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1980-1981 Session

Report of Proceedings

from 14 to 18 April 1980

Europe House, Strasbourg

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IN THE CHAIR: MRS VEIL

President

(The sitting was opened at 5 p.m.)

President. — The sitting is opened.

1. *Resumption of the session*

President. — I declare resumed the session of the European Parliament which was adjourned on 26 March 1980.

2. *Membership of Parliament*

President. — I have been informed, pursuant to Rule 4 (4) of the Rules of Procedure, that Mr Colombo has been appointed Foreign Minister of the Italian Republic.

Mr Colombo has sent me a telegram tendering his resignation, conveying his sincerest good wishes to the Assembly and expressing his determination to work, in his capacity as President-in-Office of the Council, for wholehearted cooperation with this Parliament. Mr Colombo expects to be with us on Wednesday next.

Pursuant to the provisions of the Treaties, we establish that there is a vacancy and inform the Member State concerned.

3. *Petitions*

President. — I have received twelve petitions, the titles and authors of which you will find listed in the minutes of this sitting.

These petitions have been given Nos 1/80 to 12/80 and have been entered in the register provided for in Rule 48 (2) of the Rules of Procedure. Pursuant to paragraph 3 of that same Rule, they have been

referred to the Committee on the Rules of Procedure and Petitions.

4. *Documents received*

President. — Since the adjournment of the session I have received from the Council, the committees of Parliament, the political groups and Members of Parliament various documents, a list of which you will find in the minutes of this sitting.

5. *Texts of treaties forwarded by the Council*

President. — I have received from the Council certified true copies of various agreements and legal acts. These documents, which are listed in the minutes of this sitting, will be deposited in the archives of the European Parliament.

6. *Transfer of appropriations*

President. — The Council has informed me that pursuant to the provision of Article 101 of the Financial Regulation it has approved on 9 April 1980 the transfer of appropriations set out in Doc. COM(80) 135 final within the framework of the budgetary estimates for the EAGGF Guarantee Section for the financial year 1980.

We take note of this information.

7. *Referral to committees*

President. — The motion for a resolution tabled by Mr Battersby and Mr Harris, pursuant to Rule 25 of the Rules of Procedure, on the establishment of a European Fisheries Centre (Doc. 1-28/80), receipt of which was announced on 24 March 1980 and which had been referred to the Committee on Agriculture as the committee responsible and to the Committee on Youth, Culture, Education, Information and Sport for an opinion, has now also been referred to the Committee on Energy and Research for an opinion.

8. *Cancellation of a document*

President. — Document 1-606/79 (Annual Reports on the progress achieved towards European Union), receipt of which was announced on 14 January 1980, has been cancelled.

9. *Statement by the President*

President. — The chairman of the Political Affairs Committee has informed me that his committee has decided not to draw up a report on Docs 1-444/79, 1-644/79 and 1-663/79. You will find a detailed statement of the reasons for this decision in the minutes of this sitting.

10. *Order of business*

President. — The next item is the order of business.

At its meeting of 13 March 1980 the enlarged Bureau drew up the draft agenda which has been distributed to you (PE 63. 826/rev.II).

As the Committee on the Environment, Public Health and Consumer Protection has not adopted the Muntingh report on the conservation of European wildlife, this item, which had been down for debate on Thursday, has been withdrawn from the agenda.

I have also received the following requests for urgent debate, pursuant to Rule 14 of the Rules of Procedure:

- from Mr Glinne and Mr O'Connell, on behalf of the Socialist Group, for a motion for a resolution condemning the assassination of Archbishop Romero (Doc. 1-74/80)
- from Mr Diligent and others, on behalf of the Group of the European People's Party (CD Group) and Mr Baudis, on behalf of the Liberal and Democratic Group, for a motion for a resolution on the granting of asylum to Cuban citizens (Doc. 1-84/80).

The reasons supporting these requests for urgent debate are contained in the documents themselves.

- from the Council for a proposal for a regulation laying down, for 1980, certain measures for the conservation and management of fishery resources applicable to vessels flying the Swedish flag (Doc. 1-35/80).

