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## NOTE TO READER

Appearing at the same time as the English edition are editions in the six other official languages of the Communities: Danish, German, Greek, French, Italian and Dutch. The English edition contains the original texts of the interventions in English and an English translation of those made in other languages. In these cases there are, after the name of the speaker, the following letters, in brackets, to indicate the language spoken: *(DA)* for Danish, *(DE)* for German, *(GR)* for Greek, *(FR)* for French, *(IT)* for Italian and *(NL)* for Dutch.

The original texts of these interventions appear in the edition published in the language spoken.



## SITTING OF MONDAY, 9 SEPTEMBER 1985

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IN THE CHAIR : MR PFLIMLIN

*President*

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

#### 1. *Resumption of the session*

**President.** — I declare resumed the session of the European Parliament, which was suspended on 12 July 1985.

#### 2. *Approval of the Minutes*

**President.** — The Minutes of the sitting of 12 July 1985 have been distributed.

Are there any comments?

**Mr Tomlinson (S).** — Mr President, on the approval of the minutes of the Friday of the last part-session: you will remember that during that last part-session Commissioner Ripa di Meana very kindly made a statement on the very urgent situation then prevailing in South Africa on the condition that he was not questioned on his statement because, obviously, he had to prepare it at short notice. I am sure that all the Members of the House who were present were extremely grateful to the Commission for making that statement. But have we had a request from the Commission now to make a detailed statement that can be cross-examined in this House?

**President.** — Mr Tomlinson, I take note of your statement.

*(Parliament approved the Minutes)<sup>1</sup>*

<sup>1</sup> *Membership of Parliament — Request for a Member's parliamentary immunity to be waived — Membership of political groups — Petitions — Transfers of appropriations — Written declarations (Rule 49) — Authorization to draw up reports — Referral to committees — Documents received — Texts of Treaties forwarded by the Council: see Minutes*

### 3. *Statement by the President*

**President.** — Before starting on the agenda, I should like, ladies and gentlemen, to make an announcement. As you know, the Intergovernmental Conference which it was decided to convene in application of the decisions taken in Milan by the European Council in June and of consultations by the Council is opening here today in Luxembourg. I considered it appropriate to send to the President-in-Office of the Council, Mr Poos, a letter which I shall now read out to you.

Mr President,

With the Intergovernmental Conference about to open under your Presidency, I should like once again to draw to your attention the resolution voted by the European Parliament on 9 July.

Our Assembly looks forward to the Conference drawing up a single draft treaty which will introduce fundamental institutional reform taking account of the draft it elaborated and approved itself.

The European Parliament was responsible for initiating the process which led via the Fontainebleau Summit, the Dooce Committee and the Milan Summit to the calling of the Conference. It is directly concerned since the increase of its powers, which is necessary if the democratic character of our institutions is to be strengthened, must be one of the essential elements of reform.

It would therefore be irregular if the European Parliament was not invited to make an effective contribution to the work of the Conference. Occasional contacts cannot be sufficient.

I sincerely hope that our Assembly will be able finally to share with the participants in the Conference, *viz-a-viz* public opinion, the political responsibility for an outcome to our work which will relaunch the vitally necessary process of European construction.

**Mr Fich (S).** — (DA) Mr President, I should like on behalf of the Danish Social Democrats — and I stress: on behalf of the *Danish* Social Democrats — to make it clear that I disagree with you entirely on the letter's contents, in reference both to the decisions that have been taken and to the request to involve Parliament in the process of elaborating new treaties. I wanted you to be aware of this position; I believe you knew it already, but I did not want your intervention to go unchallenged.

(Applause from various benches)

**President.** — It was merely an announcement I made to the Assembly and it is not to be followed by a debate. But the matter will be raised in any case during

the present part-session since one or more motions for resolutions will be devoted precisely to the Intergovernmental Conference so that all Members of the Assembly may adopt a position orally or, possibly, by means of their vote.

### 4. *Agenda*

**President.** — At its meeting of 10 July 1985 the enlarged Bureau drew up the draft agenda, which has been distributed.

At this morning's meeting the chairmen of the political groups authorized me to propose a number of changes.

(The President read out the changes to the agenda)<sup>1</sup>

Pursuant to Rule 56 of the Rules of Procedure I have received the following requests.

The Liberal Group requests the holding over of the report (Doc. A 2-75/85) by Mr Hahn, on the Commission's green paper on the establishment of the common market for broadcasting, scheduled for Thursday as No 163 on the agenda, until the October part-session, so that Parliament may consider it in joint debate with the report by Mr de Vries on the same subject.

**Mr Arndt (S).** — (DE) Mr President, after careful consideration our group has come to the conclusion that the real mistake was made by Parliament: last autumn we proposed an 'own-initiative' report, and then in February we appointed Mr De Vries to draw up a report. These two reports should not be in contradiction with one another, and so I suggest that Professor Hahn's report be presented by its author, debated and then sent back to committee to enable the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on Youth, Culture, Education, Information and Sport to coordinate their positions. The debate would then be taken on Thursday but the vote on the report only when the De Vries report was also available.

**Mr Klepsch (PPE).** — (DE) Mr President, I was authorized by my group to oppose the Liberal Group's proposal — and for good reason, for we have already twice deferred this report while waiting for that of Mr De Vries. On the other hand, we have our doubts as to whether the latter document will soon be available.

I am, however, prepared to go along with Mr Arndt's suggestion. I think it takes account of all aspects: the debate on Mr Hahn's report, which has now been

<sup>1</sup> See Minutes

**Klepsch**

available for some time, would then be held on Thursday and the vote on the two reports would be taken on some later occasion, after they had been coordinated with one another. I therefore agree with Mr Arndt's compromise proposal.

**Mrs Veil (L).** — (FR) Mr President, if I understood it correctly, Mr Arndt has submitted a compromise proposal, accepted by Mr Klepsch, to the effect that the debate would take place but without the vote. The vote, which would of course be based on the debate, would come later. In any case, the two votes would be taken at the same time. Subject to these conditions, my group can back this proposal and therefore withdraw its request that the debate be postponed, on the understanding, of course, that there will be no vote on the report by Mr Hahn.

**President.** — We shall look into this when the time comes.

**Mrs Veil (L).** — (FR) I felt nevertheless that I should spell that out. In the light of Mr Arndt's proposals and Mr Klepsch's comments, I feel that there is a commitment on the part of all the groups not to take the vote.

**President.** — We take note of that agreement and commitment, which looks like making things run smoothly.

The Socialist Group requests holding over till the October part-session the interim report (A 2-85/85) by Mr Woltjer on the implementation of the milk quota system in the Community, scheduled for Thursday 12 September as No 165 on the agenda.

**Mr Woltjer (S).** — (NL) Mr President, the Socialist Group and myself in my capacity of rapporteur have tabled this request because the Commissioner for Agriculture, Mr Andriessen, is not present this week and his cabinet have let it be known that he would greatly appreciate it if he could be present at the debate.

*(Parliament agreed the request and adopted the draft agenda thus amended)*

##### 5. Setting up of two committees of inquiry

**President.** — At its meeting of 26 June the enlarged Bureau decided to inform Parliament at this part-session of the stage reached in the procedure for setting up two committees of inquiry, one on drugs, the other on acts of repression against trade unions in dispute.

In summary, the situation is as follows, it being understood that two committees of inquiry are involved and therefore two different positions although the enlarged Bureau has considered the two issues at the same time.

By letter of 13 September 1984 the Socialist Group submitted a resolution signed by more than 109 members on the setting up of a committee of inquiry into acts of repression against trade unions in dispute.

Mr Gawronski and others submitted a resolution signed by more than 109 Members on the setting up of a committee of inquiry on the drugs problem.

At its meeting of 10 January 1985 the enlarged Bureau decided that the committee of inquiry on the drugs problem would have 15 members and the committee of inquiry into acts of repression against trade unions in dispute one member from each political group. Parliament was informed of this decision during the sitting of 11 February 1985.

Several political groups informed the enlarged Bureau of their intention not to appoint representatives on these two committees of inquiry until such time as the Committee of Inquiry on the Rise of Racism and Facism had completed its work.

As a result, the enlarged Bureau has not been able to submit proposals to Parliament on the membership of the two committees of inquiry which, under Rule 92 of the Rules of Procedure, would have to ensure a fair representation of Member States and of political views.

Under these circumstances the enlarged Bureau decided to inform Parliament of the facts of the situation.

A decision has yet to be taken on the procedure to be followed. The political group chairmen decided at this morning's meeting that in accordance with the provisions of the Rules of Procedure, the enlarged Bureau, which will be holding a meeting tomorrow morning, should submit a proposal to Parliament which must take the final decision.

The enlarged Bureau will therefore be invited to formulate a proposal tomorrow and this will be announced to Parliament immediately. I propose that the deadline for tabling amendments to this proposal be set at 11 a.m. on Wednesday and that the vote be taken at 7 p.m. the same day.

**Mr Lomas (S).** — Thank you very much for that information, Mr President. It is becoming almost a monthly intervention now to ask about these committees of inquiry. Whatever recommendation is made, there is no doubt that some Members are not going to take part and are being particularly obstructive about

**Lomas**

the setting up of the committee of inquiry on the miners' strike. Whether other groups are prepared to take part or not, or whether or not some committee is still investigating, may I again please urge you to insist that this committee be set up and that its work commence immediately?

**President.** — As I have just said, the enlarged Bureau will be formulating a proposal tomorrow which will be announced to Parliament and Parliament will vote upon it.<sup>1</sup>

**Mr Newton Dunn (ED).** — Mr President, I want to raise a point of order under Rule 100 about the Klinkenborg report which will be debated tomorrow.

Mr President, I had to write to you about this because although the report was agreed last July, it was only circulated last week and I had no opportunity to raise my concern before last week. The Rules of Procedure appear to have been abused in two cases by the tabling of this report by the rapporteur.

First of all, Rule 100(3) says that if requested there shall be a roll-call vote and the report shall indicate how each Member voted. We did have a roll-call vote and the secretariat of the committee wrote down how each Member voted. However, because the vote was so narrow and close I see this has been deleted from the minutes. In fact the vote was 11 in favour, 7 against with 5 abstentions. In other words, a majority did not support the rapporteur. I think this is being concealed so I am very concerned about that.

More importantly, Mr President, Rule 100(2) says the report shall contain a motion for a resolution and an explanatory statement. Mr Klinkenborg's report contains something extra. Besides the minority opinion, which the minority has tabled, it contains an extra annex tacked on at the end which quite simply is evidence submitted by a commercial interest, which was not considered by the committee and has nothing to do with the committee's report. I submit that it is quite simply an attempt to conceal a minority opinion. I would ask you to rule whether the report, as tabled by Mr Klinkenborg, is in fact in order at all.

**Mr Klinkenborg (S).** — (DE) Mr President, two points. First, the report was dealt with and voted on in committee in all due form. Second, Annex D forms part of my explanatory statement. It is an ECAC paper, and the ECAC is, so far as I can see, not a representative of the interests of any company but a European administrative association.

**Mr Anastassopoulos (PPE), chairman of the Committee on Transport.** — (GR) Mr President, Mr New-

ton Dunn is correct in saying that the ECAC declaration was added after the expression of the minority opinion. In this connection I would like to inform you that the Committee's secretariat told me that a problem had arisen about where to include the minority opinion. I then looked to see whether any similar precedent existed, and sought the advice of former colleagues, who pointed out that the minority opinion should follow the rapporteur's explanatory report; this was in fact done.

However, since the matter had created some controversy, the Committee's secretariat considered that the ECAC declaration should not go together with Mr Klinkenborg's explanatory report before the minority opinion, but should come after the latter. That is how this misunderstanding arose.

**President.** — This will satisfy Mr Newton Dunn, if I am not mistaken.<sup>1</sup>

#### 6. *Fire safety in hotels*

**President.** — The next item is the report (Doc. A 2-78/85) by Ms Tongue, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection,

on a proposal from the Commission to the Council (COM (83) 751 final — Doc. 1-1360/83) for a recommendation on fire safety in existing hotels

**Ms Tongue (S), rapporteur.** — Mr President, for many years now great concern has been expressed about fire risks in hotels in the Member States, provoked by a large number of tragic fires. To name but a few: in the Polen Hotel in Amsterdam, and the Duc de Brabant in Brussels in 1977 when over 50 lives were lost, and in Saragossa in Spain where another 51 lives were lost in 1979.

Such fires and the grisly statistics they have left us with provoked a number of bodies to conduct surveys, one commissioned by the EEC Commission which has led to the formulation of the code we are discussing here today. I am sorry to say that these surveys show that there has been little improvement over the last decade and since the issue was raised by colleagues in this Parliament.

According to the United Kingdom Consumers Association, who have conducted two surveys over the past seven years, 'Fire risks in some European hotels are so appalling as to be the result of profound ignorance of fire hazards or a cynical disregard for the lives of hotel

<sup>1</sup> *Deadline for tabling amendments, oral questions, motions for resolutions, speaking time: see Minutes*

<sup>1</sup> *Directive on roll-over protection structures on agricultural or forestry tractors: see Minutes*

## Tongue

guests'. Every study has shown that the majority of hotels investigated present vastly greater risks than they should.

With the increase in tourism and business travel and increasing pressure on hotel facilities, the need for Community action is obvious to ensure that all Member States, including Spain and Portugal, guarantee Community citizens a basic level of protection wherever they travel in the European Community. Action by the Community is essential and urgent if lives are to be saved.

The committee is very grateful to the Commission for the extensive work it has done in drawing up a minimum code for fire safety in hotels in response to requests from some of my colleagues in the last legislature. Having studied in detail the Commission's proposals, the Committee on the Environment, Public Health and Consumer Protection did in fact contemplate asking the Commission to draw up a code based on the most stringent regulations in operation in Member States. But, given the extensive work already done by the Commission on the existing code, the need for urgent and effective action and finally, given the likelihood of acceptance by Member States governments of a more stringent code, we in the committee came to the conclusion that the Commission's code with a small number of alterations and in the form of a regulation, as opposed to the weak instrument of a recommendation, would have the best chance of speedy adoption and implementation, so crucial if we wish to avert further disasters.

Looking at the surveys by the United Kingdom Consumers Association and the European Office for Consumer Protection carried out on behalf of the Commission, it is clear that there are 4-5 features which appear in hotels which, if absent, or indeed faulty, have proved to be the principal killers in most hotel fires, and still present the main threat to hotel guests today.

1. Open and unprotected stairways which allow smoke to circulate throughout the hotel. It is smoke, and rarely flames, that kills.
2. Blocked or unopenable exits.
3. Inadequate exit from conference rooms, discotheques, ballrooms in hotels.
4. Lack of proper equipment, faulty fire alarms and the lack of emergency lighting or escape signs.

In a recent survey — again by the United Kingdom Consumers Association — of 33 hotels where many of our schoolchildren spend their skiing holidays in Europe, 27 of the hotels investigated had inadequate lights and signs, 26 out of the 33 had inadequately protected stairways and 24 had no adequate fire alarms. I think that is enough said.

Therefore, any code must tackle these points and, as we say quite clearly in our resolution, economics cannot be argued as an excuse for failing to achieve minimum life safety standards.

In point 3 of our resolution, whilst giving support to the Commission code, we outline certain inadequacies of the code which are then explained in full in the explanatory memorandum. For example, there are no clear requirements on the protection of final escape routes. Clause 4.3.3 does not provide for adequate safe escape from public areas. Finally, another example is that the code is illogical in certain places as in Clause 3.5.1 on fire resistance of partitions and access doors.

We ask the Commission to consider our amendments to the code and inform us here today of their willingness or otherwise to make these minor — and I emphasize minor — alterations to tighten up the code.

We express regret in our resolution that the code is limited to hotels of more than 10 people. Only a few months ago a family of four suffocated to death in a squalid bed and breakfast hotel in London. There was not even a light bulb in the stairway socket let alone a fire alarm or protected stairway. We in the committee appreciate that at this moment it would be impractical to include this type of accommodation in the code, but we leave the option open and we encourage the Commission to draw up guidelines for fire protection in smaller hotels as soon as possible.

We emphasize that the code should also be legally binding in Spain and Portugal. These two countries possibly receive more tourists than any other EEC country, certainly from Great Britain, and their fire safety in hotels still leaves very much to be desired.

Another point in our resolution is that of annual inspections being imperative. Without them the code would not be worth the paper it is written on. We feel that the Commission must reinspect hotels by means of a monitoring survey.

We place great emphasis in paragraph 7 of the resolution on the need for an information programme for the benefit of public authorities, tourist agencies, operators, hoteliers and, of course, the general public. As we have often seen with EEC law, inadequate information has meant failure to have the law applied in good time and in all its details. It has hampered the work of Members of Parliament, Members of the European Parliament and interest groups who work to ensure the follow-up to such laws. This code, if it becomes law, will be extremely popular with the millions of citizens we represent, but only if they get to know about it.

Our committee was very much concerned about fire hazards in other public places such as discotheques, underground car parks, sports grounds and camping

## Tongue

places. Very dangerous hazards exist in these places as was evidenced only recently by the tragic fire at Bradford City football ground where over 50 people died in a fire. We therefore ask the Commission, as a matter of urgency, to draw up separate proposals for fire safety to cover all places of public assembly.

Finally, I would just like to make some brief comments on the amendments we have tabled to the Commission text. Amendment 1 — here the committee voted by a large majority for a regulation as opposed to a recommendation. Recommending that governments saved lives, we decided, was not going to get us very far and if we really did mean business and if our citizens were going to have any faith in us whatsoever, then such a measure as that which we are planning to take here today should be legally binding and implemented without changes at national level.

Amendment 2 is purely for clarification. We are talking about differences in type or construction, not paintwork, for example.

Amendment 3 I have already covered. There should be simply no economic let-out clause.

Amendments 4 and 7 need to be taken together. Even as a regulation it should be emphasized that this code will not conflict with national governments who wish to apply more stringent rules. I want to link this as I have said to Amendment 7 because both aim to take out the mention of new hotels which we found confusing on the committee as new hotels become existing hotels once they are built. We therefore felt there was no need here for paragraph 3.4.

Amendment No 5, we feel, is quite obvious. If there are to be modifications to a building then those modifications have to be inspected and a new certificate issued.

Amendment No 6 — the committee felt it crucial that the symbol of conformity with the code should not just appear in the hotel but in all publicity. A holiday-maker surely wants to know whether his or her hotel is safe before he or she leaves and not on arrival at the hotel.

In Amendment No 8 there is actually an error in the text as the only words I wished to delete were 'make every effort to'. It is more logical to have paragraph 7 adjacent to this paragraph and in it again delete the same words. What does the Commission mean by 'make every effort to'? It really is far too vague to leave those words in and hardly shows that we mean what we say when we assert that we want to see such a code implemented.

Finally, I would be grateful if the Commission could tell us at the close of the debate if they are prepared to take on all the amendments or not, and I do emphas-

ize that we on the committee have tried to make only the changes we felt were absolutely necessary.

I would also like the Commission's opinion on the suggested changes to the code contained in the explanatory memorandum.

I would say in conclusion that we do feel that it is imperative that the code be accepted in the form of a regulation if at all possible because the history of many proposed directives does not make for any jubilation. They are still in the deep drawers — many of them — of the Council of Ministers.

*(Applause)*

**Mr Lambrias (PPE).** — *(GR)* Mr President, I agree completely with the rapporteur on the need for a regulation, and not a code or a directive, concerning a matter which creates dangers related to the increase in tourism, and more generally, to the continually increasing movement of people within Europe.

Mr President, colleagues, as the rapporteur has stressed, in many of the Community's countries there is strict legislation, with detailed provisions and regulations that establish all the measures which are supposed to prevent mishaps. In reality, however, owing to the lack of periodic, and even more so continued checks, or because of negligence during the approval stage of architectural planning, the rules relating to fire safety still unfortunately bear little relationship to the way hotels should in fact be operated. The accidents which we have mourned and which every so often arouse our attention cannot unfortunately be prevented by directives and codes. Unless there is a regulation — even one containing the minor imperfections necessarily present in a text that compromises between the respective legislations and regulations — we will unfortunately continue having to debate the matter. I therefore stress the need for a regulation which, among other things, will insist that regular and effective checks should be carried out.

In the light of the amendments, I would also like to emphasize that an expression of regret for the fact that the recommendation, directive, or regulation is only to apply to tourist or hotel units with more than 10 beds, is essential. Smaller hotels too should enjoy minimum standards of safety. The regulations provide that a hotel of 600 rooms will of course be subject to much stricter measures and operating conditions. However, that does not mean that we can allow small hotels or units, and rented rooms in tourist establishments to give the impression that they may not be safe. Consequently, the minimum safety standards should apply to any building in which members of the public are accommodated for payment, and any objection to this specific point is wrong in principle. Let it be noted that in countries with a large tourist intake, a very high proportion of the latter finds its way to just such small

## Lambrias

hotels, dwelling units and boarding houses, in which the hospitality is supposedly 'like home'. Heaven forbid that these large numbers of tourists, who are also among the less well off, should gain the impression that we care little about their safety.

I end by stressing the need for this proposal by the Commission to acquire the authority of a regulation.

**Mrs Caroline Jackson (ED).** — I am very glad to be able to speak for the European Democratic Group in this debate because I think my group can in some sense claim authorship for the proposal. It was back in 1976 that James Spicer — who is still in the House of Commons as a Member of Parliament for West Dorset — put a question to the Commission asking whether it intended to put forward any proposals on hotel fire safety. The answer was a quite clear no. He then produced in 1978 this report on fire safety in hotels which asked the Commission to come forward with a directive and I underline that this was carried on by Mr Sherlock and Miss Hooper in the first directly-elected Parliament.

For a long time the European Commission fell back on two defences against bringing anything forward on this subject. The first defence was that there was no legal basis. They seem to have got over that. The second defence was that national legislation was, on the whole, adequate. Clearly, as the rapporteur has pointed out, this is not the case and, in fact, it is underlined very strongly in the explanatory statement to the recommendation.

Well, now the Commission seems to have had a change of heart, and we are very glad that they have come forward with something. However, we in the European Democratic Group feel that the form of proposal that they are putting forward is too weak. The European Parliament has always wanted a directive on this. We must ask why they have come forward with only a recommendation. The measures that the Commission is proposing, for example, in the field of health and safety at work, are being put forward in the form of directives. It is also extremely detailed for a recommendation, and one wonders whether the Commission in fact lost heart at the thought of putting a directive through having done quite a lot of the work for a directive. If so, I think the Commission should actually rely on us because we speak on behalf of the consumers of the European Community and we are their allies in pushing through something rather more effective than a directive.

Should it then be a directive or a regulation? Well, if the Parliament is going to be really serious about getting to grips with the Council on this matter, then I think that the Parliament has to face up to the fact that it is going to be a lot easier for the Commission and for us to get a directive than to get a regulation through the Council of Ministers.

We do at least need a directive to compel the Member States to act through the compulsory code outlined in the recommendation. We need it for two reasons. Firstly, because there is a state of unfair competition between the hotel trade in the European Community — for example in the United Kingdom our hoteliers have very stringent legislation to cope with — and, secondly, because consumers in the European Community ought to be sure that they can get the same standard of fire protection in the hotels that they visit in other countries as they can get at home.

I hope that Miss Tongue's report is supported by the anti-EEC Members of her own group — British and Danish — in this Parliament because it does show one of the very good things that the European Community can do for consumers throughout the Community.

*(Applause from the European Democratic benches)*

**Mrs Squarcialupi (COM).** — *(IT)* Mr President, we shall vote in favour of the Commission proposal only if it is amended in accordance with the express requirements of the Committee on the Protection of the Environment contained in the report by Miss Tongue.

This serious problem concerns millions, not to say hundreds of millions of people. It is a serious problem because hotel guests for the most part are unfamiliar with the layout of the building they are staying in and therefore in the event of fire, in the event of danger, will have difficulty in getting out.

We ask that this Commission proposal become binding and, for this purpose, the best means is a regulation so that hotel guests, including those from other continents, may expect a satisfactory standard of safety in European hotels.

We also feel that this Commission proposal, in a legal form immediately binding, should be extended to all public places where people come together. We know that the mass deaths caused by fire occur for the most part in cinemas and discotheques, in a word, in public places where people go to enjoy themselves and not to die.

It is true that this Commission proposal poses problems. For example, some hotels have only a small number of rooms. We appreciate this difficulty; but we think that guests in the smallest hotels, which are generally the most modest, are entitled to equal protection and equal safety. We know of course that obligatory action against fire is extremely burdensome, especially for certain types of hotel characterized, by small management, which we should like to see maintained, since they lend themselves to a characteristic form of tourism.

Consequently we feel that a graduated approach should be used in applying community standards,

**Squarcialupi**

according to the number of beds. Thus we would start with hotels with a large number of beds arriving as quickly as possible, but gradually, at the smallest hotels, which might also be provided with incentives by way of grants and financial concessions deriving from Community aid from various funds.

However, this matter must be tackled by educating both the consumer, who needs to be trained — from the earliest years, from the primary-school level — to deal with hazards like fire, and tourist and hotel operators who must be able to act promptly.

In conclusion, Mr President, I feel that the anti-fire standards for hotels and public places must become one of the most urgent demands of European consumers, European hotel guests, and they must call for stricter observance of anti-fire regulations than has been displayed in recent times by the hotel industry.

**Mr Nordmann (L).** — *(FR)* Mr President, I thank you for the remarkably athletic effort you have made in turning towards me in order to pick me out and give me the floor. I must admit that it was with a certain degree of surprise that I discovered today that I had been given this seat. I know that it is only a provisional measure until such time as enlargement becomes a reality. Nevertheless, I am just a little bit surprised because it is very difficult to feel oneself fully a Member of this Parliament in a place that is so far out on a limb in every respect. However, I shall try to curb any bad humour I may feel and not vent it on the matter we are discussing, because I should not like Miss Tongue to suffer from it in any way.

On the contrary, indeed, I must say that my group will stand four-square behind her in her analysis of the Commission's recommendation.

The first distinguishing feature of Miss Tongue's report is its sense of realism, together with its concern to see that the Commission's guidelines are put into practice effectively. Particularly welcome, it seems to me, is that part of her report in which she goes into the problem of the costs involved in putting the recommendations into effect.

We shall also support wholeheartedly her contention that the measures proposed should go even further, especially in the case of certain persons whose condition makes them particularly vulnerable to the dangers of fire and indeed of any natural disaster. In this connection I should like to pay a special tribute to the rapporteur for her paragraph on the handicapped, in which she thinks out clearly and realistically the special difficulties with which many of our fellow-citizens are faced in case of accident or disaster.

We shall also support all the provisions by means of which, the rapporteur hopes, a similar effort might be made to make a code of fire safety apply to other

public places exposed to the same kind of threats. In a Western Europe increasingly threatened by acts of terrorism, it is obvious that the protection of public places against the dangers of fire and explosion is becoming an ever more vital necessity with every day that passes. We would like to see the Commission turning its attention to these new dangers.

In short, we give this report our overall support. The only question that remains is as to what legal form the Commission's concern over fire risks in public places, particularly hotels, should take. And it is here that we differ from the rapporteur, since we would prefer a directive to the regulation which is requested and to the recommendation proposed to us by the Commission. In the matter of safety the vital thing is to define the objectives shared by all the Member States and to specify the level of safety to which Europe's citizens are entitled. It would then be for national legislations to select the most appropriate means for attaining these objectives. And if we bear in mind this distinction between shared general objectives and the means for attaining them, which inevitably will differ greatly, is not this, Mr President, the very model of a situation which should be covered by a directive? If one goes along with this overall way of looking at the problem, the directive form would seem preferable to the regulation or the recommendation.

