

It was agreed that bilateral and multilateral consultations should go ahead as soon as

¹ Bull. EC 1-1978, points 1.1.1 to 1.1.8.

² Bull. EC 11-1977, point 2.2.19.

possible to work towards a revised text, which could constitute an official draft code on customs valuation.

North-South Dialogue. Development cooperation

Continuation of the North-South Dialogue

2.2.7. February saw a number of meetings, debates and statements—both within the Community and in other international forums—expressing determination to continue and intensify the dialogue between industrialized and developing countries.

Community positions

2.2.8. In the Community, the Council heard a statement at its meeting on 7 February on the Commission communication setting out guidelines for future international meetings under UNCTAD in connection with the North-South Dialogue¹ and then, in the terms of the communiqué issued after the meeting, reaffirmed the importance which the Community attaches to the next stage of the North-South Dialogue and confirmed the need for the Community and the Member States to express a common position in the Dialogue.

The Council also noted the importance which, in the general context of the integrated programme, the problem of the Common Fund presented in regard to the restarting of the Dialogue; it instructed the Permanent Representatives Committee to examine the proposals submitted by the Commission with a view to the resumption of the negotiations on the Common Fund.

Similarly, the Council agreed that, with a view to the ministerial meeting of UNCTAD

(Geneva 6-10 March), which would be mainly concerned with debt and with the least-advanced countries, a common position would be drawn up at its next meeting on 7 March at the latest. The Permanent Representatives Committee was likewise instructed to examine the Commission's proposals to this end.

2.2.9. On 15 February Parliament held a debate² on the North-South Dialogue, following a question by a Member of the House on the undertakings given by the Community and the Member States in this context and the way in which they see the dialogue developing. The President of the Council, Mr Andersen, said that the Council attached the greatest importance to continuing the North-South Dialogue and maintaining the present climate of cooperation.

In the Resolution passed at the end of the debate, Parliament:

emphasizes the highly political, urgent and far-reaching nature of this matter and fully recognizes the world-wide implications of the debate begun after the CIEC;

notes the importance of this debate for the European Community as regards both its internal development and its external relations, and stresses the important active role which the Community can and should play, provided that it speaks with one voice;

reaffirms the urgency of establishing the priorities and a timetable for the work to be done, with a view to active Community participation in the preparation and conduct of the special session of the United Nations General Assembly in 1980, which is to be devoted to all aspects of this matter.

2.2.10. The Commission position, which was expressed last month by Mr Jenkins in

¹ Bull. EC 1-1978, point 1.4.3.

² Point 2.3.20 and OJ C 63 of 13.3.1978.

Khartoum¹ and was contained in a number of communications to the Council,¹ was repeated in February on several occasions, while Commission staff continued to prepare suggestions to be made at the discussions planned for various international meetings (in particular the UNCTAD Trade and Development Board in March). The Commission memorandum sent to the Council on 16 February on the preparation of the negotiations with the ACP States for the renewal of the Lomé Convention² also reflects the Commission's concern to improve the content of this Convention.

International meetings

2.2.11. The Community took part in the first meeting of the Committee of the Whole³ set up by the United Nations General Assembly to coordinate international negotiations and discussions on North-South relations.

2.2.12. Several preparatory meetings⁴ organized in the context of the Integrated Programme for Commodities brought together in February the representatives of industrialized countries (including the Community) and the developing countries. February also saw the opening in Geneva of the important conference on the negotiation of a new international wheat agreement,⁴ which is obviously of the greatest interest to developing countries. The Community spokesman emphasized at the conference the need to safeguard the interests of the developing countries and to ensure world food security for the most needy countries.

2.2.13. The revival of the North-South Dialogue was also mentioned on various occasions, for example during the official visit to the Commission of Mr Moktar Ould Dadah, President of Mauritania,⁵ and during

the talks which Mr Cheysson, Member of the Commission, had from 20 to 22 February in Washington with various prominent American figures.

UNCTAD integrated programme, commodities and world agreements

Preparatory meetings

Copper

2.2.14. The Commission participated in the third UNCTAD preparatory meeting on copper in Geneva from 30 January to 3 February.

Since little progress has been made regarding copper in UNCTAD for some two years and since the copper market is at present faced with considerable difficulties with over supply and lack of demand causing very low prices and hence critical shortfalls in export revenue for developing producer countries, the meeting was very important and tended to be of a political nature. The net result of concentrated discussions between producers and consumers was a decision to create very rapidly a standing intergovernmental copper body as part of the continuing work on the Integrated Programme for Commodities. The body's principal tasks will be, in the shorter term, to propose for the consideration of governments, interim and immediate actions to correct the unsatisfactory current market situation and, in the longer term to examine various possible stabilization schemes with a view to determining and elaborating a mutually acceptable basis for an international copper arrangement.

¹ Bull. EC 1-1978, points 1.4.1 to 1.4.6 and 2.2.6.

² Points 1.3.1 to 1.3.4.

³ Point 2.2.25.

⁴ Points 2.2.14 to 2.2.17.

⁵ Point 2.2.46.

Hard fibres

2.2.15. A further preparatory meeting on hard fibres (sisal, Mexican sisal, Manila hemp and coir)—organized in the context of the Integrated Programme for Commodities—took place in Geneva from 30 January to 3 February, with the participation of the Community. The last two meetings were held in December 1976¹ and October 1977.²

The main points discussed were connected with the stabilization of the market, the elimination of unduly sharp fluctuations in prices and ways and means of making these products more competitive in relation to synthetic substitutes.

The discussions about sisal and Mexican sisal centred on research, development and promotion. It was agreed to set up a panel of government experts from producer and consumer countries to examine in detail specific measures for which a programme or projects already exist. The panel should meet during the second half of the year and report back to the next preparatory meeting. On the matter of the stabilization of the market it was agreed to examine the results of the next meeting of the FAO Intergovernmental Groups on Hard Fibres (unofficial arrangement on indicative prices and export quotas).

On Manila hemp, a product of special economic importance for the Philippines and Ecuador, the meeting felt that an indicative price arrangement might be agreed, which would limit price fluctuations. This idea is to be discussed by the FAO Intergovernmental Group, which had a similar arrangement applied for a short time some years ago. The research, development and promotion aspect will also be examined more thoroughly, notably on the basis of an FAO report on a technical improvement programme for Manila hemp. The work on coir was concerned with making the product more competitive

(possible action in research, development and promotion). It is planned to examine as soon as possible the technical improvement programme which the FAO is preparing.

The meeting called for the creation of an agency to deal with these problems—'Coir International'—as originally proposed by India, subject to examination of its structure, its objectives and its financing problems. An FAO report on the matter will be considered at the next meeting of the Intergovernmental Group on Hard Fibres. The producers (notably India and Sri Lanka) stressed that they would like to see such measures and ideas incorporated in an international arrangement on coir, which would also cover other measures including market access and stabilization.

It was decided to hold separate meetings for each of the categories of product in the second half of the year.

Vegetable oil and oil seeds

2.2.16. Still in the context of the UNCTAD Integrated Programme for Commodities, a second preparatory meeting on vegetable oil and oil seeds was held in Geneva from 13 to 17 February. It examined two documents presented by the Secretariat, one on storage measures as a means of market stabilization and the other a draft international arrangement to transfer the vegetable oil of exporting developing countries to importing developing countries when the market price drops below a certain reference price.

This meeting did not produce any conclusions and it was agreed to ask the Ad Hoc Intergovernmental Committee for the Integrated Programme to convene a third preparatory meeting.

¹ Bull. EC 12-1976, point 2329.

² Bull. EC 10-1977, point 2.2.14.

Commodities and world agreements

Cereals

2.2.17. The Community took part in the UNCTAD Conference to negotiate a new international agreement to replace the 1971 International Wheat Agreement, which opened in Geneva on 13 February.

The International Wheat Council decided at a special meeting on 10 and 11 January¹ to request that this Conference be convened. The Community representative, who at the meeting of the International Wheat Council in London at the beginning of January had already given a broad outline of the Community's position, made the following statement in Geneva on 14 February:

'I think it will be useful if I do as other delegations and give this plenary meeting a clear definition of the spirit in which the Community is embarking on these negotiations and the objectives which it hopes it will be possible to attain. I propose to do so as directly and concisely as possible.

The Community will take part in these negotiations in a positive spirit, in line with the fundamental contribution which it made at the preparatory stage in an effort to bring this Conference about. Our participation should therefore be a substantial one, and we want this Conference to be a success for the sake of the whole international community.

We still believe that a world strategy, aimed at achieving both security of supplies and the orderly expansion of trade in the areas with which we are concerned, can be implemented by means of an international stabilization agreement for wheat and coarse grains. The World Food Conference held the same view; we reiterated it at the opening of the GATT multilateral trade negotiations, and we would like to see this view finally implemented as a result of this Conference.

As regards the negotiating objectives pursued by the Community, the aim is, an agreement which will have the effect of stabilizing cereal prices on the international market within an acceptable range, providing for supply and purchase commitments at the upper and lower li-

mits, respectively, of this range and also storage and release measures before these limits are reached.

We envisage an overall agreement on all the measures necessary for stabilization.

We do not believe that an agreement can work, and hence attain the desired ends, if it is founded merely on storage and release measures which are set in motion by reference to a scale of purely indicative prices. Under such circumstances, market prices would rise or fall unchecked, affected only by possible long-term adjustments of domestic production and consumption policies. An agreement of this kind would risk disturbing the balance of the world market still further, in view of the new factors which could intervene between the decision to adjust policies and the moment when the effects made themselves felt on the market. We believe, moreover, that an agreement of this kind would not be a true stabilization agreement but would be more akin to a 'financial arrangement' designed to share out among importers and exporters the burden arising from the existence of reserve stocks.

We have spoken about cereals in general; we need to make a precise statement with regard to coarse grains. The Community considers that stabilization measures for coarse grains must also be adopted under the agreement. There are two reasons for this:

- (i) countries importing and exporting coarse grains have an obvious direct interest in the stabilization of the world market in these products;
- (ii) however, all those taking part in the Conference should also have an interest in the conclusion of the 'coarse grains' negotiations, in order to prevent a disruption of the market in these cereals affecting the smooth functioning of the stabilization mechanisms introduced for wheat.

These are the reasons why the Community will work, within the framework of the Conference, towards making coarse grains the subject of serious negotiations, parallel to the negotiations on wheat.

In conclusion, we would like to see an international agreement of a kind which will:

- (i) enable both exporting and importing countries to plan their production better, in an improved international context;

¹ Bull. EC 1-1978, point 2.2.11.

(ii) enable difficult price situations to be met whether in the case of surpluses or in the case of shortfalls, while taking into account, in particular, the interests of developing countries;

(iii) enable food aid to be developed on a world scale, since this aid is a major factor in the economic development of the poorer countries.

These may be thought ambitious objectives. We are aware of the difficulties which will have to be overcome if these negotiations are to be brought to a successful conclusion. However, we must not restrict our aims. We must seize this opportunity—which we see as being favourable and unique from the political standpoint—in order to define a new strategy for safeguarding food supplies and stabilizing markets.’

The major wheat-producing countries—for instance the United States and Canada—favoured an agreement based solely on a storage system. A specialized committee was set up within the Conference to consider the treatment to be given to coarse grains.

Olive oil

2.2.18. Notification of the provisional application, with effect from 1 January 1978, of the 1963 International Olive Oil Agreement (extended and amended by the protocol of 23 March 1973) was given on behalf of the Community in Madrid—the agreement being deposited with the Spanish Government—on 1 February.

The European Economic Community is therefore a party to the agreement on a provisional basis until it eventually deposits its instruments of accession in accordance with the usual institutional procedures.

Cocoa

2.2.19. The Community was represented at the first meeting of the consultative group on the cocoa economy, set up by the International Cocoa Council to promote a contin-

uous dialogue between leading experts in the world cocoa trade. This meeting took place from 31 January to 2 February in Bern.

Many countries—including the United States, which is not a member of the 1975 cocoa agreement—responded to the Swiss Government’s invitation. Representatives qualified in research, production, marketing and processing of cocoa products and in the chocolate trade informed the meeting about various topical points concerning cocoa, such as production difficulties in certain countries, the problems raised by substitute products and the prices of raw materials in the finished products for the consumer. A second meeting will take place in Hamburg in the autumn.

Generalized preferences

2.2.20. Under the programme of seminars on generalized preferences, a Commission delegation held a seminar in Karachi on 2 and 3 February. This seminar, which was organized by the Pakistani export board in cooperation with the Karachi chamber of commerce, brought together a hundred or so exporters.

It drew the participant’s attention to the advantages of exporting semi-sensitive and non-sensitive products to the Community rather than products considered as sensitive by the Community, such as textiles and certain leather goods.

Food aid and emergency aid

Food aid programmes

2.2.21. At its meeting on 7 February the Council fixed the 1978 skimmed-milk pow-

der food-aid programme at 150 000 tonnes. The Council had agreed in principle on this figure on 28 November 1977.¹

Emergency measures

2.2.22. On 9 February, the Commission decided on behalf of the Community to grant emergency aid to the Republic of Jibouti. This aid, which involves 3 500 tonnes of cereals and 500 tonnes of butteroil, is intended for the people affected by supply difficulties due to the political situation in this region. The estimated cost of this measure is around 1 million EUC.

2.2.23. Following an appeal launched by the Turkish Government and the World Health Organization, the Community decided on 17 February to allocate 1 million EUC to the WHO to support the fight against the spreading of malaria in Turkey. This aid will be used to purchase the transport equipment needed to mount the operations (distribution of medicines, insecticide treatment). A first instalment of 500 000 EUC will be paid immediately to the WHO; the second instalment will be paid later, after the European Parliament has been consulted.

The decision to provide this aid was taken under the procedure for coordinating emergency aid adopted by the Council on 28 November 1977.² Certain Member States have also given aid, mainly in the form of insecticides and medicine (Germany: USD 197 000, Netherlands: USD 250 999, United Kingdom: USD 273 000, Denmark: USD 86 000, Italy: USD 7 000, Luxembourg: USD 7 500).

In all the Community and the Member States have provided USD 2 048 000 towards this operation, amounting to around half of its total cost.

Relations with non-governmental organizations

2.2.24. The fourth Annual General Meeting of non-governmental organizations (NGOs) from the nine Member States which specialize in development aid was held in Brussels from 13 to 15 February. Some forty-five specialists from the NGOs³ and Commission officials were able to exchange ideas on the cooperation which was started three years ago between the Commission and the European NGOs active in the development field. The main topics dealt with were the results of the cofinancing of projects carried out in the Third World by the NGOs, cooperation in educating the European public on development matters and food aid. The NGOs were satisfied with their cooperation with the Commission in all these areas.

The NGOs felt that major campaigns should be mounted to increase public awareness of two important forthcoming events: the beginning of the negotiations for the renewal of the Lomé Convention in September⁴ and the European elections. The NGOs will therefore hold a conference later this year to carry out a critical review of the Lomé Convention and to assess its prospects. An exhibition will be held to demonstrate the means and material available to the NGOs as opinion-formers.

¹ Bull. EC 11-1977, point 2.2.29.

² Bull. EC 11-1977, point 2.2.22.

³ Bull. EC 1-1977, point 2.2.10.

⁴ Points 1.3.1 to 1.3.4.

International organizations

United Nations

General Assembly

First meeting of the Committee of the Whole

2.2.25. The Committee of the Whole ('Overview Committee') which was created in December 1977¹ by the General Assembly—held its first meeting from 13 to 17 February in New York under the chairmanship of Mr Jazairy (Algeria).

The idea of setting up this Committee came from the developing countries. Its task will be to monitor the application of decisions on the new international economic order, to unblock negotiations which run into difficulties and to help find solutions to problems remaining unsettled. The Committee will report to the General Assembly, particularly at the special session planned for 1980.

The Community took part in this preliminary work on the basis of the guidelines that the Council had laid down. During the discussions it put forward proposals concerning the topics to be dealt with at future meetings.

At the end of the meeting, during which each of the parties present had shown a willingness to compromise, the Committee decided to hold three more meetings in 1978 (May, June and September). The first meeting will be a general debate on the world economic situation from the angle of interdependence between developing and industrialized countries, an examination of the question of the transfer of resources and a survey of the development of relations between in-

dustrialized and developing countries and the progress of the various international negotiations under way.

In addition to this overall survey, which will be one of the Committee's permanent tasks, the second session will be devoted to an examination of specific topics (food and agriculture, industrialization of developing countries and problems of the least-developed countries).

The group of 77 prompted discussion of the question of holding emergency sessions between the main meetings of the Committee. The matter will be raised again at the next meeting of the Committee.

Economic and Social Council

Economic Commission for Europe

2.2.26. The Community took part in the session of the Inland Transport Committee of the United Nations Economic Commission for Europe which was held in Geneva from 30 January to 3 February.