The request for urgency is justified by the fact that current arrangements are due to expire on 30 April next.

I shall consult Parliament on these requests for urgent debate at the beginning of tomorrow's sitting.

Finally, I have received two proposals that the agenda be amended, pursuant to Rule 12 of the Rules of Procedure.

Sir Fred Catherwood, chairman of the Committee on External Economic Relations, has asked that an interim report by Mr Seal on the trade and economic cooperation agreements between the Community and India be placed on the agenda of this part-session.

At a meeting held this morning the chairmen of the political groups have expressed the wish that this report should be considered instead at the May part-session, particularly with a view to giving the Committee on Development and Cooperation the opportunity to deliver its opinion.

I call Mr Seal.

Mr Seal. — Madam President, I would like to support strongly Sir Fred Catherwood's request that this report be put on the agenda for this plenary session. One of the things that this House has tried to do is debate things at a time when it can influence the Commission and the Council of Ministers. If we postpone this report until the next part-session it will be too late to influence the Commission and the Council. This is an extremely important report. It is one that the House ought to discuss, and it is one that we ought to discuss in time so as to make our influence felt. So I beg that we uphold the request that it be considered at this plenary session.

President. — I call Sir Fred Catherwood.

Sir Fred Catherwood. — I would point out, Madam President, that we were going to discuss this with you in the enlarged Bureau. I have made protests on behalf of our committee. Time and again Parliament delivers its opinion after things have happened. Our committee has to work in accordance with the timetable of negotiation with other countries. Yet all the time we find that the agenda of the part-sessions is taken up by items which, unlike the matters referred to our committee, are not tied to a strict time-table. The matters discussed in our committee fall within the competence of the Community and are topics on which Parliament has been asked officially for an opinion. I would like very much not only to support Mr Seal, but to ask you to reconvene as soon as possible the cancelled meeting with the chairmen of the committees.

The President. — I put this request to the vote.

It has been decided therefore to include this report on the agenda for this part-session.

I propose that this debate be put on Thursday's agenda as the last item.

President

Are there any objections?

That is agreed.

Mr Pranchère and others ask that a new debate on the fixing of agricultural prices be placed on the agenda for this part-session.

As this request reached me only after this morning's meeting at which, with the chairmen of the political groups, we considered the problems relating to the organization of this part-session and as the matter is such an important one, I shall consult the Assembly.

I call Mr Pranchère.

Mr Pranchère. — (F) Madam President, ladies and gentlemen, the powerful resistance by the farmers, which has even made itself felt in this Chamber, has already borne its first fruit with the abolition of the monetary compensatory amounts leading to a rise in guide prices of 3.5 % for some products in France.

The farmers are continuing their fight with vigour, and their action is a condemnation of the attitude of a majority in this House which has taken upon itself the heavy responsibility of leaving the whole matter in the hands of the Commission, whose agricultural price proposals have been described as nothing short of a provocation.

We now ask for the agenda of this part-session to be changed to enable the House to pronounce clearly on a precise rate of increase in the agricultural prices: we believe that the figure should be 7.9 % arrived at by a calculation using the objective method.

In making this proposal we, the French Communists and allies, believe we are answering the wishes of farmers in France and in the other Community countries.

We have often criticized the attempts made in this House to take over powers which do not rightly belong to the European Parliament. On this occasion, however, we note that Parliament has failed to use its right to support a justified social demand. We believe that the fixing of agricultural prices at a level corresponding to the evolution of production costs and inflation is a decisive factor if we are to put an end to the decline in farmers' earnings which has been continuing for six years now in France. A majority (including ourselves) in the Committee on Agriculture felt that the price increase should be 7.9 % and not 5 % and that this figure could be arrived at by adding the national monetary measures already taken or remaining to be taken. Our farmers were satisfied by this. We have asked for this change in the agenda in order to bring Parliament face to face with its responsibilities.

(Applause from some benches on the extreme left)

President. — I call Mr Bangemann.