For this reason the Liberal and Allies Group supports the other arguments set out in the legal Affairs Committee's opinion in favour of changing the recommendation into a directive and not into a regulation.

**Mr Dalsass (PPE).** — *(DE)* Mr President, it is surely a good thing that the Community should be getting round to thinking of a common policy on tourism and of things to be done, as so often called for by the European Parliament.

There are various things the Community could do to promote tourism, things that would have a particularly positive effect and which would cost practically nothing. One only has to think of the removal of internal frontier barriers for passenger traffic, the adoption of a Community system for regulating air, rail and road traffic or the removal of discriminatory tolls and other charges, without forgetting the introduction of a common currency and liberalizing the movement of capital. — All measures that would do much to promote tourism.

The Commission has begun, however, by considering the establishment of Community-wide fire safety standards, particularly for hotels already in existence. This is a very welcome step, since not only tourism but also business travel has considerably increased in the last twenty years. Travellers rightly demand a certain degree of safety in hotels and similar accommodation, including protection against the danger of fire.



**Dalsass**

The only causes for regret are that the proposal in some respects goes into excessive detail and is so costly that in many cases it would scarcely be realizable, while in other respects it lacks logic and clarity. Lastly, certain standards would only be a burden, particularly for small and medium-sized undertakings, without offering any advantages to the hotel guest. This is also admitted in the report.

In my view, therefore, these provisions should be reviewed after hearing the parties concerned. I am confident that the European Parliament will take the same view. That is why I shall not recommend specific amendments to the Commission's proposal. All I have done is to propose, on behalf of my group, the deletion of paragraph 4 of the motion for a resolution, the adoption of which would mean in practice that hotels with fewer than ten beds were subject to standards virtually as strict as those applying to larger establishments. Here too, the rapporteur goes a little too far: such a demand is really unjustified and imposes an unnecessary burden on the establishments concerned.

In conclusion, I would say that a Community solution to the problem is to be welcomed provided the present proposals are reviewed and suitably corrected. I am grateful to the rapporteur for her report, but would prefer the measure to be presented as a directive, not as a recommendation. In my view, a directive would be more proper than a regulation. I hope the Commission will bear this in mind.

**IN THE CHAIR: MR GRIFFITHS***Vice-President*

**Mr Jepsen (ED).** — (DA) Mr President, as a Dane and a national of a country which, like England, is one of those countries that have the most stringent regulations on fire safety, I must use this occasion to make a strong call for the European Communities to produce uniform, stricter rules in this area.

It is often the case that there has to be an accident, a disaster, before the necessary action is taken. This was so in Denmark too. Only after we had the big hotel fire in Copenhagen at the Hotel Hafnia, in which many people were burned to death, did the Danish authorities take steps to tighten up the regulations.

Such regulations, applying both to existing and new buildings, have naturally involved hotels in Denmark in much additional expenditure, the result of which has been to reduce their competitiveness *vis-à-vis* other countries. The Danish hotel industry has done this with a good grace since it has respect for human life. The safety of holidaymakers and other travellers is at stake here, and it is now high time that other EEC countries followed suit.

If we are to have a good conscience in attracting tourists and businessmen to our country, they must be assured at the very least that they are not being lured into a fire trap. It is the Danish Conservatives' opinion that minimum provisions must apply to both large and small hotels, and this is a matter where economic considerations must give way to human safety.

**Mr Filinis (COM).** — (GR) Mr President, we consider that Ms Carole Tongue's report on a matter as topical as fire safety in hotels is particularly appropriate and useful. We too stress the need for the legal form of the Commission's document to be that of a regulation and not just a code.

The existence of a regulation will help the substantial and effective improvement of national legislations, will make it easier for local authorities to monitor compliance with the national regulations, and will combat the ignorance that surrounds this critical subject. Besides, the content of the regulation will be well received not only by public opinion, but also by those who work in hotels, and indeed by many hoteliers. This is because everyone is very concerned about the number of hotel fires with tragic consequences and loss of human life.

I would also like to make a comment which we consider to be important. The public address system provided for the benefit of both the public and the firefighters during a fire should be powered by its own local generator system, to guard against a power cut in the mains supply due to the fire. This is embodied in an article of the regulation in force in Greece, and could usefully be incorporated in the regulation proposed by the Commission.

**Mr Varfis, Member of the Commission.** — (GR) Mr President, the establishment of safety measures against fires in buildings and the protection of human life threatened by such fires are a matter of great concern to the Commission. Specifically, in recent years the Commission has been working on the progressive definition of guidelines for a common strategy on fire protection, applicable to buildings of all kinds and not just hotels.

So far as materials are concerned, the studies carried out so far or currently in progress on the reaction and resistance of materials to fire will, we hope, make it possible within the next two years to establish a common solution within the framework of the policy approved by Council for harmonization in this sector.

As for the buildings themselves, the Commission has outlined some thoughts regarding the general principles of fire protection in buildings, and today's proposed code, which applies to hotels in particular, is mainly based on the work I have mentioned.

Besides, other proposals will appear in due course, in any case relating to the White Paper on the establish-

## Varfis

ment of a uniform internal market within the Community. I also remind you that a year ago, between 18 and 21 September 1984, the Commission organized the first European Symposium on fire in buildings, and that the aim of that symposium was to consider all aspects of fire protection, from the social, technical and economic standpoints.

Today, with the cooperation of a working party, many studies are being carried out to further the recommendations and arguments that emerged from the symposium in question. This action will materialize with the appearance during the coming year, of an announcement to Council by the Commission defining the sectors in which the Community's energies should be concentrated. There are four such sectors:

1. Collection and active processing of statistical data.
2. Definition of regulations governing standards, certification procedures and inspections on a common basis.
3. Coordination and promotion of research and development.
4. Promotion of the education, training, and information of all those who play an active part in the sector of safety, and all the Community's citizens.

On this basis, the Commission has examined Ms Tongue's report with great care.

The Commission believes that the aims outlined in the report are entirely consonant with the strategy I mentioned earlier. Yet — and here lies an important difference — from the tactical point of view the type of legal enactment proposed in the report — a regulation or directive and not a code — is not in the Commission's opinion the most satisfactory one, and we do not therefore agree with that option. Why? Because in the fire sector there is a large range of mutually quite different problems that have to be dealt with. I refer to the standards for testing and classification, the operational details of electrical equipment, heating, ventilation, and alarm systems, restricted areas, and identificatory marking.

Each of these problems is the subject of legislation in the Member States covering an area much wider than merely that of hotel complexes. Besides, the national codes are substantially different, and as already mentioned, have been developed piecemeal as the result of various tragic accidents, but always under particular and very specific conditions.

The harmonization of this conglomerate of legislative codes is thus a lengthy task. We believe that it cannot be achieved by a single regulation or directive applying to an admittedly important sector, that of hotels, which is however relatively specialized compared with buildings in general.

For this reason we believe that agreement can now be reached within the Community concerning the princi-

ples on which the safety of buildings must be based. The appendix to the code contributes to the search for a common solution.

Finally, in the specific sector of hotels which we are concerned with today, the buildings, as has been pointed out, are often old and we believe it necessary to establish a type of legislative act that will allow adaptation to the specifics of the case, and will leave a margin for flexible interpretation depending on the situation.

For these reasons the Commission believes that a code is the type of legal instrument which offers the following advantages:

It allows policy decisions to be made rapidly.

It provides consumers with a legal basis for exerting pressure on the national authorities in the event that they are not fulfilling their obligations.

It provides the local authorities with guidelines concerning the measures they should take to improve the safety of hotels.

It does not influence, and above all does not threaten to delay, work already in hand that aims to promote a common strategy in the domain of fire protection for buildings.

It allows the Commission to propose a directive in the future, which will also cover the hotel sector within the scope of principles applicable to all buildings.

For these reasons, Mr President, at this stage the Commission stands by its proposal for a code, and is of course prepared to include in a proposed amendment to Council, in accordance with Article 149, paragraph 2, such amendments as will improve the text of the code without altering its nature. I refer to the amendments mentioned by Ms Tongue and which the Commission can accept, namely those numbered 2, 5, 8, 9 and 10.

In contrast, the Commission cannot accept a series of amendments which relax the minimum level of safety envisaged in the appendix.

With this opportunity I would like to stress that this is indeed a minimum level, and in fact that it is a level much stricter than exists in many Member States. A last point I would like to mention, and which other Honourable Members have also referred to, is that related to very small hotels. Today in fact, mandatory regulations exist in the Member States mainly for large hotels, but not for the smaller ones.

The Commission's present proposal covers small units as well. Down to which point? Down to hotels of 5 rooms. In very small hotels 10 people correspond to 5 rooms. We consider that with less than 5 rooms it is

**Varfis**

very hard to classify a place as an hotel, and that the same safety standards should apply to such places as well. They are, rather, rooms or appartments.

**President.** — The debate is closed.

We shall now proceed to the vote.

*After the approval of the Commission proposal<sup>1</sup>*

**Ms Tongue (S), rapporteur.** — In view of the vote on Amendment No 1, where Parliament has clearly shown its view that this should go forward in the form of a regulation, I should like to ask the Commission whether or not it is prepared to accept a regulation. If not, I want this referred back to committee.

**Mr Varfis, Member of the Commission.** — (GR) Mr President, as I have already said, I cannot at this time accept the amendment. I shall bring the matter up before the Commission, and we will answer you during the next part-session.

**President.** — Ms Tongue, after hearing that statement do you want to say anything?

**Ms Tongue (S), rapporteur.** — I should still like this report referred back to committee, so that we can also conduct further talks with the Commission to see if we can come to some kind of compromise.

**President.** — Under Rule 36 (2) that is the procedure, so I am now proposing that that be done.

*(Parliament agreed to the request for referral back to committee)*

## 7. Uranium (Incidence of cancer)

**President.** — The next item is the report (Doc. A 2-80/85) by Mrs Bloch von Blottnitz, on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the unusually high incidence of cancer in the vicinity of the uranium reprocessing plant at Sellafield in the United Kingdom.

**Mrs Bloch von Blottnitz (ARC), rapporteur.** — (DE) Mr President, the atomic plant at Windscale (Sellafield) is a classical case in three respects.

First, whenever accidents leading to pollution of the environment occur, the firms concerned in the operation keep quiet, and the circumstances are only brought to light by organizations interested in protection of the environment. In this case it was Greenpeace, which I here offer my sincere thanks for its courageous intervention.

Secondly, it is madness to believe in the possibility of separating the so-called peaceful and military uses of nuclear energy. The plants at Windscale (Sellafield) all work hand-in-hand, with the result that the Commission's inspectors have so far been refused access for reasons of national security. Inspection under Article 81 of the Euratom Treaty is still not allowed. BNFL also refuses to provide the information on essential technical features of the plant required by Article 78 of this treaty.

Thirdly, in cases of damage the operator deliberately denies and distorts the facts, and the onus of furnishing proof always lies with the victim. In several letters addressed to me, the BNFL obstinately insists that its installations do not represent the slightest danger and that the health of its staff is even better than the average level of the population at large. The reply to this is that precisely the BNFL has been condemned to pay damages amounting to £ 10 000 and pays pensions to the families of workers who have died of leukaemia.

The history of Windscale is a series of scandals. I mention only the most serious incidents:

In 1957, a fire broke out in one of the military reactors, and radioactive clouds spread over the whole of Europe;

In 1974, a serious accident occurred in the head-end for oxide fuel, a number of workers were contaminated, the building was shut down and permission to renew operations in this field refused;

In 1976-78, containers corroded in the cooling-ponds, resulting in a big increase in discharges of caesium, which remained unobserved till the end of the decade, and leading to strong protests from the fisheries concerned;

In 1976-80, radioactive liquid was escaping for years into the ground under the site through cracks in the storage tanks, the total activity released into the ground being estimated at 100 000 curies;

In November 1983, a large but undetermined quantity of radioactive solvent was, through negligence, released into the Irish Sea during cleaning operations and washed back to the beach, with the result that the contaminated beach remained closed for months.

This beach has since been re-opened, and in March of this year I had samples of sand, sediment and seaweed taken and examined for radionuclides. By comparison

<sup>1</sup> In the vote on the Commission proposal, the rapporteur was  
— IN FAVOUR OF Amendments Nos 1 to 10  
— AGAINST Amendments Nos 17, 19 and 20/rev.

**Bloch von Blottnitz**

with measurements made in 1984, it was found that nuclides whose activity had fallen predominated but that the concentration of radiologically significant nuclides such as ruthenium or americium had risen. The concentration of short-lived nuclides such as zircon and niobium remains constant, which means that these substances are still being discharged.

Incidentally, the samples, once investigated, could not be allowed to find their way into an ordinary dustbin, but had to be treated as special refuse. And they were samples taken from a beach where children play, where adults go on holiday, samples originating in a sea where fish is caught, where the fishermen are told not to eat too much of the fish they catch.

The Windscale plant regularly pumps 4.5m litres of radioactive liquid into the Irish Sea. No country in the world permits discharges on this scale. The plutonium and caesium contained in these discharges spread with the sea currents: they especially threaten the Irish Sea, but are to be found on all shores of the North Sea, and this the Paris Commission has been condemning for years. Even in the normal course of operation, the plant is constantly losing plutonium. Total plutonium contamination of the Irish Sea currently amounts to more than 200 kg. Contrary to what has always been supposed, plutonium does not accumulate on the sea bed but is rather continually raised by the movement of the tides, washed ashore and borne by dust through the air, to be found in measurable quantities in house dust. Compared with the reprocessing plant at La Hague, Windscale has two or three times the rate of discharge of long-lived alpha-emitters, whilst with gamma-emitters the rate is as much as fifty times as high. If the degree of toxicity of the substances concerned be taken as a criterion, then Windscale is responsible for 90 per cent of the radioactive discharges in Europe.

While studying the considerable body of evidence and talking to representatives of the population concerned of Cumbria about the reprocessing plant at Windscale, I have become more and more convinced of one thing: this plant is one of the worst radioactive contaminators in the Western world!

*(Applause from the left)*

The frighteningly high levels of radioactive contamination in the region of Cumbria are uncontested. The latest information from the National Radiation Protection Board indicates levels for plutonium and americium that are from fifteen to sixteen thousand times as high as those elsewhere. Who, then, can wonder if the incidence of cancer in Cumbria is higher than elsewhere?

In this connection, the Black report is usually quoted — and usually wrongly. What it said about the increased incidence of cancer was that it could not be

rejected out of hand, but on the other hand could not be easily proved.

The Black report emphasizes 'uncertainties concerning the operation on the plant' and questions the necessity for discharges of alpha-, beta- and gamma-emitters to be so much in excess of those from other plants. It calls for more work on radiological pathways, transfer factors and biological effects and recommend continuous measurements for members of the public in Cumbria — for example, of urine and faeces. To those who consider that this is going too far, it need only be said that according to information of the UK Ministry of Health dated 11 March 1985, plutonium has been found in the urine of local fishermen.

So far, Black's recommendations have not been carried out adequately. For one thing, financial resources are inadequate and, for another, it is difficult even to obtain samples, since it is, of course, desired to avoid provoking public unrest so far as possible.

Most radiobiologists today take the view that, as with other carcinogenic substances, there is no lower limit to quantities of radiation capable of causing cancer and that even small doses may provoke malignant diseases.

Not only the foetus, a child, too, is more seriously threatened by radiation than an adult. The extent of the risk has to do with growth.

The Black report makes it clear how heavy the onus of proof is for the victim and gives a hint of how much more difficult things will be when it comes to genetic damage. One form of cancer is especially concentrated in southwest Cumbria, and a similar concentration of this form is only to be found in Hiroshima and Nagasaki. If those responsible for the Windscale operation stick to their assertion that the discharges from the plant are without danger, then the onus is on *them* to prove that exposure to radiation causes neither cancer nor leukaemia nor genetic damage!

*(Applause from the left)*

Short of such proof, operation of the plant should be stopped. That the discharges have always been, and still remain, far too high is quite clear; for, notwithstanding massive criticism from foreign governments and the international scientific community, the best available techniques are still not applied at Windscale. In my view, a point has been reached at which calls for technical improvements or further investigations will get us no further at all with Windscale. The actual contamination of the region constitutes such a threat to the public that all I can call for is the complete shutting down of the plant, for that is the only thing that in the present situation can bring any rapid improvement.

All the same, there must be some minimum requirements: shutting down of the Windscale storage plant,

**Bloch von Blottnitz**

which is responsible for much of the contamination, being technically unsound and carelessly operated; reducing liquid discharges to zero, in accordance with the ALARA principle; installation of air filters for waste gases. The demands of the Black report must be complied with, systematically and without regard to BNFL — instead, with due regard for those who are threatened in the region.

The danger emanating from Windscale (Sellafield) has been a shock to me. Knowing, too, and sharing the sufferings of the many cancer victims who go under, who die like animals — I hardly have a word for it, only those who have experienced it will know what I mean. I think of the parents whose children die of cancer or are born cripples. I will not be responsible for the consequences of continuing to operate this plant at Windscale.

In my report, I have presented only the facts: I appeal to your conscience to draw the conclusions. I can only hope with my whole heart that you will reach the right decision, as the Committee on the Environment, Public Health and Consumer Protection has already done.

Thank you.

*(Applause)*

**Mr Collins (S).** — Mr President, this is a very difficult debate to take part in because everyone's prejudices, including those of the rapporteur, are fully exposed, sometimes to the exclusion of careful consideration of the facts. Facts are presented as prejudices and prejudices are presented as facts.

I am intrigued also by the rapporteur when she says that she was shocked at conditions in Sellafield. I am intrigued by that, because this is the first explanation we have had of why the rapporteur, in preparing this report, apparently did not go to Sellafield. However, I want to make one or two points nonetheless.

The Socialist Group is concerned about conditions at Sellafield and conditions at similar plants elsewhere in the world and elsewhere in Europe. We are concerned at the findings of a British Court on the last incident at Sellafield in 1983. The Socialist Group is concerned that inadequate records were being kept, that discharges were not being properly monitored, that information was not being made available, that reasonable steps were not being taken to minimize exposure. We are concerned about all of these things and we are adamant that if Sellafield is to continue in operation, then standards must be tightened and made subject to international and public scrutiny.

We recognize, in line with pronouncements that the Socialist Group has made in other fields like the directive on major industrial hazards and environmental

impact assessment and so on, that plants like Sellafield have safety problems that are not simply problems for the workforce or even problems for the local environment. They are problems of national significance and problems of international significance. The logic of that means that if their safety is to be monitored, then it has to be monitored at international level as well as at national level. However, we do recognize that steps are being taken to improve the situation and we do recognize that there is a severe employment problem in the area. There are 11 000 people employed at Sellafield, and it would be an act of cavalier irresponsibility to countenance closure when we know that the technical capacity is there to effect improvements and to bring about improvements without closure.

Finally, we need to open up Sellafield and other similar plants to international scrutiny. That is why our amendments are asking for international standards to be maintained and enforced, and we are asking that the Commission should use its power to open up discussion with Member States so as to achieve genuine European common standards for safety and a European inspectorate that would be able to go into that plant and make sure that the public is indeed protected along with the workforce.

*(Applause)*

**Mrs Banotti (PPE).** — Mr President, I am speaking on behalf of myself and my Irish colleagues, but Mrs Lentz-Cornette will be speaking for the Group of the European People's Party.

The disposal of toxic and especially nuclear waste is one of the most pressing issues facing Member States today. This debate, however, is not a debate about the pros and cons of nuclear power, and it is important that we do not obstruct our debate about a specific obsolete plant with a debate about the wider issues, though many of these are highlighted in this report. I shall be supporting the adoption of this report and ask my colleagues right across the House to do likewise.

We in Ireland do not produce nuclear energy, neither do we benefit either directly or indirectly from the generation of nuclear power. We do, however, have a serious problem because of our geographical proximity to the infamous Sellafield reprocessing plant.

*(Applause)*

The discharge of highly toxic radioactive waste into the Irish Sea on the level which continues in Sellafield is not by any standards the action of a good neighbour. In the past 30 years there has been a large number of serious accidents in Sellafield, culminating in the conviction and fining of British Nuclear Fuels in July of this year for serious breaches of safety regulations. The fact that many of these incidents were not publicized until many years after they occurred is an

**Banotti**

added cause for concern. The instances of human error at Sellafield are a matter of grave concern to the Irish Government, concern that such accidents could occur and concern about the management of a plant where such a level of human error can exist with possible deadly consequences.

The Irish Government made formal representations to the British Government in February 1984 expressing concern about Sellafield. Subsequently, regular meetings have been held between officials of both governments. Joint monitoring of the Irish Sea is now taking place. Early this year our Minister for Health set up a special committee to investigate the possible links between radioactive emissions from the Sellafield plant and outbreaks of disease in Ireland. The results of this study will, we hope, be available by Christmas. There are also reports of abnormal clusters of leukaemia in Northern Ireland about which we are very concerned.

However, notwithstanding all of these activities, the Irish Sea is more contaminated by radioactive waste than any other sea on this continent. Sellafield discharges ten times more radioactive waste into the Irish Sea than is discharged from the nuclear reprocessing plant in Cap de La Hague. The most disturbing aspect of all of this is that despite the international disquiet about these levels, they still unfortunately remain within legal limits according to international standards. Surely the time is now long overdue to reassess these limits. I acknowledge that the British Government has responded to public pressure and is implementing many of the recommendations of the Black report. British Nuclear Fuels have also reacted, but I am afraid that the public perception of them is somewhat cynical because of what the public sees as an elaborate and expensive public relations exercise in which they seek to defend the indefensible.

I hope very sincerely that this Parliament votes to adopt this report and that as a result a clear message will go out to British Nuclear Fuels that international public opinion, as expressed by this Parliament, does not support their irresponsible actions.

*(Applause)*

**Mrs Faith (ED).** — Mr President, I represent the area in the United Kingdom where Sellafield is situated, and I deeply regret that the Committee on the Environment, Public Health and Consumer Protection has presented this report, and sincerely hope that it will be rejected by Parliament unless it is substantially amended.

There is much in the report one could agree with and indeed many of the recommendations have already been carried out by the British Government and by BNFL.

Referring to the Euratom safeguards, the European Commission regulation recognizes restrictions on

access to such mixed plants for reasons of national security.

The Committee on the Environment, Public Health and Consumer Protection have completely ignored the fact that Sir Douglas Black was asked by the British Government to head an inquiry into the possible increased incidence of leukaemia at Seascale, the village nearest to Sellafield. Sir Douglas Black found that there was no proven direct link between the incidence of leukaemia in the village and its proximity to Sellafield and no evidence of any general risk to health for children or adults living near to Sellafield, and he was able to give a qualified reassurance to people living in the neighbourhood.

I understand the fears of those people who live in Northern Ireland but they should take note of the Black report. They themselves are now carrying out an inquiry which has yet to come to any conclusion and they should bear this in mind and delay any drastic action.

In a letter to *The Times* of 5 November 1983, the grandson of a leading medical practitioner who practised in the area between 1906 and 1924 said that his grandfather had noted the high incidence of cancer in West Cumberland villages at that time and today clusters of leukaemia are found in areas of the country where no nuclear industry is present. Higher than average incidences of cancer have been recorded, sadly, in areas such as Northumbria and on Tyneside.

Sir Douglas Black's recommendations to undertake further research and monitoring work are being carried out. These include the examination of children who have died from road accidents and other causes as well as examinations of stillborn babies and further detailed epidemiological studies and researches. The government has accepted every recommendation which Sir Douglas Black has put forward. Demands have been put into action and, of course, local fish, milk, air, grass and soil, etc., are regularly monitored.

Sir Douglas Black is the leading expert on preventive medicine in Britain and is a man of the highest integrity. In an article in the *New Scientist* of 7 March this year, Professor Black said that there is no evidence to justify such panic measures as the closure of the reprocessing plant at Sellafield. Therefore I take particular exception to paragraph 10 of the report.

I also take exception to paragraph 3. The Windscale Vitrification Plant will be reprocessing liquid waste to solid fuel form in glass by 1989. It is to be regretted that the committee never received evidence from Professor Black, nor did they take evidence from BNFL; also the committee never came to Sellafield so that they could see for themselves the pride the workforce, unions and management take in the excellent work carried out there. The Committee on Energy, Research and Technology came to Sellafield earlier this year

## Faith

and would have welcomed Mrs von Blottnitz — who is well-known for her anti-nuclear views — as a member of that particular delegation. Only this week the Dutch have said nuclear power is by far the cheapest source of electricity available and offers the highest hope for employment and business prospects. I praise our scientists and engineers who are doing so much to ensure central energy supplies and everyone who is associated with the plant at Sellafield which has been a pioneer in reprocessing nuclear waste and whose new Thorp reprocessing plant would be the most modern in the world.

In recent years BNFL have spent 500 million on new plant and plant modernization to reduce the impact of Sellafield on the environment. BNFL are carrying out measures which will reduce discharges from Sellafield into the Irish Sea to an absolute minimum by 1991. Emissions will then be at a lower level than those at Cap de la Hague and it should be noted that they already fall within the recommendations of the Paris Commission.

The evidence in the von Blottnitz report has been highly selective and the majority of the people in the Sellafield district will never understand if Parliament gives its support. For example, the Labour Party in the Sellafield area have said that they would be totally opposed to any unnecessary and irresponsible calls for the closure of Sellafield.

I am glad that Mr Collins and his friends recognize this.

BNFL is a valued and respected employer of 10 000 people. An area adjacent to the Sellafield catchment area, Workington, receives every possible EEC aid. In spite of the fact that industrial relations are the best in Britain and the beautiful countryside offers a wonderful way of life, it is difficult to attract firms. The investigations carried out by the Committee on the Environment, Public Health and Consumer Protection fall a long way short of investigations which should be carried out by a responsible parliamentary committee before presenting a report.

Indeed, if this report is passed by Parliament unamended, no one can take it seriously. The effect on Sellafield will be minimal but the damage done to the reputation of this Parliament will be considerable.

*(The President urged the speaker to conclude)*

This report is superficial, misguided and alarmist and unless the amendments put forward by my group are fully accepted it should be rejected by this Parliament.

*(Applause from the European Democratic benches)*

**Mrs Squarcialupi (COM).** — *(IT)* Mr President, wherever there is a danger to human health there is an obligation to act.

The Sellafield nuclear reprocessing plant, according to numerous surveys and statistical studies, constitutes a potential threat from radioactive contamination.

There is therefore a political requirement for an institution such as ours, which exists to improve the living and working conditions of European people, to provide citizens with the best protection and also to remove the hazards that threaten their health. This duty must be fulfilled with the utmost conscientiousness so that a plant may be considered absolutely safe.

Obviously, we do not all see this in the same way, as is shown by the many amendments and interventions preceding mine. For this there are a number of reasons including, in particular, economic ones, which are certainly sound, but nevertheless one-sided. I should like to rehearse the opposite arguments and I shall therefore indulge in a little political fantasy. Let us imagine that everything is going fine at Sellafield; that there has not been any contamination and that there has not been a higher incidence of cancer there in other areas. Let us then imagine that to lower energy production costs, it is decided to cut back on protection measures, without regard for the health implications. Such a request would be inadmissible in a Parliament that respected civil rights and minimum human rights.

It is, therefore, only right and logical to accept what the Committee on the Environment, Public Health and Consumer Protection has proposed to this Parliament, with a large majority and which is contained in the document we are to vote on.