The Community stated its position on a number of items discussed by the Committee, namely the proposals made by the Soviet Union to hold a pan-European conference on transport, the European Agreement concerning the Work of Crews of Vehicles Engaged in International Road Transport (AETR), problems relating to the international transport of goods by road (including transit traffic) and the standardization of technical requirements in inland navigation. The Community spokesman reported on the work carried out and the decisions taken by the Community on transport matters in 1977.

¹ Bull. EC 12-1977, points 2.2.7 and 2.2.36.

Food and Agriculture Organization

Intergovernmental Group on Oilseeds, Oil and Fats

2.2.27. The FAO Intergovernmental Group on Oilseeds, Oil and Fats met in Rome from 6 to 10 February. It examined the world market situation and prospects and undertook to draw up guidelines for national and international measures in the fats sector.

It also asked the FAO Secretariat to draw up a report, after the current multilateral trade negotiations, on the tariff and non-tariff barriers to international trade in fats.

Conference of International Organizations for the Study of Agriculture Plans in Europe

2.2.28. The Community took part in the Conference of International Organizations for the Study of Agricultural Plans in Europe, which was held in Paris from 21 to 24 February.

The Conference—which is rather special in that it is composed of discussion groups each with its own agenda—dealt particularly with the following matters: animal production, health protection, rural development, the contribution of women to agricultural production and rural development, the agricultural and food industries, young people in a rural environment and the protection and improvement of plants and seeds.

The conference takes place every two years and will meet next in 1980, but in the meantime will contribute to the World Conference on Agrarian Reform and Rural Development to be held in Rome in July 1979.

Organization for Economic Cooperation and Development

Committee for Agriculture: Ministerial meeting

2.2.29. The OECD Committee for Agriculture met at ministerial level on 10 February under the chairmanship of Mr Antoine Humblet, the Belgian Minister of Agriculture and Small Firms and Traders.

The Community took part in this meeting which enabled the ministers to make a general survey of international agricultural problems in the following three areas: the prospects on the agricultural markets, the agriculture and food sector and relations with developing countries.

On the question of the agricultural markets, the ministers considered the harmful consequences of the major fluctuations in recent years on the markets of the principal products and stressed the need to cooperate closely in taking appropriate measures to remedy the situation and provide the required stability. Given that for the first time since 1973 world grain production was sufficient to supply the market, meet food aid obligations and reconstitute stocks, they underlined the need for an internationally coordinated system of national stocks to be set up as rapidly as possible in order to guarantee food security and promote a greater degree of stability on the world cereals market. In general they considered that the objectives must be a more lasting improvement in the functioning of markets and their stabilization.

The ministers also looked at the increasingly close links between production, processing, marketing and consumption of foodstuffs and they stressed the need to pay greater attention to nutritional requirements and to food economy and to take these factors into

account when drawing up food and agricultural policies.

Lastly, they reviewed relations between developed and developing countries as regards agriculture and food. Discussions highlighted the importance of cooperation in this respect and the need to use a whole range of measures to benefit the developing countries: agricultural development aid, food aid, food security and commercial policy measures. The ministers confirmed their governments' intention to continue the work being done in these areas.

After their wide-ranging discussions, and in view of the persistent nature of the problems which arise in agriculture and food, the ministers agreed to meet more frequently. As priorities for the future work of the Committee for Agriculture the Ministers agreed during their discussion to:

- (i) step up work on market supervision;
- (ii) strengthen the role which the OECD could play in joint research with a view to improving the functioning of the markets;
- (iii) launch new agriculture and food policy projects;
- (iv) give greater attention to the implications for member countries' policies of the development in the agricultural and food situation of developing countries.

Trade Committee

2.2.30. The Commission took part in the meeting of the OECD Trade Committee which was held in Paris on 23 February. Most of the meeting was given over to an informal discussion of the effect on international trade of recent economic developments. The Committee took this opportunity to reaffirm its commitment to a system of free trade in the face of mounting protectionist pressure.

During this discussion the Committee considered the future of the 1974 Trade Pledge,¹ a matter to which it will return at its next meeting in May and which will be settled at the ministerial meeting in June.

Lastly the Committee was informed of the new arrangement on export credits agreed, subject to confirmation, by the OECD member countries on 22 February.²

Ad Hoc Working Party on the Iron and Steel Industry

2.2.31. The Community took part in the meeting of the OECD Ad Hoc Working Party on the Iron and Steel Industry on 15 and 16 February in Paris. The main business was an examination of measures taken by various countries to deal with the steel crisis.

The Commission representative outlined the crisis measures which the Community has adopted in order to impose production and price discipline and which have been strengthened since the beginning of the year 1978 both by anti-dumping provisions and by the negotiation of arrangements with certain exporting countries. He stressed the flexibility of the system, its temporary nature and its objectives, which are to restructure the industry and restore the financial equilibrium of undertakings.

The Japanese Delegation expressed the Japanese Government's concern regarding the measures adopted by the Community, although it was fully aware of the serious difficulties in the steel sector. The United States representative emphasized the extremely serious situation of the American iron and steel industry, which had necessitated the introduction of various measures in the closing days of February (trigger prices).

¹ Bull. EC 5-1974, point 2307.

² Point 2.2.35.

Other delegates also emphasized the difficulties in their own countries.

During the discussions on these statements the representatives of several countries acknowledged the very difficult situation facing the Community's iron and steel industry; however they emphasized that these measures would have to be temporary and had to contribute to the modernization and the restructuring of the industry; certain delegations also referred to distortions in trade flows and the possible increase in the production costs of certain Community steel-consuming industries which could come about as a result of the measures.

Commercial policy

Formulating and implementing the common commercial policy

Import arrangements

Easing of restrictive measures

2.2.32. Under the Council Decision of 27 March 1975 on unilateral import arrangements in respect of State-trading countries,¹ the Commission has taken the following measures relaxing import restrictions:

Italy-Poland: exceptional opening of an import quota for synthetic rubber;²

Italy-Czechoslovakia: exceptional opening of an additional import quota for motor vehicles and part and accessories;³

Italy-Czechoslovakia: exceptional opening of an import quota for synthetic rubber.³

Investigation, surveillance and safeguard measures

Anti-dumping/anti-subsidy procedures

2.2.33. In February, in addition to measures taken in furtherance of the crisis plan for the steel industry,⁴ the Commission initiated anti-dumping/anti-subsidy procedures—in respect of products covered by the EEC Treaty—concerning imports of:

reconstituted wood (wood chipboard) originating in Spain and Sweden;⁵

kraft liner originating in Sweden, Finland, Canada, Portugal and Austria.⁶

The Commission also published a notice of termination of the procedure concerning imports of quartz crystal units from Japan,⁷ following an undertaking by Japanese exporters to raise prices.

Safeguard measures

2.2.34. The Council extended for one year, until the end of 1978, the quota arrangements for imports into Italy of malleable cast-iron tube and pipe fittings originating in Taiwan,⁸ which had expired on 31 December 1977.

Credit insurance and export credit

New consensus on export credits

2.2.35. Following international negotiations, in which the Community participated,

¹ OJ L 99 of 21.4.1975.

² OJ C 44 of 22.2.1978.

³ OJ C 60 of 9.3.1978.

⁴ Point 2.2.40.

⁵ OJ C 31 of 7.2.1978.

⁶ OJ C 54 of 3.3.1978.

⁷ OJ C 35 of 11.2.1978.

⁸ OJ L 50 of 22.2.1978.

a new consensus on officially supported export credits was reached.

In December the Council approved directives in accordance with which the Commission was to express the position of the Community in the international negotiations which were about to begin aimed at renewing and (if possible) improving the guidelines which originated in 1976 and were adopted by the Community as such by Council Decision of 14 March 1977.¹ These guidelines (usually referred to as the consensus), which cover officially supported export credits with a duration of two years or more, set minimum cash payments and (for the credit balance of the contract price) minimum interest rates and maximum credit periods.

The international negotiations were concluded on 22 February 1978. The outcome, after some ten months of initial exchanges of views, substantive discussions and three rounds of formal negotiations, is a single, authoritative text of a new consensus. Entitled 'Arrangement on Guidelines for Officially Supported Export Credits', this text can give considerable satisfaction to the Community since it preserves the principal guidelines as they have existed since 1976, while incorporating a number of important improvements in terms of procedures, definitions and so on, thus strengthening the consensus and facilitating its implementation.

The outcome can also give satisfaction to the Commission as such, which has acted as spokesman for the Community on this matter since last March and which negotiated the new Arrangement in the face of persistent attempts by the USA and Canada radically to alter the balance of the present consensus. The exclusive competence of the Community in the field of export credits under Article 113 of the Treaty has been given new material expression.

The OECD Understanding on a Local Cost Standard, on which the Court of Justice issued an important opinion on 11 November 1975,² will be incorporated in the Council Decision to give effect to the new consensus throughout the Community. This Decision will have to be adopted very rapidly, since the twenty countries which are parties to the consensus have agreed that the revised guidelines should come into force at the beginning of April.

Specific measures of commercial policy

Textiles

2.2.36. The 'textiles negotiations' operation, which was already well advanced at the end of 1977,³ is now in its closing stages. Some negotiations are still continuing but the main task now is the application of the agreements negotiated, which together form a kind of 'textile pact' with balanced concessions and sacrifices between the parties.

Negotiations

2.2.37. Twenty-one agreements have been intialled with MFA (Multifibre Arrangement) signatory countries. Negotiations with a number of countries, such as Poland and Hungary, are continuing. In addition to agreements proper, various arrangements have been concluded or are being examined

¹ Bull. EC 3-1977, point 2.2.22.

² OJ C 268 of 22.11.1975 and Bull. EC 11-1975, point 2308.

³ Bull. EC 12-1977, points 1.2.1 to 1.2.3.

with countries with which the Community has association or cooperation agreements.

Implementation of agreements

2.2.38. As regards the transition from negotiation to administration, on 7 February the Council formally adopted two Regulations:

(i) making imports into the Community of textile products originating in certain non-member countries subject to common rules for authorization and quantitative limitation;¹ and

(ii) maintaining the arrangements for imports into the Community of textile products originating in Taiwan,² a 'non-MFA' country.

These two Regulations confirm those adopted by the Commission on 30 December,³ and concern the implementation at Community level of the bilateral agreements initialled with the exporting countries, which have been applied *de facto* since 1 January.

The administration of the agreements, with particular reference to the arrangements for surveillance and control of imports, is at present being studied within the Community by a special working party which meets each week. The Council will have to adopt definitive measures, on a proposal from the Commission, after the transitional phase ends on 31 March.

Contacts are continuing with the partner countries and consultations have already taken place with some of them, in accordance with the provisions of the agreements, to clarify certain points regarding implementation or to settle problems—mainly of a technical nature—for which full solutions were not found during the negotiations.

Iron and steel products

Implementation of the crisis measures

2.2.39. In February the Commission continued its work on applying the decisions taken by the Council at the end of December to strengthen the measures to combat the crisis in the steel industry. Significant progress has already been made, as the Council was informed early in March when Mr Davignon, Member of the Commission, reported on the previous month's results.

On the external side the Community's main attention was given to the negotiation of bilateral agreements with a number of non-member countries, the introduction of provisional anti-dumping measures under the GATT being intended simply to protect Community producers against low-priced imports pending the conclusion of bilateral agreements.

Anti-dumping

2.2.40. To ensure compliance with the representative base prices published at the end of December,⁴ the Commission decided in February on the following measures:

(i) initiation of anti-dumping procedures concerning imports of: galvanized steel sheets and plates from Austria⁵ and Finland;⁶ certain angles, shapes and sections from Czechoslovakia, Hungary, Japan, South Africa and Spain.⁷

¹ OJ L 42 of 11.2.1978.

² OJ L 39 of 9.2.1978.

³ OJ L 357 of 31.12.1977 and Bull. EC 12-1977, point 1.2.2.

⁴ OJ L 353 of 31.12.1977.

⁵ OJ C 41 of 18.2.1978.

⁶ OJ C 27 of 2.2.1978.

⁷ OJ C 33 of 9.2.1978.

(ii) introduction of provisional anti-dumping duties on imports of: iron or steel coils for rerolling originating in Japan, Bulgaria¹ and Australia;²

certain iron or steel sheets and plates originating in Poland;³

certain angles, shapes and sections from Japan;³

galvanized steel sheets and plates originating in the German Democratic Republic and Japan.⁴

Negotiation of arrangements with certain non-member countries

2.2.41. The talks on arrangements to be concluded between the Community and certain steel-exporting non-member countries, which started in January,⁵ were continued.

Arrangements have already been concluded with five of the EFTA countries (Austria, Finland, Norway, Portugal and Sweden); they were initialled in Brussels on 28 February. The ECSC-Switzerland Joint Committee reached agreement on the same day on an arrangement with Switzerland concerning trade in concrete reinforcing bars between the Community and the Swiss Confederation.

These arrangements will remain in force until 31 December 1978, and will preserve traditional trade flows between the various countries and the Community. However, they are a substantial improvement on the existing situation: the EFTA countries will take steps to ensure that their exports to the Community respect any minimum or guide prices set by the Commission. In order to allow access to the Community market conditions comparable to those for Community producers, a reduction on the delivery price obtained from the application of Community producers' list prices will be allowed for the products in

question. In addition, the right for Community steel firms to align their prices on those for products from the EFTA countries (in the case of Switzerland, for concrete reinforcing bars only) will be suspended once these arrangements take effect. The arrangements also contain a consultation clause.

The talks with Spain and South Africa, which began in January, continued in February. Exploratory contacts also took place with Japan, Korea and some other countries.

Mediterranean countries

Cyprus

2.2.42. On 23 February, following the negotiations which lasted from 22 December 1977⁶ to 24 January 1978⁷ between the Community and Cyprus for the conclusion of an additional protocol on agricultural trade arrangements, the Commission sent a communication to the Council with a draft additional negotiating directive.

The Commission's communication contained a number of proposals designed to improve the offer made to Cyprus and thus form a basis for concluding the negotiations.

Spain

2.2.43. The negotiations between the Community and Spain on the extension of the bases of the 1970 preferential trade agree-

¹ OJ L 37 of 7.2.1978.

² OJ L 45 of 16.2.1978.

³ OJ L 39 of 9.2.1978.

⁴ OJ L 50 of 22.2.1978.

⁵ Bull. EC 1-1978, point 2.2.34.

⁶ Bull. EC 12-1977, point 2.2.51.

⁷ Bull. EC 1-1978, point 2.2.37.

ment were resumed in Brussels on 8 February.

At the meeting the two delegations explained how they felt the agreement should be developed to take account of the enlargement of the Community in 1973 and the need to develop trade relations after a period of seven years, and also of Spain's application for membership of the European Communities.¹

The two delegations agreed to examine jointly the technical aspects of the case with a view to resuming negotiations as soon as possible.

Yugoslavia

2.2.44. Negotiations between the Community and Yugoslavia for the conclusion of a new cooperation agreement to replace the current trade agreement, due to expire on 30 August this year, opened in Brussels on 13 February. The purpose of this opening session was to elucidate the two delegations' positions and views on the future of EEC-Yugoslavia relations.

The talks are intended to give practical effect to the parties' desire to strengthen, consolidate and diversify their links, in accordance with the joint declaration signed in Belgrade on 2 December 1976.²

The Yugoslav delegation expressed the serious concern of its Government at current developments in trade with the EEC, which had left Yugoslavia with a trade deficit of USD 2400 million in 1977. The Community delegation stated that the political will reflected in its negotiating brief (given by the Council on 27 January³) would make it possible to achieve results satisfactory to both parties.

ACP States and the OCT

Renewal of the ACP-EEC Convention of Lomé: preparation of the negotiations

2.2.45. On 16 February the Commission presented a memorandum to the Council on the negotiations for the renewal of the Lomé Convention, which are due to start between the ACP and the EEC on 1 September at the latest.

Official visit to the Commission by the President of Mauritania

2.2.46. On 1 February the Commission received a visit from the President of the Islamic Republic of Mauritania, Mr Moktar Ould Daddah. He was received by Mr Jenkins, accompanied by Mr Cheysson, and took part in a working meeting with the Commission where the application of the Lomé Convention and its renewal were discussed.

President Ould Daddah stressed the importance his country attached to cooperation between Europe and Africa and to the resumption of the North-South Dialogue and said that he was in favour of renewing the Lomé Convention. The association with Europe, which, to be durable, needed to be founded on a community of interests, should be supplemented, in the case of Mauritania, by triangular cooperation involving the Arab world.

The Commission is fully aware of the key role Mauritania plays as a link between Black Africa and the Arab world and also wishes to retain the non-exclusive character of the coo-

¹ Bull. EC 7/8-1977, points 1.1.1 to 1.1.5.

² Bull. EC 11-1976, point 2340.

³ Bull. EC 1-1978, point 2.2.38.

peration that has developed under the Lomé Convention. It took this opportunity to confirm the Community's undertaking to contribute 10 million EUC (provided for in the 35 million EUC indicative programme prepared in 1976) to the financing of the Nouakchott-Néma road, a project which is to be cofinanced with large-scale participation by the Arab Funds.