Mr Bangemann. — (D) Madam President, we have a special session behind us which did not result in the definition of a precise figure to be proposed by Parliament to the Council of Ministers. All the political groups regretted this fact; Madam President, the fact was that not all the groups in this House were able to accept a compromise; in fact it was first and foremost the French Communists who rejected the compromise submitted by two major groups with the support of all the members of all the other groups. They rejected our decision to fix a figure of at least 5 % based on application of the objective method.

(Applause from the centre and right)

You have sold the interests of the French farmers to protect the interests of your own party, and you are now engaged in nothing more than a cheap political manoeuvre.

(Mixed reactions)

Madam President, I am fed up of hearing from the French Communists that they are defending the interests of the farmers. On the last occasion they defended the interests of their own party, and that was all. Today they are insulting the French farmers by making the request that they have now put forward.

(Applause from the centre and right)

President. — I call Mr Sutra.

Mr Sutra. — (F) I have asked to speak on behalf of the French Socialists because we consider that Parliament did not live up to its true responsibilities at our last part-session. The press in my own country was almost unanimous in expressing the view that Parliament had suffered a serious defeat in failing to use its powers to the full and in leaving the decision to the Commission.

Secondly, there seems to be a problem of procedure, but it is too late to return to that now. We had decided to reject Mr Delatte's request for the normal voting system to be reversed and to vote first, in accordance with the Rules of Procedure, on the amendments which departed furthest from the motion. But to the extent that we began with the amendment of the Committee on Budgets which quoted no figure . . .

Mr Bangemann. — (D) The Socialists wanted that!

Mr Sutra. — (F) ... and ended with the amendment by Mrs Barbarella which was very similar, it seems rather surprising that one amendment was felt to be closest to and the other furthest removed from the report. This difficulty could be remedied if we re-opened the debate to enable Parliament to pronounce clearly, fully and unambiguously making use of all its rights.

President. — I put this request for inclusion of this item on the agenda to the vote.

The request is rejected.

The order of business is therefore agreed.¹

11. *Speaking time*

President. — In agreement with the enlarged Bureau I propose that speaking time be allocated in the manner proposed in the draft agenda.

Are there any comments? That is agreed.¹

12. *Deadline for tabling amendments*

President. — I propose that the deadline for tabling amendments be fixed as follows:

- at 6 p.m. this evening for the items on the agenda for 15 and 16 April
- at 6 p.m. tomorrow for the items on the agenda of 17 April
- at 6 p.m. on Wednesday for the items on the agenda of 18 April.

Are there any comments?

That is agreed.

13. *Procedure without report*

President. — In the minutes you will find the titles of the proposals from the Commission to the Council that have been placed on the agenda of this sitting for consideration without report, pursuant to Rule 27A of the Rules of Procedure.

Unless any Member has asked leave in writing to speak on these proposals or amendments are tabled to

them before the opening of the sitting on Friday, 18 April, I shall declare the proposals to be approved.

14. *Visit of the President of Venezuela*

President. — Next Thursday Mr Luis Herrera Campins, President of Venezuela, will be visiting Strasbourg to meet the Members of the European Parliament.

On this occasion we shall suspend our proceedings from 5 p.m. to 5.45 p.m. in order to enable him to address us in this Chamber.

I hope that a very large number of Members will attend this meeting in order to underline the importance our Parliament attaches to relations with the Latin American countries, and particularly with the Republic of Venezuela.

I call Mrs Kellett-Bowman to speak on a point of order.

Mrs Kellett-Bowman. — Madam President, I merely wished to make the observation that following the most unfortunate happening on the last occasion, when there were some very narrow defeats or narrow votes and on three occasions Members cheated and voted for persons who were not present, a number of us removed our cards in order to keep them under proper supervision, as is the custom in the United States Congress. Now we have come back and found that we have had a second card put in our places. Now this must mean that there are a certain number of dual cards floating around, and I would respectfully suggest that it would be as well to check up to see how many cards have been repeated; those Members who have got two cards could then be approached to relinquish the second card.

(Laughter)

President. — I call Mr Scott-Hopkins.

Mr Scott-Hopkins. — I wish, Madam President, to raise two points of order, if I may.