In this document there is no philosophizing for or against nuclear energy. It merely says that where something is harmful to human health or is suspected so to be, then specific, safe and immediate action must be taken.

**Mrs Lemass (RDE).** — Mr President, I am speaking on behalf of the eight Irish Members of the European Democratic Alliance Group and I am speaking specifically about Sellafield. I welcome this long overdue opportunity to bring to the forefront my concern about the continuing operations at Sellafield. The authorities may have thought that by changing the name from Windscale to Sellafield or by mounting a multi-million pound campaign its activities would somehow be camouflaged, but that is not the case. What we are really talking about is an industry with a turnover last year of more than £ 459 million and an operating profit of almost £ 125 million.

What more harmful substance could be discharged into the sea than nuclear waste? A quarter of a tonne of plutonium 239 — the world's most toxic substance — has been dumped into the shallow and intensively-fished Irish Sea by the Sellafield operation. 4.5 million litres of radioactive waste per day are systematically discharged into the Irish Sea, making it the most con-

**Lemass**

taminated stretch of sea in the world. For future generations the implications of this type of dumping are profound.

Only a few months ago during Question Time, Parliament was told that inspectors from Euratom had no right of access to BNFL's plant at Sellafield. It is high time they were allowed to carry out an inspection. Those of us who live under its shadow have a right to know the full story. Three hundred accidents have been reported since the start of the Sellafield operation. How many have not been recorded? How close to a major disaster have we really been?

A nuclear plant such as Sellafield, which is discharging millions of tonnes of nuclear waste into the Irish Sea, must be a cause of extreme concern to all those in the vicinity and across the Irish Sea along the east coast of Ireland. The contamination of the area adjacent to the plant is becoming alarming. The British Government's stance is that there is no evidence to suggest that people are in any danger from discharges from the Sellafield plant. May I suggest that there is considerable evidence to show that there may be people in grave danger? It is my belief that there is no such thing as a safe level of radiation. The only safe level is no radiation. The proposed expansion of the plant over the next few years has profound implications for my country. In my opinion, it is not unreasonable to assume that the bigger the plant, the greater the risk. Some of the byproducts are so dangerous to man that they must be stored in containers for hundreds and maybe thousands of years. At Sellafield this waste material is stored in huge reservoirs, and millions of gallons of effluent are poured into the Irish Sea.

The British Government's decision to hold an inquiry followed reports from a doctor that the incidence of leukaemia was unusually high in this particular practice where four patients have died of this illness in the past eight years, the last being a girl of sixteen who died earlier this year. Statistical analysis of this illness shows that an average practice should have only one such case every sixteen years. Two Irish doctors have carried out an investigation into the subsequent history of pupils who were attending a girls' school at Dundalk when the Windscale fire occurred in October 1957. Six of the pupils died a few years later, four of them from a type of cancer. The doctors also claim to have found a link between the accident and a high level of Down's Syndrome births to girls who were at the Dundalk school at the time.

It is said that the good thing about Sellafield is that it employs 10 000 to 15 000 people. With the extremely high rate of unemployment in Britain at the moment, I suppose it is unlikely that the lobby trying to close down this plant will be given a reasonable and impartial hearing. No one can say what the long-term effects on the people living in this area and across the Irish Sea will be. Is this plant becoming a vast storage dump for highly dangerous material, and what will the

position be in 10 or 20 years' time as the radioactivity from the discharges builds up? We have no guarantee whatsoever that both present and future generations in Cumbria and across the Irish Sea are not being put in grave danger.

Ireland is not responsible for the pollution from Sellafield. We do not gain from its operation, and yet we are forced to suffer the consequences of its incidents and accidents and of the false assumption that radioactive substances from Sellafield discharged into the Irish Sea will settle on the seabed and be rendered harmless. We do not need radioactive waste lapping against our shores. Where a fire or an accident might occur, we do not need prevailing winds carrying radioactive material across to our land. We do not need the danger which Sellafield obviously is.

Until such time as it can be proved without a shadow of a doubt that the Sellafield discharges are not responsible for death, cancer and genetic deformities related to the operations of this plant, all discharges should cease. I am calling for the closure of this plant, and we support this report.

*(Applause)*

**Mr Van der Lek (ARC).** — *(NL)* Mr President, we must thank the rapporteur for the outstanding inquiry she has carried out despite the absence of any cooperation from the authorities and the management of the undertaking. Furthermore, it is very good that we now have before us a report from the Committee on Energy, Research and Technology which is objective and clear.

I also feel that the demands made in this report are self-evident and perfectly natural, that the best technical resources must be used to limit any emissions, to ensure that no longer are any liquid emissions discharged by the installation, where this is technically possible — and that it is unacceptable that the undertaking should go on operating so long as this is not achieved.

We must not forget — and this has already been said — that three-quarters of all liquid radioactive discharges are accounted for by this reprocessing plant and it finds its way into the North Sea, the Channel and the waters of the Atlantic coast. It thus undoubtedly affects not just those English people who live in the locality. It is therefore obvious that we should be concerned about the matter.

Mr President, it has been said that the rapporteur did not visit the plant. What would have been the point? She had contacts with the local population and research institutes, she consulted all the relevant literature. Is that not much more important than talking to the undertaking, who are not prepared to give figures, facts and genuine information?



**Van der Lek**

Mr President, it find it quite deplorable that from various sides the employment argument has been put forward. This is nothing less than blackmail. It is simply inadmissible that polluting plants should be allowed to go on operating because our system is not in a position to find alternative and better employment for the workers.

Figures can be argued about endlessly, but what is certainly true is that numerous measurements indicate that radioactive substances go on accumulating in the mud and in the organisms around the plant and then find their way back on the land. This will go on happening as long as the requisite measures are not taken.

How it is possible for Mrs Lenz to feel that the rapporteur went about her work in a selective manner is really quite beyond me. The rapporteur consulted all available public sources, all sources to be found in the relevant literature, and on top of this she started her own enquiry. The undertaking will not supply a single figure. I have studied the documents from the undertaking, but they merely contain loose assertions that the charges are not true, that things are all right, that the undertaking is complying with rules, whereas — and this you heard from Mr Collins himself — it is not even following the rulings of the judges in England. So how can Mrs Lenz now say that the rapporteur is merely making loose allegations?! It is the undertaking which is doing that!

Mr President, the question now at issue is not whether we are for or against nuclear energy — this is a matter which we need to discuss at greater length. But we must be very clear about one thing, namely that reprocessing is the basis of the entire nuclear energy system, and if this cannot be done without putting in jeopardy both the environment and human health, then it is high time we had another think. Let the undertaking now show what technical measures it is now prepared to take.

*(Applause)*

**Mr Paisley (NI).** — Mr President, the resolution we have before us is on a subject of the utmost importance, a subject which concerns especially family life on the eastern coastline of my constituency of Northern Ireland.

I believe, however, that it is absolutely essential that any resolution or finding in this area of this Assembly must be as objective as possible and as comprehensive as possible. The matter is of such seriousness that the response of this House must not be based on inaccurate or incomplete data, and must not merely be an understandable emotional response.

The report rightly, in its explanatory note, makes reference to the fact that the radiation dose in 1957 caused by the Windscale fire was as high on the coast

of Ireland as in the South of England. It also points out, however, that such a dose would not cause such an increase in the incidence of genetic damage unless the effect was compounded by some additional factors. Nevertheless, the incidence of Down's Syndrome has been observed on the Irish coast and pockets of leukaemia in Northern Ireland are very disturbing indeed.

I welcome the fact that the Government of the United Kingdom has been reducing the discharge level into the Irish Sea. But in my opinion the level of discharge is far too high. What the longterm effect of radiation dosage will have on the marine environment, both vegetation and fish life, has yet to be seen. What the after effect will be on human beings who consume the fish is not yet fully known.

Working, however, on the old and well-tested philosophy, prevention is better than cure, the effort ought to be made now to reduce the discharges to as low as is reasonably possible in the circumstances. The present discharges, in comparison with other similar undertakings, are far too high and they cause grave misgivings amongst those most likely to be affected. Studies should be pushed forward with the utmost speed so that the effects of the discharges in all spheres may be ascertained, as well as the results of the transmission of radioactive material into the atmosphere. Action can be taken. It lies in the hands of those responsible. They have the ability to do it and they ought to do it.

If this debate on this resolution today helps to forward that process, then I welcome it.

**Mrs Van Hemeldonck (S).** — *(NL)* Mr President, the report laid before us by the Committee on the Environment, Public Health and Consumer Protection will surely send shivers down the spine of all who live in the vicinity of a nuclear plant or in the effluent disposal area. Let me say at the outset that I find myself in a similar situation. The location of the Doel nuclear plants on the polder grounds on the left bank of the Scheldt opposite Antwerp is certainly rather like the location of Sellafield, except that the Scheldt estuary empties into the North Sea and not the Irish Sea and that the density of population in the Antwerp region is much greater than in the neighbourhood of Seascale, Windscale or Sellafield.

As the Bloch von Blottnitz report makes clear, the question must be asked whether what today has come to light regarding the Sellafield nuclear plan does not also apply to other plants in other Member States; but perhaps we are not yet in a position to know this. In the case of Sellafield we are admittedly dealing with a reprocessing plant, and not an ordinary nuclear plant. But the well-established environmental pollution, the radioactive emissions into water, air, polder mud or river mud, can just as well occur in the neighbourhood

**Van Hemeldonck**

of ordinary plants. True, Sellafield constituted from the beginning a high risk and, in retrospect, virtually a criminally dangerous operation. We can only endorse the rapporteur's recommendation that this reprocessing plant should be closed down as quickly as possible. It can provide no guarantee of safety.

At the same time, however, we must ask ourselves to what extent the recommendation of the Paris Commission of July 1984 restricting liquid emissions (a) has indeed been complied with and (b) whether it is sufficient, in other words whether it does not need to be supplemented with regard to air-duct emissions. Given the substantial long-term health risks for the local population and the workers, it is vital that we make a reappraisal of our energy policy.

It is a fact that the information in this report is a valuable pointer for all whose business it is to think about and take decisions in the realm of nuclear policy.

**Mrs Lentz-Cornette (PPE).** — (FR) Mr President, I should like to begin by saying to Mr Van der Lek, who has addressed several pointed remarks in my direction, that none of this bothers me in the slightest. However, this debate has made it quite clear that the report has given rise to considerable controversy. On the one hand, we have the statements from the people in charge of Sellafield, while on the other we have the statements contained in the report by Mrs Bloch von Blottnitz as well as in the resolutions of April and September 1984.

I shall only go into some of the more disputed points:

First of all, there is the unusually high incidence of cancers in the vicinity of Sellafield. You will find that the Bloch von Blottnitz report leaves the question of a cause-effect relationship open, and it is always dangerous to pin the blame for any illness on one single cause. Furthermore, there are other regions of England, quite distant from Sellafield, which also have far more cases of cancer than other regions. We would therefore support the request for an epidemiological study.

The Sellafield people say that they have built chimneys to filter the air, but the report proves that this is not the case. With regard to liquid effluents, the Sellafield authorities have admitted that an excessively large volume of these is still being discharged in spite of the enormous efforts they have made. It must be borne in mind that Sellafield has been in operation now for more than thirty years, that renovation work has been carried out and that another plant is being built. We would ask that they give priority to reducing these effluents; we also support the Muntingh amendment which seeks to eliminate all radioactive liquid from the seas and not just from the North Sea alone.

Paragraph 3 calls for an immediate ban on any further spent fuel elements being taken in. This would amount

purely and simply to closing down Sellafield, something with which we do not agree.

With regard to the final storage of radioactive waste, Windscale tell us that they are going to build a vitrification plant but that it will not be operational until 1989.

An in-depth study will have to be carried out on this entire question. I believe that as politicians we are not in a position to judge, because we cannot form any very clear ideas on the whole matter. Where we are in agreement, however, is in supporting the amendment tabled by Mr Collins, Mr Adam, Mr Hughes and Mr Linkohr calling for studies and a clear policy at Community level.

*(Applause)*

**Mr Iversen (COM).** — (DA) Pollution knows no boundaries, and there is therefore a very clear need for increased international cooperation in this area. In my party we share the concern over the radioactive discharge from the Sellafield plant, as stated in this report from the Environment Committee.

In connection with environmental issues it is often said that we do not know enough. Again and again this is used as an argument for not doing anything about pollution. But in this area not even this manoeuvre on the part of, first and foremost, producer interests can be used to justify continuing such alarming pollution from the Sellafield plant.

On the Sellafield affair we may not yet know everything, but we do know enough. We know enough to close the plant, we know enough about the dangers the people are exposed to. Therefore, the best possible course would be to shut down the Sellafield plant now. However, this should not stop us from voting for this report, even if the measures contained therein fall short of an actual closing of the plant. Nevertheless, this report is a step in the right direction.

**Mr Linkohr (S).** — (DE) Mr President, I do not think it is right that we should play off jobs against damage to health. Even if a million jobs were at risk we would still have to close them if it meant saving human lives.

Let us take an example. If coffin makers were out of work one would not distribute arsenic free of charge to increase the number of corpses, thereby providing work for the coffin makers.

However, the most important question is whether the information which Mrs Bloch von Blottnitz has provided is enough to close down the installation. The same Mr Black who drew up the report you quoted wrote in another report: 'I find no evidence to justify

**Linkohr**

such suggested panic measures as closure of the reprocessing plant.' If therefore the same person who pointed out that a health hazard existed comes to the conclusion that it is not sufficient to warrant closing the installation but simply carrying out appropriate technical measures, this is a piece of information which we should take seriously.

I must state quite frankly that I do not believe that in the final analysis this problem can be solved by a vote in a parliament. In a case like this I would much prefer an investigation by an independent committee such as a Community body like for example the Joint Research Institution which is also working in this area. Therefore in one of our amendments we explicitly call for the setting up in the future of something along the lines of a joint inspection body. The Euratom Treaty contains many safety prescriptions but not the inspection of installations where health hazards are concerned. I also regard this as important since it can lead to economic differences.

It is stated for example that the cost of reprocessing in Sellafield is one-quarter of the projected cost of, for example, German reprocessing installations which means that the standards must clearly be different. We should work in this Community for common standards in line with the corresponding state of technology.

I therefore request that we call for and bring about the setting up of such an inspection body.

**Mrs Schleicher (PPE).** — (DE) Mr President, ladies and gentlemen, my group is well-known for its support for the use of science and technology for the welfare of mankind, a corollary of which is that all health risks and damage to the environment must be eliminated as far as possible.

That is why we also support the use of nuclear energy for peaceful purposes, that is to say, for the generation of energy. As an area that is at once highly industrialized and at the same time deficient in raw materials, Europe is heavily dependent on cheap energy for the welfare and prosperity of its people. Nuclear fuel reprocessing is a highly controversial subject, even though this is an area in which political judgments weigh much more heavily than scientific judgments.

This is a technique that has been applied so far only in two countries of the European Community, namely, in La Hague in France and Sellafield in the United Kingdom. In the Federal Republic of Germany a decision has also been taken recently to go ahead with the construction of a reprocessing plant.

Indeed, it should be a matter entirely beyond dispute that in applying any technology, particularly where high risks are involved, all known safety and protection measures should not only be deployed but also

constantly updated in accordance with the most recent findings of science and research.

The reprocessing plant at the centre of our debate is obsolete by modern standards and has been plagued in the past by serious problems resulting in breakdowns and in indefensibly severe damage to the environment, particularly the water. It is very difficult for outsiders to judge to what extent all this was the result of irresponsible action knowingly taken. In any case we appeal to all those responsible to carry out as speedily as possible all the measures recognized as necessary to protect those people who have to deal with this technology and who are affected by the operation of the plant. We support unequivocally therefore the relevant demands made in this report, as well as the calls for effects on health to be monitored and epidemiological studies to be carried out.

There is one demand made in this motion for a resolution, however, which I consider somewhat less than honest. Paragraph 3 calls for a ban on the operation of the reprocessing plant until such time as storage places for radioactive wastes are available. However, the very same people who support this demand — and I must say that they include our rapporteur — are also violently opposed to the construction of final storage places. What they are saying therefore, in plain words, is that the reprocessing plants should be closed down once and for all. If that is what they want, then they could say so openly and honestly and not hide behind the protection of human health in order to achieve a completely different objective.

*(Applause from the centre)*

**Mr Falconer (S).** — Mr President, can I first of all draw your attention to the fact that the heading of this report is incorrect since it could also include the words 'and the possible effects of low-level radiation on workers and their families within the Fife area'. Can I also draw your attention to the eighth indent which refers to 'the 1964 Act'; that should read 'the 1969 Act'. These matters have been drawn to the attention of the Secretariat on several occasions but for some reason they keep being misprinted.

I would now draw your attention to the elements of this particular report which are of concern to myself and to the members of my group. It is interesting to note the people who want to support the continuation of Sellafield. It is also interesting to note how that name changed from Windscale to Sellafield. Apparently it is one way of removing the problem! It is also interesting to note that the BNFL were fined £ 10 000 for dumping their waste in the sea off Sellafield, whilst Greenpeace who were trying to prevent them dumping that waste was fined a total of £ 50 000. That I think is a rather unjust measure to be meted out to people who are interested in the environment.

**Falconer**

But I agree with the word 'irresponsibility' as applied to employment or work. Perhaps those words should be better addressed to right-wing governments in Europe who at the present time have increased unemployment to 50 million, rather than Mrs Bloch von Blottnitz who is trying her best to eliminate the health hazards we apparently are creating for our people. I also feel that paragraph 11 of the resolution contains elements which if so implemented could provide work for our people.

Can I ask the House and you, Mr President, to look at those areas which are covered by my resolution. The 1969 Act states quite clearly that transfer records of those employees who work in the radiation industry shall be transferred to those employees when they leave the industry. It says also that a copy of the transfer records shall be forwarded to the health and safety executive. Mr President, the Transport and General Workers' Union in 1979 and in 1980 drew the attention of the Ministry of Defence to the fact that it was failing to comply with this part of the act. We were given assurances in 1980 that this problem was resolved and that the act was now being complied with. That assurance was minuted in 1980 at the Shipbuilding Trade Union Council of which I was a member.

Mr President, can I tell you a wee story about myself? I left the industry when I was elected to this esteemed body in June 1984. I waited patiently for my transfer records to pop through my door at 22 Burnside Street, Rosyth. I thought, if anybody is going to get the transfer records it will be me! They did not appear! Eventually, after contacting the health and safety executive and getting no response from them, I had to write to them again reminding them that the records were not there. The records finally did appear. We cannot allow the health and safety of our people to be determined by bureaucrats who are not interested in the democratic demands of our people. When Mr Paisley says it must be based on facts, can I say to Mr Paisley...

*(The President urged the speaker to conclude)*

I am fed up with so-called experts and their facts. At the end of the day the working-class people of this country and others have seen these facts lined up in coffins and it is time that a halt was called.

*(Applause)*

**Mr Muntingh (S).** — (NL) Mr President, radioactive waste material is persistent, it is non-biodegradable and it is toxic. No one knows what to do with it and thus the nuclear energy undertakings defer the problem and try to get rid of the waste by siting it where it causes them the least trouble and where they can share the risk with others. That is why this stuff is discharged into the air and into the water and, if possible, dumped somewhere else in the world.

The scientific committee of the London Dumping Convention has estimated that as a result of discharges of nuclear material into the North-East Atlantic Ocean a dozen deaths will eventually occur. The example of France, the United States and Japan, who are so happy to carry on their dismal nuclear activities in the Pacific, clearly demonstrates that they prefer these activities to take place not on their own doorsteps but somewhat further away. This cannot matter too much to these States engaged in nuclear activities as long as they cause *them* no trouble. This may indeed be the case for the major nuclear states — it is certainly not the case for this Parliament which on more than one occasion in the past has declared that it wants no dumping of nuclear materials at sea. And this view is shared by all the small non-nuclear States who have to put up with this poison and misery occasioned by irresponsible agencies and governments that simply go ahead and authorize dumping.

Two of the small Pacific states, Nauru and Kiribati have within the framework of the London Dumping Convention, called for an end to the dumping of nuclear material by the inclusion of nuclear materials in Annex I of the London Dumping Convention. This is to say it is harmful substances that are no longer to be dumped. From 23 to 27 September next this matter will be discussed in London. It is of the utmost importance that the request of these two States, together with the request of the European Parliament, which has also declared in the past that it wants no dumping, should be included in the discussion and that the Member States of the European Community together, and if possible with the Commission, should support the request by the two States. I strongly urge that this be done.

**Mr Adam (S).** — Mr President, Mrs Bloch von Blottnitz's report is extremely badly written. The recommendations and the observations within it are contradictory. It is not at all clear whether the report is calling for the permanent or temporary closure of the plant nor, if it is a temporary closure, in what circumstances reopening would be countenanced.

The resolution and the report contain no reference whatsoever to the standards set by the international radiation protection board. There are no comparisons between Sellafield and any other nuclear installation in the whole of the European Community. The report is vague on the way in which it wants to see the Paris Convention proposals implemented.

Very much more to the point, Mr President, Mrs Bloch von Blottnitz's report makes no mention of the report by the Radioactive Waste Management Advisory Committee which was published in June of this year. That report has a whole chapter devoted to Sellafield and gives details of the 'significant reductions in radioactive discharges already achieved and the extra controls imposed by the site discharge authorization

Adam

which became effective on 1 January this year'. That report also has a look at the expenditure on the further measures that are being taken to reduce radioactive discharges. The amount which the current programme calls for is £ 250 m and the report notes that that expenditure will prevent one or two cancer deaths in all probability over the next 10 000 years. That is the level of control and action that is being taken at the present time and it is for those reasons that I have supported amendments which delete the reference to closure of this particular plant.

We have heard that Mrs Bloch von Blottnitz did not go to the plant. She certainly did not consult with the local authorities in the area. The leader of Alladale District Council, Councillor Johnston, has assured me that his council is satisfied with the efforts that have been and are being made by the plant to reduce radioactive discharge. For those reasons I believe that we should allow the plant to continue but that we should also recognize the very justifiable concerns of public opinion and that we should support the call, which is included in the amendments, for European Community standards of radioactive emission and control. If those amendments are accepted, then I shall support the adoption of the report.

**Mr Clinton Davis, Member of the Commission.** — Mr President, this has been a concerned and passionate debate and it is right that it should be, having regard to the issues that we are confronting today. Issues of public health should concern Parliament. We have had the benefit of the views of local Members, who perhaps have taken a somewhat different view from that of others. Above all, I think, we have a problem of credibility, and it is on that note that I should like to begin my remarks.

There is a great deal of public anxiety in general terms about the manufacture, disposal and transportation of dangerous substances and waste. These matters do give rise to genuine concern, and people too often have the feeling that truth is camouflaged by jargon. Their fears are not allayed by anodyne statements from public authorities which are frequently meant to calm but not to inform. The fact is that there have been too many industrial disasters or near disasters which have been preceded by what in retrospect appear to be half-truths from those responsible. So, regrettably, there is a credibility gap in matters of this kind, and we must ask ourselves why. We must ask ourselves what is wrong, and, above all, how can we remedy the situation?

We are dealing in this debate with an immensely important subject, all too often shrouded in mystery, and that only partly because of its technical complexity. The matters treated by the report fall largely within the responsibility, of course, of the United Kingdom Government, not only because the nuclear reprocessing plant in question is in the north-west of

England but also because the United Kingdom Government is the sole shareholder of the company owning and operating the plant — British Nuclear Fuels Ltd. So it was for the United Kingdom Government to react to the initial reports of the unusually high incidence of cancer in the Sellafield area and to take action. What the British Government did was to appoint the Black Committee and then to implement its recommendations. I think, if I may say so in parenthesis, that Mrs Faith was a little hard in suggesting, indeed asserting, that the Committee on the Environment, Public Health and Consumer Protection has totally ignored reference to the Black Committee.

All this is not to say that the Commission, and indeed the Community, have no role to play in an affair of this kind. The report before Parliament calls on the Commission to take certain actions. I assure Parliament that our services already contribute to work in the United Kingdom and will continue so to do. The Commission will carry out its own evaluation of any findings stemming from follow-up studies initiated as a result of the Black report and will certainly be concerned with the need for further measures at Community level.

It has been said during this debate, and rightly said in my view, that even in areas of high unemployment — and there are far too many of them in the Community today — the issue of jobs must be secondary to that of public health where there has been proved and established a clear and widespread danger to public health. There really cannot be any room for doubt about that. But of course we have to consider the full details of this matter and that I propose to do during the course of these remarks.

There is one very important factor that has emerged, a factor which has to be recognized and which some Members did not allude to at all. That is that the owners of the Sellafield plant — British Nuclear Fuels — have been prosecuted in the Crown Court in England, convicted and fined. That is not an unimportant matter. The trial of the company — a criminal trial — lasted seven weeks. It related to the release in November 1983 of highly radioactive material into the Irish sea from the Sellafield plant. In the view of the Commission the evidence brought forward at the trial, on the basis of which the company was convicted of four offences, raises a number of important questions. This is especially so if the evidence is considered alongside the facts covered in the committee's report

Before referring to these questions perhaps I may explain the framework of current Community policy on radiological protection. The Euratom Treaty provides for basic standards of radiation protection of the health of workers and of the general public. These standards are set out in directives laying down maximum permissible levels for exposure arising directly or indirectly from industrial activities. They also set out the fundamental principles governing medical practice.

**Clinton Davis**

The directives are subject to regular revision in the light of advances of knowledge and technology. The Parliament may recall that the most recent revisions were the subject of your opinions in 1982 and 1984 before adoption by the Council last September.

The permissible levels in the directives are designed to provide adequate safety margins. They are also subject to the requirements that all exposure to radiation is to be justified by the benefits and that they be kept as low as reasonably achievable within the stated maximum. The Community system of radiation protection therefore is made up of two elements. I stress this because it is extremely important to the debate which we are holding today.

The first element is this: that maximum permissible levels of exposure which are contained in Community directives are taken up in national legislation. It should be noted that at no time since it was set up in 1950 has Sellafield exceeded these maximum permissible levels.

The second point is that within these levels plants are constrained by the so-called ALARA principle, the requirement that discharges be kept as low as reasonably achievable. This necessarily leads to different requirements for different plants.

Having said that, I come to the trial itself in the Crown Court. The owners of the Sellafield plant were convicted of contravening the conditions of a nuclear site licence and of failing to comply with a limitation or condition of a certificate of authorization for the disposal of radioactive waste. The story which unfolded may, I think, be reasonably summarized as follows. Due to an error of record-keeping, a quantity of radioactive liquid and solids was let out of the reprocessing plant into one of the tanks from which effluent is pumped into the sea. Once the error was discovered, the company pumped some of this material back into the reprocessing plant. Some it pumped into the sea. Later it was necessary as a precaution to close local beaches for some time and then to recommend their limited use for some months thereafter.

These discharges did not exceed the maximum permissible level of exposure stated in the Community directive. That has to be made clear. However, I also want to make it clear that the court held that the discharge was in breach of the ALARA requirement. There is no doubt that this episode which led to the trial raises a number of very worrying questions. First, how did the offence come to light? Well it was not notified immediately by the plant operators. It was first revealed, as has been said in the debate, by a Greenpeace boat which happened, purely coincidentally, and not as part of a regular monitoring exercise, to be at sea near the pipe outlet.