Other subjects discussed at the working meeting were the difficulties Mauritania was encountering because of the drought and the prospects for the fisheries negotiations opened with the Community. On this subject, President Ould Daddah assured the Commission that he was anxious to reach an agreement that was to the common advantage.

Besides taking part in the working meeting, the President of Mauritania had talks with Mr Ortolí and Mr Gundelach.

Lomé Convention

Accessions to the Convention

Deposition of Jibouti's instruments of accession

2.2.47. On 2 February the Republic of Jibouti, a former overseas territory associated with the Community, which became independent in June 1977, deposited its instruments of accession to the ACP-EEC Convention of Lomé with the General Secretariat of the Council. This young State applied for accession to the Convention in July 1977.¹ A communication on the accession, together with proposals for certain legal acts relating to it, was forwarded to the Council by the Commission on 8 February.

Cape Verde, Sao Tome and Principe, Papua New Guinea: extension of the interim provisions

2.2.48. As the agreements for the accession of the Republic of Cape Verde, the Democratic Republic of Sao Tome and Principe and Papua New Guinea to the Lomé Convention have not yet entered into force because not all the ratification procedures have been completed, the Council agreed at its meeting on 7 February to an exchange of letters between the Community and these three States for the extension of the interim provisions relating to trade between the Community and these States until 31 December 1978.

Institutions

Committee of Ambassadors

2.2.49. The ACP-EEC Committee of Ambassadors held a meeting in Brussels on 28 February mainly to prepare the third session of the ACP-EEC Council of Ministers, due to take place on 13 and 14 March. Agreement was reached on the agenda for the session and on the proposal that informal contacts between Ministers should be arranged during the Council meeting to discuss other questions of mutual interest. The Committee of Ambassadors also noted the progress made on a number of current matters.

Trade, industrial, financial and technical cooperation

Trade promotion

2.2.50. Representatives of forty-three ACP States and Commission staff met in Brussels

¹ Bull. EC 7/8-1977, point 2.2.56.

on 6 and 7 February to look into the possibilities and ways of encouraging the implementation of the trade-promotion schemes the Lomé Convention provides for the ACP States. Mr Cheysson took this opportunity to point out that access to the European markets was fundamental to the development of the ACP States and he stressed that more attention should be paid to marketing and sales-promotion techniques.

The meeting ended with the following recommendations:

- (i) the trade promotion requirements of the ACP States for which no programme had yet been drawn up should be identified;
- (ii) those ACP States that do not already have one should set up a Centre, Office or Department for the promotion of exports;
- (iii) attention should be given to trade-promotion problems in the drought-affected countries of the Sahel and in landlocked countries;
- (iv) certain action programmes proposed by business committees or groupings should be implemented;
- (v) there should be constant coordination between businessmen in the ACP States and in Europe in the wood, hides and skins and tourist industries.

Export earnings

Stabex

2.2.51. On 17 February¹ Parliament adopted a Resolution on the Commission's communications to the Council on the operation during 1975 of the system set up by the Lomé Convention for stabilizing export earnings and the Decision on the association of

the OCT and on the Commission's reports giving the initial results of the systems for 1976.

European Development Fund

2.2.52. Following the favourable Opinion delivered by the EDF Committee, the Commission decided on 23 February to finance the following projects under the fourth EDF:

All ACP States — Budget of the Centre for Industrial Development 2 252 000 EUC

Mali — Ségou rice scheme—second stage 8 640 000 EUC

Zaire — Completion of the Butuhé tea project 3 030 000 EUC

Malawi — North-west Mzimba smallholder tobacco pilot project 2 200 000 EUC

Grenada — East coast road 1 440 000 EUC

Togo — Village water engineering programme 4 270 000 EUC

Jamaica — Early childhood education 930 000 EUC

Chad — N'Djaména industrial estate 267 000 EUC

Samoa — Multiannual training programme 110 000 EUC

Fiji — Multiannual training programme 100 000 EUC

Tonga — Multiannual training programme 20 000 EUC

Barbados — Barbados trade promotion 100 000 EUC

Barbados — Barbados tourism project 100 000 EUC

¹ Point 2.3.21 and OJ C 63 of 13.3.1978.

Other countries

Industrialized countries

Japan

2.2.53. At its meeting on 7 February the Council adopted conclusions regarding relations with Japan. The Commission was invited to continue the dialogue with the Japanese Government with a view to resolving the bilateral problems which are highlighted by the massive surpluses in the Japanese trade balance (over USD 17 000 million in 1977).

2.2.54. In preparation for the discussions which are to take place before the end of March between Vice-President Haferkamp and the Japanese Government, a Commission delegation had exploratory talks with the Japanese authorities in Tokyo from 13 to 17 February. These discussions dealt with Japan's macroeconomic policy and objectives, in particular the question of reducing its current account surplus to USD 6 000 million in 1978. The Commission delegation stressed that the macroeconomic measures should go hand in hand with effective opening up of the Japanese market to imports of manufactured products. With this in mind, the specific sectoral questions concerning Community exports to Japan were examined in order to determine the measures to be taken to improve the present unsatisfactory situation. One of the main features of trade between the EEC and Japan is that Community exports to Japan cover only 40% of Community imports from that country and the Community's trade deficit was USD 5 000 million in 1977.

Developing countries

Asia

Republic of Korea

2.2.55. Mr Tong-Jin Park, the Korean Foreign Minister, paying what was essentially a courtesy visit to Brussels, was received by Mr Jenkins, President of the Commission, and by Mr Haferkamp, Vice-President, on 22 February, then by Mr Davignon, Member of the Commission, on 23 February.

Discussions covered relations between the Community and the Republic of Korea, which were considered satisfactory by both parties, the growth of the Korean economy over the last few years and world trade in the face of the new wave of protectionism. Mr Haferkamp pointed out that the Community did not see in protectionism the solution to sectoral problems and that any restrictive measures were to be considered as temporary and exceptional.

Mr Park emphasized Korea's desire to maintain close contacts with the Community. He expressed the Korean Government's attachment to the freedom of trade and its specific interest in the diversification and expansion of trade. He called for the early opening of negotiations with the Community on shrimp and tuna fishing in the waters of French Guiana.

During the talks the Korean minister said he hoped that the President would visit Seoul in the near future. The same invitation was extended to Mr Haferkamp and Mr Davignon.

3. Institutional and political matters

Other countries

State-trading countries

China

2.2.56. On 22 February the Commission transmitted to the Council a recommendation for a Regulation concluding the trade agreement between the Community and the People's Republic of China, which was initialled in Brussels on 3 February.¹

Institutional developments — European policy

Election of the European Parliament

2.3.1. At its sitting on 16 February Parliament passed a Resolution in which it expressed its regret that the Council of the European Communities had not honoured its previous undertaking to hold the first direct elections to Parliament in May-June 1978.¹ The European Council was asked to fix a definite date for the elections when it meets in Copenhagen on 7 and 8 April.

Parliament's right to consultation

2.3.2. In a Resolution adopted at the sitting on 16 February Parliament wanted to know what were the Council's and Commission's present intentions about consulting Parliament. The House felt that there was a growing tendency for it not to be consulted and therefore affirmed that it would use all the resources at its disposal under the Treaty to ensure that this right was respected.²

European Foundation

2.3.3. In accordance with the decision of principle taken by the European Council on 5 and 6 December 1977 that a European Foundation³ should be established, the Commission, on 7 February, sent to the Council a communication describing the scope of the Foundation, its objectives and its structure and financing.

The objective of the Foundation will be to extend opportunities for contact between the

¹ Point 2.3.11 and OJ C 63 of 13.3.1978.

² OJ C 63 of 13.3.1978.

³ Bull. EC 12-1977, point 2.3.6.

¹ Bull. EC 1-1978, points 1.2.1 to 1.2.3.

peoples of the Community. To this end it could support schemes and projects such as residential courses, summer schools, job-to-job exchanges, voluntary service assignments to another Member State and town and area twinning.

To perform its task the Foundation must be as flexible as possible, which means that its structures must be light and its administrative set-up compact. On the financial side, the Foundation will operate principally by granting subsidies or aids to projects or measures carried out by appropriate organizations.

Its financial contributions, which will be provided from funds made up of an appropriation from the Community budget, government subsidies and private donations, should, as far as possible, do no more than supplement contributions from other sources, particularly from governments, individuals or other foundations.

Overall assessment of the Community's budgetary problems

2.3.4. The Council has decided that at a joint Council meeting of Foreign Ministers and Finance Ministers on 3 April, it will, together with the Commission, prepare for the budgetary discussion by making an overall assessment of budgetary matters in the context of the Community's general policy. The idea of this exercise, which is being repeated for the third consecutive year, was first raised by the European Council at its meeting in December 1975. In its capacity as the other half of the budgetary authority, Parliament intends to contribute to this policy debate.

To prepare for the discussions, the Commission has drawn up a communication to the Council and Parliament containing its

thoughts and suggestions. The body of the communication is as follows:

'General guidelines

2.3.5. Amounting to around 2.5% of the national budgets of the Member States and 0.8% of GDP, the Community Budget reflects the reality of a very partial and extremely localized financial integration: nearly three quarters of the appropriations are devoted to the common agricultural policy, which is the only common policy the financing of which has been to a large extent transferred to the Community Budget. The Budget in no way measures up to the role it is required to play towards achieving the objectives of economic and monetary union and enlargement to which the highest Community Authorities recently again declared themselves firmly attached. Those who desire to see the Community deepened and enlarged, must also acknowledge the financial consequences.

The preponderance of agricultural expenditure must not lead to the budgetary debate treating the Budget as one big lump, with the risk of stifling policies and measures vital to the Community's future: the budgetary authority must examine each of the policies with budgetary implications according to its own merits with regard to integration.

Both by firmer containment of agricultural expenditure and by the expansion of other Community policies, the relative weight of expenditure in respect of guaranteeing agricultural markets must be gradually but appreciably reduced. But it would be illusory to imagine that the budgetary procedure would be of much use as a means of containing this expenditure, as it is basically determined by decisions taken "upstream" (market organizations, prices, MCAs, etc.).

In the financial years ahead, priority should still be given to bringing within the Community ambit policies and measures which have a directly integrating effect, i.e. in those sectors where operation on the Community level presents an economic or political advantage over action in the national framework.

However, with a view to progress towards economic and monetary union, preparations must be made to apply the Community Budget increasingly as an instrument of redistribution and stabilization. The coordination—and the correspondingly more effective and closely dovetailed use—of the financial instruments is already a move in this direction. The funding which would be required to have any significant effect here clearly exceeds the current size of the Budget.

It is essential for the funds allocated to the Community to be increased, but the Community should be made responsible only for those tasks which can be best carried out at Community rather than national level or which, for other reasons, determine the progress towards integration. These tasks will therefore be chosen on the basis of well defined criteria.

The development of such Community policies should lighten the load on the national budgets. To ensure that the Community policy could have a real and tangible effect, it is absolutely necessary that the Community actions reach the “critical mass”, and sometimes even wholly replace nationally financed actions so as to transform them into real “Community” actions.

While the whole range of policies and measures—established or recently started—will be continued, it is therefore necessary in the light of advocating major financial expansion to adopt a more selective and narrow approach which would ensure that responsibility for policies and measures in a small number of priority fields important to European

integration is transferred from national to Community level, the costs involved being gradually assumed by the Community Budget.

Financing the Budget under the system provided for in the Decision of 21 April 1970 will be a problem in the medium term as the available margin may disappear by the beginning of the 1980s. The Commission will shortly present a report on the question of creating new resources.

In this communication, the emphasis is placed, for obvious reasons, in the financing of operations from the Community Budget; but the Commission stresses that it attaches great importance to as much use as possible being made of the borrowing and lending machinery, which must play a growing part in the Community's finances and be used whenever the measures to be financed is suitable for this approach.

Priority matters from a medium-term budgetary viewpoint

2.3.6. The Commission suggests that certain matters be given priority from a medium-term budgetary viewpoint; these were included in the President's policy speech to the European Parliament in February¹ and in the Commission's communication to the European Council of 6 and 7 December 1977 on economic and monetary union.²

Policy on sectoral changes and social and regional consequences — In the face of conjunctural and structural difficulties, it is necessary to make an attempt to restructure the productive apparatus; this attempt at restructuring, which should also include agriculture, will have social and regional consequences with repercussions at budget level.

¹ Point 1.1.1.

² Bull. EC 10-1977, point 1.2.1.

To ensure success this restructuring must be able to be carried out at Community level, for reasons of efficiency and coherence; besides, it will only be possible if a parallel attempt is made in the field of development of growth sectors

Community industry in the declining sectors is confronted with the need to adjust production capacities and modernize structures so as to regain the competitiveness which is essential for developing its external markets. What is more, industry must exploit the new development potential which the advanced technology sectors and the environmental and energy sectors contain on its own market.

Greater energy self-sufficiency must also take priority if the Community wishes to achieve the objectives it has set itself. The proportion of the Community Budget currently allocated to energy policy proper (approximately 0.4%) is disproportionately small in comparison with what is at stake.

Energy policy—comprising the development of the Community's energy resources and rational utilization of energy—must be vastly expanded.

The strengthening of international cooperation must continue to receive the Community's closest attention in the medium and long term, both by reason of the Community's concern for development in Third World countries and in the Community's own interests. Numerous criteria speak in favour of reinforcing the Community character of the development cooperation policy and the resultant expenditure. Although the short-term aim is to consolidate and deepen what has already been achieved, the early 1980s will be an important milestone in the budgetary activity of the Community with the incorporation of the European Development Fund in the Budget.

The reduction of regional imbalances is already a growing concern of the Community. Although the financial allocation planned up to 1980 represents a considerable effort, the impact of the Community contribution will nevertheless be very slight in relation to the scale of the problems to be tackled. Given the foreseeable consequences of the deepening and widening of the Community it would be of vital importance to increase significantly the financial measures made available to the Community.

The Commission considers that the *budgetary approach* to the common *agricultural policy* must continue to be that of *containing the expenditure* generated by this policy.

A general medium-term appraisal of budgetary matters must include the enlargement of the Communities, which will have significant budgetary repercussions for the Communities and in particular the reallocation of resources to the advantage of the new Member States. The Commission will shortly make an initial assessment.

Some repercussions on the 1979 Budget

2.3.7. As regards the 1979 Budget, the main effect of the guidelines and priorities put forward are as follows:

As regards industry, the Commission intends to continue the efforts it launched in the 1978 Budget to raise the financial means needed to overcome the crisis.

Though these financial interventions are only part of the overall industrial strategy at Community level, they are nevertheless an indispensable part.

Complementing the action taken by operators and the Member States, Community financial aid will release aid for reorganization and conversion in the form of loans and interest relief grants. A portion of the Commu-

nity loans intended to finance industrial investment projects should therefore be directed towards these objectives. In addition, appropriations could be entered in the General Budget to enable the Community to apply a direct stimulus to reorganization efforts as well as upgrading the existing financial instruments (EIB, Social Fund and Regional Fund).

The *agricultural structures policy* should grow significantly in 1979: firstly, the recent Commission proposals with a view to Council decisions during 1978, should allow the existing directives to be applied more fully. Secondly, the Council is also called upon to decide in 1978 on a number of specific proposals on the structure of the Mediterranean regions, the implications of which will be reflected in the 1979 Budget.

As for the *social policy*, the financial year 1979 should—bearing in mind the precarious employment situation—see the following developments:

- (i) an across-the-board increase in appropriations should raise the intervention level for existing measures;
- (ii) new forms of aid in respect of youth unemployment should be introduced;
- (iii) new intervention measures will be necessary, if the policies for the reorganization of certain industrial sectors are to be acceptable on a social level.

As regards *energy policy* and its *research aspects*, in 1979 budgetary appropriations will be needed in order that the operations to develop the Community's energy resources may be continued and expanded, with the emphasis on the exploitation of hydrocarbons, uranium prospecting and demonstration projects (energy saving, coal gasification, geothermal energy). As regards coal, operations for the upgrading and promotion of coal at Community level (stockpiling, use in

power stations, intra-Community trade) will be required.

These operations to develop alternative energy sources, will be backed up by a new operation concerning the energy savings to be made by modernizing buildings.

As regards *international cooperation*—pending important stages in budgetary activity in subsequent financial years—in 1979 emphasis should be placed, as a matter of priority, on:

- (i) food aid: the total quantity of cereals supplied by the Community and the Member States should be increased. The Council took a favourable view of the principle, and this should be translated into practical terms when the Food Aid Convention is renegotiated;
- (ii) financial and technical aid to non-associated developing countries: present efforts should be intensified to ensure that a truly significant volume of aid is reached at an early date.

The need already so strongly felt for a substantial increase in the financial resources earmarked for *alleviating the effects of regional imbalance* is felt even more acutely in the perspective of economic and monetary union as well as that of enlargement.