First, I have no wish, of course, to oppose the President of Venezuela talking to this House on Thursday, because it has already been arranged and it would be a great discourtesy if it were now changed in any way at all; but may I ask you and the House to accept that this creates no precedent for future Presidents or Prime Ministers to come to this House and to take the floor. It would, in my view and in that of many of my colleagues, be the wrong attitude for this House to adopt. This case is unique and must not set a prece-

¹ See minutes of this sitting.

Scott-Hopkins

dent, and I hope that will be recorded in the Report of Proceedings.

My second point is a short one, Madam President. Tomorrow morning I shall be moving a request for urgent procedure under Rule 14 for a debate to take place concerning the reaction of the Community to the situation in Iran following the statements of President Carter, and, to show the self-sacrifice of my group, it has been proposed that it should take the place of the debate which my group would be initiating on Wednesday.

I say this merely as a point of information and as a courtesy to you, Madam President, and to the House.

President. — To Mrs Kellet-Bowman I should like to say that as a result of the incidents that disrupted the voting at the last part-session, we have asked the firm that installed our electronic voting system to repair it.

The problem of the correct use of the voting cards had to be brought to the attention of the enlarged Bureau. However, because its last meeting was so short, the matter had to be postponed to next Thursday's Bureau meeting. We shall consider an arrangement whereby each member could retain his card, a copy of which would be kept by the Secretariat. In any case the enlarged Bureau, as you rightly point out, will have to give a clear ruling on the conditions under which cards are made available to Members.

I would add that it was no doubt by mistake that a certain number of members voted for absent colleagues. There are national parliaments where this practice is permitted, though it is contrary to our Rules of Procedure.

To Mr Scott-Hopkins I would say that I have taken note of his remarks. We shall bear them in mind tomorrow when we come to deal with the motion for a resolution of which he has informed us.

15. *Action taken on the opinions and proposals of Parliament*

President. — The next item is the statement from the Commission on action taken on the opinions and proposals of the European Parliament.¹

I note that no one wishes to speak on this item.

16. *Question Time*

President. — The next item is Question Time.

We shall begin with the questions addressed to the Commission.

Question No 1 by Mr Dankert (H-70/80):

Is it true that the Commission has exceeded the appropriations available for the Guarantee section of the EAGGF during the 1979 financial year by over 200 million EUA? If so, on what legal basis were commitments made beyond the appropriations available? When did it become apparent that appropriations were going to be exceeded? Why did the Commission only inform one part of the Budgetary Authority and not alert both parts immediately and what administrative, financial and legal measures does the Commission propose to regularize the situation relating to the 1979 budget?

Mr Tugendhat, Member of the Commission. — At no stage in the 1979 budgetary year were commitments made by the Commission beyond the appropriations available. Indeed, the House will recall that the granting of advances was interrupted in November 1979 precisely because, pending the adoption of the Third Supplementary Budget, credits were not available. From 10 December onwards, however, the Commission was, in accordance with Article 7 of the Financial Regulation, entitled to give the EAGGF advances which would be charged against the 1980 budget. It therefore did so. It is, however, true that amounts paid out by the Member States under the EAGGF (Guarantee Section) before the end of the 1979 financial year exceeded the total credits which were finally made available under the 1979 budget by 203.5 million European units of account. The late adoption of the Third Supplementary Budget on 13 December, coupled with the normal granting of advances against the 1980 budget in December 1979, may have caused some uncertainty in the paying agencies of the Member States as to the amount of money held by them which represented appropriations actually available under the 1979 budget. This probably accounts for the spending in December of 203.5 m EUA. This final figure only became available when the Member States' declarations of expenditure were submitted at the end of February. The Commission informed both arms of the budgetary authority simultaneously of the situation when it submitted its final request for transfers within the EAGGF (Guarantee Section) of the 1979 budget.

No special financial or legal measures need to be taken in order to regularize the situation relating to the 1979 budget. The amount of 203.5 m EUA cannot, of course, be charged to the 1979 budget, but in accordance with Article 5 of the Financial Regulation is chargeable to the 1980 budget.

¹ See Annex.