Secondly, was the release accidental? Well, the answer is that, at least in part, it was deliberate. The company knew it was pumping into the sea highly radioactive

material both solid and liquid. The solid material which I understand is not normally discharged did not disperse quickly into the sea. Instead, a slick formed and the danger that some had been washed ashore causing radioactive hotspots on beaches led to the beaches being closed whilst checks were being carried out. Hotspots, had they existed, might have posed a potential hazard to the general public.

Thirdly, could the discharge have been avoided? The jury at the trial concluded that the answer was quite clearly yes, and that all the liquid and solids could have been pumped back into the reprocessing plant. It was for this reason that the plant was found to have contravened the ALARA requirement.

Fourth, how much radioactivity was released into the sea? Well, it appears that 4 500 curies were let out of the reprocessing plant into the sea tank. Now, there is no way of quantifying what part of this was pumped into the sea because the records were found to be inadequate. Fifth, was the public warned of the increased risk of exposure to radiation as a result of these discharges? The jury decided that the plant had failed to take all reasonable steps to minimize the exposure of the public to radiation, and that is a serious finding. As I have already said, the local beaches were only later closed to the public while checks were made.

Some of these questions are most acutely posed for the United Kingdom Government. They have given rise to action. But they are relevant too to the Community as a whole since we have to decide whether our present approach, based on the two elements I have just mentioned, provides adequate safeguards to workers, the general public and the environment. It is against that background therefore that what I am doing — and this is in answer to the point raised by Mr Linkhor — is that I am convening an urgent meeting of the Community's Committee of Experts which deals with basic standards for radiological protection for workers and the general public. I shall ask it to consider carefully the 1983 incident at Sellafield. I shall ask it to consider the evidence brought forward at the trial and in the light of this I shall also ask it to look again at the findings of the Black Committee which reported a year before the conclusion of the Crown Court trial.

Let me make it clear that I am not seeking to put the plant on trial again. That is not my function. That trial has taken place. My intention is to see what general lessons can be drawn from the incident for the Community's approach to radiological protection. I shall be asking the scientists to answer a number of questions. For example, is the ALARA requirement being satisfactorily applied not only in nuclear reprocessing plants, but in all uses of radioactive material? Most particularly I want the experts to look at present monitoring procedures. I shall be asking them whether the present maximum permissible levels of exposure are too generous. At present the Community applies those

### Clinton Davis

levels recommended by the International Commission for Radiological Protection. The nuclear reprocessing plants in the Community have always remained well within the limits, but does this mean that the Community could actually lead the way towards the application of more rigorous standards than those agreed by the international commission?

We are also asking whether the ALARA requirement, the requirement that discharges be as low as reasonably achievable, be given a sufficiently objective interpretation so as to ensure that actual discharges remain as low as possible at all times. Further, are record-keeping practices in the workplace adequate? Remember that the Sellafield episode began with an error in record keeping and because of inadequate records elsewhere in the plant, it is simply not known how much of the radioactivity released from the reprocessing plant was eventually pumped into the sea.

I have before me records which indicate the levels of discharge into the sea of total beta activity from Sellafield for 1983, but can the public for whom we all speak have confidence in such records when we also know that it proved impossible at the trial to say how much beta activity had been pumped into the sea in this particular incident? Record keeping, the monitoring of records, are of the utmost importance wherever radioactive material is used. They are the essential line of defence for the safety of workers and the general public. It is of the utmost importance that records are, and are seen to be, full and accurate and that they can be efficiently and speedily monitored. These are some of the questions I want answered by the experts. Once we have their replies we can see whether we need to reinforce our present approach to radiological protection. We cannot afford to be complacent in this area and it may be that some radioactive discharges are inevitable if we want to exploit the benefits of radiological activity, but for my part I believe that our goal should be to eliminate all discharges as soon as technically possible. If we take that as our objective we can be sure that if we err at all we shall be erring on the side of safety.

Before I conclude, may I turn to the amendments themselves that directly concern the Commission. As to Amendment No 1, I recommend acceptance as it fully conforms to established objectives of the Commission. As to Amendment No 16 — I refer here only to paragraph 10(c) — and the suggestion that the Commission should consider with Member States the establishment of a Community inspection force, as has been argued by Mr Collins, may I say I consider this to be a very positive suggestion which we propose to pursue under the terms of the Euratom Treaty.

Finally, as to Amendment No 21, this does go wider, as I think Mr Muntingh will appreciate, than the report under discussion. While it would be premature to formulate detailed policy before we have had the opportunity of considering certain significant studies,

which will be on the agenda of the conference at which we will be present as observers, may I add that the Commission identifies fully with the concern expressed in that amendment.

I end on this note. Public concern over questions relating to radiation is mounting. There can be no room for doubt about that. Incidents like the one I have mentioned can undermine confidence. The recent trial will go some way to restoring confidence. The work I have put in hand will, I hope, also play some part in that regard. But we should always remember, and perhaps public authorities need to remember this above all, that to be persuasive we must be believable. To be believable we must be credible and to be credible we must always be truthful.

*(Applause)*

**President.** — The debate is closed.

We shall now proceed to the vote.

*Motion for a resolution — After the adoption of paragraph 12<sup>1</sup>*

**Mr Sherlock (ED).** — I am afraid, Mr President, as I recall, we have voted for paragraph 1 of the rapporteur's — I refrain to give it any adjectives — report, which requires reduction to zero since this is technically possible. We also, I rejoice to say, passed the excellent Amendment No 14 by Mr Collins and Mr Adam which called upon the British Government to reduce to the lowest levels practically achievable in accordance with the Paris Commission. Are they, in the opinion of the rapporteur, not of Mr Collins, compatible?

**Mr Collins (S).** — Not for the first time I find that I am in disagreement with Mr Sherlock, but you see on paragraph 1 the House carried Amendment No 14 and thus paragraph 1 now reads: 'Calls on the British Government to require BNFL to reduce liquid discharges of radioactivity to the lowest levels practically achievable in accordance with the Paris Commission'.

That is what it says now. I am sorry he missed that, but maybe there are forces outside his control.

**Mr West (S).** — Mr President, it is quite in order for this Parliament to pass any report it likes and to vote in any way it wishes. The question of the way Parliament has just voted is irrelevant and I would suggest we continue.

<sup>1</sup> The rapporteur was:  
— IN FAVOUR OF Amendments Nos 14, 15, 19 to 21  
— AGAINST Amendments 1 to 13 and 16.

**President.** — I would say that we are going to but in view of the fact that we have nine explanations of vote and we are already nine minutes beyond our normal time, I am inclined to suspend the sitting now for these explanations of vote to be heard tomorrow at voting time and the final vote be taken then.

**Lady Elles (ED).** — Mr President, I was wondering if I might suggest that those who are down to make an explanation of vote agree to make it in writing and that we take the vote now.

*(Applause)*

**President.** — Lady Elles, if everybody is agreeable, we will do that, but if they are not then I will postpone the whole thing until tomorrow's voting time.

I think that Mr Pearce does not want to do it in writing so I will have to close the proceedings now.<sup>1</sup>

*(The sitting closed at 8.10 p.m)*

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<sup>1</sup> *Agenda for the next sitting: see Minutes.*



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## IN THE CHAIR : MR ALBER

*Vice-President*

*(The sitting was opened at 9 a.m.)<sup>1</sup>*

### 1. Decision on urgency

Proposal from the Commission of the European Communities to the Council (Doc. C 2-54/85 — COM(84) 569 final) for a regulation concerning the conclusion of the agreement in the form of an exchange of letters between the European Economic Community and Spain on the granting of specific financial aid to facilitate and accelerate the adjustment of fishing capacity in Spain.

**Dame Shelagh Roberts (ED)**, *Chairman of the Committee on External Economic Relations*. — Mr Presi-

dent, the Committee on External Economic Relations would have no objection to urgency being granted. We already have an opinion from the Committee on Agriculture, Fisheries and Food and I understand that there will be no budgetary complications. So if Parliament does decide to grant urgency, we can meet this morning at 12 noon to prepare a report for debate on Friday.

*(Parliament adopted urgent procedure)*

**President**. — The item will be entered on Friday's agenda.

**Mr Pearce (ED)**. — Mr President, I wonder if you could clarify for us when you intend to complete the voting on the Sellafeld matter. It was stated last night that it would take place at 9 o'clock this morning. May I be informed of your intentions, please?

**President**. — No, the vote will be taken at the next voting time.

**Mr Sherlock (ED)**. — I wonder, Mr President, if you would be kind enough to clear up a point for me about

<sup>1</sup> Approval of Minutes — Referral to committee (correction) — Topical and urgent debate (announcement of motions for resolutions tabled): see Minutes.

## Sherlock

the voting there. Will you proceed to take those explanations which yesterday were offered in writing in my case conditional on there being a total agreement from all.

The other thing is that, as I read the Rules of Procedure, the list of speakers remains open until the first one is called. This could present quite a number of explanations in addition to those that are already listed. Can you clarify that for me? These will be personal ones, of course.

**President.** — We will proceed as follows since this is a new situation. The list will be closed as soon as the first speaker has spoken this evening.

**Mrs Bloch von Blottnitz (ARC).** — (*DE*) Does that mean that those who were on the list yesterday and were fair enough to say they were withdrawing their request to speak and would give their explanation of vote in writing will now have to make a new request, or will they automatically appear on the list of speakers?

**President.** — I shall read out all the names on yesterday's list of speakers so that no one has an unfair advantage.

## 2. Common transport policy (Judgment of the Court of Justice)

**President.** — The next item is the report (Doc. A 2-84/85) by Mr Anastassopoulos, on behalf of the Committee on Transport, on the judgment of the court of Justice on the common transport policy and the Council's obligations in relation thereto.

**Mr Anastassopoulos (PPE), rapporteur.** — (*GR*) Mr President, In attempting to present to the House today, on behalf of the Committee on Transport of which I am the chairman, a first assessment of the judgment by the Court of Justice of the European Communities of 22 May 1985, I should like to assure you that I am fully conscious of the honour — but also of the responsibility which I bear. This is because, by its judgment, through which it accepted, albeit only in part, the case put by the European Parliament and for the first time in the annals of the Community convicted the Council of Ministers of negligence, the Court has written a page of history. And I think it is no exaggeration at all to take the view, as do a number of legal experts, that on 22 May we moved from an absolute to a constitutional Council 'monarchy'. Nor do I feel there is any exaggeration in expressing the hope that in this new period inaugurated by the Court's judgment the Council's 'monarchy' could —

and should — become more 'enlightened'. It is high time.

The presence of the president of the Council of Ministers at our debate today encourages me in that expectation. We have not been in the habit of seeing the Presidents of the Council of Ministers on such occasions. On the contrary. But when they have attended, we have come not to expect any real follow-up to the compliments exchanged in plenary session or at the committee meetings. One does not need to have served for very long in this chamber, where one owes one's place to the trust expressed by the citizens of Europe, before one realizes how true the bitter observation of one's older colleagues is. Parliament, which in a few months' time will represent 320 million citizens from 12 democratic countries of our old continent, is usually ignored by the Community's Council of Ministers. This truth played no small part in the thinking which prompted Mr Karl-Heinz Hoffmann, group-chairman, Mr Egon Klepsch and the other 31 Members of the EPP group in 1981 to take the happy initiative of starting proceedings for negligence on the grounds of the absence of a common transport policy, an initiative which was embraced and championed with vigour by my predecessor, a current Vice-President of Parliament, Mr Seefeld, and by Mr Carossino, who was already a quaestor, so that the then President, Mr Piet Dankert, was won over and went ahead, and, with the Commission's backing, we have finally arrived this year at the Court's historic judgment in Case No. 13/1983.

I do not think I have a reputation for indulging in idle talk. Nor do I think I am being carried away by my position as an elected Member of this Parliament or chairman of the Committee on Transport when I describe the judgment of 22 May as an historic one. It is, of course, a fact that this decision widens and strengthens the role of Parliament. It is a fact that, going beyond political control, Parliament has also been acknowledged the right, subject to two basic conditions, to exercise legal control over instances of negligence on the part of the Council. It is also a fact that with the judgment of 22 May the institutional balance of power has been altered by Parliament.

But the most important aspect of the judgment in this celebrated case, which is bound to occupy a prominent position in every manual of European law, is, in my humble opinion, that limits have been set to the Council's discretion to act as it sees fit. Up till now, that discretionary power has been unrestricted both in theory and, to a much greater degree, in political practice. Now, however, the European Court has come along and, for the first time, answered the Council with a resounding 'No'. The European Community cannot align itself against the rule of law, which is one of its foundations, one of the bases on which it stands.

The Council's strength derives from the Treaties. But it is also the Treaties which set the limits to that

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power. And when the Treaties lay down fairly clear obligations, in such a way that their non-fulfilment may constitute an infringement by the terms of Article 175, and when they stipulate deadlines for their implementation, the Council cannot invoke its freedom to act on its own discretion as a defence. No difficulty, even an 'objective difficulty relating to a departure from established national viewpoints', can exempt the Council from the obligation to respect the Treaties. And lack of agreement is certainly not a factor which annuls them, in cases where the Treaties provide for decisions to be taken by majority vote. Logically speaking, no legal expert should remain in any doubt on that point. But in any case the fact that the Court by using this form of words, indirectly but clearly did not recognize the famous Luxembourg compromise, is of the greatest importance, especially at a time when an intergovernmental conference being held elsewhere is considering proposals for amending the Treaties, with the decision-taking procedure at the top of the list — a procedure which, with the practice of applying the veto even to the most trivial details, has reduced the Community to a state of semiparalysis.

Speaking to you today I would not wish to enlarge on that subject further. I am a very recent arrival in this chamber and have been here too short a time to feel myself equal to the task of expounding such an important topic, the political, institutional and legal ramifications of which in any case go far beyond the terms of reference of the committee which I chair. I therefore feel I should confine myself to an appeal to the committees responsible to come back to us in their own good time, but soon, with reports on this great issue, endeavouring to go more deeply both into the points raised today and into others which should also continue to claim our attention.

Certain general observations, though, still need to be made here and now to complement this first attempt at an analysis of the judgment of 22 May. They, however, will find their right place at the end of this speech. The reason is that having outlined the general framework, what we must do is concentrate on the specific aspects of the judgment which relate to the common transport policy. It was because of the absence of this common policy — thesecond for which the Treaties provide, after the agricultural policy — that we took the Council before the European Court of Justice. And the Court found in Parliament's favour. It accepted that (regardless of the more than 200 legal enactments on transport promulgated in the almost 30 years during which the Community has functioned) there is still clearly no consistent set of regulations which can be described as a common policy in the transport sector in terms of Article 74 and 75 of the Treaty. The Council itself was forced to concede the truth of that finding, which thereby took on the nature of a common acknowledgement.

The articles in the chapter of the Treaty referring to transport were not considered by the Court to be

sufficiently clear for the Council to be found against with regard to the entire non-existent policy. That condition was deemed to be met only in respect of the freedom to supply services, which was supposed to have been secured by the end of the transitional period, in 1969. But even if, legally speaking, our case was thus accepted only in part, from a political point of view the condemnation of the Council was complete and indisputable.

For a political body like the European Parliament, that is the political conclusion to be drawn from the Council's decision. And that, too is the weighty political responsibility borne by the Council.

What explanation can there be for the Council's negligence, and, indeed, for this wider lack of Community interest in a sector so closely tied in with the completion of the internal Common Market — a subject which has always, not just recently in Milan with the Commission's White Paper, but since much longer ago than that, excited feeling and debate within the Community? How do we explain this unconcern about a sector which accounts for more than 7% of the Community's gross domestic product, when we compare it with the constant concern over agriculture, for example, which accounts for 5%? In a period of rising unemployment, what explanation can there be for simple inaction on the part of the Community on a sector which provides employment for 5.4 to 7.3% of the active population (approximately 6 million people) and is linked to 11% of private and 40% of public investment in the Community? With these parameters, how can transport possibly be regarded as a poor relation and require a big lorry-drivers' strike, like the one in 1984, or an air or railway disaster to stir our emotions for a couple of days and remind us of transport's direct links not only to the quality of life of the European public, but also to the very existence and loss of that life?

For years, if not decades, we have fallen into the habit of criticizing the tendency of having, instead of the common policy required by the Treaty, *ad hoc* measures adopted on the principle of the lowest common denominator or that of least resistance. But it has been much rarer for us ourselves to have the courage to attempt to probe the actual causes which have led to this impasse about which we all agree. Perhaps it is because investigating and publicizing the real reasons would affect not just individuals, but situations, and European public opinion would become even more keenly aware of the difference between frequently hypocritical proclamations of good intentions and the true level of inclination to take joint steps.

Among the minute number of noteworthy exceptions to the above rule I would draw your attention to the communication from the Commission to the Council of 11 February 1983 submitting an outline programme of guidelines for the formulation and application of a common transport policy, which was never accepted

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by the Council. And it is a useful exercise for us today, like the Commission, to try to worm out the truth of the matter, without fear or rancour, but in the hope that by searching as deep down as we can get and stirring the stagnant waters we can contribute in a more genuine sense to promoting the common policy which we, too are ambitious to see.

The disappointingly slow rate of development of the common transport policy, particularly over the last two decades, is, at a basic level, linked to the widely differing economic and geographical conditions which existed even between the six countries which originally founded the Community and which led to important policy differences. The geographically peripheral EEC countries have relied more on road transport, while the central countries have relied on rail. From this point of view, neither side has ceased to be faced with transport problems to this day. The peripheral countries have laid stress on the liberalization of road transport, while the central ones have insisted that harmonizing the conditions of competition must take priority — and that vicious circle, with the, in our view, artificial dichotomy between liberalization and harmonization which we must finally break through, has allowed only minimum progress to be made.

It is typical that it is only in the last two years, after battles fought mainly by the Committee on Transport with the backing of the whole of Parliament and the Commission, that we have reached the point of getting appropriations approaching 100 million ECU for transport infrastructure projects written into the Community budget. And that at a time when the delays caused by the complicated frontier-crossing procedures alone have been costing road freight transport, according to the Commission's calculations, 800 million ECU a year!

Apart from differing conditions and policies, though, there was one other factor — perhaps the most important one — which led to stagnation. This factor was at work in almost all, or at any rate most, of the ten countries. The tendency in their transport policies has remained interventionist, restrictive and protectionist, in the form it had already started to take in the '30s, when road transport developed into a major branch of industry.

Openings towards more liberal trade policies after the war and the period in which the conditions were being established had no corresponding effect on that tendency, which has remained strong to this day. And if to this common substructure we add the obstructive power of the national bureaucracies in the ten countries, it is obvious why Community steps in the transport sector have been such small ones.

When these are the underlying reasons for the Community's inability to move forward, there is a perfectly reasonable hardening of scepticism among my former colleagues in the press, who accept that the Court's

judgment may be a moral victory for Parliament, but object that it will not change anything. A fair number of journalists have described it as 'a judgment with no teeth' — 'The Court's judgment has no teeth', as a quality British newspaper put it. Without, I think, being carried away by excessive optimism — I do come, when all is said and done, from a country where Aristotle declared for the first time that politics is the art of the attainable — I hope I may be allowed to dissent from that view, which I consider to be mistaken.

Those of whom have been involved in politics for many years know, of course, that a moral victory is not always sufficient to produce immediate political results as well. However, the fact that when the 22 May judgment was announced the ministers who had been convicted of negligence were not sent to the Bastille does not in any way mean that that judgment should be viewed as a purely theoretical declaration.

The Court convicted the Council of not fulfilling its obligation regarding the freedom to supply services. And if this time it did not accept the Dutch plea to liberate the supply of services and the right of establishment immediately, let us not forget that the Court expressed reservations. It set the Council a 'reasonable time' to comply with its judgment. However much the length of this deadline may be a matter for interpretation, and the Committee on Transport felt that it should not stand in for the Court by attempting to define it exactly, the report that the Council of Ministers has been talking about the middle of 1987 or, at the latest, the beginning of 1988 indicates its furthest limits. Our duty is to remain vigilant whatever happens. And in the 'hypothetical' event, as the Court puts it, that the Council does not comply — which I, for one, do not consider the most likely outcome — Parliament must have no hesitation in submitting a fresh plea. All the evidence of continued infringement of the Treaty and contempt of the Court's decision will then be to hand, and it will only be a matter of time before Parliament once more wins its case.

The Council must be in no doubt on that score. We are forewarning it as of today. They will be no point in its seeking for excuses or trying to put together any sort of 'alibi'. The outcome of our 1983 case may not have been impressive from the media point of view. Its effects, however, have been very real, even before the Court's judgment was delivered. Under the pressure of the case, the Council emerged from a long period of immobility and in 1984 adopted a series of remarkable measures which became known as the Fitterman package. After 22 May, too, the Court's judgment was used by Lord Cockfield as a means of getting a Council decision on freedom of establishment for architects.

This all shows that something has changed with the court case and the judgment, and that nothing will ever be the same again. Nevertheless, despite these auspicious signs, we cannot allow ourselves to be over-optimistic. Quite the contrary. The Court's judg-

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ment may, possibly after transitional periods, ensure freedom to supply services, but it will not lead to the formulation and implementation of the entire common transport policy which the Treaty calls for and for which Parliament is fighting.

It is up to the Council, even according to the court define the objectives, methods and even the priorities of such a policy at its own discretion. And it is not enough for us just to express the hope that the 22 May judgment, which coincided with the new Signorile attempt to draw up an outline programme, a master plan, will give a fresh boost in that direction. We must gird ourselves with strength and stamina for fresh and perhaps still fiercer battles. If we leave aside for the moment the problems of air transport and shipping, which were not covered by the Court's judgment and which we are to hold a special discussion about when we address ourselves to the Klinkenborg and Steward reports on the relevant Commission memoranda, the chronic problems of rationalizing the railway undertakings and eliminating the surplus structural capacity in inland navigation demand our immediate attention. And together with those, the questions of harmonization in the social, fiscal and technical sectors, the abolition of border-crossing checks and obstacles, the promotion of road safety, the application of new technologies and the taking of steps to improve links with the remote regions and islands, whose distance from the centre of the Community places them at a severe disadvantage, all these should be priorities (in an illustrative, not a binding, sense).

It must also be added that no European transport policy has any hope of being implemented unless there is agreement with the three non-member countries through which transit traffic passes — Austria, Switzerland and Yugoslavia — and also, in a wider sphere, cooperation with the Scandinavian and other European democracies and negotiations and agreements with the socialist countries of Eastern Europe.

Last but not least comes the question of the infrastructure projects programme, and not just because it is a way of promoting structural convergence among the Member States as required by the Treaty, but also because, quite apart from improvements to the transport system which would have beneficial effects on trade, industry and the completion of the internal common market, as well as on citizens' lives and European integration, a substantial infrastructure projects programme could have a direct and positive influence on the fight against unemployment and efforts to produce an economic upswing, both of them matters of such concern to us.

Entering appropriations of the order of 100 or even 150 million ECU per annum in the Community budget and having loans from the European Investment Bank does not, of course, entitle us to talk seriously about coping with the problem of transport infrastructure projects. To carry out really major projects, such as

the Channel tunnel, the Scandinavia-Germany link known as the Skan-Link, the European high-speed railway network (TGV), the Strait of Messina link, a new tunnel under the Alps and a tunnel under the Pyrenees, projects which, together with the Danube-Rhine-Rhône link-up which is going ahead, would change the map of Europe from a transport point of view, financing of the order of 200 thousand million ECU is required. And those are sums which neither the Twelve of tomorrow nor the Community can afford.

It is a useful exercise for us to think back to the Suez Canal and the Panama Canal and not shrink from turning to private initiative again, on conditions which we can define, if we start drawing up our plans properly on a grand European scale and stop getting bogged down in philosophical speculation about the advantages and risk of neo-liberalism.

The medium-term infrastructure projects programme which the Commission has at last drawn up for the first time and which is ready to be submitted to the Council, underlines the need to find bold answers to the problems of co-financing and guarantees. And that is an opening that deserves to be welcomed.

What is needed is more imagination, boldness and initiative from the Commission, although we must acknowledge that with its memoranda Nos 2 and 3 on air and maritime transport this year it produced a substantial piece of basic planning work for a coherent European transport policy. There needs to be a new approach, a new spirit, a change of heart on the part of the Council. And we in Parliament also need to change our tactics. As long as we do not possess the powers which we, as democratically elected representatives of the citizens of Europe, will never cease to claim, we must strive all the harder, by concentrating our attention on major, not minor problems, to convince people that we have an awareness of the task that faces us. We have no other strength apart from that which may be conferred on us by the force of our ideas, the seriousness of our considerations and the soundness of the solutions we propose.

That is the wider context in which we must face up to the Court's judgment of 22 May. Parliament came out of the legal tussle strengthened, and with the partial acceptance of its case it has acquired a fresh weapon with which to exercise legal control over negligence on the part of the Council and which can be used in other sectors besides transport. Our aim, however, cannot be to be constantly hauling the Council before the Court of Justice. We are not looking for confrontation for its own sake. We are fighting for ideas and major policies, for ambitious projects capable of promoting a united Europe of the 21st century of the great but also of the small, the convergence of our economies, employment and economic recovery.

In that spirit we extend to the Council the hand of cooperation. The Court's judgment may act as a start-

**Anastassopoulos**

ing-point for gradually overcoming our difficulties and obstacles and give a fresh impetus to a common European transport policy, a new policy, a 'New Deal' in that important field. All that is needed is that the Council should want to avail itself of the opportunity. The challenge is a major one. But the result will be still more important.

We call on the Council to rise to the heights set by the new circumstances. If it does not, the responsibility will be its. And we, of course, warn it that we will be vigilant and ready for new, still fiercer battles, to keep it under control if need be.

(Applause)

**Lady Elles (ED), *Draftsman of the opinion of the Political Affairs Committee.*** — Mr President, I would like to congratulate Mr Anastassopoulos on his report which I think is one of the most important to come before this Parliament. I will address myself in particular to paragraph 33 which concerns the Political Affairs Committee.

The two major consequences of this important decision handed down by the European Court of Justice deal with two aspects in particular. First, the admissibility of the case under Article 175 by the European Parliament against the Council and second, the Court's decision for the first time showing failure to act by the Council. These have now brought a change in the balance between the institutions of the Community. For too long the European Parliament has been regarded as, at worst, a nuisance and, at best, a junior supporter. I think that this case has completely altered the situation.

Admissibility of the action has first confirmed the scrutinizing and advisory role of the Parliament not only in relation to the Commission, but also in relation to the Council. As Advocate General Lentz stated in his admirable opinion, advisory and supervisory powers are only of use if the institution to be advised and supervised takes action with regard to which it can be advised and supervised. The Court has recognized this and by its judgment confirmed those powers, without in any way, of course, inferring that the European Parliament has a direct influence on the Council's legislative role. So Members of this Parliament must take note of their new important responsibilities towards the Council and we must use that responsibility which is available to us.

Admissibility further opens the door for the European Parliament to consider whether further action should be taken against the Council under Article 175 in relation to the provisions of the Treaty — particularly under Article 3 — which have not yet been implemented within the prescribed time scale. The Court has assisted the institutions in its decision by defining clearly those areas which could be subject to such act-

ion, where there is a time limit imposed by the Treaty and where specific proposals are before the Council.

It is therefore now for the Commission also to analyse, if it has not already done so, those provisions of the Treaty — and I am thinking more especially of Article 3(c) concerning the abolition of obstacles to freedom of movement for persons, services and capital — and to ensure that the relevant specific proposals are before the Council for decision. The Commission has had since 1957 to do this work and I hope now that it will have completed its task in this regard.