Looking forward to the 1979 Budget, priority must be given to establishing a “non-quota” allocation whose main purpose would be to permit financial intervention at regional level and at the Community's initiative, and thus provide additional support which is essential if this policy is to be fully implemented.

Where *agricultural market policy* is concerned, the 1979 financial year will reflect the adjustments which will have been made on the basis of recent Commission proposals:

- (i) the effects of a cautious agricultural prices policy;
- (ii) the modification of some market organizations should result in a better balance and

in more satisfactory functioning of the policy;

(iii) the gradual reduction of monetary compensatory amounts will help to restore the situation to normal;

(iv) the restructuring and improvement of some market organization for Mediterranean products will make it easier to meet the requirements of certain regions which, so far, have been disadvantaged.

The 1979 Budget will reflect the repercussions of the *new fisheries policy*, which will be introduced in three areas:

(i) *The common market organization* will have growing importance. To this will later be added the effects of the new support measures for which provision is to be made (extending the price system to other species, new technologies, marketing and sales...);

(ii) *The structural policy* will appear in the 1979 Budget, in the form of the three measures for which the Commission has submitted proposals: (conversion of the small scale inshore fishing industry, adjustment of production capacities including social aspects; protection and surveillance of fishing zones).

(iii) *The external aspects* of the fisheries policy will take the form of fisheries agreements (involving a financial consideration) with certain non-Member countries.¹

Institutions and organs of the Communities

Parliament

Part-session in Strasbourg from 13 to 17 February

2.3.8. The main feature of the February sittings was, as each year, the presentation of the Commission's programme.

Much time was also given to reviewing a number of sectoral problems. Two major debates dealt with fisheries policy and the situation of small businesses. Other items on the agenda concerned social matters, steel and development aid. Relations with Greece and the North-South Dialogue were also discussed.¹

1977 General Report — Programme for 1978 (14 February)

2.3.9. In his programme address which followed the presentation of the General Report on the Activities of the European Communities in 1977, Mr Jenkins set out the Commission's objectives and priorities for a future-minded Community.²

In the lengthy debate which followed this statement, the different groups were able to express the concern of their members about the major issues confronting the Community: the economic crisis and unemployment, restructuring, the establishment of economic and monetary union, enlargement and the radical institutional changes which direct elections will bring about.

For the Socialist Group Mr Lange (S/D) emphasized the importance which Parliament attached to strengthening structures and securing a better regional balance as means of

¹ 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 63 of 13.3.1978 and the report of proceedings is contained in OJ Annex No 226.

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.

² Point 1.1.1.

reducing unemployment; he stressed that vocational training must be provided for young people which was adapted to today's technical needs. Mr Lange also set the Community the basic task of establishing a new division of labour with the Third World, since an increase in developing countries' purchasing power was a source of employment for the Community, and also the means of fulfilling the political and moral obligation already contracted towards the Third World.

For the Christian Democrats, Mr Klepsch (C-D/D) deplored the lack of progress in the two years following the Tindemans Report.¹ The Member States must draw the appropriate conclusions so that action could be taken in those areas which could advance economic and monetary union. The Community must also consider the interests of the Third World, towards which it bore a heavy responsibility. Broaching the question of enlargement Mr Klepsch emphasized its serious challenge for the Community because of the need to diminish the considerable disparities between the applicant countries and the Member States, while at the same time strengthening solidarity and preserving what the Community had already achieved.

On behalf of the Liberal and Democratic Group, Mr Berkhouwer (L/NL) stressed the need, in a Community like ours, to respect the principle that the burden of effort entailed in the development of Community policies should be borne jointly by all the Member States.

In the light of the recent meeting in Versailles of the Finance Ministers of the United States, Japan, Germany, France and the United Kingdom, he was sceptical about the prospects for economic and monetary union. He commended the Commission for having organized public discussions on nuclear energy but was not convinced that its position with regard to moderate policy on farm prices was well substantiated.

Mr Berkhouwer hoped that the question of human rights would be debated when the Lomé Convention came up for renewal and, in conclusion, called for an end to the doubts and hesitations over the enlargement of the Community.

For the European Progressive Democrats, Mr Nyborg (EPD/DK) expressed concern at the very serious deadlock on fisheries, because no decision had come from the Council. He also objected to the Commission's policy of keeping down farm prices in order to limit surpluses. He felt that we would see an increase in production to make up the financial loss.

For the Conservatives, Mr Rippon (C/UK) painted a bleak picture of the European economy. He was particularly appalled by the lack of impetus from the German Government to revitalize the European economies which had been the hardest hit by the recession. He maintained that Europe needed a common policy and a common monetary discipline.

Turning to the question of enlargement he called for some political imagination in strengthening the Community, in order to ease the accession of Greece, Spain and Portugal, eventually of Turkey and in the long term of all the members of the European family.

For the Communist and Allied Group, Mr Spinelli (COM/I) criticized the decision-making process in the Community, since there was no knowing whether the Council would take the Commission's proposals into consideration. The programme prepared by the Commission should be the Community's programme and should also provide the budgetary authority with an estimate of the cost of proposed measures.

¹ Supplement 1/76 – Bull. EC.

After he, too, had stressed the need for enlargement, Mr Spinelli emphasized the importance of external relations, in view of the Community's dependence for its supplies of raw materials. This situation compelled the industrial countries to mount a large-scale development programme for the Third World, which meant international work sharing and a considerable improvement in the standard of living of those countries.

Parliament's seat (13 February)

Statement by the President on Parliament's seat

2.3.10. To put a stop to speculation and surmise concerning the seat of the directly elected Parliament, President Colombo made a statement to the House clarifying matters.

After reminding the House that Parliament was the only institution which had to operate in three different countries—a state of affairs which caused considerable inconvenience and heavy expenses—President Colombo pointed out that Parliament had always honoured the obligations under the agreement between the governments concerning the provisional locations of the institutions and that it had no intention of acting contrary to this decision or of prejudging the future. The one concern of the enlarged Bureau, he said, was, and always had been, to ensure that the directly elected Parliament did not run into difficulties when it took office.

The President then told the House that the city of Strasbourg and the Council of Europe had been approached with a view to adapting present facilities to future working conditions. Talks had also started with the Lux-

embourg Government to ensure that the Grand Duchy could offer a suitable chamber and sufficient offices and meeting rooms.

On this point the President explained that the college of quaestors was now examining the construction project which the Luxembourg Government had prepared on its own initiative and on its own responsibility.

With regard to Brussels, where the Committee meetings were held, various possibilities were being studied which would provide Parliament with about seven meeting rooms and two to three hundred offices for members and their staff. Recent moves by the Belgian Government indicated that a positive solution would be swiftly found.

In conclusion the President made a point of thanking all the authorities concerned for their understanding and collaboration.

Date of the direct elections (16 February)

2.3.11. It was Mr Patijn (S/NL) who voiced Parliament's regret that the Council had not respected its undertaking to set the date of the first direct election of the European Parliament for May-June 1978; he urged the European Council to set a definite date for the elections when it met in Copenhagen on 7 and 8 April.

Answering the various speakers, who had all supported the Resolution, the President of the Council Mr Andersen pointed out that, formally, the ratification procedure had to be completed in all the Member States before the Council could fix the definite date.

Mr Bertrand (C-D/B) drew the obvious conclusion that only a target date could be proposed by the European Council in April.

Fisheries policy (15 February)

2.3.12. The failure of the negotiations¹ for a common fisheries policy was the subject of a lengthy debate, prefaced by a statement from the President of the Council, Mr Dalsager, in which he highlighted the difficulties involved in defining a common fisheries policy. Though discipline was absolutely necessary it required considerable sacrifices from fishermen and consequently each of the Member States had legitimate national interests to defend.

The Commission's proposals had been accepted by eight Member States. The United Kingdom had not been able to accept them. The 'Eight' would apply the proposed measures by way of national provisions. The United Kingdom would continue to apply the existing arrangements in her territorial waters.

Mr Andersen said that the negotiations must be resumed and he was still hopeful, but the situation would get very difficult if the United Kingdom did not change its position.

Following the discussions which had taken place in Parliament and in the Council, the Commission had prepared an amended version of its proposed basic regulation establishing a Community system for the conservation and management of fishery resources, on which Parliament, under the responsibility of Mr Corrie (C/UK), had compiled a new report. This report once again emphasizes that surveillance measures must be tightened in the interests of conserving fish stocks, but expresses satisfaction with the adjustments made in the proposal.

The failure to consult Parliament on this proposal was the subject of a Resolution in which the House again maintained that genuine and frank cooperation between Parliament, the Commission and the Council²

was, as it always had been, essential if the Community was to operate properly.

The question of surveillance of fishing zones was covered in a second report presented by Mr Klinker (C-D/D), on the basis of which Parliament recommended in its resolution that:

'(a) any patrol ship or aircraft coming under the sovereignty of a Member State be authorized to patrol the whole of the Community fishing zone,

(b) any ship belonging to a Member State be authorized to stop or pursue a fishing vessel from a third country even outside the zone administered by that Member State and to conduct that vessel to the nearest Community port even if that port is outside the zone for which it is directly responsible.'

During the debate the position of the United Kingdom was illustrated by the statements of Mr Hughes (S/UK). Mr Hughes took a moderate line, stressing the key problem of the need to protect the fishing communities who could not find alternative employment, but also acknowledging the constraints of the Treaty and the obligations of a Community position. Mr Rippon reminded the House that during the accession negotiations in 1972 the United Kingdom had already made known the position it was taking today. In answer to Mr Gundelach's question, 'What does the United Kingdom want?' Mr Rippon simply replied: 'Application of the Act of Accession and in particular Articles 102 and 103'.

Small businesses and craft industries (16 February)

2.3.13. Parliament was almost unanimously in favour of a policy for integrating small businesses into both national and Communi-

¹ Bull. EC 1-1978, point 2.1.53.

² Point 2.3.2.

ty economic life. This, it felt, was something which had to be taken fully into account for purposes of economic policy.

The report put to Parliament by Mr Notenboom (*GD/N*) addresses a large number of recommendations both to the Member States and to the Community for measures to help small businesses in the fields of information, continuous training, finance, competition and cooperation, export aids and company law. In particular it invites the Council (and the Commission) to see that small business is adequately represented when new members are appointed to the Economic and Social Committee this year.

Social policy

Equal pay for men and women (14 February)

2.3.14. The Council Directive of 10 February 1975 relating to the application of the principle of equal pay for men and women¹ is now two years old; the Member States were given two years in which to take the necessary measures. Several members of the Socialist Group therefore asked the Commission whether the Directive was actually being applied by the Member States.

In reply Mr Vredeling informed Parliament that the Member States had not complied with the two-year deadline and that a reminder had been sent to them. The Commission will do all it can to see that the principle becomes reality as soon as possible.

Preparation of young people for work (14 February)

2.3.15. The report put to Parliament by Mr Pistillo (*COM/I*) gave a rather frosty reaction to the action taken on the resolution of the

Council and the Ministers of Education of 13 December 1976² concerning measures to be taken to improve the preparation of young people for work and to facilitate their transition from education to working life.

The report describes the measures taken so far as too limited, badly coordinated and ineffective in finding a solution to a problem which now affects two million of the Community's young citizens.

It goes on to say that an integrated policy for young people, closely combining the questions of education, vocational training integration into working life should seek cooperation and coordination between the various departments involved in each Member State and between those involved Community-wide. There is also a need for meetings at the highest level of those with responsibility for education, vocational training and employment. In short, the proposed measures are quite inadequate, as are the funds allocated for them—11 million EUC between now and 1981.

The proposal is therefore that the funds earmarked be increased substantially and that there should be greater coordination of measures taken under the Social Fund, Regional Fund, EAGGF Guidance Section and funds entered in the Community budget for integrated educational programmes.

In reply Mr Vredeling, for the Commission, approved the idea of an integrated programme for youth, something which, he said, is totally lacking in the Member States. However it is particularly difficult to take account of the relationship between economic problems and training problems as the me-

¹ OJ L 45 of 19.2.1975; Bull. EC 12-1974, point 1303 and 2-1975, point 2209.

² OJ C 308 of 30.12.1976; Bull. EC 11-1976, points 1201 to 1203 and 12-1976, point 2272.

chanisms of the economy are not yet sufficiently under control.

**Regional impact of the
Community steel policy**
(13 February)

2.3.16. Answering an oral question put by several members on behalf of the group of European Progressive Democrats, Mr Burke stated that the measures taken by the Commission for the steel industry were already beginning to bear fruit. The aim was to create a favourable climate in which the European steel industry could reform its structures so as to restore its long-term competitiveness. This was to be achieved by adjusting capacity, reducing production costs and carrying through regional conversion measures. As regards the regional aspect, it was for the Regional Fund, and particularly the non-quota reserve proposed by the Commission, to reduce the unfortunate regional effects of industrial policy so as to help create the necessary replacement jobs.

The crisis plan also provided for increased financial assistance from the Community for the necessary structural changes in the steel industry. The Commission had already increased its use of ECSC financial resources (Treaty Articles 54 and 56) to encourage both the internal restructuring of firms and conversion by means of interest relief grants. Furthermore, as regards coordination of Community financial instruments, the Commission was monitoring their use to help the steel industry.

The Commission would be working with firms and with the Member States on an analysis of the problems arising from the structural change policy, with particular reference to the effect on equilibrium between regions. Resources would also be used from the regional fund to help create replacement jobs.

Energy policy

*Allocation of energy resources
in the Community in the event
of serious shortage*
(15 February)

2.3.17. The Community is now better placed to deal with petroleum supply difficulties than it was before the crisis of 1973 and 1974. This was the conclusion to which the Council President, Mr Andersen, came in his answer to the oral question by Mrs Walz (C-D/D).

Studies were in progress on an overall strategy on coal. Decisions concerning oil had already been taken: ninety-day emergency stocks, procedures for determining Community objectives for reducing consumption of primary energy in the event of supply difficulties, rules governing trade within the Community of crude oil and petroleum products during a crisis, and so on. Other proposals are in preparation.

Fast-breeder reactors
(16 February)

2.3.18. Despite programmes for saving energy and for using it more efficiently, the Communities' heavy dependence on the outside world for energy (about 58% in 1976) means that recourse is bound to be had to nuclear energy. As a result the fast-breeder option has turned out to be essential. By using these reactors Europe can live on its existing uranium reserves for several centuries to come.

These are the main conclusions reached by the Commission in its communication to the Council,¹ inviting the Council to consider the need for commissioning fastbreeder reac-

¹ Bull. EC 7/8-1977, points 1.3.1 to 1.3.6.

tors in the early 1990s, and for increased efforts on security to accompany this.

The draft resolution put to Parliament by Mr Noë (C-D/I) endorses the Commissions' proposals and calls on the Commission to intensify its current efforts for Community and international harmonization of the design, construction and safety standards of fast-breeder reactors.

Consumer protection (16 February)

2.3.19. The Commission's proposal for the uniform practice of unit pricing on foodstuffs in all the Member States¹ was the subject of a report to Parliament from Lady Fisher of Rednal (S/GB). Parliament's resolution welcomes the fact that the Commission proposal is for action on a priority item in the Community programme for a consumer protection and information policy.

Replying to Parliament's request that the scope of the directive should not be confined to foodstuffs, Mr Tugendhat stated that the Commission's intention was to extend the proposal to cover common household products. In reply to objections he also added that proposals such as this would have to take account of all the problems and interests of sellers, manufacturers and consumers.

Relations between the EEC and Greece (13 February)

2.3.20. In an oral question Mr De Clercq (L/B) asked the Commission what was the position in view of the delay in implementation of the second EEC-Greece financial protocol² because certain Member States had not yet ratified it. Mr De Clercq stressed the vital need for this protocol to help reform the

structure of the Greek economy in preparation for Community membership.

Replying for the Commission Mr Burke informed Parliament of the approaches that had been made to the Council to speed up ratification procedures. The protocol had so far been ratified by four Member States (Denmark, France, Italy and the Netherlands) and by Greece. Mr Burke stated that, should the need arise, the Commission would demand autonomous entry into force of the protocol.

Development aid

North-South Dialogue (15 February)

2.3.20a. What commitments have the Community and the Member States taken on so far in the North-South Dialogue and how are they organizing subsequent stages of the dialogue? This was the main point of the question put to the Council and the Commission by certain members of the Christian Democratic Group.

The President of the Council recalled that the Community had already entered into a series of commitments to be met on two levels:

Community development cooperation policy, epitomized in the Lomé Convention;

Community involvement in international negotiations and activities (where it has a supremely important role to play), as in the establishment of a common fund, the United Nations emergency action, the special programme, and so on. The Council attaches the greatest importance to an overall approach to development cooperation, and to

¹ OJ C 167 of 14.7.1977.

² Bull. EC 1-1977, point 2.2.33 and 2-1977, point 2.2.31.

harmonization and coordination of Community and Member State policies. It attaches the greatest importance to continuing the North-South Dialogue and to preserving of the current climate of cooperation.¹ Lastly, it will continue in the future to do all that can be done to see that the Community speaks with a single voice.