Mr Dankert. — (NL) I am pleased to note that the Commission has in effect conceded that the 1979 budget was exceeded. I regret that the Council was informed of this and the information withheld from Parliament.

I should like now to hear from the Commissioner to what extent the excess has been deducted in calculating the twelfth for January and whether, as a result, the Commission has exceeded the provisional twelfth in January this year.

I should also like an assurance from the Commissioner that in future the Parliament and Council will be informed simultaneously of any similar occurrences.

Mr Tugendhat. — Two points, I think, arose from Mr Dankert's intervention. The first concerned the times at which we informed the two arms of the budgetary authority. We did, in fact, inform both arms of the budgetary authority at the same time, but as the paying agencies, the intervention boards, are located within the Member States and are indeed more or less closely connected with the governments of the Member States, it is, of course, the case that the governments of the Member States and thus the Members of the Council were aware of the situation from their own sources before we had provided the information to the two arms of the budgetary authority. We did, however, provide the information to the two arms of the budgetary authority in our first official communication, and we did so at the same time — on 19 March.

So far as the twelfths are concerned, the amount of money which was carried over and which can be taken into the 1980 budget hardly affects the twelfths in the first instance. It obviously reduces by 200 million the total amount available under the twelve twelfths, but in the early part of the year, as I think the House will agree, the twelfths pose very little problem; they get worse and worse the longer it goes on. So the sum of 200 million undoubtedly comes off the total amount available, but it does not make a difference in the immediate January-February situation.

Mr J.M. Taylor. — As a supplementary to this very important question by Mr Dankert on this very serious matter indeed that has to do with the way we conduct our affairs in the Institutions of Europe and the authority which is attributed to our budget — or the lack of it — may I follow through by asking whether it is not true to say that the Commission failed very badly to observe budgetary cover in 1979, and in particular sold no less than 250 000 tonnes of butter without budgetary cover; that this and similar matters gave rise to the sheer size of the Third Supplementary Budget; and that when that Third Supplementary Budget was debated in December, the Commission surely must have known of this absence of legal and

budgetary cover and did not disclose it at that time? And I should like to know why not. We should also like clarification of the areas in which the excess monies were spent and of the precise operations on which they were spent. With respect, Madam President, I give you notice, if I may that I have the signatures of five colleagues to a notice here to you, under Rule 47B (1), requesting an immediate debate on the Commission's answer to this question of Mr Dankert's.

Mr Tugendhat. — Mr Taylor's questions obviously went rather wider than the immediate ones posed by Mr Dankert, but there are a number of points which I should like to make quite clear. The first is that, as I am sure the House will recall very clearly, in the run-up to the Third Supplementary Budget, before indeed this House had actually passed the supplementary budget, the Commission — very properly, in my view — decided to interrupt payments precisely because we did not have budgetary cover, and therefore the important point which Mr Taylor makes about budgetary cover is one to which I think there is a very clear answer.

Now I of course accept, and believe, that it is a very serious matter that this overspending should have occurred. But I would like to make two points to the House, if the House will bear with me; the first is that in the past we have always been criticized because we had overestimated the amount we had made available for the EAGGF, but on this occasion we produced a supplementary budget request of 802 million European units of account — 802. The Council, in its wisdom, reduced that by 100 million to 700 million, and the Parliament, in its wisdom, accepted the Council's lower figure of 700 million and not our higher figure of 800 million.

Now I think it is very important to understand that if it is true — and it is true — that the Commission underestimated the amount of money that was required, both arms of the budgetary authority under-shot to an even greater extent.

We were not pressed at the time of the supplementary budget to increase our appropriations — far from it; we were pressed to lower them. When the Commission, realizing that things were going to be very tight — not realizing that they were going to be as tight as they were, but realizing that they would be very tight — decided that it would ask to transfer 130 million from the Guidance Section to the Guarantee Section of the EAGGF in order to make sure that that money which would otherwise not be spent would be spent, the House, as it had a perfect right to do, lopped off 30 million, so that we only had 100 million instead of the 130 million.

So, Madam President, let me be quite frank and certainly take the blame for the fact that we underestimated; but let me remind honourable gentlemen and,