The Council, having failed to act on many of the Commission's proposals under this provision, can no longer, as it appears from the Court's decision, be able to plead that for difficulties connected with the differences between the national views on the matter a decision was not forthcoming.

In paragraph 48 of the Court's decision the Court recognizes the violation of the Treaty and consequently such difficulties do not serve as an excuse for failing to fulfil a Treaty obligation. This crucial paragraph, by inference, does not accept that the use of the Luxembourg compromise — that is prevention of a decision because of non-unanimity — is any longer justifiable as an excuse in law. This, I believe, is a triumph for Parliament which has long held the view that injudicious and irresponsible use of the veto has hindered the capacity of the Community to benefit from policies proposed by the Commission and supported by Parliament.

The valuable work done by the Committee on Transport and Mr Seefeld's important role, as well as the highly successful advocacy of Mr Bombardella and his colleagues, all of whom we warmly congratulate, have now paved the way for closer examination of the Treaty provisions and Commission proposals in other areas of Community policy. This case has been a great step forward in rightly adjusting the balance between the institutions. We therefore ask the Council to acknowledge this situation for the benefit of Europe, that it may respond more positively or more rapidly in future to the demands of European citizens.

**Mr Wijsenbeek (L), *draftsman of the opinion of the Committee on Legal Affairs and Citizens' Rights.*** — (NL) Mr President, on behalf of the Committee on Legal Affairs and Citizens' Rights I have the honour to support Mr Anastassopoulos's report.

The European Parliament's legal adviser, our Director-General Mr Pasetti Bombardella, has referred to this report as the transition from an absolute to a constitutional monarchy. If I were to continue this imagery, we may now have a constitution and democratic rights, as the Court of Justice of the European Communities has pointed out, but it is now a question of putting them into practice.

**Wijsenbeek**

I am afraid that we should not be too optimistic in this respect. The last Council meeting before the Council of Transport Ministers recessed did not — it is quite clear — make any progress. A veto was used to prevent the judgment from being enforced. I think we of this Parliament therefore have a responsibility to ensure in some other way that this judgment is put into effect.

For a number of reasons the Legal Affairs committee reserves the right to revert to this judgment with an own-initiative report. Firstly, we must be careful not to get the Court overly involved in the political dispute with a whole series of actions. The Court has passed judgment, and it is now for the other institutions to put that judgment into effect. I feel that Parliament should include in its Rules of procedure, just as it did in the case of the isoglucose judgment, a procedure that enables us to involve our interlocutor, the Commission, more closely so that the Council can be told precisely what Parliament wants. And if the Commission does not do what Parliament wants, Parliament must in some way take direct action. We shall therefore have to draw up a more detailed report on this.

A second reason why we must appeal principally to the Commission is that the Commission — as the rapporteur, Mr Anastassopoulos has already said — might show rather more pluck from time to time than it does now. We have a marvellous example in the cereal price saga this spring. The Commission might do its duty better in other areas too and say: if the Council does not do what it was proposed it should do twenty years ago, then we shall do it ourselves. I think it very important for the Commission to adopt this attitude.

I had prepared a detailed legal speech, but as the rapporteur spent twenty minutes expanding on this aspect, I shall not go into all the details again. But I would just point out that, while Parliament must be careful — as someone has said — not to lodge a whole series of complaints about the Council's inaction with the Court, it does have a duty — and this, Mr President, primarily means you and your colleagues in the Bureau — to examine every area of Community policy to see whether the conditions the Court has set out in this judgment are being met. In other words, the policy to be implemented, the deadline and the voting procedures must be compared with the Treaty. Once we have a few proposals together — and we shall have to comb through all the seven hundred and forty or so proposals on which the Council has yet to take a decision and see what the Treaty has to say on each — and once we have devised a procedure of our own, I think Parliament will have come out of the dispute so much the stronger. But we have to do it ourselves. It will be a delicate game of institutional chess.

Take courage, Mr President: the Committee on Legal Affairs and Citizens' Rights intends to act as a guide in this with its own-initiative report, backed by the opinion of the Committee on Institutional Affairs and the

help of our legal advisers, who have assisted us so ably in this matter. Justice and democracy are after all missions inseparable from this Parliament.

**President.** — Thank you, Mr Wijsenbeek. I should like to add that the rapporteur has also spoken on behalf of the Group of the European People's Party and, therefore, had an additional 10 minutes speaking time.

**Mr Schlechter, President-in-Office of the Council.** — (FR) Mr President, ladies and gentlemen, at my first meeting with the Committee on Transport of the European Parliament on 18 July last, I was pleased to accept the invitation extended to me by Mr Anastassopoulos to come to Strasbourg for the presentation by the chairman of the Committee on Transport of the report on the judgment of the Court of Justice on the common transport policy. At that time, it was not suggested that I should speak in this House. Nevertheless, as a former Member of Parliament who always upheld the rights of Members, I am very pleased and deeply moved to be offered this opportunity to explain to you briefly today, at the beginning of the Luxembourg presidency, the programme which we intend to implement as a follow-up to the judgment of the Court of Justice of 22 May 1985 and the steps we shall take to speed up the introduction of a common transport policy.

You will surely appreciate, Mr President, that, as we are only in the early stages of our preparatory work and our information gathering, it would be somewhat premature for me to go into too much detail, and therefore, I wish to confine myself to a simple statement of intent.

However, I shall keep my promise and go in October, before the next meeting of the Council of Transport Ministers, both before your Committee on Transport and the Economic and Social Committee to discuss the question which will be on the agenda of the Transport Ministers' meeting on 14 November next.

Mr President, ladies and gentlemen, like Mr Anastassopoulos, I am very much aware that the judgment of the Court of Justice of 22 May has set a special precedent for our institutions and has implications for the implementation of a common transport policy which is vital to the completion of an internal market.

However, the judgment of the Court is not only important from the legal point of view, but also because it confronts us with moral and political obligations: we must pursue the introduction of this common transport policy as provided for in the Treaty. Despite the enormous effort of many people over the last fifteen years, little progress has been made in this direction.



**Schlechter**

The judgment of the Court clearly stated that the Council was required to introduce a common transport policy. That being said, as the introduction of such a policy should be the subject of gradual and continuous efforts, the Court requested the Council to act on its judgment within a reasonable time, and it is obvious that a reasonable time would be a short one. It would be ludicrous at the moment to set a precise date because, unfortunately, many countries today take the attitude that the judgment of the Court has given them a green light to impose on other countries their views on the organization of the market, either by way of total and rapid liberalization or, on the contrary, by giving priority to accompanying measures.

Such a procedure would obviously create a stalemate situation for the Council. We must ask ourselves now if a conciliatory solution could be found which would go some of the way to a compromise on the two approaches to the problem: the liberalization of certain categories of transport and the introduction of a quota system for other categories of transport without discrimination on the grounds of nationality and place of residence of the transport operators.

It is certain that the Council will have to guarantee as soon as possible the freedom to provide international transport services and lay down the conditions under which non-resident transport operators may provide transport services in a Member State.

The Commission, for its part, will have to update and complete where necessary its previous proposals and make some new ones in order to enable the Council to act on all of these questions. You are all aware that, despite the considerable efforts made by the President-in-Office, Mr Singnorile, the Council was unfortunately unable, at its meeting on 24 June, to adopt unanimous conclusions on the details of how exactly to put the judgement into effect. Nevertheless, the Council's failure to adopt conclusions especially on priority measures will not deter these bodies from pursuing their task. It can only serve to strengthen my determination to do all in my power to enable the Council to adopt, when it meets again on 14 November 1985, the first instruments necessary for putting the judgment into effect.

The Presidency took all the necessary steps to ensure that efforts to achieve progress in the transport sector were speeded up and given full priority. Without wishing to deny the Council's obligation, imposed on it by the judgment of the Court, to adopt certain measures as a matter of priority, nevertheless, I should like to stress the strong willingness of the Luxembourg Presidency to ensure that parallel action is taken, as far as is practically possible, on numerous pertinent questions, the most important of which were included in the report by Mr Anastassopoulos, chairman of the Committee on Transport of the Parliament. In this connection, I should like to mention the question of social, fiscal and technical harmonization which are the

accompanying measures declared by the Court to be within the Council's discretionary power, and the study of the outline programme, or Master Plan, of the common transport policy submitted by my predecessor, Mr Signorile.

Finally, work will be stepped up considerably in the sectors of air and sea transport where the Council bodies will carry out an initial study of several of the proposals contained in recent memoranda of the Commission. As President Delors pointed when he presented the Commission's working plan, it is important to step up the efforts being made to propose measures to combat unfair practices in sea transport, to ensure the adoption of the proposals on air transport, to work for an agreement on a medium-term programme for major infrastructure projects, and to submit proposals on road safety. I sincerely hope that, at the coming meetings of the Council of Ministers for Transport, we shall be able to agree on a series of important measures which, if adopted, would reflect the new impetus which the judgment of the Court has given to the Council's work.

Mr President, ladies and gentlemen, that is really all I have to say to you today. I followed the explanations of the rapporteur of the Committee on Transport very closely, and they provided arguments and suggestions for future reference.

I should like to finish by expressing the hope that this brief account of the priority action which the Luxembourg Presidency intends to take will have convinced you of my strong determination to speed up the introduction of a common transport policy as provided for by the Treaty. Thank you.

*(Applause)*

**Mr Visser (S).** — *(NL)* Mr President, may I begin by once again thanking Mr Hoffmann and Mr Seefeld, because it is particularly due to their actions that the European Parliament decided on 24 January 1983 to bring an action against the Council before the Court of Justice on the grounds of negligence with respect to the common transport policy.

On 22 May of this year the Court passed a judgment which states that the Council is guilty of negligence with regard to the freedom to provide services in the international transport sector. The Treaty of Rome has been violated by the Council in that it neglected to take the required measures before the expiry of the transitional period for which the Treaty of Rome provides and which, it should be noted, was specified on 31 December 1969.

The action taken by Mr Hoffmann and Mr Seefeld and, of course, by Parliament can therefore be regarded as a success.

**Visser**

But, as other speakers have done, I should like to put this result into perspective. The European Parliament may be right, but we must now be seen to be right. In the Council of Transport Ministers a number of countries already seem to be taking delaying action, and it is therefore very important for both the Commission and the European parliament that the Court's judgment is actually enforced. There is therefore a great need for the Committee on Transport and Parliament to keep a check on progress.

I should like, Mr President, to draw a few general conclusions and then go on to a few conclusions relating specifically to the transport sector. First, a few general conclusions to be drawn from the Court's judgment. By basing itself on Article 175 rather than Article 173 of the EEC Treaty, the Court grants the European Parliament the most extensive active rights, as it were, in legal procedures. It decided that the institutional model forms the basis of the Communities' constitutional system, meaning that the Council, the Commission and, now, Parliament can exercise control over each other, and this strengthens Parliament's position.

But above all it is now possible to establish precise criteria to govern actions taken under Article 175, and that is very important for future actions. The Court decided that the Council is obliged to take action wherever the Treaty refers to a deadline and if it states precisely what measures must be taken by that deadline. In Practical terms, this applies to the transport policy, for which the Treaty of Rome provided a transitional period, but it also applies, for example, to the agricultural policy, since the Treaty states that the Council must fix prices before 1 April. If it failed to do this, we could also take action against it on the basis of this judgment.

Another very important conclusion is that so-called objective problems do not justify the violation of the Treaty. In other words, differences of opinion between Member States that prevent the Council from reaching a decision are no excuse, and the role of the European Parliament is thus strengthened in this respect too.

Another important conclusion: at the moment Articles 59 and 60 of the Treaty concerning the freedom to provide services are not directly applicable to the citizen. But the conclusion to be drawn from the judgment is that in a future action the Court might well decide that they are directly applicable, and that too is very important.

And now a few conclusions relating more specifically to the transport sector. The Court has decided that the Council has an obligation gradually to introduce a common transport policy. But the Council alone is required to set priorities as regards the conditions of competition. The Council thus has some freedom of judgment, but it is quite clear, of course, that the common transport policy must be established.

Articles 59 and 60 prohibit unequal treatment on the grounds of the nationality of those concerned or the fact that they are established in a Member States other than that in which the service is provided. That too is very important for the freedom to provide services. It has also been decided that the existing system of bilateral quotas is incompatible with the system of the free provision of services that is to be introduced. Community quotas, on the other hand, are admissible. Mr President, that is very important for us Socialists because we are absolutely opposed to the live-and-let-live system, the system that is based on the right of the strongest. We want a regulated transport system, with coordination in the transport sector. A Community system can perform major services in this respect.

Another important point is that the urgently prescribed liberalization should be accompanied, where necessary, by a wide range of support measures in the area of harmonization. But the Council must not plead that it cannot liberalize because of a lack of harmonization. It is very important that the Commission should draw the necessary conclusions and submit to the Council and the European Parliament a detailed plan for liberalization which also describes the support measures that will be needed.

On the Anastassopoulos report I should like to say the following. I feel that what I have said is stated in excellent fashion in the report, and I should like to compliment the rapporteur on the very high quality of his report. In it he calls on the Council to take immediate steps to enforce the judgment, and he expects the Council to waste no time in making the arrangements at Community level that are needed if there is to be freedom to provide services. He refers in this context to the conditions under which transport undertakings should be allowed to provide national transport services in the Member State in which they are established. At the same time, the harmonization measures that are certainly necessary must be taken. As Socialists, we attach considerable importance to a framework of regulations with a binding timetable, to be drawn up in the first instance by the Commission and requiring the Council and Member States to take the necessary measures.

I now come to the discussions in the Council. We find that the Court's judgment is being brushed aside by some countries with a rather nationalistic attitude. We are seeing a revival of the old debate: what comes first, harmonization or liberalization? Such delaying action is unacceptable. Nationalism and protectionism must be done away with. The Council has been given a reasonable time to do its duty. But this reasonable time was not specified. We discussed this at length in the Committee on Transport. I myself am thinking in terms of, say, two years, during which a substantial package of decisions should be taken. If this is not done, I suggest that Parliament should again bring an action against the Council. In the Committee on

**Visser**

Transport — and this is therefore an important point — we agreed that we would keep an eye on and periodically discuss the Council's decision-making, and I look forward with considerable interest to the programme and practical activities of the Council and its new President-in-Office.

**Mr Hoffmann (PPE).** — (DE) Mr President, ladies and gentlemen, The European People's Party regards the Court of Justice's judgment on the action against the Council of Ministers for failure to act as a great victory for the European Parliament. In our view this judgment has constitutional value, for by it the European Court of Justice has confirmed Parliament's control function *vis à vis* the Council — a view which the Council has constantly disputed. To the very end the Council believed Parliament had no control function over its decisions and that Parliament's action was therefore not admissible.

On 29 October 1981 when I tabled the motion to institute proceedings in Parliament on behalf of the European People's Party, the Council disputed the legitimacy of that action. In our view, however, the Court of Justice's decision goes far beyond the sphere of transport policy. As a result of this judgment the entire Council is in the dock and must feel itself morally bound to take more action than it has done hitherto.

The judgment was delivered at a time of intensive discussion on the urgent need for structural reform of the Community. This does not only mean improving the decision-making machinery in the Council by returning to the majority principle. Enlarging Parliament's competences is at least as important, since a Community of democratic states without democratic control — at its apex too — is a contradiction in terms.

So the Luxembourg judgment puts those who still oppose enlarging the European Parliament's powers in the wrong. As regards transport policy, the Court found that the Council of Ministers had violated the Treaty. It confined itself here to the question of freedom to provide services. But we think that a multitude of practical problems still remain outstanding. Earlier on, the President-in-office of the Council said the Council was trying to make progress and to do something. We have heard this again and again in the Committee on Transport from the Council Presidents. Every Council President who came to us was full of good intentions, full of good ideas. We believed the representatives who said things were moving. But again and again we found that nothing happened when the 'band of Ten' met in the Council.

This judgment should enable the Council to have more courage to take European decisions and that is why my group calls on the Council to show more flexibility in the transport policy questions which Mr Anastassopoulos, the rapporteur, has described so excellently.

Questions arose in this context which are very pressing ones, for instance the question of harmonizing the social provisions, a problem of equal concern to employees and employers. Experts on this sector in the Economic and Social Committee and in Parliament found compromises. Yet the Council believed that it knew more about it all than those who have to deal with such matters on a daily basis, and could not agree to seek solutions based on practical experience.

Gentlemen of the Council, that is not European policy, it is European bureaucracy! That is a legitimate reproach to you. This work needs the pulse of life, if we are to make progress, for common transport policy is not a luxury we can perhaps just afford but need not afford. Common transport policy is the basis of the Community if it is to have a future and be more than a free trade zone of small and medium-sized powers.

The European Parliament will try to make this clear in the budgetary procedure, by entering the necessary appropriations. I hope we will then find the necessary support in the Council.

## IN THE CHAIR: MRS PERY

*Vice-President*

**Mr Newton Dunn (ED).** — Madam President, my group wholeheartedly supports this report and putting maximum pressure on the Council of Ministers. There is no question about that. However, we do have reservations on two small points concerning the detail of the report, and that is what I want to spend my time speaking about.

The first objection is to paragraph 9(b), which says that 'harmonization measures... must necessarily accompany... liberalization'. Now we do not agree with that because we think that aiming at liberalization and harmonization at the same time is a recipe for holding up the creation of a true Common Market. I have talked to the committee chairman, Mr Anastassopoulos, in private about this, and he says that the phrase does not mean 'at the same time': the two things can come at different times. However, I must say that my group is alarmed that the wording appears to mean that they will have to go together, for this would actually mean delaying and allowing the Council to delay. So we are against that and we shall be voting against paragraph 9(b).

Secondly, paragraphs 10 to 12 refer to a 'legislative framework', and a legislative framework, we believe in this group, is a further recipe for delay. We think that it would give the Council one more obstacle to climb, one more excuse for not taking decisions. We would not want them to present a legislative framework first.

**Newton Dunn**

We would like the Council to get on with the work straight away and not delay any longer. For that reason, because we are so anxious to see the creation of a true Common Market straight away, we are going to oppose paragraphs 10 to 12 as well.

**Mr Rossetti (COM).** — *(IT)* Madam President, the overall verdict of Mr Anastassopoulos' report on the judgment of the Court of Justice is one with which our Group is in substantial agreement.

It is — in the words of the rapporteur — an important political event. And that seems to us the most balanced view that should be taken of the Court's judgment, after the enthusiasm and initial euphoria, even, that were in evidence immediately after the judgment was delivered.

It is an important political event because, in the first place, the judgment is an acknowledgement that the European Parliament has an active part to play in bringing proceedings of this nature. Hitherto this was neither taken for granted nor self-evident. This right is now established — and we believe it is positively established — not only where the question of transport is concerned.

Mr Anastassopoulos, and Mr Wijsenbeek, the draftsman of the opinion, and Mr Hoffmann, speaking in this chamber, are right to focus attention on the significance of the judgment, in regard to other areas of the policies envisaged by the Treaty, and to note a strengthening of the institutional role of the European Parliament, thanks to this recognition of the right to take the Council of Ministers to Court.

Secondly, the judgment amply confirmed that the European Parliament was right with regard to its accusation — namely, that the Council of Ministers had failed to act and institute a common transport policy, as required by the Treaty — and hence confirmed this failure on the part of the Council of Ministers, which amounts to a violation of the Treaty.

That is no small achievement, ladies and gentlemen. It would not be right to be over-enthusiastic, because everything is not automatically settled; the European Parliament has not got everything it wanted. Above all, the deadline by which time the Council of Ministers has to comply with the Treaty on the question of a common transport policy leaves room for indetermination and possible further delays. But despite that, we are convinced that the effects of this judgment cannot fail to make themselves felt, on a wide, far-reaching scale.

The Council can no longer say that it is not its job — as on more than one occasion it has endeavoured to do — nor can it any longer advance pretexts for putting off decisions that are now awaited. The fact that, by a suitable deadline, the Council must take deci-

sions, means that it can no longer use doubt as to its competence as an excuse. There is some doubt as to the deadline, but after the judgment, we believe that this must be interpreted as being an 'early deadline'. And as for the question of competence, that has always been a false alibi in our view.

In the last Parliament the Communist Group was one of the most convinced promoters and active supporters of the Committee on Transport's action in instituting proceedings at the Court of Justice. What I mean is that we appreciate the recognition of our role in this — particularly Mr Carossino's — to which Mr Anastassopoulos paid tribute in his speech today and in his report, in which he rightly grouped together the three initiatives which, in different ways, have given substance to the recourse by the European Parliament — the Seefeld report, the Carossino report and the Hoffmann report.

That has been a source of satisfaction to us today: we were undoubtedly amongst those who took the right line by denouncing the illegitimacy of the inertia and inadequacy of the Council of Ministers, due to its inability to take decisions.

With regard to the judgment and its implications, I should like to say that, despite the fact that the Court did not meet the Parliament's requests in their entirety, devoting its attention mainly to the infringements regarding the freedom to provide services in the field of international transport and the fixing of the conditions under which non-resident carriers may operate transport services within a Member State, we think it represents a stimulus and a spur for the reversal of the trend in the overall area of common transport policy, which is a sector that is too often undervalued and considered to be a specific case, and which, instead, with about six million employees and — as the rapporteur reminded us this morning — a contribution of 6.5 per cent to the make-up of the Community's gross domestic product, constitutes one of the productive elements of fundamental importance, not least from the standpoint of a policy for the relaunch of production and employment in Europe.

In addition, the judgment meets the widespread requests of businessmen and public opinion, which call for the removal of all the obstacles that are still in the way of the free circulation of goods and people, and which hinder the completion of the internal market as well as agreement with European countries outside the Community, over whose territory a considerable part of the traffic of the Community takes place.

In saying this, ladies and gentlemen, I have in mind the discomforts, the queues, the intolerance, the protests and the delays that have occurred yet again this summer at the internal frontiers of the Community and its frontiers with third countries, over which Community traffic flows.

**Rossetti**

It would however be a mistake, Mr Newton Dunn, to believe that, after the judgment, the liberalization of intra-Community transport can now be taken for granted. For that to happen Community measures are necessary to organise the transport market, measures to harmonize the technical, social and fiscal conditions, so that the rules of competition are not distorted. I think I heard this morning, in the statement by the President-in-Office of the Council, some interesting references in this connection. On a more general note, in view of the judgment and immediately after its pronouncement, statements were made by the Council of Ministers which seem to denote a new determination in regard to the custom of putting off, making refusals and pigeon-holing. The Council stated that they intend to draw up a Community master plan for transport. Let us take them at their word, with this parliamentary debate and with our motion for a resolution, which fixes the general line of action for achieving greater convergence between the national transport policies.

This, then, is the ground on which we shall measure and check the determination of the Council to 'turn over a new leaf' and respond in a positive manner to the rebuff provided by the judgment. By having recourse to the Court of Justice, the European Parliament was not trying to checkmate the Council; on the contrary, its motive was to resolve a situation of stalemate. It is up to the Council to take note of this, and, if possible, to relaunch the transport policy. For our part, we in this Parliament have the job of exercising our role of checking, stimulating and making proposals, so that from opposition, of which this judgment is an expression, we can move on to a dialogue that will be more fruitful for everyone.

**Mrs Veil (L).** — (FR) Madam President, ladies and gentlemen, just as we have seen our national parliaments keep up a continuous struggle for the powers they have acquired, similarly we can see the European Parliament struggling today for its powers. The Parliament does not merely want power for the sake of power, but because it is concerned with defending the democratic rights of the citizens of Europe.

In this respect, the judgment which has just been handed down by the Court of Justice is very important, and this day should go down in history.

We are, in fact, establishing a genuine jurisprudence which, alongside the institutional structure which we continue to hope will grant us new powers, will allow the development within the institutions themselves of a proper legal setup which will enable us to assert a certain number of powers.

I should like, therefore, to pay tribute to all those who helped to bring about this decision, by helping us to gain recognition of our rights. The *isoglucose* judgment and this more recent judgment will give us much

greater scope to find new ways of increasing our powers. I would not be the first to stress that this judgment is not just limited to the transport sector, and that in reality we shall have to look for areas in which the Council is obliged to act and is able to do so because of a request from the Commission — following the opinion of the Parliament — and areas in which, contravening the terms of the Treaty, it is failing to strive to further the construction of Europe.

We may have to examine very carefully all the areas in which a large number of proposals — six or seven hundred — have been referred to the Council and on which it refuses to act.

Thus, we have to take on new responsibilities as well as new powers. We shall have to act with discretion and a sense of responsibility. I think, however, that we must be aware of the new real power conferred on us by the judgment handed down by the Court. If it is not within our power to initiate legislation, we can still force the Council to act. Of course, we do wish for much more legislative power, but it is nevertheless a considerable step forward which should not be underestimated.

I must also emphasize that we can assert this power in other areas. We have already done so for the budget. We realized our limits and we have reason to fear that measures aimed at budgetary constraint could limit our powers.

At the moment, we are moving towards acquiring more legislative power which could be considerable when one considers that the Court of Justice has always gone out of its way to uphold not only the Treaties but also unity and coherence within the Community. And it is only by taking account of these decisions that we should and can right now progress further towards European unity, even before the governments, who seem once more to be employing delaying tactics at meetings of the European Council, give us new impetus.

**Mr Romualdi (DR).** — (IT) Madam President, ladies and gentlemen, the judgment of the Court of Justice that was outlined in the report by the Chairman of the Committee on Transport, which has given rise to the full discussion that we have just witnessed, is an important judgment since, by condemning the failure of the Council to act with regard to freedom to provide services in the field of international transport, including the fixing of conditions under which non-resident carriers may operate transport services within a Member State, it has marked a decisive turning point towards the implementation of a common transport policy, and constitutes an undoubted political and constitutional victory for the European Parliament.

As the Parliament maintained, the Court of Justice confirmed that there is still no coherent body of regu-

**Romualdi**

lations worthy of being called a 'common transport policy', and it has recognized that the Council must, within the prescribed time, take responsible decisions regarding the dispositions clearly set down in the Treaties.

Despite the exceptions put forward by the Council, the Court of Justice has thus acknowledged the admissibility of the application by the Parliament.

It is true that everything is not yet resolved, that there are difficulties — many difficulties, as we have been reminded — but we think it can be said that the Committee on Transport, by instituting the proceedings, has really been the launching pad for a process that has ended up by causing a change in the institutional and inter-institutional balance of power. In addition, we can rest assured that the judgment — which, we say again, is of great importance to the Parliament from the standpoint of its function and competence in relation to the process of European integration — will at least promote the beginnings of a common transport policy, even if it does not completely define it. This is the indispensable basis for greater regional balance, for the consolidation of the internal market, for the fight against unemployment, for political and social progress and, as a result, for progress towards European Union.

For these reasons we are happy to associate ourselves with the request by Mr Anastassopoulos that the Council harmonize, at political and social level, the necessary regulations to free the transport sector from its present state of disturbance. I should like finally to recall, as Mr Buttafuoco, Vice-chairman of the Committee on Transport reminded us on a number of occasions, how essential it is, as one of the basic priorities for a common policy for the sector, that there should be specific Community action to help the peripheral regions, especially the islands, and deliver them from their isolation.

**Mr Kuijpers (ARC).** — (NL) Madam President, ladies and gentlemen, a common policy on transport on land and water and in the air will make a great contribution to European integration. That is what it says in the Treaty of Rome, which will be thirty years old in 1987. The judgment of the Court of Justice of 22 May 1985 thus rightly condemned the Transport Ministers of the Ten, who — it could well be said — are attached to a veto policy in their national egoism, for not establishing a transport policy. The pictures of queues of lorries at frontier crossing points and of the tonnes of spoilt products are still fresh in our minds.