Speaking for the Commission, Mr Cheysson dealt with four main considerations:

the authority that attaches to the Community when it speaks with one voice;

the responsibility for the international community, including the State-trading countries, to act together in solving the most difficult problems;

the need, if progress is really desired, for both sides to abandon the practice of withdrawing into carefully prepared non-negotiable positions;

the Community's duty to make progress with its external activities. Its scope for action is greater than any of the Member States individually and indeed than the combined possibilities of the Member States.

Stabex

(17 February)

2.3.21. The operation of the export earnings stabilization scheme in its first two years was viewed in a largely favourable light by Parliament. The report submitted by Mr Aigner (C-D/D) notes that, although it is rather complex, the system operated correctly and fully completed its dual task of providing protection against economic fluctuations and against falls in earnings arising from circumstances beyond the control of the ACP States or the OCT.

Parliament particularly welcomed the fact that in 1975 and 1976 56% and 76% respectively of the transfers made were to the least

developed ACP countries. The bulk of the funds concerned went to agricultural or infrastructure programmes, but Parliament was concerned that not all the ACP States were utilizing the funds in the spirit of the system's objectives. It regarded respect for the objective criteria determining the operation of Stabex as essential, believing that in the absence of such respect the system would very soon become inoperable.

The resolution emphasizes once again that there can be no question of attempting to use Stabex to resolve all the problems of the ACP and OCT countries involving their balances of payments and raw materials. Parliament believes that these problems can be solved only by means of agreements concluded on a broader basis and that the Community must accept special responsibility in this matter.

Council

2.3.22. In February the Council held three meetings on foreign affairs, agriculture and economic and financial affairs.

500th meeting — Foreign Affairs (Brussels, 7 March)

2.3.23. *President:* Mr Andersen, Danish Minister of Foreign Affairs.

From the Commission: Mr Jenkins, President, Mr Haferkamp, Mr Gundelach, Mr Natali, Vice-Presidents Mr Cheysson, Mr Davignon, Mr Burke, Members.

Relations with Japan: The Council adopted a common strategy for the dialogue between the Community institutions and the Japa-

¹ Point 2.2.9.

nese Government, which will also guide the Member States in their contacts with Japan.¹

Relations with China: The Council heard a report by Vice-President Haferkamp on the negotiations with a delegation from the People's Republic of China which ended on 3 February with the initialling of a commercial agreement between the European Economic Community and China.² The Council welcomed the successful completion of these negotiations and stressed the political and economic importance of this event.

Steel: The Council heard a report from the Commission on the implementation of the crisis plan decided on last December to remedy the difficulties in the steel sector. It noted this report, which covered both the progress made in the talks being held with the countries which are the Community's main steel suppliers—in particular the EFTA countries—for the purpose of concluding arrangements, and application of the internal measures.

The Council confirmed the importance which it, and the Commission, attach to full implementation of the measures agreed upon in December.

Accession negotiations with Greece: The Council welcomed the fact that it would be possible for the negotiations proper with Greece to begin at the negotiation session at deputy level on 10 February on the chapter concerning customs union and free movement of industrial goods.³

Cyprus: On the basis of a report and proposals put forward by the Commission at the meeting, the Council reviewed the negotiations currently being conducted with Cyprus for the purpose of defining the trade arrangements in the agricultural sector for 1978 and 1979. It was generally agreed that these negotiations should be concluded rapidly and

the Council took the necessary procedural steps to that effect.⁴

Food aid: Following the guidelines set out on 28 November 1977 on the volume to be adopted for the 1978 programme of food aid in the form of skimmed-milk powder, the Council decided on a volume of 150 000 tonnes. This will enable the Community to contribute to the implementation in India of the Flood II operation, an integrated rural development project.

The Council issued directives to the Commission for the negotiation of a new Food Aid Convention in the framework of an International Cereals Agreement (United Nations Conference in Geneva from 13 February to 23 March 1978).⁵

North-South Dialogue: The Council held a wide-ranging debate on the reopening of the North-South Dialogue, at the end of which it decided on a number of lines of action for the Community to pursue in this connection.⁶

Summer time: The Council discussed the international implications of summer time, following which it stressed the importance it attached to the introduction of a harmonized system of summer time within the Community.

Dental practitioners: The Council reached agreement on the principle of defining the scope of activity for the profession of dental practitioner. Now that this basic question has been settled, work on the four draft Directives and Decisions on the right of establishment and freedom to provide services for

¹ Point 2.2.53.

² Point 2.2.56.

³ Points 1.4.1 to 1.4.5.

⁴ Point 2.2.42.

⁵ Point 2.2.17.

⁶ Points 2.2.7 and 2.2.8.

dental practitioners can be completed in the coming months.

501st meeting — Agriculture (Brussels, 13-14 February)

2.3.24. *President:* Mr Dalsager, Danish Minister of Agriculture.

From the Commission: Mr Gundelach, Vice-President.

Development of the Mediterranean regions: The Council held a broad policy debate on certain points in the Commission's proposals for developing the Community's agricultural regions in the Mediterranean.¹ In this connection, it heard an introductory statement by Vice-President Gundelach on the new proposals on wine which the Commission recently laid before the Council.²

Agricultural prices: In a brief exchange of views in preparation for the work to be done in the next few weeks, the Council resumed the general discussion on the financial repercussions of the Commission's agricultural price proposals for 1978/79 and the related measures.³

Imports of tomatoes from the ACP States: Pending the Opinion of Parliament, the Council stated that it was in principle sympathetic to the proposal that the CCT duty on fresh or refrigerated tomatoes be reduced by 60% during the period from 15 November to 15 April for a tariff quota of 1 000 tonnes for the benefit of the ACP States, and particularly of Senegal (on the understanding, however, that the minimum duty, i.e. 2 u.a./100 kg, for this product would continue to apply).

The Council adopted the appropriate Regulation on 28 February 1978.⁴

*Monetary compensatory amounts:*⁵ The Council took stock of work on the proposal for a

Regulation on the fixing of representative conversion rates in agriculture, the purpose of which is the progressive and to some extent automatic phasing out of monetary compensatory amounts.⁵ The Ministers were also asked for their preliminary comments on the economic effects of the agri-monetary system in the light of the Commission's report on the subject.⁶

Potatoes: The Council examined the problem of the arrangements to be applied to early potatoes in the context of the future common organization of the market for the potato sector in general, with particular reference to the implications of these arrangements for the conclusion of negotiations with Cyprus on agricultural products.⁷

Rice supplies for Réunion: The Council stated that, pending an Opinion from Parliament, it was favourably disposed in principle towards the Commission's proposal for a Regulation, which would ensure a better supply of rice to the department of Réunion by adjusting the levy system.

502nd meeting — Economic and Financial Affairs (Brussels, 20 February)

2.3.25. *President:* Mr Haekerup, Danish Minister of Economic Affairs.

From the Commission: Mr Ortoli, Vice-President.

Economic situation in the Community: The Council held a detailed exchange of views on

¹ Bull. EC 12-1977, points 1.3.1 to 1.3.5.

² Point 2.1.39.

³ Bull. EC 12-1977, points 1.4.1 to 1.4.5.

⁴ OJ L 59 of 1.3.1978.

⁵ Bull. EC 10-1977, point 2.1.48.

⁶ Point 2.1.38.

⁷ Point 2.2.42.

the economic situation in the Community in preparation for the discussion to be held in March at the Council meeting on economic and financial affairs, which will be devoted to adapting the economic policy guidelines for 1978 (first quarterly examination of the economic situation in accordance with the 'convergence' decision of 1974), and for the discussion on the economic and social situation in the Community to be held by the European Council at its meeting on 7 and 8 April.

Community loans: Vice-President Ortoli presented the proposal which the Commission had sent to the Council and which would empower it to issue loans for the purpose of promoting investment within the Community.¹

Economic and monetary action programme for 1978: The Council heard a statement by Mr Ortoli concerning the Commission's Communication on the economic and monetary action programme for 1978.²

Commission

Activities

2.3.26. The Commission held four ordinary meetings in February. Some of the more important topics discussed were the economic and monetary action programme, the renewal of the Lomé Convention, adjustments to the common organization of the market in wine, energy policy and budgetary matters.

Safeguards system: The Commission sent to the Council a draft Safeguards Agreement between Euratom, France and the IAEA. Under the agreement, the International Atomic Energy Agency safeguards system would be extended to France to cover certain non-military nuclear materials.

EAGGF — Financial control: The Commission decided that the Special Committee of Enquiry's report on EAGGF (Guarantee Section) operations in the wine sector³ would be sent to the Council, Parliament and the Court of Auditors for information.

Monetary compensatory amounts: The Commission approved a report to the Council on the economic effects of the agri-monetary system.⁴

Wine: The Commission adopted two proposals for Council Regulations on the common organization of the market in wine. The proposals round off the package of proposals on Mediterranean policy sent to the Council last December.⁵ The first of these two concerns the setting-up of a European Joint-Trade Table Wine Organization, and the second is designed to give the Community a freer hand to intervene on the wine market in the event of a serious crisis.⁶

Economic and monetary union: The Commission approved a communication to the Council on the action programme for 1978 under the five-year plan for progress towards economic and monetary union presented to the European Council last December.⁷

Lomé Convention: The Commission adopted, a report to the Council in preparation for the forthcoming negotiations with ACP countries for the renewal of the Lomé Convention.⁸

Enlargement: The Commission approved a communication to the Council on transitional arrangements for capital movements to apply in Greece after accession.⁹ It also adopt-

¹ Point 2.1.2 and Bull. EC 1-1978, point 2.1.1.

² Points 1.2.1 to 1.2.4.

³ Point 2.3.77.

⁴ Point 2.1.38.

⁵ Bull. EC 12-1977, points 1.3.1 to 1.3.5.

⁶ Point 2.1.39.

⁷ Points 1.2.1 to 1.2.4.

⁸ Points 1.3.1 to 1.3.4.

⁹ Points 1.4.1 to 1.4.5.

ed a timetable for examination of the draft overall interim report on enlargement which would enable the report to be adopted as soon as possible.

Direct elections: The Commission adopted a communication on the basic guidelines of the special information programme in preparation for direct elections to Parliament.

Work-sharing: The Commission approved a working document on work-sharing produced in preparation for the March meeting of the Standard Committee on Employment.¹

Energy policy: The Commission approved two communications to the Council concerning energy policy.² The first describes the Commission's plans for action in the oil-refining industry, and the second concerns the introduction of a Community aid system for intra-Community trade in powerstation coal.

Budget policy: The Commission adopted a communication to the Council and Parliament embodying an overall assessment of the Community's budget problems to help with the preparations for the 1979 budget.³

Free movement of workers: The Commission heard a report on the results of the talks with the football federations of the Member States with a view to lifting existing restrictions on the number of professionals from other countries that can be fielded by a team.⁴

Relations with workers' and employers' organizations

2.3.27. During February, five preliminary consultation meetings were held with the European Trade Union Confederation (ETUC). They concerned the following areas: the effect of exchange rate fluctuations on the payment of social security benefits to mi-

grant workers; ways and means of maintaining real incomes, the environment (the emphasis being laid on industry and technology), and three particular aspects of the multinationals—the release of information, advertising and the code of conduct. The Working Party of trade union leaders also discussed a number of points to do with the action programme it is in the process of preparing.

At a consultation meeting representatives of producers and trade unions considered the forward programme for steel for the second half of 1978.

A briefing session was also held at which a number of ETUC experts had the opportunity to discuss, in the context of commercial policy with developing countries, a number of items concerning the GATT trade negotiations, the renewal of the Lomé Convention and the effects of the Stabex (stabilization of export earnings) system.

Lastly, the ETUC held its annual meeting with Commission staff on the subject of the present state of the common transport policy and its prospects for the future.

Natural disasters

2.3.28. The Commission has approved arrangements for granting aid to areas struck by natural disasters, given the limited funds available.

Under this procedure the Commission decided to come to the assistance of the victims of the violent storm in the Channel on 11, 12 and 13 January, and the heavy snowstorms and floods that hit the departments

¹ Point 1.6.1.

² Points 1.5.7 to 1.5.12, 1.5.6 and 2.1.73.

³ Points 2.3.4 to 2.3.6.

⁴ Point 2.1.9.

of Lozère, Bouches-du-Rhône and Var a few days later.

It agreed to make the equivalent of 400 000 EUC (FF 2 331 624) available to the French authorities in the stricken areas, and the equivalent of 1 500 000 EUC (UKL 944 898) to the British authorities, of which UKL 314 536 is to go to Scotland.

Court of Justice¹

New cases

Case 10/78 — Mr T. Belbouab, Herne v Bundesknappschaft, Saarbrücken.

2.3.29. The Gelsenkirchen Social Court asked the Court of Justice on 1 February for a number of preliminary rulings on whether an Algerian national who possessed temporarily the nationality of a Member State in which he worked as a miner can rely on insurance periods completed in that Member State in order to obtain a pension in another Member State. This case raises the problem of the involvement of national authorities *vis-à-vis* legally protected rights.²

Case 11/78 — Italian Republic v Commission

2.3.30. The Italian Government submitted an application to the Court of Justice on 2 February for the annulment of Regulations (EEC) Nos 2657/77 and 800/77 on the application of monetary compensatory amounts to certain products not covered by Annex II to the EEC Treaty (products falling within tariff headings Nos 17.04 D, 18.06 B and C, 19.08 B and 21.07 C of the Common Customs Tariff—sugar, chocolate, bakers' and ice cream products).^{2,3}

Case 12/78 — Italian Republic v Commission

2.3.31. Italy made an application to the Court of Justice on 2 February for the annulment of a number of Commission regulations in the agricultural sector concerning monetary compensatory amounts on durum wheat and products thereof (Regulations (EEC) Nos 2604/77, 2792/77 and 2917/77)⁴ on the grounds that they infringe the rules laid down in Regulation (EEC) No 974/71.^{2,5}

Case 13/78 — Fa. J. Eggers Sohn & Co., Bremen v Freie Hansestadt Bremen, represented by the Senator für Gesundheit und Umweltschutz

2.3.32. The Administrative Court of Bremen asked the Court of Justice on 9 February for a number of preliminary rulings on whether subparagraphs 1 and 4 of Article 40(1) of the German Law on wines of 14 July 1971,⁶ according to which spirits made from wine in Germany can only be designated 'Qualitätsbranntwein aus Wein' or 'Weinbrand' under certain specific conditions, constitute a measure having an effect equivalent to a quantitative restriction and a discriminatory measure prohibited by Community law. If so, the German court wished to know whether Article 36 of the EEC Treaty applies to this case and, if so, whether the German provision is compatible with Articles 90(1) and 86(b) of the EEC Treaty.²

¹ For details see the text published by the Court of Justice in the Official Journal and in the European Court Reports.

² OJ C 69 of 18.3.1978.

³ OJ L 308 of 1.12.1977 and OJ L 97 of 21.4.1977.

⁴ OJ L 302 of 26.11.1977; L 321 of 16.12.1977; L 340 of 29.12.1977.

⁵ OJ L 106 of 12.5.1971.

⁶ Bundesgesetzblatt — Federal Law Gazette I, 1971, p. 893 *et seq.*

Case 14/78 — (1) Denkvit Commerciale srl, Crespiatica, and (2) Denkvit Nederland BV, Voorthuizen v Commission

2.3.33. A firm specializing in the manufacture of animal feedingstuffs brought an action before the Court of Justice on 13 February for the recovery of damages for the loss which it claims to have suffered as a result of the fact that the Commission failed to take action against the Italian authorities when the latter, subsequent to the adoption of Directive 74/63/EEC on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs,¹ adopted measures which it alleges are contrary to that directive.

Case 15/78 — Société Générale Alsacienne de Banque SA, Strasbourg v Ministerialrat Dr W. Koestler, Bonn-Bad Godesberg

2.3.34. The Higher Regional Court of Cologne, in a case concerning forward transactions on the stock exchange, asked the Court of Justice on 13 February for a ruling on whether, in a case where a French bank demands from a German client, on the basis of French law, repayment of a loan granted to carry out forward transactions on the Paris Stock Exchange, Articles 59 and 60 of the EEC Treaty exclude, the plea of gambling debts (gains arising from games of chance) provided for under German law.

Case 16/78 — Criminal proceedings against Mr M. Choquet, Reutlingen

2.3.35. The Local Court of Reutlingen, in the course of criminal proceedings, asked the Court of Justice on 16 February for a preliminary ruling on whether it is compatible with Community law for a Member State to require a worker from another Member State, residing in its territory, to possess a driving licence issued by its authorities.

Case 17/78 — Mrs F. La Valle, wife of Mr Deshormes v Commission

2.3.36. A Commission official brought an action before the Court of Justice on 17 February to secure the recognition of contracts of employment between the said official and the Commission as temporary staff contracts, and, consequently of those periods of activity for the purpose of calculating the years of pensionable service of the applicant for a retirement pension.

Case 18/78 — Mrs R. Vandeput, wife of Mr Pipers v Commission

2.3.37. A Commission official brought an action before the Court of Justice on 20 February to annul the Commission decision changing the applicant's posting and claimed damages for detriment resulting from the Commission's refusal to provide assistance against her immediate superior.

Cases 19/78 and 19/78 R — Mr X. Authié v Commission

2.3.38. A candidate for competition COM/A/154 organized by the Commission, having been notified by the latter that it had been considered that his diplomas and other evidence of formal qualifications did not conform to the qualifications required, brought an action before the Court of Justice on 22 February to annul the rejection of his candidature. The applicant also applied to the Court for the adoption of interim measures suspending the competition pending a ruling on the merits.

¹ OJ L 38 of 11.2.1974.

Case 20/78 — Brooke Bond Liebig Benelux, Schoten v Commission

2.3.39. On 21 December 1977 the Commission adopted a decision establishing that certain distribution contracts concluded between a manufacturer of spices and a number of large-scale retail foodstores concerning the sale of such spices constitute an infringement of Article 85(1) of the EEC Treaty.¹ An action to annul this decision was brought before the Court of Justice on 22 February.

Case 21/78 — Mr K.O. Delkvist v Anklagemyndigheden som repræsentant for Landsnævnet for Omnibuskørsel

2.3.40. In a case concerning the grant of authorization to a passenger transport operator, the Copenhagen Byret asked the Court of Justice on 24 February for a number of preliminary rulings on the validity and direct applicability of Directive 74/562/EEC on admission to the occupation of road passenger transport operator in national and international transport operations,² and especially on whether the obligation to provide evidence of good repute, provided for in Article 2(1)(a) of that directive, prevails over the less stringent requirements of the Danish Penal Code.

Case 22/78 — (1) Hugin Kassaregister AB, Stockholm, and (2) Hugin Cash Registers Ltd., London v Commission

2.3.41. The Commission established by a Decision of 8 December 1977 that a Swedish manufacturer of cash registers and its United Kingdom subsidiary had infringed Article 86 of the EEC Treaty by refusing *inter alia* to supply to a United Kingdom company spare parts for Hugin cash registers.³ An action to annul this decision was brought before the Court of Justice on 24 February.

Case 23/78 — Mr N. Meeth, Piesport/Mosel v Firma Glacetal Sarl, Vienne-Estressin

2.3.42. The German Federal Court of Justice requested the Court of Justice on 27 February to interpret the first paragraph of Article 17 of the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters,⁴ in order to determine whether that provision permits an agreement on jurisdiction whereby each party to a contract of sale, residing in different States, can be sued only before the courts of the State of which he is a national and, if so, whether such an agreement rules out the possibility of one party invoking set-off against a claim made by the other party in the court having jurisdiction to adjudicate on that claim.

Case 24/78 — Mrs H. Martin v Commission

2.3.43. A Commission official brought an action against the Commission on 27 February to annul the decision of the selection board for internal competition COM/680/75 refusing her admission to the oral tests for that competition.

Case 25/78 — Mrs L. De Leye, wife of Mr De Roubaix v Commission

2.3.44. A Commission official brought an action before the Court of Justice on 28 February to annul the decision of the Commission not to include her in the list of officials

¹ OJ L 53 of 24.2.1978 and Bull. EC 12-1977, point 2.1.51.

² OJ L 308 of 19.11.1974.

³ OJ L 22 of 27.1.1978 and Bull. EC 12-1977, point 2.1.57.

⁴ OJ L 204 of 2.8.1975.

considered most suitable for promotion to Grade B 1 in 1977.

Judgments

Case 15/66 — Firma A. Kesting v Commission

2.3.45. At the beginning of 1966 a number of German firms specializing in trade in cereals applied to the Court of Justice for damages as a result of the Court's judgment of 1 July 1965 (Joined Cases 106 and 197/63) which annulled Commission Decision 63/553 authorizing the Federal Republic of Germany to maintain in force protective measures in respect of imports of maize, millet and grain sorghum.¹

Since one of the applicants has been largely compensated by the German authorities (against whom proceedings had been brought in the Bonn Regional Court), he has withdrawn his action before the Court of Justice. The Case was removed from the register by Order of 9 February.

Case 27/76 — (1) United Brands Company, Boston, and (2) United Brands Continental B.V., Rotterdam v Commission

2.3.46. On 17 December 1975, the Commission adopted a decision imposing a fine of one million units of account on United Brands Company, having found that the latter was abusing its dominant position on the market in bananas by dividing up the market, imposing dissimilar and unfair prices and refusing to continue supplies.²

On 15 March 1976, the United Brands Company brought an action before the Court of Justice to annul this decision or to reduce the fine should the decision be upheld.³

In its judgment of 14 February, the Court annulled that part of the decision complained

of establishing an infringement in respect of unfair prices, reduced the amount of the fine and dismissed the remainder of the application.

Case 19/77 — Firma Miller International Schallplatten GmbH, Quickborn v Commission

2.3.47. By its decision of 1 December 1976, the Commission found that the export prohibitions contained in the distribution agreement concluded between the plaintiff and its foreign distributors, as well as its sales, delivery and payment conditions constituted infringements of Article 85(1) of the EEC Treaty, and fined the plaintiff 70 000 u.a.⁴

On 4 February 1977, an action was brought before the Court to annul this decision.⁵

In its judgment of 1 February, the Court of Justice dismissed this action as being unfounded.⁶

Case 58/77 — Ireland v French Republic

2.3.48. Ireland, having referred to the Commission, pursuant to Article 170 of the EEC Treaty, an alleged infringement by France of obligations arising under that Treaty and the Act of Accession in imposing temporary restrictions on imports of sheepmeat from the new Member States and failing to reduce the duty known as 'transfer duty' on such imports, brought an action before the Court of Justice on 10 May 1977 to establish that this infringement had taken place. This is the first time that a Member

¹ OJ 146 of 11.10.1963.

² OJ L 95 of 9.4.1976.

³ Bull. EC 3-1976, point 2436.

⁴ OJ L 357 of 29.12.1976.

⁵ Bull. EC 2-1977, point 2.3.33.

⁶ OJ C 69 of 18.3.1978.

State has brought an action before the Court of Justice against another Member State alleging failure to fulfil obligations arising under the Treaty.¹

Since Ireland withdrew its action it was removed from the register by Order of the Court of 15 February.

Case 61/77 — Commission v Ireland

2.3.49. Following the introduction by the Irish Government of unilateral measures for the conservation of fish stocks, the Commission brought an action before the Court of Justice on 13 May 1977 to establish that by taking these measures, Ireland had failed to fulfil its obligations under the EEC Treaty.²

In its judgment of 16 February, the Court confirmed this failure.

Case 68/77 — Firma IFG — Intercontinentale Fleischhandelsgesellschaft mbH & Co. KG, Gross-Gerau v Commission

2.3.50. On 2 June 1977 a German company brought an action before the Court of Justice for damages to compensate for the loss it claimed to have suffered as a result of the fact that the Commission, when adopting stricter measures with regard to imports of certain beef and veal products, had not provided for transitional measures for contracts concluded prior to that time and had raised a formal bar to the applicant's request for exceptional treatment for its imports for reasons of *force majeure* (floods in Romania had delayed the production of the products to be imported).³

In its judgment of 16 February, the Court of Justice dismissed this action.

Case 72/77 — Universiteitskliniek voor Hart- en Vaatchirurgie van het Academische Ziekenhuis, Utrecht v Inspecteur der Invoerrechten en Accijnzen, Utrecht

2.3.51. In hearing an action relating to the importation of a spectrophotometer in respect of which the Netherlands customs authorities had refused to grant exemption from customs duties, the Tariefcommissie asked the Court of Justice on 13 June 1977 for a preliminary ruling on whether the decision to allow the importation free of customs duties of objects of a scientific nature, provided for in Article 3 of Regulation (EEC) No 1798/75,⁴ could depend on a subjective criterion.⁵

In its judgment of 2 February, the Court held that the words 'scientific instrument or apparatus' contained in the abovementioned article refer to an instrument or apparatus possessing objective characteristics which make it particularly suitable for pure scientific research, irrespective of the fact that it is also used in industry or for commercial purposes.⁶

Case 78/77 — Firma Johann Lührs, Obstgrosshandel, Twielenfleth v Hauptzollamt Hamburg-Jonas

2.3.52. In an action concerning the levy of a tax on exports of potatoes pursuant to Regulation (EEC) No 348/76⁷ on measures to be taken owing to the difficulties affecting potato supplies, and Regulation (EEC) No 890/76 providing for exemption in certain cases from the tax on exports of potatoes,⁸ the Hamburg Finance Court asked the Court of Justice on 4 July 1977 to give a preliminary ruling on the validity (especially in respect of any breach of the principle of protection of legitimate expectation as regards ex-

¹ Bull. EC 5-1977, point 2.3.49.

² Bull. EC 5-1977, point 2.3.52.

³ Bull. EC 6-1977, point 2.3.44.

⁴ OJ L 184 of 15.7.1975.

⁵ Bull. EC 6-1977, point 2.3.48.

⁶ OJ C 69 of 18.3.1978.

⁷ OJ L 43 of 19.2.1976.

⁸ OJ L 101 of 15.4.1976.

isting contracts) and the interpretation (conversion rate of the unit of account) of the regulations in question.¹

In its judgment of 1 February the Court held that these regulations are valid and gave a ruling on how the taxes in question are to be calculated.²

Case 85/77 — Società Sant'Anna, Azienda avicola v INPS

2.3.53. In a dispute between an undertaking engaged in poultry-rearing and a social security body on the question whether the social security contributions payable by the former to the latter are those due from an industrial undertaking or from an agricultural undertaking, the Tribunale di Roma asked the Court of Justice on 7 July 1977 for a ruling on the interpretation of the concept of agricultural undertaking as indicated in Article 38 of the EEC Treaty, Regulation No 70/66/EEC organizing a basic survey within the framework of a programme of surveys on the structure of agricultural holdings³ and Regulation 91/66/EEC⁴ concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings.⁵

In its judgment of 28 February, the Court held that it is impossible to establish from the provisions of the Treaty or the rules of secondary Community legislation a common uniform general definition of an 'agricultural undertaking' which would be universally applicable in all areas covered by the provisions laid down by law and regulation governing agricultural production.

Case 88/77 — The Minister for Fisheries, Ireland v Mr C. A. Schonenberg and others

2.3.54. Following the notification to Dutch fishermen of their infringement of Irish measures limiting the length and power of fish-

ing vessels, the Cork City District Justice asked the Court of Justice on 12 July 1977 for a ruling on the compatibility of measures of this type with Community law, and in particular with Article 7 of the EEC Treaty, Regulation (EEC) No 101/76 laying down a common structural policy for the fishing industry⁶ and Articles 100 and 103 of the Act of Accession.

These questions are basically the same as the questions of law raised in the case between the Commission and Ireland.^{7,8}

In its judgment of 16 February, the Court held that, in the absence of the adoption by the Community of adequate conservation measures, the Member States had, at the time in question, power to adopt interim measures as regards the maritime waters coming within their jurisdiction, provided that such measures were in accordance with the requirements of Community law. It also held that the measures taken by Ireland were however incompatible with that law and that a conviction on the grounds of such a measure would also be incompatible with that law.

Case 92/77 — An Bord Baine Cooperative Ltd, Dublin v Minister for Agriculture

2.3.55. In a dispute concerning the payment by the official agricultural intervention agency of private storage aid for butter, the High Court, Dublin, referred a number of questions to the Court of Justice on 25 July 1977 for preliminary rulings on the effect of Regulation (EEC) No 2498/74 fixing representative conversion rates to be applied in ag-

¹ Bull. EC 7/8-1977, point 2.3.42.

² OJ C 69 of 18.3.1978.

³ OJ 112 of 24.6.1966.

⁴ OJ 121 of 4.7.1966.

⁵ Bull. EC 7/8-1977, point 2.3.48.

⁶ OJ L 20 of 28.1.1976.

⁷ Case 61/77, Bull. EC 5-1977, point 2.3.52.

⁸ Bull. EC 7/8-1977, point 2.3.51.

riculture for the currencies of the new Member States¹ on the purchase price of butter, and hence on storage aid, and the validity of Regulation (EEC) No 2517/74² concerning the adjustment of such aid with regard to contracts concluded prior to the date of entry into force of these regulations.³

In its judgment of 23 February, the Court held that the effect of Regulation (EEC) No 2498/74 was to increase the purchase price of butter expressed in Irish pounds and consequently reduce the storage aid pursuant to Regulation (EEC) No 2517/74, whose validity the Court confirmed and whose scope it defined.

Case 96/77 — (1) SA Ancienne maison M. Bauche, Paris and (2) SARL F. Delquignies, Mortagne v Administration française des douanes, Valenciennes

2.3.56. The Valenciennes District Court, in the course of an action concerning the levy by the French customs authorities of monetary compensatory amounts on exports to third countries of white sugar quota C for which export licences issued by the German intervention agency had been transferred to a French firm, asked the Court of Justice on 29 July 1977 for a ruling on the validity of Regulation (EEC) No 101/77⁴ which provides for the levy of these amounts where the customs exports formalities have been carried out in a Member State other than that in which the export licence was issued.

Proceedings for the annulment of this regulation together with a claim for damages⁵ are still in progress.⁶

In its judgment of 15 February the Court confirmed the validity of the regulation in question.

Case 129/77 — Verband der Kölnisch Wasser-Hersteller eV, Cologne, v Firma Victor GmbH, Munich

2.3.57. In hearing an action concerning the use of the word 'Cologne' on the packaging of a toilet water produced in Italy—which, according to the applicant, could mislead consumers with regard to the origin of the product—the Cologne Regional Court asked the Court of Justice on 27 October 1977 for a preliminary ruling on whether action brought under the national law of a Member State to restrain the use of such a designation of origin is contrary to Community law, where the designation in question is in use in at least one Member State as a generic concept and therefore is no longer regarded in that State as a designation of geographic origin and may be used freely.⁷

Since the applicant before the Court referring the question had withdrawn his action, the Court removed it from the register by Order of 15 February.

Economic and Social Committee

155th plenary session

2.3.58. The 155th plenary session of the Economic and Social Committee was held in Brussels on 1 and 2 February, with Mr de Ferranti, the Committee Chairman, in the chair.

¹ OJ L 268 of 3.10.1974.

² OJ L 269 of 4.10.1974.

³ Bull. EC 7/8-1977, point 2.3.55.

⁴ OJ L 17 of 20.1.1977.

⁵ Case 33/77, Bull. EC 3-1977, point 2.3.51; Case 39/77, Bull. EC 4-1977, point 2.3.47.

⁶ Bull. EC 7/8-1977, point 2.3.59.

⁷ Bull. EC 10-1977, point 2.3.47.

Opinions

Employee participation

2.3.59. In this Opinion, adopted unanimously, the Committee took a position on the Commission's Green Paper on employee participation and company structure in the European Community.¹ The Committee advocates flexible rules, including two practical measures: the introduction of the two-tier board system as an option in Member States where it is not available at present, and the setting-up, in large companies which do not have or do not introduce board-level employee representation, of a special body on which the employees are represented and have minimum rights of information and consultation more or less comparable to those the employees have in a two-tier board structure. The Community rules should safeguard the rights which employees have already acquired and seek to remove any obstacles to employee participation.

The Committee agrees that employee participation in the broadest sense of the term is a desirable development in a democratic society. But although there has been a general movement towards the development of participation in the Community, the Committee considers that this is an issue on which instant uniformity should not be sought. On the other hand, care must be taken not to obstruct developments which tend towards harmonization. The priority should be to remove obstacles to a harmonization between the systems and structures for worker participation.

Conversion rates

2.3.60. In an Opinion adopted by forty-five votes to three with two abstentions, the Committee approved the Commission propo-

sal relating to the fixing of representative conversion rates in agriculture, but noted that this is the least that needs to be done.

The Committee deplores this state of affairs, which is largely due to monetary constraints unrelated to the common agricultural policy. It wonders whether the return to a single market could not have been achieved within a shorter time, of say five years.

The adjustment of compensatory amounts should allow for the impact on retail prices and farm incomes. This may mean that the new compensatory amounts in countries with strong currencies cannot be dismantled in a year, and so a longer period could prove necessary.

Cocoa

2.3.61. The Committee unanimously adopted an Opinion on the Commission's proposal for amending the Council Directive of 24 July 1973² on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption. With respect to Annex I.1.19., the Committee considers that the proposal should not create any difficulties or confusion with gianduja nut milk chocolate, for which a separate standard is included. With respect to Annex II of the Directive, the Committee observes that the new proposals will allow the continued operation of existing provisions.

The Committee also emphasizes that the comments in respect of the use of phosphoric acid, flavouring substances and emulsifiers and stabilizers should not be taken to apply to the use of these additives in food products generally.

¹ Supplement 8/75 — Bull. EC.

² OJ L 228 of 16.8.1973 and Bull. EC 7/8-1973, point 2107.