This contrasts with what Europe is trying to achieve. Thousands of millions of ECUs and opportunities — in the fight against unemployment, for example — are lost every year because of these disruptions in transport and merciless national red tape. There can be no excuse for the Council of Ministers not reaching a

unanimous decision. The Commission must do its duty in this respect, and that is entirely in the spirit of the Treaty of Rome. It is unacceptable that the European Community, with its 275 million citizens — 320 million in 1986 — should not be able to organize transport in its internal market, the most powerful in the world. On 28 June 1985 the summit in Milan promised that this internal market would be completed in 1992. So we have another seven years of policy-making in which the Transport Ministers can replace their national egoism for a more positive European attitude.

In this context, I should like to mention a few crucial points. Article 77 of the Treaty accepts the term 'public service in respect of transport'. This Article 77 is music in the ears of many citizens, especially those living in the peripheral and therefore poorer areas of Europe, like Sardinia. The means of transport of which other Italian citizens can avail themselves do not exist for the 1.6 million Sardinians. Internal rail transport in Sardinia and Corsica is really cast in the African mould. Ferries are expensive for the peripheral areas of Europe, and they do not tie in with mainland timetables. The islanders are thus penalized in two ways: firstly, because the Italian and French governments do not treat them like normal citizens and secondly, because they have been born on their islands. At certain times of the year, in the high season, they cannot go and see friends and relatives on the mainland, not even when someone has fallen ill or died. Furthermore, fares and taxes are so high that they are strangling the islands' economy. The Community should therefore find the money to help these regional economies. In the 18th century both Sardinia and Corsica — I will confine myself to these two examples — were among the most prosperous regions in Europe. What has reduced them to begging? An area with as much water as Corsica imports cheap bottled water from France. Facts such as these do nothing to enhance Europe-mindedness. It is easier to fly from the Belgian airport at Zaventem to New York than it is, for example, for a Sardinian to fly to his artificial capital or for an Occitan, who has to go to Paris before he can reach his destination. This is surely unacceptable in a sound European system.

A few words about safety in transport. Every year thousands of people die on Europe's roads, partly because there are no road signs or because those that exist are confusing. Disasters, like the Mont Louis incident off Ostende, also have an annoying aftermath for relations between the various countries concerned because there are simply no European requirements in certain areas. We might therefore ask the Council of Ministers the rhetorical question: who is partly to blame for these deaths?

Attention must also be drawn to the present plaque of national protectionism. France takes the lead here. History resulted in Flanders, my area, being cut in half. The Rijnssel — St Winnoksbergen — Dunkirk district thus belongs to France. But no one would deny

## Kuijpers

the cultural and economic unity of this district with Flanders. What is the point, then, of stopping trains at this artificial frontier? The annoying signs that prevent traffic from crossing the frontier were only put up by the French authorities a short time ago. Flemish and other bus companies are prevented from carrying French tourists in France unless — God help us — there is a French courier on board. Buses coming from Flanders are stopped in the frontier area to have the fresh water in their refrigerators checked. How is this possible? In Germany the petrol in normal tanks is measured, and there is a fine for anyone with too much. How is this possible in the European Community? Their own firms can come and pick up passengers and nonbonded goods in Antwerp, but there is no reciprocity. It is quicker for goods and passengers from the Rhine and Ruhr to travel to the port of Antwerp via Dutch Limburg. The Railway is there, but for economic reasons Wallonia requires that this traffic go to Liège first. Who pays for all these absurdities? The consumer as a rule. And all this quite simply detracts from the European idea.

**Mr Stevenson (S).** — Madam President, can I first congratulate the rapporteur on the report and the speed at which he produced that report. It is quite remarkable. There is no doubt at all that this judgment is going to have very important and profound ramifications, particularly in two areas.

1. There is no question at all, in my view, but that it will change the relationship between the Parliament, the Commission and the Council. How it will change that relationship remains to be seen. I certainly do not share the euphoric speculation that some Members have given us this morning.

2. There is no doubt also that a new impetus towards a common transport policy will result from this judgment. There is no question about that in my mind at all.

However, this report goes further than that and it raises other profound issues that I am sure Members will want to be aware of. Many of us believe that we should not put ourselves in a position where the courts are making policy. Members should be making policy. Members of this Parliament should be involved in that. But nevertheless the judgment is a fact and we have to recognize that. The main judgment is a condemnation of the Council for failure to progress towards a common transport policy and the report does underline that fact.

But what do we mean by a common transport policy? What are the objectives of a common transport policy? What are the methods by which those objectives will be achieved? And what will be the results when those objectives have been achieved? There is no definition that I can find at the moment — and certainly not in this report — as to what a common transport policy is.

We hear a lot of talk about the involvement of Parliament in the running of the Community. Here is an example where it seems as though that has not been the case.

The debate in the committee, indeed, proved two things. One, the Commission, in my view, is constructing policy by a series of reports, and the members of the committee were certainly not aware of the basis of this policy in this particular instance. It was quite remarkable that when the Commission was pressed on this matter it admitted that it had been working on a document that was produced by it in the early 1980s. It was equally clear that no members of the committee had seen that document — a quite remarkable situation.

It is absolutely vital to have Members involved if we are to construct a common transport policy. Never mind whether we think it is the right thing to do. The court's judgment has established that that is going to happen and one has to recognize that.

So, the report itself not only deals with the Court's judgment, but the actual role Members have in policy making. I submit to this House that that is a fundamental issue and the in this case it has been very little, if indeed any. That is the principle that you are in danger of supporting if this report goes through as it stands. I submit it is a very dangerous one for the Members of this House.

As regards the specific measures proposed: the report calls for immediate measures to remove completely all internal barriers. There has been a lot of debate on that. Our position, in the British Labour group, has been made quite clear on that issue. To harmonize standards for international transport — what that means in the United Kingdom, in fact, is 44-tonne lorries on the roads of Great Britain. That is not going to bring about a situation where the cooperation that is necessary to promote the ideals of a common transport policy will be forthcoming. In fact, it is in danger of doing just the opposite.

The report calls for the removal of the overcapacity in inland waterways. I hope that the French and German steters in this House are aware of that and what effects that measure might have. Are they aware of it? I doubt it. Do they know what the ramifications are? I doubt it. So, before this House supports this report, I would ask them to consider the fundamental issues that remain unanswered. We have a situation where the Commission is working on a document that the Committee on Transport seems not to have seen, the Council is speculating on the future basis of a transport policy and the Members seem unaware of what the objects of that transport policy are. In those circumstances, in my view, it would be foolish to support this report as it stands.

**Mr Adamou (COM).** — (GR) Madam President, the report and resolution by the Committee on Transport

**Adamou**

highlight the lack of a common policy in the transport sector, and propose the general principles within which such a policy should be formulated and implemented.

We would have no objection to some aspects of the transport policy, for example the measures relating to road safety or distant regions and islands, always provided, of course, that the special needs in various countries are taken into account, and where such measures would facilitate the easy and cheap transport of passengers and goods, and not the hyperinflation of profits for the large private enterprises that dominate the transport sector.

With this opportunity I would like to stress the weaknesses, and hence the dangers, associated with road transport in Greece. In a related debate last March we referred to the lamentable condition of the Greek railways, and stressed that without major State investment and support those railways are at risk of closing down completely. Something similar applies to the road transport of freight by municipal goods vehicles, which carry a greater bulk of freight in and out of Greece than do the Greek railways. The number of trucks involved is about 35 000, with a total payload of approximately 400 000 tonnes.

A basic comment is that from the standpoint of organization and productivity the scale of this transport is incomparably lower than the corresponding average in other Member States of the Community. Unless Greek road hauliers are decisively protected, and if, under the guise of transport modernisation, the large transport monopolies are freely permitted to invade their sphere of activity, then it is a thousand percent certain that tens of thousands of Greek truck drivers will join the 350 000 unemployed in Greece. Consequently, there can be no free competition when the conditions are so manifestly unequal and when its disastrous consequences for Greek transport and those who work in it are so certain.

Since the core of the common policy on transport, as indeed of the EEC's policy in general, is competition, i.e. the freedom of large, privately owned transport enterprises in the Community to eliminate, and not to develop the national transport systems, we cannot agree with the proposed policy the framework of the Community.

**Mr Seefeld (S).** — *(DE)* Madam President, honourable Members, in 1982, by an overwhelming majority, our Parliament saw to its conclusion an idea which was first mooted before the first direct election, that is, in the old European Parliament, namely whether to bring an action before the European Court of Justice against the Council of Ministers for failure to act in transport policy. This was not done in order to replace politics by legal wrangling. Rather it was the expression of a discontent we no longer wanted to tolerate.

Our governments had more than 25 years' time to set in motion the common transport policy expressly provided for in the Treaty. We as representatives of the people urged this again and again, and again and again we were put off with empty promises. Our demands were welcomed in Sunday speeches or at solemn occasions and described as justified, yet no deeds followed the words.

What nearly everyone in the European Parliament had demanded in 1957 through our then colleague Mr Kapteyn, we had to demand again in Mr Carossino's report in 1983. Let me also say to one of the preceding speakers: all these reports, that is the two reports mentioned and other reports between them, give a clear definition of what we mean by European transport policy. Members of this House would have had time to familiarize themselves with the topic before speaking here in the plenary.

We have turned to the last resort the EEC Treaty offers Parliament, that of instituting proceedings for failure to act. Today I can confirm: we acted rightly and we were proved right. Of course I, the then chairman of the Committee on Transport, was often asked what we actually hoped for from a judgment against the Council. My answer was: first we must make full use of the Treaty and fight with all the means at our disposal for progress in the Community's transport policy; secondly we must force the Ministers to take action and thirdly we must remain the motive force of European integration and work tirelessly that great goal, the creation of European Union.

We now have the judgment. The Highest Court of the European Community has unequivocally confirmed our view. It is necessary to introduce a European transport policy; the common transport policy derives directly from the EEC Treaty. Pursuant to Article 176 of the EEC Treaty, the Council is required to take the necessary measures to comply with the judgement.

Our action was successful from the day it was brought. Never before have the Transport Ministers of our States met so often. It may be that some were merely attempting to erase the negative impression of inactivity by hyperactivity; yet they did also take the first steps in the right direction and demonstrated their desire for a rational transport policy in the Community through the statements made by various Ministers. What will come of this remains to be seen. The judgement gives us strength and provides us with an important means of pressure. It has given our activity a new dimension.

The European Parliament can also draw hope for itself from that judgment, for it was of importance not only to transport policy; we will refer to it in other political areas too and promise ourselves success. To rest on our laurels will not help us! Now we must make use of the judgment and translate it into practical policy. Only



**Seefeld**

when we have achieved a Community transport policy will we be successful.

In conclusion, I thank all those who have taken positive action during these proceedings; without them we could not have held this debate. I also thank my successor as chairman of our Committee on Transport, Mr Anastassopoulos, for his report, which I and the large majority of my group can approve without reservations. I call on all our transport ministers: please do all you can to implement the judgment! Together with you we want to find the right way to and in Europe. Let us not be antagonists but allies in this task.

*(Applause)*

**Mr Loo (S).** — *(FR)* Madam President, ladies and gentlemen, it is extremely difficult to take the floor after Mr Horst Seefeld who, as chairman of the Committee on Transport before 1984, was the person who did most to ensure that the judgment of the Court of Justice on the common transport policy would be a positive one. I should like to use the short time at my disposal to express my keen desire to see the Parliament declare itself convinced of the important legal, institutional and political implications of the judgment handed down by the Court on 22 May 1985. It hopes, besides, that this judgment will mark a turning-point for the implementation of a common transport policy, which the European Parliament has been demanding for many years.

There are various objectives: the achievement of the very important economic and social progress necessary for the harmonious consolidation of the internal market; the fight against unemployment and action to ensure balanced regional development. A genuine common transport policy can make a practical contribution to European integration and to the citizens' Europe. Over the years, the European Parliament has submitted a vast number of proposals on this subject. It saw that the Court recognized the admissibility of the case and, for the first time since the setting-up of the Community, the Council of Ministers was condemned — even if I must use this word in inverted commas — for failure to act and non-observance of the Treaty. It has set a precedent which could have important implications in other areas.

The Council of Ministers has been requested to put the judgment into effect as soon as possible, to adopt the Community legislation required for freedom to provide transport services, particularly concerning international transport from or to the territory of one or more Member States, and the conditions under which non-resident transport operators may provide transport services in another Member State; along with the introduction of harmonization measures which should of necessity be part and parcel of any liberalization, if the road, rail and river transport market are not to be seriously affected, on account of the

inequality at the outset of conditions of competition between the different kinds of land transport.

Ladies and gentlemen, Madam President, that is all I had to say in the three minutes allotted to me.

**Mr Fich (S).** — *(DA)* Mr President, on behalf of the Danish members of the Social Democratic Group, I should like to say quite unequivocally that we shall be voting against Mr Anastassopoulos' report. Please don't get me wrong: I am not against a common transport policy — on the contrary. In a number of fields I consider a common transport policy to be desirable and necessary. But I am resolutely opposed to using the Court of Justice to implement that transport policy, indeed to implement any form of policy. I said that when Parliament discussed Mr Seefeld's report, which prepared the way for the court case, and I stand by what I said then on this occasion too. Nor am I convinced — I have to confess this before a number of my colleagues here — that the objective pursued through the court case was in reality exclusively concerned with the achievement of a transport policy. I have a distinct impression that for many it meant securing more power for Parliament, and I am of course opposed to any such intention. If we really want a common transport policy, the way to achieving it in my opinion lies through the national capitals. There are representatives in this Chamber from all the government parties in the Community countries, and I should like instead to see some colleagues making their influence felt in the parties concerned, so that the national governments might agree on a common transport policy. We must exert our influence where the key is, and the key is held by the governments. I do not think that Parliament's influence can be imposed by court cases. I think instead that we should act to put our point of view across, we should seek to win over the Council of Ministers, the Commission and — not least — the governments and the various parties. This philosophy differs fundamentally from that reflected in the Anastassopoulos report, and that is why I am obliged to vote against it.

**Mr Clinton Davis, Member of the Commission.** — Madam President, this has been a notable debate, notable because it takes place against an unprecedented background. But it has also been a reflective debate rather than a triumphal one, and I very much welcome the terms in which it has taken place.

I think too that it is very welcome for the fact that we have had the benefit of the presence of the current President-in-Office of the Council, Minister Schlechter, who I personally have had great pleasure in knowing and working with for some little time. He has provided a very positive response, in my view, to the concerns that have been expressed by honourable Members during the course of this debate. May I pay this tribute to him for the fact that — and we had a

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very long and helpful discussion in this regard — he was determined to get the whole work programme of the Council moving so that decisions could reasonably be made at the November Council. That he will have succeeded, I am sure, should make the task before the November Council in seeking to provide real decisions, far from a Herculean one, and I therefore fully support him in those endeavours.

The Committee on Transport is entitled, in my judgment, to the appreciation not simply of the Commission but of people throughout the Community as a result of the case which has been brought before the Court of Justice against the Council of Ministers.

May I say to Mr Fich, who just concluded and who said that he was against the Court of Justice being used, what choice was there? What choice was there in the face of years of inertia, years of refusal to undertake obligations under the Treaty? I think if Parliament had simply accepted the advice which he has proffered, then, notwithstanding all the endeavours of progressive Presidents-in-Office of the Council, the same future would have been before us over a successive number of years. So I unhesitatingly applaud what has happened.

This judgment represents a landmark in the development of a common transport policy, something for which the Commission and Parliament have been striving for many years, in marked contrast, if I may say so, to the Council of Ministers, which over those years seems to have developed a perfect genius for doing nothing and doing it assiduously. So much so, that I think one could reasonably say they had even lost the will to be apathetic.

Well, this judgment is unprecedented. It roundly condemns the Council of Ministers for its inertia in the transport sector, a sector that is, as many Members have said during the course of this debate, so vital to other fields of policy, to the successful emergence of so many policy areas which are critical to the well-being of our people.

Of course the judgment is, strictly speaking, confined to certain aspects of inland transport. But again, as has been said in the course of this debate, many Members of Parliament are confident — and I share this confidence — that its impact is bound to be felt in all sectors of transport policy within the Community.

So, having said that, it follows that we in the Commission warmly welcome the ruling of the Court. The Court has made it clear that the Council has no excuses for inaction and the decisions are long overdue. It is not acceptable to cite political, technical or economic difficulties as reasons for delay. But what the Court has done is to give the Council a reasonable time within which to act. So the judgment is like a Sword of Damocles. If the Council remains inert, and if it does not assume its legislative responsibilities, then

the risk that it faces is that the Court itself will take steps to establish freedom to provide transport services. While this would, in many ways, be an improvement on the present state of affairs, it would clearly be a second-best solution. For what is needed is political decision making, as Mr Stevenson rightly said during the course of his observations. It is the job of the politicians in the Council, the Commission and this institution to make the decisions. Above all, it is incumbent on the Council at this stage — and I know that Mr Schlechter, as he has already stated, shares my view on this — to make up for lost time.

I turn now to the proposals on which the Council will need to decide so as to be able to implement the Court's judgment. Let us first look at the measures relating to the internal transport of goods by road and to the Commission's 1983 proposal on the Community quota. That proposal would replace the present quota system with a non-discriminatory system of access to the market based on qualitative criteria applicable to all carriers. It is designed to ensure that those engaged in transport on another country's territory are responsible, that their business is well managed and that the equipment they use is safe. Let me add, as Commissioner also responsible for the environment, that I regard the safeguarding of the environment as an absolute imperative. Indeed, if I may say so in parenthesis, the same applies to all the points made with regard to a fair basis of competition, set out in paragraph 55 of the explanatory statement contained in the committee's report. This proposal clearly meets the requirements of the Court, and urgent decisions need to be taken.

Next, I should like to consider those Commission proposals which now have to be reviewed so as to make sure that they meet the requirements of the Court. First, there is a 1982 proposal on cabotage, i.e. access to the national road market by nonresident carriers, which was relatively modest. We will now have to reconsider its scope.

Secondly, there is our proposal concerning cabotage on inland waterways, which was introduced as long ago as 1967. 1967 — its an incredible length of time! I simply do not think that it is the job of the Community to be engaged in the antiquarian business. So what we must do is brush off the dust from that proposal, bring it up to date and then expect Ministers to act upon it.

My final point relates to those areas where existing measures fall short of the Court's requirements and where, as yet, we have no Commission proposals. Shortly we shall propose modified arrangements for regular and shuttle international bus services and the introduction of the possibility of cabotage for the international transport of passengers by road. All these new or revised measures will be proposed by the Commission before the end of November. I am aware, of course, that the Court ruling does not call for similarly rapid progress on proposals for harmonizing different

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aspects of current transport policy. The Commission believes that this area is also ripe for decisions, and so it intends to keep up the pressure. A number of proposals are on the table, and their acceptance and implementation would allow the Council to realize the first step towards harmonized fiscal, technical and social arrangements.

Members will also be aware of the Commission's proposals relating to the finances of railways and those relating to combined transport. These represent an integral part of our transport policy. They also should be urgently adopted, and I am extremely pleased to observe that the Committee on Transport's motion for a resolution is on all fours with this approach.

If I may say this too, I am very grateful for the way in which Mr Anastassopoulos characteristically introduced this debate. However, I do have doubts about one matter, namely, the Committee's suggestion that the Council should adopt a legally binding legislative framework defining the decisions which must be taken and providing a mandatory agenda. I do not think that that would help matters at all, and I must say that the Commission has no intention of making a proposal to this effect.

Past experience of such proposals and ensuing discussions has proved to be — to use a very neutral term — disappointing. All too often what happens is that they result in a long ideological debate in which, predictably, the liberalizers and harmonizers get at each other and confront each other, frustrating progress. Who are the real losers? The real losers are the citizens of the Member States.

Mr Anastassopoulos covered all those arguments in his speech but came to a slightly different conclusion as far as this proposal is concerned. I think it is right that I should have stated categorically what our positions is on that. As he said, and as other Members have said, we really cannot continue to engage in this sterile form of ideology. It is a frustrating exercise, and what we need now is a political will — a will to negotiate seriously on the basis of concrete proposals. All too easily discussion in the Council on declarations, time-tables, agenda, etc. is distracted by questions of procedure, interpretation or tactical wording. We had it at the last Council. What we as a Commission want to do is to cut through all those procedural and unrewarding wrangles — and I know that to be the view of Mr Schlechter too. In this, our guide will obviously be our three policy papers on inland transport, aviation and shipping produced in 1983, 1984 and 1985 respectively. These have already given rise to new and important proposals which are currently before the Council.

We have been accused of being mealy-mouthed, of not taking up the cudgels as we ought to. Well, it should not be beyond the more recent memory of Parliament and of the Transport Committee that, in fact,

we used the threat of withdrawal to avoid too significant a departure from the Commission's proposals and Parliament's view in relation to drivers' hours. I think some benefit arose out of the use of that particular threat, which was not idly used at all. We have bargained hard during the course of the last few months and we shall continue so to do.

We now demand decisions on inland transport, aviation and shipping by the end of the year. We believe that this has been made a realistic possibility by the successful action brought by this Parliament against the Council. We believe it has been made a possibility by the speeding up of the work programme as an essential prerequisite to decision-making. So, it is now the Commission's firm intention to exploit the favourable conditions that this Parliament has created and for which we are grateful.

*(Applause)*

IN THE CHAIR: MR DIDÓ

*Vice-President*

**President.** — The debate is closed.

The vote will be taken at the next voting time.

### 3. Air transport

**President.** — The next item is the report (Doc. A 2-86/85) by Mr Klinkenborg, on behalf of the Committee on Transport on

on Memorandum No 2 from the Commission of the European Communities on civil aviation

and in particular the proposals from the Commission of the European Communities to the Council (COM(84) 72 final — Doc. 1-164/84) for

- I. a decision on bilateral agreements, arrangements and memoranda of understanding between Member States relating to air transport;
- II. a regulation on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector

**Mr Klinkenborg (S), rapporteur.** — *(DE)* Mr President, may I begin by saying that I shall add the time my group has put at my disposal to my speaking time. Given the brief time available I would like to concentrate on six main points in the report. I shall therefore

**Klinkenborg**

refrain from going into individual points in detail, because that is not, in my view, possible in the framework of the debate.

The Committee on Transport took the offensive and deliberately preceded the report by a very wide-ranging discussion about deregulation or open skies. Regarding the matters which need to be resolved organizationally in Europe, we have deliberately looked at America. The upshot of this discussion was — and I may say this on behalf of the Committee on Transport as a whole — that what is possible in America is not possible in Europe. That is why we unanimously reject deregulation of the air transport market.

What is open to dispute, however, is the form of competition we want. The majority of the Committee on Transport — and there is no-one who does not want competition — is in favour of competition within a regulated framework.

We take a different view of what transport policy must achieve. Our philosophy is that wherever transport needs arise, they must also be satisfied. This is completely in line with the way in which we are organized as a community and is essential to the Community in view of its geography. Far too many border regions have been neglected for the sake of purely business interests. Too many regions count as structurally weak which definitely have the right to be integrated properly in transport policy.

For the sake of clarity, may I first say what we do not want. The majority in the Committee on Transport does not want the creation of a new supra-national authority. We do not believe that merely by setting up a new authority we will automatically have a better transport network. On the contrary, in this area we want somewhat more play for free forces. We are also opposed to the market being split between the Community and the rest of Europe, which would be bound to happen if the European Community tried to regulate its area too strictly. We are opposed to the Commission obtaining external competences. That is obvious. However good the idea of shifting external competences to the Commission may sound at the time, those who call for this should know what they are talking about.

I want to clarify this by means of two examples. Denmark is a member of the European Community and through Denmark part of *Scandinavian Airlines* is therefore a member of the European Community. But by far the larger part, namely the part that belongs to Norway and Sweden, is not a member of the Community. It is quite inconceivable for us to have the external competence and for the bilateral agreements with Norway and Sweden suddenly to be negotiated by the Community although they relate only to the part accounted for by Denmark.

Another example: most members of the Committee on Transport simply cannot imagine, given the tense rela-

tions between Greece and Turkey, the Community suddenly taking over the competence for air transport, which also has diplomatic effects. So we are against external competence, because we believe that what needs organizing can very easily be organized at national level if people are prepared to come closer to one another.

I said that where a need exists it must be satisfied. From the point of view of competence alone we must also discuss what we are competent for, in order to organize the matters within our competence. That is quite clearly intra-Community transport. Here the majority of the Committee on Transport makes proposals about what needs to be reorganized. We propose a system under which the national airlines or others — this is expressly included — can carry out intra-Community transport with aircraft whose seating capacity is restricted to fifty seats. The background to this is that firstly we want to oppose the airlines' argument that this would produce a 'syphoning off', secondly of course that those who seriously want regional connections know that we must have capacity restrictions somewhere, because this corresponds precisely with regional needs. We do not need to introduce aircraft of all sizes, but can confine ourselves to normal aircraft.

We also demand that the applications for regional services be serious. We do not want any negative proof that something does not work. We must call for serious applications, which means accepting the proposal of airlines which say that the assessment of a service requires a two year running-in period. This is also valid for regional air transport. So there are two factors. First: fifty seats per machine, and secondly a serious two-year service. The Committee on Transport believes that the existing air transport structures should not be destroyed arbitrarily. Rather we should try to build on these structures with cautious change, with change that provides a little more movement in the European field, without the national or private airlines immediately getting into economic difficulties.

We want an end to the restriction in intra-Community trade against aircraft flying to the major trade centres. There is no sense in saying that Category 2 and 3 airports should serve one another. Regional or inter-regional transport makes sense only if Category 1 airports are also integrated in a sensible fashion.

And under no circumstances do we want a kind of shuttle introduced between Category 1 airports. We see no point in introducing a ruinous competition on the main routes and then in the end having to subsidize the secondary routes, which also have to be served, with state funds as a result of our philosophy. The majority of the Committee on Transport sees that as untenable.

We want a reorganization of the tariff system, not by destroying the existing structures but by urging and

**Klinkenborg**

forcing the existing organizations to try new ways, in order to examine whether we must develop a European tariff zone system in Europe so that the services to be provided are paid for adequately. In other words, we would like distance and the relevant know-how to form the basis of calculation when prices are fixed — rather than routes that run at a loss in other areas.

When I am asked what Memorandum No 2 really achieved, I must say that we have seen considerable movement in tariff policy in recent months and this is bound to have its effects. One need not be a prophet to see from the present state of discussion that we will have a tariff system that is far more closely adapted to European requirements. That is a result of air transport Memorandum No 2; and even if there were no other point in submitting such a memorandum, that would have been enough reason.

We want something to change in the field of capacity, without putting the airlines under such pressure to prove themselves or forcing them into such an economic impasse that the only result can be that the airlines disappear from the market. For in the end we will no longer have a market if we have fewer airlines! We must always remember that. That is why we are in favour of changes of capacity, but within a suitable framework, with an upper margin of 5%, over a period of development of three years, so as to find out what really happens in the European air transport market if we allow this change. Only then can we take the next step and find out whether this is good for it. We want the national airlines to remain and want all private airlines to have the chance to fly the European skies. But under no circumstances do we want the 90% of the population who never fly — or to put it differently, the 10% who do fly — to be supported financially by subsidies provided by 90% of the population in the form of taxes. We are against subsidies in air transport.