Fisheries

2.3.62. With no votes against and four abstentions, the Committee approved the Commission's proposal for a Directive on certain immediate measures to adjust capacity in the fisheries sector. But it notes with regret that the Council has been unable to adopt a number of important and necessary measures on fisheries, since no action has been taken so far by the Community authorities on the Regulation on small-scale fishing operations and the Regulation on the terms under which national aid is to be granted as part of the common structural policy for the maritime fishing industry.

The Commission's proposal is considered by the Committee to be well balanced in that it will enable each Member State to take whatever action is most in keeping with its socio-economic situation and the structure of its fishing fleet. The Committee notes in particular that measures taken to adjust capacity will have serious repercussions on employment in this sector, and it attaches the greatest importance to the way in which this problem is solved.

The Committee draws the attention of the Commission and the Council to the fact that a sizeable proportion of the Member States' fishing fleets is dependent for its livelihood on the possibility of operating in the fishing grounds of a large number of non-Community countries. It urges the Commission to conclude adequate fishing agreements with those countries as soon as possible. The Committee also considers that plants which process fish for human consumption should be covered by the immediate measures set out in the proposal.

Aid to shipbuilding

2.3.63. The Committee unanimously endorsed the Fourth Directive¹ which allows

Governments to continue to grant temporary, exceptional aids to counter the current serious recession. This proposal adheres to the principles of harmonization and gradual reduction of aids to shipbuilding laid down in previous directives.

The Committee considers that the proposed Directive is only a very fragmentary and limited response to the extremely grave problems facing shipbuilders. These problems—and more generally the whole crisis affecting the shipbuilding industry—have been the subject of a communication from the Commission to the Council.² The Committee will be called on to deliver an Opinion on this communication in the near future.

The Committee urges the Commission to exercise maximum flexibility when vetting investment aids and in particular to approve aids designed to boost productivity, even if they entail a slight increase in production.

Driver's seat on tractors

2.3.64. In this Opinion, adopted unanimously, the Committee welcomes the improvements contained in the Commission's new proposal, which will ensure that the Directive is applied in a non-discriminatory manner.

The Committee points out that the field of application of the Directive must be taken to include tractors with four-wheel drive. The Committee would finally urge, in view of the latest experiments, that a fresh look be taken at the testing methods, particularly those used for non-standard tractors.

¹ Bull. EC 10-1977, point 2.1.19.

² Supplement 7/77 — Bull. EC.

Animal feedingstuffs

2.3.65. The Committee unanimously approved the three proposals for Directives and commended the Commission's efforts to extend the legislation on feedingstuffs and bridge the obvious gaps which exist.

It adds, however, that if a satisfactory solution to all problems in this field is to be found an urgent start should be made on harmonizing provisions on veterinary surgeons, medicated feed and the checking for residues in livestock production. Care should also be taken to ensure that plant health products and additives in animal feed do not harm the soil, and thus pollute the food chain. The Committee finally thinks that Member States should be required to back up the implementation of the Directives by notifying the Commission of the control measures taken.

Preserved milk

2.3.66. The Committee unanimously approved the proposal for a Council Directive amending for the first time the Council Directive of 18 December 1975¹ relating to certain partly or wholly dehydrated preserved milk for human consumption.

Guidelines for Community regional policy

2.3.67. In this own-initiative Opinion, adopted with no votes against and two abstentions, the Committee drew attention to its Opinion of 29 September 1977, in which it approved the Commission's proposals on regional policy and strengthening the resources of the Regional Fund, notably by setting up a 'non-quota section'.² The Committee took note of the agreement reached by the European Council on the amount to

be allocated to the Regional Fund for the next three years³ and of the Council's failure to decide on the setting up of such a 'non-quota section'. The Committee thinks it deplorable that the Regional Fund has not been further strengthened and urges that a decision be taken as soon as possible on the new regulation and especially in favour of setting up a 'non-quota section', so as to enable the regional development policy to become more of a Community policy.

European Investment Bank**Loans raised**

2.3.68. The European Investment Bank has launched a LFR 500 million bond issue on the Luxembourg capital market.

The issue was underwritten by a syndicate of Luxembourg banks headed by the Banque Internationale à Luxembourg S.A.

The bonds bear interest at a nominal rate of 7.75%, payable yearly, and have a maximum life of ten years. They are redeemable in nine annual instalments by purchase on the market at prices not exceeding par. Bonds not so purchased will be redeemed at par on 15 March 1988. The Bank reserves the right to redeem in advance all bonds in circulation at progressively reducing premiums from 15 March 1983.

The bonds were offered to the public at an issue price of 99%, the yield being 7.9%.

Application has been made to quote the bonds on the Luxembourg Stock Exchange.

¹ OJ L 24 of 30.1.1976.

² Supplement 2/77 — Bull. EC.

³ Bull. EC 12-1977, point 2.1.85.

2.3.69. The Bank has also floated a DM 250 million bond issue on the international capital market. The issue was underwritten by an international consortium of banks headed by Deutsche Bank AG.

The bonds bear interest at a nominal rate of 5.25%, payable on 1 March of each year. The issue is for twelve years and is redeemable at par after six years in six equal annual instalments. The Bank may redeem in advance, at par, all bonds still in circulation as from 1 March 1986.

The bonds were offered for public subscription at 99.5%, the yield being 5.31%.

The issue will be listed on the Frankfurt, Berlin, Düsseldorf, Hamburg and Munich stock exchanges.

Loans granted

Turkey

2.3.70. The EIB has granted a loan for 6.3 million EUC (149 940 000 Turkish pounds) to Turkey as a contribution towards expanding its paper industry.

The funds have been advanced under the second Financial Protocol between the EEC and Turkey for a term of thirty years, including an eight-year grace period with interest payable at 4.5% per annum; they will cover approximately 30% of the cost of installing at the Dalaman paper mill in Western Anatolia coated paper and board production plant with an annual capacity of 36 000 tonnes and facilities for treating effluent from the entire mill complex. These facilities are indispensable for protecting the environment. Turkey has signed the Barcelona Convention on reducing pollution in the Mediterranean and construction of the unit, the first of its kind in Turkey, represents an effective and exemplary contribution to this campaign.

The loan is the seventh to be granted by the EIB in Turkey (totalling 57.7 million EUC) for expanding the paper industry or developing forestry resources which supply the industry with raw materials.

The latest operation fully absorbs the balance of the 195 million EUC for commitment in the form of loans on special conditions under the second Financial Protocol annexed to the Association Agreement between the EEC and Turkey and which came into force in 1973. The Bank has also made available 25 million EUC in the form of loans from its own resources.

A further 47 million EUC was provided for under a Supplementary Protocol signed in June 1973,¹ following enlargement of the EEC, and now in the course of ratification.

A third Financial Protocol, signed in May 1977,² provides for financial aid to Turkey totalling 310 million EUC, comprising 220 million EUC in loans on special conditions from EEC budgetary resources and 90 million EUC in loans from the Bank's own resources.

Swaziland

2.3.71. Under the terms of the Lomé Convention, the EIB has agreed to provide a loan of 10 million EUC (10 650 000 Swaziland emalangi) to contribute towards the cost of a new sugar plantation in Malawi and sugar mill in the northern lowveld of Swaziland.

The loan has been granted to the Royal Swaziland Sugar Corporation Ltd for twelve years at an interest rate of 5.05% after allowing for a rebate of 3% drawn from the resources of the Community's European De-

¹ Bull. EC 6-1973, point 2304.

² Bull. EC 5-1977, point 2.2.36.

velopment Fund, as provided for by the Lomé Convention.

The Royal Swaziland Sugar Corporation, a public company, was set up last year to carry out the project, consisting of the cultivation of some 9 000 hectares of sugar cane, the erection of a new sugar mill with an annual production capacity of 125 000 tonnes of raw sugar and construction of an associated dam and main canal system which will provide water for irrigation.

Swaziland will benefit considerably once the scheme is fully operational: it will give direct employment to almost 3 000 people, bolster foreign exchange earnings through exports and increase Governmental income from tax and other revenues.

Trinidad and Tobago

2.3.72. Under the terms of the Lomé Convention, the European Investment Bank has granted a global loan equivalent to 5 million EUC (14 600 000 Trinidad and Tobago dollars) to the Trinidad and Tobago Development Finance Company Ltd (TTDFC); the funds will be on-lent to support the development of industrial and tourism ventures, selected in agreement with the EIB.

The loan is for twelve years at an interest rate of 5.05% after allowing for a rebate of 3% drawn from the resources of the European Development Fund, as provided for by the Convention.

The Trinidad and Tobago Development Finance Company was established in May 1970 with the objective of promoting economic development by encouraging the establishment and expansion of industrial and other enterprises.

As of mid-1977 the Company had approved investments for a total equivalent to almost

22 million EUC in some 180 projects involving the creation of an estimated 3 300 jobs.

This is the EIB's second operation in the Caribbean in recent months.

Risk capital

2.3.72a. On 7 February the Council adopted a Decision increasing the amounts which the European Investment Bank may commit in the form of risk capital for the purpose of applying the ACP-EEC Convention of Lomé¹ and the Decision on the association of the overseas countries and territories with the European Economic Community.²

By means of this Decision and in the light of the satisfactory experience recorded in the use of the 40 million EUC which could be committed in the form of risk capital during the first two years of application of the Lomé Convention, the Council has placed at the Bank's disposal for allocation from 1 April 1978, the balance of 60 million EUC set aside for this form of financing.

Financing Community activities

Budgets

General budget

2.3.73. The Commission has sent to the Joint Council of Foreign and Finance Ministers and to Parliament a communication containing a comprehensive review of the Community's budget problems in preparation for their discussion of the 1979 budget.³

¹ OJ L 25 of 30.1.1976.

² OJ L 176 of 1.7.1976.

³ Points 2.3.4 to 2.3.7.

Table 3 — 1978 general budget and effect of the second supplementary and amending budget for 1978

Revenue		(in EUC)		
Title	Nature of revenue	1978 budget ¹	Second supplementary and amending budget	New total
1	Own resources	6 896 000 000	—	6 896 000 000
2	Surpluses available	—	—	—
3	Portion of proceeds of ECSC levies paid in pursuance of Article 20 of the Treaty of 8 April 1965	5 000 000	—	5 000 000
4	Deductions from staff remunerations	96 392 920	+ 204 000	96 596 920
5	Contributions	5 340 936 366	+ 446 000	5 341 382 366
6	Miscellaneous revenue	23 675 306	—	23 675 306
	Total	12 362 004 592	+ 650 000	12 362 654 592

¹ Including the first amending budget.

Expenditure

(Appropriations available for payments)

(EUC)

Sector	Appropriations in the general budget for 1978	Draft second supplementary and amending budget for 1978	New appropriations
COMMISSION			
<i>Intervention appropriations</i>			
Agriculture	9 131 743 700	215 000	9 131 958 700
Social	559 107 000	—	559 107 000
Regional	525 000 000	—	525 000 000
Research, energy, industry and transports	294 255 303	—	294 255 303
Development cooperation	380 942 000	—	380 942 000
Miscellaneous	token entry	—	token entry
	10 891 048 003	215 000	10 891 263 003
<i>Administrative appropriations</i>			
Staff	387 433 000	—	387 433 000
Administrative expenditure	105 740 200	435 000	106 175 200
Information	13 018 000	—	13 018 000
Aid and subsidies	45 308 100	—	45 308 100
	551 499 300	435 000	551 934 300
Contingency reserve	5 000 000	—	5 000 000
Reimbursement to Member States	689 600 000	—	689 600 000
Commission total	12 137 147 303	650 000	12 137 797 303
OTHER INSTITUTIONS¹	224 857 289	—	224 857 289
Grand total	12 362 004 592	650 000	12 362 654 592

¹ Administrative appropriations only

The first amending budget for 1978

2.3.74. The failure of several Member States to implement the Sixth VAT Directive¹ was the main reason why the Commission had to present to the Council a preliminary draft of the first supplementary and amending budget for 1978.² One of the features of this budget is the payment of GNP contributions in place of the VAT-based own resources which should have been made over. The Council approved and forwarded to Parliament a draft amending budget to ensure that the amounts paid over by the Member States to the Commission in respect of VAT could be adjusted as soon as possible. This budget was adopted by Parliament on 15 February.³

The amending budget can be summarized as follows:

<i>Revenue</i>	<i>million EUC</i>
Agricultural levies	1 686.1
Sugar and isoglucose levies	376.9
Customs duties	4 833
GNP financial contributions	5 330.3
ECSC ²	5
Miscellaneous	130.7
	12 362

2.3.75. At its sitting on 15 February Parliament adopted a Resolution deploring the need for the amending budget following the failure to put the Community value added tax system into operation in the current financial year; it noted that Article 1 of the Sixth VAT Directive¹ had not been complied with.

Parliament called on the Commission and the Member States to take the requisite steps immediately to ensure that similar difficulties did not arise in the budgetary procedure next year.

Second supplementary and amending budget

2.3.76. The Council also adopted and forwarded to Parliament on 27 February the draft second supplementary and amending budget for 1978 which takes up the other measures proposed in the first supplementary and amending budget presented by the Commission. The following changes were made by the Council to the Commission's proposals:⁴

- (i) the budgetary nomenclature for the co-responsibility levy in the milk sector was altered;
- (ii) the 84 additional posts requested for the steel and textile sectors were granted (13 as temporary posts). The Council also noted the Commission's intention to release now the appropriations within the 1978 budget necessary to cover staff expenditure on these additional posts (amounting to 1 383 000 EUC).

Financial control

Report by the Special Committee of Inquiry on the wine sector

2.3.77. On 8 February the Commission took note of the report of the Special Committee of Inquiry on the EAGGF Guarantee Section relating to the wine sector. The Commission will decide at a later date what action needs to be taken on the report.

In its report the Committee states that since 1970, when the organization of the wine market came into effect, the situation has—as a result of the increase in the area

¹ OJ L 145 of 13.6.1977.

² Bull. EC 1-1978, point 2.3.60 and Table 2.

³ OJ L 71 of 13.3.1978.

⁴ Bull. EC 1-1978, point 2.3.60.

under cultivation and in particular in yields—changed from one of structural deficit to one of structural surplus incurring heavy costs for the EAGGF Guarantee Section.

Having made a study of legislation in this sector and its application in the Member States, in particular in respect of cases of fraud, the Committee made a number of recommendations including:

- (i) conversion premiums should be allocated on a more selective basis to promote the grubbing up of very productive vines yielding wines of mediocre quality.
- (ii) the manufacture of alcoholic blends similar to wine other than those authorized by the Community should be banned;
- (iii) the Member States should keep a stricter watch on wine production and marketing from the cultivation of the vines to the labelling of bottles.

The Committee had doubts about the need for short-term private storage aid which might give rise to financing of producers' normal stocks. Distillation did not appear to have been a complete success because, although it had absorbed wine surpluses, it had created alcohol surpluses.

As regards general matters, the Committee once again called for better administrative cooperation between the Member States, particularly in internal Community trade. The collection of statistical information should also be improved so that trade patterns with economically unjustifiable variations could be identified and investigated.

ECSC financial operations

Loans granted

Loans paid

2.3.78. The Commission paid out some 74.9 million EUC in February in loans under Article 54 of the ECSC Treaty.

Industrial loans

A total of 74.6 million EUC was paid out to five undertakings to finance the following programmes:

Coal industry

Rationalization and modernization of collieries

National Coal Board, London

- (a) Derbyshire (Whitwell, Bolsover, Warsop and Shirebrook collieries)
- (b) Nottinghamshire (Linby, Newstead, Creswell and Ollerton collieries)
- (c) Yorkshire (Prince of Wales, Grime-thorpe, Bentley, Silverwood, Treeton and Allerton Bywater collieries)
- (d) North-Eastern (Butterwell coalfield and Westoe colliery)
- (e) Western (Maryport)
- (f) Wales (Oakdale, Cwm/Goedeley, Aber-tillery and Blaenserchan and Treforgan collieries)
- (g) Barnsley (South Kirkby colliery)
- (h) Midlands (Rawdon and Donisthorpe and Kingswood collieries)
- (i) Kent (Snowdon colliery)

Steel industry

Direct reduction

British Steel Corporation, London (Hunters-ton works)

Rationalization of pig iron and steel produc-tion

Fried, Krupp Hüttenwerke AG, Bochum (Rheinhausen works)

Production of fine and special steels

Società per l'industria et l'elettricità TERNI SpA, Terni

Extension of coastal works

Italsider SpA, Genoa (Tarente works)

Overseas projects

Iron mines

British Steel Corporation, London (Fire Lake mine, Quebec, Canada)

Low-cost housing

Loans for the construction and fitting-out of low-cost housing amounted to 0.3 million EUC.

Loan decisions

2.3.79. The Commission also decided in February to grant a loan under Article 54 of the ECSC Treaty to the following company:

Steel industry

Rationalization of pig iron and steel produc-tion

Acciaierie Ferriere del Tanaro SpA, Lesegno (Cuneo)

Placements

2.3.80. During February the Commission made various private placements totalling: USD 60 million for terms of up to twelve years at an annual interest rate of 8.50%; DM 50 million for ten years at an annual in-terest of 5.75 to 5.875%.



PART THREE

DOCUMENTATION

1. Units of account

Units of account

European unit of account

3.1.1. The Community budget is drawn up in European units of account (EUC).¹

This European unit of account, which is based on a basket of the Member States' currencies, is an accurate reflection of the relationships between the various currencies on the foreign exchange markets. It was first used in 1975 under the ACP-EEC Lomé Convention and for drawing up the balance sheet of the European Investment Bank. Since 1976 it has also been adopted for the ECSC operational budget. It is now being used for the general budget of the Communities for 1978.

The European unit of account is the sum of the following amounts of the currencies of the Member States of the Communities:

0.828	German marks
0.0885	Pounds sterling
1.15	French francs
109	Italian lire
0.286	Dutch guilders
3.66	Belgian francs
0.14	Luxembourg francs
0.217	Danish kroner
0.00759	Irish pounds.

The value of the European unit of account in a national currency is equal to the sum of the equivalents in that currency of the amounts of the currencies of the Member States. It is determined by the Commission on the basis of the exchange rates recorded each day on the exchange markets.

¹ Article 10 of the Financial Regulation of 21 December 1977, OJ L 356 of 31 12 1977.

Amount in national currency for one European unit of account

	1 February 1978 ¹	15 February 1978 ²	28 February 1978 ³
Belgian franc and Luxembourg franc	40.1924	39.9052	39.6379
German mark	2.59338	2.56555	2.54814
Dutch guilder	2.77819	2.74829	2.72712
Pound sterling	0.629926	0.636650	0.647043
Danish krone	7.01307	7.03539	6.98503
French franc	5.82906	5.96673	5.96880
Italian lira	1064.46	1055.61	1068.94
Irish pound	0.629926	0.636650	0.647043
United States dollar	1.22800	1.23012	1.25248
Swiss franc	2.43259	2.35742	2.33356
Spanish peseta	98.9718	99.2420	100.514
Swedish krona	5.71565	5.75169	5.77938
Norwegian krone	6.30272	6.69101	6.65456
Canadian dollar	1.36015	1.36908	1.39693
Portuguese escudo	49.1651	49.4488	50.3338
Austrian schilling	18.6076	18.4022	18.3297
Finnish mark	4.90152	5.36000	5.22927
Japanese yen	296.678	295.594	298.647

¹ OJ C 27 of 2.2.1978.

² OJ C 39 of 16.2.1978.

³ OJ C 51 of 1.3.1978.

The daily rates for conversion into the various national currencies are available each day: they are published in the Official Journal of the European Communities.

Green rates

3.1.2. Under the common agricultural policy, conversion of the unit of account into Member States' currencies is done, for products covered by Community regulations, on the basis of representative ('green') rates fixed by the Council.

Amount in national currency for one unit of account

	February 1978
Belgian franc and Luxembourg franc	49.3486
Danish krone	8.56656
German mark	3.41258
French franc	5.92874
Irish pound	0.739700
Italian lira	1 096.00 ¹
	1 030.00 ²
Dutch guilder	3.40270
Pound sterling	0.57791 ³
	0.586638 ⁴
	<i>From 2 February 1978:</i>
	0.57791 ⁵
	0.617513 ⁶
	0.586638 ⁷

¹ For milk products, beef and veal, pigmeat and sugar.

² For other products.

³ For milk products.

⁴ For other products.

⁵ For milk products.

⁶ For beef and veal and pigmeat

⁷ For other products.

Former unit of account for the budget

3.1.3. The unit of account (u.a.) used for the Community budget up to 31 December 1977 was defined as the value of 0.88867088 grams of fine gold using conversion rates corresponding to the parities declared to the International Monetary Fund.¹

Amount in national currency for one unit of account

Belgian franc and Luxembourg franc	50
Danish krone	7.5
German mark	3.66
French franc	5.55419
Irish pound	0.416667
Italian lira	625
Dutch guilder	3.62
Pound sterling	0.416667

¹ Articles 10 and 27 of the Financial Regulation of 25 April 1973, OJ L 116 of 1.3.1973.

2. Additional references in the Official Journal

Additional references in Official Journal

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 11-1977

Points 1.4.1 to 1.4.4

Draft Council resolution on Community action in the cultural sector.

OJ C 34 of 10.2.1978.

Bull. EC 12-1977

Points 1.3.1 to 1.3.5

Guidelines concerning the development of the Mediterranean regions of the Community, together with certain measures relating to agriculture.

OJ C 50 of 28.2.1978.

Points 1.4.1 to 1.4.5

Commission proposals on the fixing of prices for certain agricultural products and on certain related measures

OJ C 50 of 28.2.1978.

Point 2.1.4

Commission Decision of 22 December 1977 authorizing Denmark to take certain protective measures in accordance with Article 108 (3) of the EEC Treaty.

Commission Decision of 22 December 1977 authorizing Ireland to take certain protective measures under Article 108 (3) of the EEC Treaty.

Commission Decision of 22 December 1977 authorizing the United Kingdom to take certain protective measures under Article 108 (3) of the EEC Treaty and repealing Decision 75/487/EEC.

OJ L 45 of 16.2.1978.

Point 2.1.39

Council Regulation (EEC) No 2932/77 of 19 December 1977 implementing Decisions No 2/77 and No 3/77 of the Joint Committee set up under the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit.

OJ L 342 of 29.12.1977.

Point 2.1.41

Council Regulation (EEC) No 2933/77 of 20 December 1977 on the application of Decision No 1/77 of the EEC-Switzerland Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation and replacing certain Decisions of the said Joint Committee.

Council Regulation (EEC) No 2934/77 of 20 December 1977 on the application of Decision No 2/77 of the EEC-Switzerland Joint Committee derogating from the provisions of List A annexed to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation.

OJ L 342 of 29.12.1977.

Point 2.1.47

Commission Decision of 20 December 1977 relating to proceedings under Article 85 of the EEC Treaty (IV/28.82: The Distillers Company Limited, Conditions of Sale and Price Terms).

OJ L 50 of 22.2.1978.

Point 2.1.48

Commission Decision of 23 December 1977 relating to a proceeding under Article 85 of the EEC Treaty

(IV/29.146 — BMW Belgium NV and Belgian BMW dealers).
OJ L 46 of 17.2.1978.

Point 2.1.51

Commission Decision of 21 December 1977 relating to a proceeding under Article 85 of the EEC Treaty (IV/29.418 — spices).
OJ L 53 of 24.2.1978.

Point 2.1.52

Commission Decision of 20 December 1977 relating to a proceeding under Article 85 of the EEC Treaty (IV/29.151 — video cassette recorders).
OJ L 47 of 18.2.1978.

Point 2.1.131

Granting of subsidies by the Guidance Section of the European Agricultural Guidance and Guarantee Fund — second and last instalment for 1977.
OJ C 29 of 4.2.1978.

Point 2.1.148

Commission Opinion of 23 December 1977 addressed to the Government of the Italian Republic on the draft law implementing Directive 74/562/EEC on admission to the occupation of road passenger transport operator in national and international transport operations.
Commission Opinion of 23 December 1977 addressed to the Government of the Italian Republic on the draft law implementing Directive 74/561/EEC on admission to the occupation of road haulage operator in national and international transport operations.
OJ L 38 of 8.2.1978.

Point 2.1.151

Commission Decision of 23 December 1977 extending Decision 75/356/ECSC of 24 April 1975 authorizing the application of special tariff measures to the carriage by rail of iron ore from Lorraine and western France to Belgium, Luxembourg and the Saar.
OJ L 38 of 8.2.1978.

Point 2.1.160

Proposal for a Council Regulation concerning accession to the United Nations Convention on a code of conduct for liner conferences.
OJ C 35 of 11.2.1978.

Point 2.2.22

Council Decision of 20 December 1977 amending for 1978 the import quotas laid down by Decision 75/210/EEC on unilateral import arrangements in respect of State-trading countries.
OJ L 360 of 31.12.1977.

Point 2.2.34

Commission Decision of 23 December 1977 derogating from High Authority recommendation 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (92nd derogation).
OJ L 40 of 10.2.1978.

Point 2.3.108

Final adoption of the general budget of the European Communities for the financial year 1978.
OJ L 36 of 6.2.1978.

Bull. EC 1-1978

Point 2.1.48

Commission Regulation (EEC) No 380/78 of 30 January 1978 on the operation of the system of advances in respect of expenditure financed by the Guarantee Section of the EAGGF.
OJ L 56 of 27.2.1978.

3. Infringement procedures



Reasoned opinions

3.3.1. In February the Commission delivered seven reasoned opinions, six concerning the free movement of goods and the seventh concerning transport.

Free movement of goods

Infringement of Article 9 of the EEC Treaty by reason of the charge for veterinary health checks in intra-Community trade (*Belgium, Germany, Luxembourg and the Netherlands*).

Transport

Failure to apply the Council Regulation of 20 July 1970¹ on the introduction of recording equipment in road transport (*United Kingdom*).

Proceedings before the Court of Justice

3.3.2. The Commission has referred the following infringement to the Court of Justice:

Case 2/78: application to imports of potable spirits bearing an appellation of origin of more onerous conditions when imported from a Member State in which they are lawfully in free circulation but which is not the country of origin than when imported direct from the country of origin (*Belgium*).

¹ Regulation (EEC) 1463/70; OJ L 164 of 27 7.1970

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BFR 400 DKR 65,50 DM 26 FF 54
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Die Wirtschaftslage der Gemeinschaft
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LIT 16 700	HFL 47,50	UKL 11.20	USD 19.50

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BFR 11 000	DKR 1803	DM 698	FF 1477
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Landbrugsmarkedet - Seriepriser: Animalske produkter
Agrarmärkte - Serie Preise: Tierische Produkte
Agricultural Markets - Series Prices: Livestock Products
Marchés agricoles - Série Prix: Produits animaux
Mercati agricoli - Serie Prezzi: Prodotti animali
Landbouwmarkten - Serie Prijzen: Dierlijke producten

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Landbrugsmarkeder - Seriepriser: Vegetabiliske produkter
Agrarmärkte - Serie Preise: Tierische Produkte
Agricultural Markets - Series Prices: Vegetable Products
Marchés agricoles - Série Prix: Produits végétaux
Mercati agricoli - Serie Prezzi: Prodotti vegetali
Landbouwmarkten - Serie Prijzen: Plantaardige producten

B

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BFR 1 000	DKR 164	DM 63,50	FF 134,50
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BFR 1 650	DKR 270,50	DM 105	FF 221,50
LIT 39 300	HFL 112	UKL 26.40	USD 45.50

EF—indeks over producentpriser på landbrugsprodukter
EG—Index der Erzeugerpreise landwirtschaftlicher Produkte
EC—index of producer prices of agricultural products
Indice CE des prix à la production des produits agricoles
Indice CE dei prezzi alla produzione dei prodotti agricoli
EG—index van producentenprijzen van landbouwprodukten

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ISSN 0378-3480

ISSN 0378-4401

(EN.FR)

(bi-monthly - bimestriel) (Gratis - Gratuit)

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(EN)

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BFR 1 460	DKR 239,50	DM 93	FF 196
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Månedsbulletin for almen statistik
Monatsbulletin der allgemeinen Statistik
Monthly general statistics bulletin
Bulletin mensuel des statistiques générales
Bollettino mensile delle statistiche generali
Maandelijks bulletin algemene statistiek

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BFR 1 500 DKR 246 DM 95 FF 201,50
LIT 35 700 HFL 102 UKL 24 USD 41.50

Timelønninger. Arbejdstid
Stundenverdienste. Arbeitszeit
Hourly earnings. Hours of work
Gains horaires. Durée du travail
Retribuzioni orarie. Durata del lavoro
Uurverdiensten. Arbeidsduur

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BFR 600 DKR 98,50 DM 38 FF 80,50
LIT 14 300 HFL 41 UKL 9.60 USD 16.50

Vegetabilsk produktion
Pflanzliche Erzeugung
Crop production
Production végétale
Produzione vegetale
Plantaardige produktie

A

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10-12 numéros par an. 10-12 fascicoli all'anno.
10-12 nummers per jaar)
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BFR 2 500 DKR 410 DM 158,50 FF 336
LIT 59 500 HFL 170 UKL 40 USD 69

Månedlig statistik for kød
Monatliche Statistik von Fleisch
Monthly statistics of meat
Statistiques mensuelles de la viande
Statistiche mensili della carne
Maandelijkse statistieken van vlees

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Månedlig statistik for mælk
Monatliche Statistik von Milch
Monthly statistics of milk
Statistiques mensuelles du lait
Statistiche mensili del latte
Maandelijkse statistieken van melk

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LIT 33 350 HFL 95 UKL 22.40 USD 39

Månedlig statistik for øg
Monatliche Statistik von Eiern
Monthly statistics of eggs
Statistiques mensuelles des œufs
Statistiche mensili delle uova
Maandelijkse statistieken van eieren

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Salgspriser for animalske produkter
Verkaufspreise tierischer Produkte
Selling prices of animal products
Prix de vente de produits animaux
Prezzi di vendita dei prodotti animali
Verkoopprijzen van dierlijke produkten

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(DE/EN/FR/IT)

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Salgspriser for vegetabiliske produkter
Verkaufspreise pflanzlicher Produkte
Selling prices of vegetable products
Prix de vente de produits végétaux
Prezzi di vendita dei prodotti vegetali
Verkoopprijzen van plantaardige produkten

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BFR 2 700 DKR 442,50 DM 171,50 FF 362,50 } I + II

LIT 64 300 HFL 184 UKL 43.20 USD 74.50

Indkøbspriser for driftsmidler
Einkaufspreise der Betriebsmittel
Purchase prices of the means of production
Prix d'achat des moyens de production
Prezzi d'acquisto dei mezzi di produzione
Aankooprijzen van de produktiemiddelen

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BFR 11 000 DKR 1803 DM 698 FF 1477

LIT 261 900 HFL 748 UKL 176 USD 303.50

EF—indeks over producentpriser på landbrugsprodukter
EG—Index der Erzeugerpreise landwirtschaftlicher Produkte
EC—index of producer prices of agricultural products
Indice CE des prix à la production des produits agricoles
Indice CE dei prezzi alla produzione dei prodotti agricoli
EG—index van producentenprijzen van landbouwprodukten

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LIT 16 700 HFL 47,50 UKL 11.20 USD 19.50

Kvartalsbulletin for industriproduktionen
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Quarterly bulletin of industrial production
Bulletin trimestriel de la production industrielle
Bollettino trimestrale della produzione industriale
Kwartaalbulletin van de industriële produktie

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LIT 21 450 HFL 61,50 UKL 14.40 USD 25

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Bollettino trimestrale siderurgia
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BFR 400	DKR 65,50	DM 25,50	FF 54
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Industriens konjunkturindikatorer
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Industrial short-term trends
Indicateurs conjoncturels de l'industrie
Indicatori congiunturali dell'industria
Conjunctuurindicatoren van de industrie

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BFR 500	DKR 82	DM 32	FF 67
LIT 11 900	HFL 34	UKL 8	USD 13.80

Månedsbulletin – Kul
Monatsbulletin – Kohle
Monthly bulletin – Coal
Bulletin mensuel – Charbon
Bollettino mensile – Carbone
Maandelijks bulletin – Kolen

A

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BFR 300	DKR 49	DM 19	FF 40,50
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Monatsbulletin – Kohlenwasserstoffe
Monthly bulletin – Hydrocarbons
Bulletin mensuel – Hydrocarbures
Bollettino mensile – Idrocarburi
Maandelijks bulletin – Koolwaterstoffen

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Monthly bulletin – Electrical energy
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Maandbulletin van de buitenlandse handel

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Tableaux mensuels des transports
Tabelle mensili dei trasporti
Maandgegevens van het vervoer

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BFR 1 250 DKR 205 DM 79,50 FF 168
 LIT 29 800 HFL 85 UKL 20 USD 34.50

Eurostat-Mitteilungen
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ISSN 0378-4207

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Lijst van aanwinsten van de Bibliotheek

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 Documentation bulletin. Series A
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Euroforum. Europe day by day Press Bulletin
Euroforum. L'Europe au jour le jour Bulletin de presse
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Euroforum. Europa van dag tot dag Persbulletin
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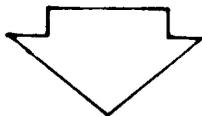
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VIENT DE PARAÎTRE

Publication n° AX-22-77-241-FR-C

ÉLECTION DU PARLEMENT EUROPÉEN AU SUFFRAGE UNIVERSEL DIRECT

163 pages, dk, d, e, f, i, nl

Prix vente au numéro : FB 180,— DKr 30,50 DM 11,60 FF 24,35 Lit. 4 300
Fl 12,25 £ 2.80 US \$ 5

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