Last night in the Committee on Transport we tried to find a compromise between the extremely divergent views — one Member finds what Klinkenborg suggests far too revolutionary, another finds it too conservative. I think yesterday's debate in the committee's bureau which led to an appeal to endorse this compromise, was very fruitful; for I believe we have found a new line which will enable both groups to come closer together so that we will see the changes on the European market which were urgently necessary, without anything being destroyed.

Let me point out that with this report we have a new policy on the agenda, air transport policy, and that today's debate is not the end but only the beginning, for next year we will have to deal with intra-Community air transport and have to try to incorporate many things in the proposed regulation to produce a little more movement in Europe.

But we must ensure that our neighbours do not feel pressurized or harassed by us. We need these countries; but I think it is also a question of fair partnership within the European Community.

May I conclude with two quite personal remarks. Many Members have received a letter in which a lobbyist who was involved in what we did complained bitterly about the way Mr Klinkenborg presented his report. I do not want to say anything about the differences of position. That is obviously permissible and it is quite normal for individuals not to abandon their position after a debate. But what I do object to is the rude tone and form of this letter. If we ever accept that Members may no longer draw up a report in their own language, I think that will be the end of the European Parliament and its rapporteurs.

Finally, I would like to thank all the Members who joined me in seeking a way to ensure that this report finds a broad consensus. I must thank my Chairman, who showed great patience in this matter, and I must thank those Members who helped me greatly behind the scenes in the committee secretariat to get this difficult report through the difficult discussions with some success, so that now we have the first chance ever in the European Parliament to formulate an air transport policy which will, I hope, be endorsed on a sufficiently broad basis.

*(Applause)*

**Mr Visser (S).** — *(NL)* Mr President, what does the Socialist Group want of a European policy on air transport? There is a wide measure of agreement on this in the Socialist Group. Our goal is as follows.

We want the complete rejection of deregulation or liberalization along American lines. We want to preserve what the European air transport system has achieved because, by and large, we are reasonably satisfied in that respect. But there is certainly a need to reduce the shortcomings and to do away with the present inflexibility.

Competition must be increased. We believe this can be done by relaxing the regulations on access to the market, with guarantees, of course, of the quality and regularity of services, and we have already discussed interregional transport. We also want a ruling on the sharing of capacity, with the present inflexibility abolished, where necessary. We want a ruling on the pooling of revenue, and we want a tariff system that is understandable and operates more flexibly as regards approval by the Member States but ensures that the airlines make profits. But changes must not be made, in our opinion, at the expense of the social achievements of employees in the air transport sector. The quality of air transport must be improved, and safety in this sector remains absolutely essential.

**Visser**

We do not want an all-embracing Community air transport policy. All that is needed is a set of Community rules assessed by the Council of Ministers and the Commission but implemented by the national airlines and authorities. But there must also be a monitoring role for the European Parliament. Nor do we want the Commission interfering in regional transport within the Member States. And the same goes for bilateral arrangements with third countries.

If we now compare these objectives with the proposals contained in the Commission's second memorandum on air transport, we find that, while there is a great deal of common ground, there are also differences as regards the practical details. One major objection we have is that it would seem at least that the Commission wants to elevate itself to being Europe's executive aviation authority and to have a considerable amount of freedom where policy is concerned. I am referring here in particular to the arrangement for group exemptions.

If we look at the Klinkenborg report, as it has finally emerged from a wearisome procedure for us to consider, we find in it a great deal that is good, but also a number of grounds for objection. The rapporteur once again tried to reach a compromise. In the end this was rejected in the Committee on Transport by one vote. Had it been approved, we would now have a different report before us. What we now have is a report that was approved by small, changing minorities, with members of different political groups voting together as the situation dictated. A pity, but that was the way it was. But fortunately — and I shall revert to this in a moment — a far better compromise emerged yesterday evening.

Incidentally, Mr President, on behalf of my group I should like to dissociate myself from the Independent Carriers' letter. A letter like this is absolutely unbecoming and also has entirely the wrong effect.

Let there be no misunderstanding: the vast majority of my group approve the Klinkenborg report, although various aspects certainly need to be criticized. For example, the report gives the impression, primarily as a result of the decision taken in the Committee on Transport, that it wants to retain rather too much of the present situation. But if you read the explanatory statement attached to the motion for a resolution, it becomes clear that this is not the case. The whole tenor of this explanatory statement clearly complies with the Socialist Group's objectives, as I have just explained them. But my group realizes that Parliament is in many respects divided. If the proposal is to be approved a larger majority must be found. An attempt was therefore made last night to reach a compromise with the amendments that had been tabled. Unfortunately, not all the coordinators appeared, but a number of groups, especially the Socialists, Christian Democrats and Communists, were fortunately prepared to compromise. That means give and take, of course.

My personal opinion is that the result is an improvement on the report now before us. It leaves the way open rather more, as I will explain, and I therefore hope that Parliament will approve the Klinkenborg report in this amended form by a large majority.

What does the compromise consist of? Firstly, it is now clear who grants the group exemptions. The Commission does so with regulations, with the Council establishing the criteria, which are proposed by the Commission and on which Parliament is also consulted. Group exemptions are not granted for an indefinite period but for a minimum of seven and a maximum of fourteen years. An important compromise.

A second aspect is access to the market and thus interregional transport, an essential means of increasing competition. The rapporteur had proposed a paragraph that called on the Commission to submit a proposal for a directive without delay. But this was rejected in the Committee on Transport by one vote. The compromise we reached last night means that the Commission is asked to submit a proposal for a directive soon, with the aim of increasing interregional transport using aircraft with a maximum of fifty seats, subject, of course, to viability and safety, and the rapporteur has indicated what that implies.

We also reached a compromise on capacity sharing. We discussed this at length in the Committee on Transport, without reaching an agreement. There is now agreement on a 5% margin of flexibility for two consecutive periods of two years beginning in the winter of 1986. Thereafter an evaluation must be made, on which Parliament must be consulted. We could not agree whether the Council or the Commission should make this evaluation, and the vote will have to clarify this point.

We did agree on the pooling of revenue. This must not exceed 5%, to be governed by a Commission regulation. And greater emphasis was placed on the consumer's interests where tariffs are concerned.

If I now compare this compromise with our Socialist objectives, we find we are able to live with it without any difficulty, but what is more important is that we are producing a document that can point the way for developments in civil aviation without the disadvantages of the American system. What we have here is a set of European rules which are in the consumer's interests, in the interests of air transport workers and in the interests of air safety, without superfluous bureaucracy, and which leave the airlines and the individual Member States to take the responsibility and the initiative.

To conclude, Mr President: after a wearisome process a satisfactory result was finally achieved, and I should also like to congratulate the rapporteur, Mr Klinkenborg, on this.

*(Applause)*

**Mr Hoffmann (PPE).** — (DE) Mr President, ladies and gentlemen, my group welcomes Commission Memorandum No 2 on air transport policy in the European Community. Memorandum No 2 builds on Parliament's decisions on the first, 1979 memorandum and on the experience gained by the airlines, the transport users and others involved in European air transport.

In Memorandum No 1 the Commission still assumed that the American deregulation principle could be carried over to the Community, but now it has come to believe that American conditions are not transferable to European air transport. That is a very important insight; it creates common ground on which we can build and clarifies the positions.

Memorandum No 2 contains many sensible points of reference. These could in fact have been implemented by now had the Commission itself not delayed further consideration. Mr Clinton Davis, we had really expected the Commission to submit its Memorandum No 2 to Parliament in spring 1983. It was already finished at the time and we could have examined it and voted on it in the first directly elected Parliament.

Instead we had a most undignified tug of war between Commission and Parliament. The Commission kept wanting to send Parliament back to the firing line to hear new views and then where appropriate correct them. That resulted in bad delays, which had to be borne by the users of European air transport. I do hope this does not become a precedent! We now have a somewhat similar experience with the memorandum on European navigation policy. The Commission should not follow the example of the Council, which has in the past emerged again and again as the delayer. The Commission too must now ensure that it does its homework on time and submits the necessary proposals to Parliament. My group is in favour of liberalizing European aviation, but only with moderation. That is why we are keeping in mind the interests of the transport users who must be offered a compact and safe air transport network at a reasonable price. We want free access to the market in the field of inter-regional transport, with restricted seating capacity, and above all we note the special features of the international air transport markets. The international air transport markets must be regulated in a different way — here I agree with the rapporteur — from that which is possible in intra-Community transport.

But we are equally aware of the concerns of the employees of the airline companies. They must have jobs they can count on in the future too and my group is resolutely opposed to any hire and fire system, because it feels committed to the social market economy.

But the social market economy does not just include markets, competition and undertakings, but also tariff agreements, co-determination and unions. That

means: responsibility for what the European Community represents in its entirety. But it also means preserving and creating the air transport conditions for less accessible and less favoured regions. To achieve this the airline companies must also be able to make money and to fix tariffs that cover their costs.

In addition to the scheduled services, environmental protection and air transport safety are further very important and special aspects of aviation policy which must be looked at. In the last few months in particular, there have been a number of terrible air crashes in which hundreds of people lost their lives. We must urge the airline companies to do their utmost to create and ensure air transport safety. Admittedly the number of deaths in air transport is lower than for any other mode of transport. Yet we are duty bound to work towards greater safety. That must form one element of the Commission's policy.

Fairly major differences of opinion emerged in the Committee on Transport regarding Mr Klinkenberg's proposals, but that is nothing new; the same happened with the first memorandum. The friction and differences quite simply arose because the initial positions were very divergent and could only be brought closer in the course of time. The Klinkenberg report adopted by the Committee on Transport would not be approved by the majority of my group if we had not managed to reach a reasonable compromise last night. If we manage to combine rational elements of competition — such as free access to the market — with the need to protect the interests of the national airlines, which are important to the European Community and to the country in question, then we will achieve a European aviation policy which will gradually become incorporated in what we call a free market in the European Community.

But let us not make the mistake of intervening in international air transport when we embark on what we must, will and can regulate within the Community. Here I would like to draw special attention to one aspect which has always been rather neglected, namely competition with the Eastern Bloc, with the airports and airlines there. Let us not forget that but let us create a policy which serves the people of the Community! My group is prepared to do so and it will support the compromise Mr Klinkenberg proposes.

(Applause)

**Mr Newton Dunn (ED).** — Mr President, my group sees the Commission's proposals as a modest step in the right direction. We would actually like to go further. I think that is quite well-known. However, the rapporteur is proposing something far less modest than even the Commission would like to see. He is basically protecting big business and the monopoly airlines — a curious choice for a Socialist, but we shall examine it. The choice before the Parliament today is quite a sim-

**Newton Dunn**

ple choice: either we support protectionism, monopolies, big business, or we support the public with lower air-fares and more air-routes. That is our choice. If you support the monopolies and big businesses, you vote for Klinkenborg; if you support the public and lower air-fares, you vote against Klinkenborg. It is a simple choice, colleagues.

Which one are we to choose? Well, in the gallery today we have quite a few representatives of the airlines, but we have many representatives of the public as well. I wonder which they would choose. Let us remember we are sent here by the public and not by the big airlines. I hope colleagues will remember that.

Now what does the public want? I wonder if there is any evidence. It just so happens that there is. An experiment has been done on lower air-fares and we can gauge the public's response. A year ago there was a bilateral agreement between the British and Dutch Governments to liberalize airtransport just between those two Member States. It is interesting to examine the results, because they tell us a great deal about what the public wants. Well, after the first nine months of that agreement ten new air-services had been set up between Britain and Holland, four more had been designated but not started, and a further 19 applications for new routes were in. That makes a total of 32 new air routes between the UK and Holland since liberalization was allowed. Passenger numbers had risen by 16% in the first nine months. It seems to be popular with the public. Air-fares are, of course, down. On the main London to Amsterdam route, research has shown by interviewing passengers, that 70 000 extra passengers each year have flown on that particular route who otherwise would not have flown at all. That shows what the public wants: they want lower air-fares, more competition and a wider choice. Klinkenborg is not proposing to give it to them.

Mr President, we should be voting today for more competition, but my group accepts that the first step is the Commission's memorandum. We shall support that, and that is the purpose of our amendments. My group will be asking for a rollcall vote to see how everybody votes. I give due warning to all colleagues here that we shall publicize in all Member States how people vote on this report — whether you are in favour of monopoly and big business or are in favour of the public. The public who sent you here will know what to do on another occasion if you do not support their interests.

So, colleagues, support the amendments from my group. Reject Klinkenborg and give the public who are here watching what they really want!

*(Applause from the European Democratic Group)*

**Mr Carossino (COM).** — *(IT)* Mr President, in presenting Memorandum No 2 on civil aviation the Com-

mission has made a considerable effort to prepare a general plan for a Community air transport policy, the declared aim of which is to improve the efficiency and profitability of the operators, and the quality and price of the services they offer.

We agree with these aims, even though the effective proposals put forward by the Commission are limited in the main to an initial regulation of the bilateral agreements between States and the application of the rules of competition to certain categories of agreement and concerted practices in the air transport sector. This is therefore a first approach which does not cover certain aspects which are essential to any community policy for air transport, such as the infrastructures, air traffic control, flight assistance, safety measures and other aspects as well.

The Commission's document furthermore differs appreciably from the first Memorandum of 1979 which, when it made its appearance, caused a great many doubts and criticisms. To some extent an effort has been made to take into account the objections duly raised by the European Parliament, acknowledging explicitly that deregulation on American lines could not function in a European context and that — as Mr Klinkenborg recalled a short time ago — a system of agreements and regulations that is applicable between Member States of the Community is not necessarily applicable on routes to third countries, particularly our European partners.

I will say immediately that we Italian Communists are against the status quo existing in the air transport sector, because we know full well that this status quo is sometimes used by the air companies to defend privileges and convenient sources of revenue that must, instead, be eliminated. However we also oppose — and reject — a one-way liberalizing approach, which is entirely fanciful and anachronistic in the actual conditions under which air transport operates.

Some European users' associations have insisted very emphatically, during the troubled examination of this Memorandum, on the need for greater liberalization of the market, maintaining that that would be the only way in which healthy competition could be developed between the air operators, and lower fares be ensured for air travellers.

Undoubtedly, ladies and gentlemen, the fares question is a very important problem, to which we must give maximum attention; but it is not the only problem, because the users' rights also include the right to reliable, safe services. And after the tragic air disaster in Japan, and the recent one in Manchester, and after the subsequent checks that were carried out by the air companies, which disclosed many weak links in the aircraft's efficiency, the problems of safety leap to the fore. Cut-throat competition between the air companies unfortunately imposes of necessity drastic cuts in operating costs, which are not always compatible with



**Carossino**

the need to guarantee careful maintenance of the aircraft and the strict carrying out of the checks necessary for flight safety.

Our group therefore intends to support the work of the Commission that aims to bring about changes in the Community air transport sector, designed to make it more flexible and more competitive. But the Commission, in turn, should be prepared to accept the constructive contribution of this Parliament and its Committee on Transport, which have put forward some important modifications to the proposals for a regulation and a decision, on which we shall be voting this evening. If we really want to change something we must, I think, abandon rigid, pre-established positions, and we must take into account all the interests involved and not only some of them, identifying the concrete points where progress can certainly be achieved. In particular, it seems to us that those amendments should be adopted that tend to introduce a degree of flexibility in the way the market is divided up between the various companies, and those on competition and on the agreement between companies regarding the distribution of capacity; in the same way, those amendments that concern air services across internal borders, with small-capacity aircraft, should be adopted.

These proposals, which are contained in the Klinkenborg report and which we support, are neither half-hearted nor timid: they are brave and realistic because, without endangering the unity of European and world markets in the air transport sector, they make it possible to start a real process of reform. Yesterday a compromise was reached which involved foregoing certain points, but which is however acceptable to us also, because the fundamental points of the Klinkenborg report are retained. Those who believe in the Community's role, and are convinced of the need to implement a common transport policy for the airsector as well, should support, as we shall support, these proposals.

**Mr Wijsenbeek (L).** — (NL) Mr President, although we have been heartened by the Anastassopoulos report today, I must express some disappointment on behalf of my group. The rapporteur, Mr Klinkenborg, took on an enormous task. He worked hard and finally — and this is what disappoints me in a Socialist who is by definition reform-minded — opted for the protection of existing and established interests.

The fear that these established interests will be affected does not seem justified to me and certainly not in the interests of our electors, who are also the consumers. It may be true that expectations in the Committee on Transport differed widely, but that does not mean that we must follow the example set by the Council, which we so often criticize, and opt for a policy of the highest common denominator or of minimalism. If this report is adopted, we shall not be going

as far as the Commission, and that is saying something. Although the Court explicitly excluded sea and air transport from the judgment we were discussing earlier, that does not mean that we should not establish a sea and air transport policy. On the contrary, under the third part, Title 1 of the Treaty the Council and Commission are similarly required to establish policies in these areas. When the rapporteur says in subparagraph (d) of paragraph C of his resolution — but I see he is not listening, which is a pity, Mr President, because he should be acting as a rapporteur on behalf of the whole of Parliament . . .

(D) Mr Klinkenborg, you may be interested in what I have to say — at any rate, you are the rapporteur on behalf of the whole of Parliament.

(NL) The rapporteur says in subparagraph (d) of paragraph C of his resolution that there are reasons of state which prevent the Member States from contemplating the disappearance of their national airlines in any circumstances. I should like to hear from the rapporteur what these reasons of state are: he does not explain them in his report. In my opinion, the word 'state' is a reference to what the citizen wants — and, once again, he is also the consumer. Mr President, it cannot be true that the reasons of state referred to in this report are justified. The rapporteur need only read the comments of the Union of European Consumers' Associations on his report — and that is a club that surely stands for something. The comments these people have to make are crushing.

The rapporteur has quoted the example of the Scandinavian Airlines System this morning. When he then says that we must at all costs retain national airlines, I should like to know what kind of a company the Scandinavian Airlines System is. Is it not a company with more than one nationality? It seems to me that cooperation of this kind among three countries, two outside the Community and one a Member State, is a fine example. We cannot object to that, and I really fail to understand why, now that the Scandinavians have shown us the way, we cannot follow suit.

In any event, my group must object to monopolies dominating the market and laying down the law for us. But, surprisingly, this is evidently all right by the rapporteur. We agree with him when he says he wants to encourage regional developments. But what is the present situation? If we want to achieve regional air transport, the rigid bilateral agreements must go. I refer in this context to a question I put on the links with Lyons and Venice. The applications for these two regional centres with less than Category 1 airports were simply rejected under the bilateral agreements between the Netherlands and France and the Netherlands and Italy. This is surely a clear example of the kind of arrangement we must be rid of. The deregulation of traffic between the Netherlands and the United Kingdom has resulted in a 16% increase in passengers. The rapporteur does not want to go further than 5%.

**Wijsenbeek**

In other words, he is unaware of the actual situation and, unless a number of the more reasonable amendments that take account of the consumer — and I count my group's amendments among them — are adopted, his report is simply unacceptable.

Mr President, I was accused of archaic liberalism by one of my fellow-countrymen — Mr Cornelissen, I think it was — when we were discussing social conditions in road transport. In the meantime, comments have been received from the whole industry — from both employers and employees — describing the agreement finally reached on social conditions as impracticable and unsound. If that is archaic liberalism, I am glad that I am an archaic Liberal, but at least I try to be realistic, and I simply cannot find any realism in this report.

I am not advocating outright reorganization along American lines. Market conditions here are not suitable for that, and the infrastructure is different. But we have tabled reasonable and realistic amendments, as has the Conservative Group. If these amendments are adopted, we can vote for the report. If not, we shall unfortunately have to vote against it.

**Mr Lalor (RDE).** — Mr President, I was amazed to hear my colleague, Mr Newton Dunn, threaten me and others who might support the Klinkenborg report with his seven friends in the public gallery and the might of the British Press. I want to tell him not to worry, I shall withstand that particular attack. It will not be the first time I have had a similar type of attack.

In supporting the interests of European aviation by voting for the Klinkenborg report, I believe I shall be doing the right thing, despite the amazing and unreasonable attack by Mr Newton Dunn on national airlines as such. I congratulate Mr Klinkenborg on his efforts, which, I believe, have been successful, to make sense of the difficult and complex animal that is air transport. Everybody in this House is a frequent traveller by air, and as consumers we have a very close and personal interest in the matter quite apart from our concern as legislators.

What do we and every other passenger want from airlines? Safe, regular and reliable year-round transportation at the lowest possible fares. That is our objective, and I believe that the whole debate on the future development of European aviation is all about how best to achieve that objective. The passenger is not, of course, the only party with a close interest in air transport, but he is the most important.

I go back to the Commissioner's first memorandum on the subject, which rightly listed three other entities which are closely involved. One is the airlines themselves, whose main requirement is to be able to become and to remain viable without any government subsidy — not like your friend, Mr Laker. The second

is the employees of the airlines, who rightly have aspirations to a decent standard of living. The third interest is the overall common good. Scheduled air transport in today's world is a vital part of the infrastructure that enables other important economic and social activities to take place, particularly in a small island nation such as my own. Safe, regular and reliable airlinks with the rest of the world are absolutely essential all the year round. Lord Bethell says they are too expensive, with the result that he in fact plans to isolate Ireland altogether, but that, too, is something we have dealt with before!

Now, how has the rapporteur dealt with these aspects of the problem? I believe he has shown a real understanding of how and why the system is as it is. The improvements which he suggests, as I see it, are sensible ones and I can support the general thrust of his report. I can pick out a few important areas where Mr Klinkenborg is on the right track. Less interference by governments in the provision of capacity: this is very important so that airlines can more freely use their commercial judgment to satisfy the demands of the market and not be restricted by heavy-handed refusals from governments. In addition, airlines should be allowed, if they want, to talk together about their schedules and their fares so long as at the end of the day they are free to put up their own proposals and not be bound by others. Last but not least, airlines if they are efficient should be in a position to make a fair return on investment. To do this, not only should they be efficient so as to keep down the costs which they generate themselves, but there must be some alleviation of costs over which they have no control, and I am pleased that both Klinkenborg and the original memorandum itself from the Commission show awareness of this fact.

Valuable as the report is as it stands, you will not be surprised to hear that I would like to see some further changes to it. For example, there is an amendment before us suggesting a flexibility zone for the provision of capacity based on the ability of the airlines of any country to increase their share of capacity by five percentage points every two years. I consider this an excellent idea and I will support it with my vote.

When we come to the proposal concerning the rules of competition, as before I am happy with the general tone of the report as it stands. However, I am a little unhappy concerning a phrase in the preamble which, in the English version anyway, seems to be a misprint, and I am proposing a small linguistic change to take care of this.

The motion for a resolution deals with the very important subject of air fares. It is right and proper that we should exercise pressure on airlines, as on other enterprises, to keep their prices as low as possible. Where they fail they should be criticized, and nobody has complained more than I when the need arises, but we must ensure that our criticisms are based on the real

**Lalor**

situation and not on distortions of the truth or on any kind of inventions. I am reminded that a Commission report on fares a few years ago concluded that, generally speaking, fares in Europe are not excessive and European airlines are not making huge profits. Too much competition leads to airline bankruptcies, as we have seen particularly in the US, which is continually held up to us as a notable example. We have also had them in Europe and even in my own country. These bankruptcies lead to a great deal of disruption and waste of both economic and human resources. This waste is too much for me to accept.

To my mind it is axiomatic that airlines must cover their costs and receive a fair return on investment. This implies that the airlines themselves are efficient and aggressively tackle the problem of high costs, and I am pleased to see that there is a good deal of evidence that they are succeeding. In this regard I sympathize with the airlines' attempts to reduce costs over which they have no control, especially those imposed by governments — including, of course, the matter of taxation.

To cover quickly the other amendments which I have proposed, I believe it would not be appropriate for Parliament to set itself up as an arbiter of state aids to airlines, and I willingly concede the Commission's rights and duties in this regard. Those are rights and duties that they should continue to fulfil.

Finally, and to return to the subject of cost control, I should like to see the limits on flying-time for crews to remain flexible within the general framework of the limits set down by the International Civil Aviation Organization, the worldwide intergovernmental authority. The air transport system is not perfect, but it is pretty good, as the Commission says in its memorandum. Let us not forget that. Let us improve it by all means, but let us make sure that we do not destroy good operations in the process of what we are doing. I am sorry to see Mr Newton Dunn, who in the normal course stands up here pretty regularly in justification of UK monopolies, having a go at national airlines by giving them a very wrong title.

*(Applause from the right)*

**Mr Newton Dunn (ED).** — Mr President, I think that is a personal attack and I would like the time to make a personal statement. I do not stand up and defend public monopolies. Mr Lalor has not given any evidence of that. He did refer to me as being a friend of Freddie Laker. In fact, I have never met Freddie Laker in my life, and I would point out that that man was put out of business by an airline cartel.

*(Applause from the European Democratic Group)*

**President.** — You will have an opportunity to speak on this point at the end of the debate.

**IN THE CHAIR: MR PLASKOVITIS***Vice-President*

**Mr Van der Waal (NI).** — *(NL)* In recent years there has been a growing need for air transport in the Community to be freed from the excess of rules and regulations with which it has been burdened over the years. Although the present system of bilateral agreements in itself certainly works satisfactorily, national efforts and rulings have resulted in a level of inflexibility that in many respects prevents an optimal service from being provided. We are specifically thinking in this context of the rigid rules on capacity sharing, inflexible tariff agreements, the restrictions on free access to the market for new airlines and so on. To improve the situation, the Commission has submitted a valuable document in Memorandum No 2 on civil aviation. It lays very useful foundations for making the present system more flexible.

Unfortunately, a number of important proposals made in this memorandum are not covered by the Klinkenborg report. While the Commission proposes various justifiable measures for achieving a certain level of liberalization, we feel Mr Klinkenborg's report is characterized by a very restrictive approach. The Klinkenborg report undoubtedly contains a number of things that we can go along with. Like Mr Klinkenborg, we reject deregulation along American lines. What was possible in the United States is certainly not suitable for Europe. We also endorse the rapporteur's rejection of the creation of supranational administrative powers or of a European aviation authority. Paragraph 45 of the Commission's memorandum seems to indicate that this is the direction it wants to take. In our opinion, the Council of Ministers should be the body that decides on the premises and framework of the European measures, with the Commission responsible for implementation and monitoring. We also agree with Mr Klinkenborg that changes should only be made cautiously and gradually, but we would add to this that these modest steps should have real and practical substance and that they must relate to essential matters.

In these respects the Klinkenborg report is disappointing, particularly as regards capacity sharing and access to the market for new, bona fide airlines, where the report offers little prospect of even modest liberalization. It places great emphasis on the encouragement of regional air transport, and we approve of that, but it can hardly be called the most important objective of the European air transport policy, as the rapporteur suggests.

Like the Commission and Mr Klinkenborg, we want to retain the existing structure of bilateral agreements, but within this system the airlines should have greater freedom to negotiate with the national authorities.

**Van der Waal**

The agreement recently concluded between the United Kingdom and the Netherlands, for example, and the enormous increase in passengers as a result of the reduction in fares under this agreement are convincing evidence of the benefits that the service and the consumer derive from such liberalization. Mr Newton Dunn has just quoted a few interesting figures on this.

To summarize, Mr President, we find the Commission's memorandum appealing in many respects. We are sorry we cannot say the same of the Klinkenborg report. In the last few weeks and even the last few hours feverish work has been done on compromises and on compromise amendments to compromise amendments. The vote may show that this is what the majority of this Parliament want. That would indicate that a willingness to compromise which was not possible in months of consultations has emerged in last few hours. We shall support the amendments which seek an adjustment in the direction we consider desirable. But in its present form we can only reject the Klinkenborg report.

**Mr Stevenson (S).** — Mr President, first of all, may I add my congratulations to Mr Klinkenborg on what I know to have been a very important report, and on the amount of work that he has put into it. May I also say that Mr Newton Dunn's populist threats will not, I am sure, enhance his argument. In my view, that sort of attitude just reflects a total absence of argument. I was pleased that the public gallery was pretty full when he made those threats.

The report does seek to establish a framework of controlled change. It seeks to encourage improvements for all involved in civil aviation, those who work in the industry and those who use the services provided. It seeks to protect and enhance the benefits of a positive regulatory system by recognizing the need for providing a network of services. Any suggestion that profitable routes should flourish while the rest take their chance is not acceptable. It is not acceptable to the Committee on Transport, it is simply *not* acceptable to the Socialist Group, and in the interests of consumers it should not be acceptable to this Parliament.

The report seeks to promote regional services and airports. It recognizes the importance of jobs and working conditions in the service and the safety factor. Of course, we are all aware of the tragic series of events over the last few months that have reduced public confidence in the excellent safety record of civil aviation, and we all need to work hard to restore that.

The report clearly adopts this approach. It rejects deregulation and a free-for-all, and we certainly support that. America is often used as an example by the people who want the free-for-all deregulation system. Sometimes we hear of the alleged benefits of that system. We do not very often hear the other side of the

story. We do not hear, for instance, that in some airline companies salaries have been cut quite arbitrarily by 50% simply to maximize the companies' profits. Tariffs in some areas are in chaos; the takeover sharks are now gathering to feed on the rich pickings of the profitable routes as they see them, and narrow private monopolies are being created. That is not in the interests of those whose situation we are seeking to improve.

National governments and airlines would do well to respond positively to this report. Controlled and planned changes are the order of the day. Some say that the report does nothing: in fact, we have heard it this morning. Capacity sharing is dealt with in the report. Revenue pooling is dealt with in the report. Tariffs — a very important matter — are dealt with in the report. We have to recognize that there is public concern regarding discrepancies in tariffs. Of course, there are arguments to justify some of the discrepancies when we make comparison with the trans-Atlantic routes and the routes in the United States of America. Nevertheless, action is required and the report does propose action along the lines that the Commission suggested, and we ought to be in support of that.

But an important factor is this, that any action on tariffs should not split Western Europe. We should not allow Community airlines to charge one set of tariffs while all the rest are doing something entirely different. That is not in the interests of the people that use civil aviation. The most important point about this report is that any suggestion that the Commission should acquire some sort of supernational civil aviation authority rôle is again rejected. I am quite sure the Commission would not want to take on that responsibility. It would be a disaster. I am sure everybody agrees on that.

In conclusion, after 12 months of hard deliberation, after detailed consideration and many amendments, the report proposes changes that will benefit everyone concerned. It seeks to protect and enhance the best of the present system but recognizes reality. We have no sympathy with the free-market brigade, whose only motive is profit. We should support the report as it stands and bring stability to civil aviation in Western Europe.

**Mr Cornelissen (PPE).** — (NL) Mr President, the average user of scheduled air services finds flying in Europe expensive and the opportunities limited. There are a number of good reasons for this, but it also has something to do with the absence of healthy competition.

My group feels that the time has come for a reduction in the role played by national interests and exaggerated national pride in air transport. We want a policy in which importance is primarily attached to the interests of the consumer and employment. Travellers are

**Cornelissen**

best served by frequent, fast and above all reliable and safe air links at reasonable fares.

Healthy competition between the airlines is needed for this. If implemented, the Commission's proposals will help in this respect. We would have liked to see them going rather further. The same goes for the Klinkenborg report. We are not advocating deregulation along American lines, but we must not be too restrained either. In a situation in which national interests still reign supreme the European Parliament must take the lead in getting rid of all the inflexible arrangements.

That a limited amount of liberalization can have major advantages for both travellers and employment is proved by air traffic between the United Kingdom and the Netherlands. Since these two countries opened their air space to each other over a year ago, it is estimated that almost 100 000 more passengers have travelled between Amsterdam and London, ten new flights have started between the two countries, and four new airlines have gained access to the market.

For my group it is important that there should be scope for a fresh, creative approach by airlines. We want liberalization within clearly defined limits, not disorganization of regulated air transport. Our solution to this is the introduction of a margin of flexibility. Within this margin it must be possible for airlines to increase their capacity and thus their share of the market without requiring the consent of the other Member State. Here too, we want to get away from the present right of veto. After the discussions in the Committee on Transport, laborious discussions, we opted for a margin of 5% of the market share over a period of two years. A modest margin, but 10% unfortunately proved unacceptable in the Committee on Transport, and acceptance of this principle means a departure from the present rigid system. We therefore consider paragraphs 1 to 3 of the Ebel amendment to paragraph 39 essential.

A second important aspect in our view is that there should be more scope for regional air transport, particularly where it crosses frontiers. We feel that every bona fide airline, large or small, must have the freedom in the Community to fly to and from regional airfields, even if frontiers are crossed, using aircraft seating a maximum of 50 passengers.

To conclude, Mr President, we have been shocked in recent months by the many air disasters that have already cost 1 500 lives this year. This is far more than in the whole of 1984 and the years before. As safety in air transport is of the utmost importance, I want to ask the Commission to take the initiative in organizing a worldwide campaign against the alarming increase in the number of air disasters.

Is the Commission prepared to consult with the appropriate international organizations with a view to arriv-

ing at a joint, worldwide approach? Air travellers will be grateful for this, and they have a right to it too.

**Mrs Faith (ED).** — I believe that the original Commission Memorandum No 2 would have been a step forward, albeit an inadequate one, in the necessary movement towards more liberalized air transport. Easier travel would not only bring about better understanding but increased trade and job opportunities. The Klinkenborg report maintains the *status quo* and discourages spontaneous and easy travel between our countries. If this report is passed unamended, Parliament will be paying lip service to the need for a common transport policy on the one hand and, at the same time, preventing the development of a liberal air transport policy.

Of course airline safety must always be given priority, as Mr Stevenson said, and is of paramount importance. This was brought home to me when I arrived at Manchester Airport on Thursday, 22 August, at the same time as the tragic fire on British Airtours Boeing 737, Flight No KT 328, to Corfu. I spent many hours at Manchester Airport waiting for my own delayed flight to Spain, and I would like to pay tribute to the helpful and exemplary behaviour of the entire staff on that horrific day. The efficient manner in which passengers were transferred to other airports was remarkable and I would like to thank everyone concerned and say how proud I was of those steady and reliable people from my own north of England.

**Mrs Tove Nielsen (L).** — (DA) Mr President, as a member of the Liberal Group, it is only natural for me to favour liberalization in air transport.

I am at the same time a European consumer, indeed a big consumer of air travel within Europe. My six years in the European Parliament have provided me with a wealth of experience; and let me tell you it has not all been of a positive kind. I also think that my liberal views constitute an excellent position from which to speak on behalf of the consumers in Europe. We consumers want better conditions and air fares which are lower than those we have at present. That cannot happen unless proper conditions of competition are created on the European market. We want to be given better information, so that we know what to expect. We find it unacceptable to be kept hanging around at airports without knowing what will happen to us in half an hour or an hour's time. I cannot help remembering how, when we do get to our destination, we so often hear the announcement: 'We welcome you to your destination. We hope you have enjoyed your journey and we look forward to seeing you again on one of our flights.' I can well believe that we are something for the airlines to look forward to.

At the same time, I am also very happy to be given the chance of flying, I just wish I could do so under better

**Tove Nielsen**

conditions and at more reasonable cost than the high fares I have to pay at the present time. But already as I approach my destination I begin to feel anxious: I hope against hope that I shall actually manage to get back home. But it is not always so easy: time after time I stand at Brussels Airport — forgive me for being so specific — with my OK ticket. But if I do not appear on the VDU screen, I have to go on the standby list. 'Just be patient, you'll get on — we've put you first on the standby list,' they tell me. That is no comfort to me whatsoever, for the person just ahead of me at the check-in has also been promised first place on the standby list, and we cannot both be first. Soon there are 15-20 people on the standby list: my heart is in my mouth and I can hardly breathe for, when it is the last flight of the day and I so badly want to get home and wash my things ready to be off again the next morning, it is not a pleasant experience to be stuck at an airport.

What I have to say therefore is that we consumers want a much better service; we want to be treated as citizens of Europe who wish that the whole system could function in an orderly manner. As a true liberal, therefore, I must say that there is no liberalism in this area. There are no proper conditions of competition and, as a liberal, I have always said that we must have liberalization and conditions of competition such that the interests of the citizens of Europe are properly served. Here in Parliament, we vote our support for a Europe of the citizens; let us also liberalize here.

**Mr Musso (RDE).** — *(FR)* Ladies and gentlemen, as an inhabitant of a small island lost in the Mediterranean I find myself directly concerned when it comes to the question of transport — not only because I am a Member of the European Parliament but also because I am a long-suffering commuter. I have been a victim of the scandalous state oriented concept — currently in vogue, a victim of the no less scandalous monopolies, a victim of the attitudes of employees of these companies enjoying a monopoly, who refuse to speak to customers, like the Air France local head in Nice who, after an airplane had been standing on the tarmac for more than an hour, replied to enquiring passengers: 'I have no time'. It is very easy, of course, for an employee of a monopoly company, confident of his impunity, to treat passengers in that way, while some of them, myself included, gentlemen, take three planes to get from Ajaccio to Strasbourg and two planes to get from Ajaccio to Brussels with long hours of waiting in airports. When I speak of Ajaccio I am in France and I am going to stay there — with all due respects. I find it absurd that a country like France, which could build Concorde, cannot provide a direct air link between two of its cities, that is, Ajaccio and Marseille or Ajaccio and Paris. This state of affairs is due to the intolerable situation of monopolies which is contrary to the principles of the Treaty of Rome and also contrary to the principles we are defending. If such a situation should persist and if Mr Klingenberg's report

were to be voted — I shall refer to this again later — I propose to refer the matter to the national courts pursuant to Article 177 of the Treaty, and to summon the French government on account of this intolerable situation in a part of French territory, hence in a part of Europe. In the face of this state of affairs the Commission has proposed a second memorandum which is a step backwards compared with the first, but it advocates a more liberal philosophy. It takes the interests of passengers and consumers into account. It is attempting to reduce this State monopoly and to abolish these outrageous agreements between companies providing transport on certain routes. While this morning I heard people of every political viewpoint rejoice in the case won by Parliament, is not Mr Klingenberg in his report proposing putting Community policy under the control of the Member States? It seems to me that we are backing down on this matter.

Parliament is congratulating itself on winning its case. Is there going to be a vote taken today or tomorrow which will go directly against this principle? If this is the case, what will the Commission do? Will it not be annoyed when it wishes to make proposals in accordance with the Treaties, and Parliament, which complains about not having enough power, backs down at the very moment it has some power, and all this just to maintain certain monopolies and certain outrageous advantages enjoyed by some national airlines.

I should also like to say to my colleagues, especially those living in small countries on the periphery of the Community that they are wrong in wanting to defend this monopoly system. Why are they wrong? Because their own airline bosses have said it — and written it — often enough: what they are interested in is access to the entire Community market and not in being limited only to their own routes because the larger airlines have divided up the Community market among themselves.

By way of conclusion, I must say that I can no longer tolerate the situation whereby the national airlines, Air France and Air Inter, which receive 8 billion centimes in state aid, ladies and gentlemen, to provide a service between Corsica and the continent, cannot ensure these links at reasonable prices. A return ticket from Ajaccio to Paris costs 1 900 francs. It is almost as expensive as a ticket from Paris to New York; the schedules are inconvenient, so that if one leaves in the morning one might just have a chance of arriving in the evening. And then we must be sure that the planes are not suddenly grounded by a technical fault or that there is not, as if fortuitously in the tourist season, a strike within this monopoly which results in my poor little country not being able to develop its tourist industry.

I shall refer now to somebody who is no longer in this Chamber and who earlier referred to Corsica in his speech — I think it was Mr Kuijpers. I agree wholeheartedly with what he said about Corsica, but with

**Musso**

more vehemence and passion than him because it is my native land. I should simply like to point out that he is incorrect in his statement that Corsica flourished in the eighteenth century. At that time, Corsica was at war with Genoa and it did not see a drop in its fortunes when it became French. France is Corsica, Corsica is France but state monopolies are intolerable and I shall vote against your report, Mr Klingenberg, because it is against the interests of the European Community and those of the small country I live in.

*(Applause from the right)*

**Mr Loo (S).** — *(FR)* Madam President, ladies and gentlemen, it was my honourable friend Mr Fatous who was supposed to speak on the Klinkenberg report this morning. I have been listening very carefully to my Corsican colleague's very powerful speech. I live in Marseille which is, of course, the principle Corsican town because I think the most Corsicans are to be found there, and I also have to take two airplanes to come to Strasbourg and two airplanes to go to Brussels. That being said, as far as the monopoly enjoyed by Air Inter is concerned, perhaps your friends could give you a more detailed explanation as to why they had to create Air Inter and grant it a monopoly for Corsica and other French cities.

I was very surprised by the statements of Mr Newton Dunn and Mr Wijsenbeek because they seemed to think that the Klinkenberg report was defending to some extent the interests of the monopolies. Those who know Mr Klinkenberg know that he was concerned with something quite different: trying to put together a report which would be passed by this House as a whole.

Much research and thought has gone into Mr Klinkenberg's report. Questionnaires were sent to all the parties concerned, and a public enquiry was organized. The Committee on Transport finally reached an agreement which, I think, will enable the French Socialists to vote for the Klinkenberg report this evening. This report, from what I saw of it yesterday evening, seems to strike a balance between the opposing views of advocates of unlimited deregulation — and we all know where that will lead us — and those in favour of maintaining the *status quo*.

In fact, while retaining the basic structure of the regular air transport system which has proven to be efficient over the last forty years, the report suggests measures designed to ease restrictions substantially, encourage competition and meet the needs of the public at large.

In the absence of my colleague, Mr Fatous, that is all I have to say. Let me repeat it: we shall have to examine much more closely the decisions of yesterday evening. Yes, of course, these amendments correspond roughly to your way of thinking, Mr Klinkenberg, and you

may count on the full support of your French Socialist colleagues.

**Mrs Braun-Moser (PPE).** — *(DE)* Mr President, honourable Members, let me very briefly talk about the early history. The situation on the air transport market, as also just indicated from the complaints of other Members, was characterized on the one hand by diverging tariffs for the same services, and also by arrangements to fix capacity shares. These are virtually bilateral agreements with an allocation of capacity between two companies, on a 50:50 basis. What we need here is regulation to create improvements in European air transport in the interests of the users, the airlines and the airline employees.

The Commission memorandum now proposes an overall framework for Community air transport policy in order to improve the efficiency and profitability of the air transport sector, but also to improve its quality and perhaps actually lead to price regulations. I must confess that Commissioners Clinton Davis and Sutherland wanted to introduce an idea which Parliament in fact ought to favour, namely bringing back into force the rules of competition of the EEC Treaty in air transport too.

The aim of course is to create a Community market, which would also help expand the internal market. This is also in line with Parliament's demands, as put forward here several times with a view to a new action programme in transport policy and as I put them in a motion for a resolution on the grey and black market in air transport. This grey market is characterized by avoidance of tariff rules, while the tariffs are simply undermined on the black market by customers being charged quite different fares. This of course works in favour of the most resourceful travel agencies, while the old lady who lives far away has to pay the official fare. This legal uncertainty and the lack of transparency should therefore be remedied with a view to more tariff honesty. The hearing which took place here shows that deregulation on the American model is not possible. Our European air transport market is completely different from the American market. And often we have competition between different modes of transport, between rail, road and air.

The role the EEC is now to play in civil aviation was described in Mr Klinkenberg's report. At first this report was not exactly what my group and I in particular had actually expected. However, I must say, Mr Klinkenberg, you proved very flexible in the discussion this morning and you have made considerable changes in the last few hours.

That is why I would like to say to the BEUC, the European Bureau of Consumers' Unions, which wants the report rejected and/or wants substantial amendments, that these substantial amendments have been made. So the Commission will not be driven into quite such a corner as was feared at first.

**Braun-Moser**

Basically there were four points of dispute left in recent weeks. They concerned the relationship between Council and Commission, i. e. the question of who should draw up the list of criteria and who should examine it. The other questions related to capacity and whether newcomers to this market should also be given opportunities, and of course to exemptions, i. e. whether there is a transitional period here or whether everything is to be left to the Council.

Now we are still faced with the somewhat vague concept of capacity increases. These must be rejected if they affect economic viability. That has improved. We managed to incorporate capacity variations in paragraph 22, even if they are still too low. The possibility of the Council still intervening was withdrawn at my urging in one paragraph, although unfortunately it is still in recital No 6, which is not so good. I also urge you to adopt our amendment to Article 1 (IV), so that the Council does not exercise control, but it is returned to the Commission again.

So the Commission must quite definitely be given a free hand to ensure greater competition in air transport. We also need movement in the aviation market in order to make it more transparent for the users.

**Mr Provan (ED).** — Mr President, it is customary in this Parliament to congratulate the rapporteur on his report. I find it difficult, this morning, actually to welcome the report, but I do realize from the famous, or infamous letter that Mr Klinkenborg has been diligent in his work.

I believe that if this report is adopted, we shall be betraying the interests of free and fair competition and we shall be seen to have bowed to the vested interests of bureaucracy. We cannot allow Parliament to become a traitor to the cause we have all been elected here to represent. Mr Clinton Davis reminded us this morning that we are under obligations to the Treaty of Rome, but surely we are also under obligations to the consumers and to the travellers of the Community. We are also under obligations to ourselves and to future generations that we are elected to build a Europe for. Do we want to be seen as biased and in favour of cartels and protectionism and against competition? Surely not. If we vote in favour of Klinkenborg we are against the interests of the Treaty and against the interests of the European Parliament.

It is extraordinary that the rapporteur has swallowed the case of one lobbying group. Surely we must be more objective. We took the Council to court on inland transport and now we are prepared to let the Commission down on air transport. For goodness' sake, let us be positive!

To take an example, in 1979 British Airways were inefficient, state-owned, highly regulated and protected. Fares were higher than they should have been;

services were poorer; opportunities for enterprise did not really exist — all to the detriment of the consumer. In 1982, competition was licensed to compete with British Airways between Heathrow, Edinburgh and Glasgow, as an example. Now we have improved services, lower fares and, believe it not, a 25% increase in traffic. That is what competition is about. This year we also hope to see freedom to fix fares and achieve further growth.

I agree entirely with what Mr Musso said in his very powerful speech. Civil aviation is hidebound and it is guided by rules and regulations. We who come from Scotland, like Mr Musso who comes from Corsica, are on the periphery of the Community. We need cheaper fares if the European Community is to mean anything to anybody who lives on the periphery. Surely, if we pass this resolution we are discriminating against those who live on the periphery.

**Mr O'Donnell (PPE).** — Mr President, this latest report on air transport represents a further stage in the tremendously difficult task of evolving a realistic and appropriate Community air transport policy. Since the production of the original air transport memorandum by the then Commissioner, Richard Burke, in 1979 much discussion and debate has taken place in the Committee on Transport and in this House. All the discussion and debate over the past six years has created a better understanding of the European aviation scene, and this in turn has led to more realistic approach to the development of an air transport policy suited to the needs and circumstances of this Community.

Six years ago the battle lines tended to be clearly drawn between the advocates of an open skies policy on the one hand, and those who defended the *status quo* on the other. Nowadays it is generally understood that United States-style deregulation cannot be applied to European air transport. There is, however, vast scope for improvement in the existing system. This has been clearly reflected in the Klinkenborg report. I believe that the report shows a good understanding of the environment in which the complex European air transport system works.

Most aspects of the Klinkenborg report have been dealt with by those Members who have already spoken this morning. I wish to confine myself to one particular aspect of the Klinkenborg report, an aspect which is of vital concern to me and to the people who sent me to this Parliament. As a representative of a small island country on the periphery of the Community, and as one who has been for years involved and interested in regional development, I welcome the emphasis placed by Mr Klinkenborg in his report on the need for Community action to promote internal Community air transport in the interest of the regions of this Community.



**O'Donnell**

We need to remind ourselves that a Community air transport policy must take into account the needs and the problems of the peripheral regions. Community air transport must not be exclusively concerned with air services linking the capital cities and the main centres of population. There is abundant evidence to prove that air transport can play a vital role in the economic development of the peripheral regions. In very remote peripheral regions the provision of an airport can have a dramatic effect on the whole economy of the region. There are numerous examples of this throughout the Community. In my own country we have seen how Shannon Airport has played a key role in the development of tourism and industry. We have also seen that the provision of air services to the Aran Islands off the west coast have transformed the economic and social life of the people living there.

As I have said, Ireland is a small country on the periphery of the Community with a small population. Because of these special circumstances I am convinced that any drastic or major changes in the existing European air transport system could be fraught with serious consequences for Ireland. Certainly, an open skies policy would be an absolute disaster for my country. A national airline is the only real guarantee we have of maintaining the air links with this Community and with the rest of the world which are so vital to our economic development and social progress.

I believe, therefore, that the existing European air transport system should not be dismantled. I am convinced however that improvements are necessary *and* possible, and that greater flexibility is desirable. Finally, I believe that a European air transport system must take into account the special problems of the peripheral regions and that these problems must receive special attention.

**Mrs Oppenheim (ED).** — (DA) Mr President, in October 1981 the European Parliament enthusiastically debated the liberalization of air transport. By that time the Commission and the Council had been discussing the question for four years. Thus eight years have now passed, and still nothing has happened. Or I should say something *has* happened, two very important things. To begin with there is a clearly expressed desire among consumers to travel across frontiers, and in our European cooperation here, we support the idea of movement across frontiers — but it must not be limited to travel by water and by land; we must also concern ourselves with air travel. Secondly there are many private entrepreneurs who want to promote competitive products, but they are not allowed to do so: they are restrained.

I cannot see why air transport should be regarded as something special compared with other forms of transport. In the USA it has been proved that using aeroplanes can become an everyday fact of life, like taking a bus or train. The Klinkenborg report postulates that

we cannot have these so-called American conditions in Europe. I am not convinced of that, and I am not convinced that there is any evidence to support that view — at least I am not aware of any such evidence. At all events we should be able to draw upon the experience which the American systems can offer us, compared with the special conditions we think apply in Europe.

As Mr Newton Dunn has already pointed out, the European Democratic Group supports a liberalization of civil aviation, but the Klinkenborg report is not concerned with that at all. Many speakers have for the past hour or more expressed a variety of feelings on the report: what the outcome will be if we vote for it in a given set of circumstances. I would go further and say that this report is positively antisocial and lacking in solidarity. I am especially surprised that the Socialist Group gives such strong backing to it. In fact what will happen if we adopt the report is that there will never be air travel for anyone but the rich who can afford to drink champagne and brandy from 9 o'clock in the morning. That is not what we want. Air travel must be for everyone, including those who cannot afford 5 000 kroner for a flight from Copenhagen to Brussels. It is in the consumers' interest.

It has also been said many times that traffic safety is vital and of course that must not under any circumstances be jeopardized by greater freedom of competition. There are environmental considerations and regional considerations, and all such questions must of course be taken into account. But we must have free competition to start with — the Community must be the guarantor of that freedom of the air. And the airlines must start learning to come to terms with it.

*(Applause from the European Democratic Group)*

**Lord Bethell (ED).** — Mr President, like others, I would like to be able to congratulate Mr Klinkenborg on his report, but unfortunately I am in no way able to because I find it one of the most shocking reports ever to have been put before this Assembly in the 11 years that I have been a Member of it.

It proposes to legitimize an illegal cartel and to perpetuate an illegal monopoly contrary to Articles 85 and 86 of the Treaty of Rome. It is hard to find any respectable legal authority who will deny now that those competition articles apply to the air transport sector in our Community. I very much hope that the Commissioner who is going to speak in a few moments will confirm that, in his view, the competition articles do apply to this sector and that the ECAC agreements which have been referred to are, in consequence, illegal.

If that is the case, how can Mr Klinkenborg, as a believer in this Community, honestly propose to grant airlines exemptions to allow them to break the law for periods of up to seven or even fourteen years? It is

**Bethell**

retroactive legislation and it is putting the rubber stamp on an illegal practice. And the quid *pro quo*, the reforms, the zonal systems whereby there might be some minimal flexibility in fares, I see, I am afraid, as no more than cosmetic. Far from being a step forward towards liberalization, it is a dart forward up a totally blind alley. The Commission, I very much hope, as guardian of the Treaty, will have nothing to do with Mr Klinkenborg's proposals.

I refer, in particular, to the views of my Christian-Democrat friends who, with their belief in European union and in a true common market, can surely find no reason for supporting such an anti-European document as the Klinkenborg report. We have surely to establish a common market, not only in goods, but in services, not only in automobiles, but in air travel. Anyone who believes in the Treaty, who believes in the Common Market, who believes that Europe has a future, must vote for a liberal air transport system and not for this document.

My colleague, Mr Newton Dunn, has mentioned the London-Amsterdam route and the step forward that has been made on that route. I applaud what has been done and the fact that more people have been able to travel. But on that route there is still price-fixing between KLM, British Airways and British Caledonian. There is still uniformity of conditions of travel and there is still a pooling agreement. This is why I propose to take legal action in this matter in the English courts and in the European court. But I will not be able to do so if the advice given by Mr Klinkenborg is accepted by the Council of Ministers, because my legal rights as a citizen to take this matter to court will then be taken away, and I resent that very much. I shall vote against this report for as long as the proposal for a group exemption remains in it.

To Mr Lalor I would only say that there are 50 000 Irish people in London North West, which I represent, and they are shocked by the high-cost fares that they have to pay in order to visit their families in Ireland — well over £ 100 London-Dublin.

Mr President, the people of Europe will not forgive those who vote for the adoption of this report so restricting their movement in their own community. Travel is freedom, especially for those who live on islands or on the periphery. There can be no freedom in Europe for as long as it costs £ 168 to fly from London to Brussels and back. I appeal to colleagues to throw out this illiberal, illegal report.

*(Applause from the European Democratic Group)*

**Mr Clinton Davis, Member of the Commission.** — Mr President, the Commission welcomes the debate which has taken place today, and at the outset I would like to pay my own tribute to the intensive work which has been done by the Committee on Transport and, in

particular, by its rapporteur, Mr Klinkenborg. Indeed, even up to last night, in a major effort to reach a satisfactory compromise that work went on. But Parliament will recognize the dangers that attach to drafting these matters in a hurry, both in terms of detail and substance. Having said that, in no way do I wish to undervalue those efforts which in many respects, even if I recommend opposition to many of the amendments, have produced some interesting and fertile ideas which, I am sure, will figure in future debates here and elsewhere.

I have said that, despite the fact that, as will appear later, I have many serious reservations about some of the major conclusions reached.

I also have to say this at the beginning of my remarks, that I regret that, of the 43 amendments submitted by the committee and by Members of the House seeking to change the Commission's proposals, only one is acceptable in principle, namely Amendment No 20, by Mr Cornelissen. The other 42 amendments are, I fear, not acceptable as they stand. Some of them contain, however, as I have said, some very interesting ideas which may merit further thought.

Of the four paragraphs in the motion for a resolution, which call for action by the Commission, we can accept the calls in paragraphs 14 and 43 and parts (b), (c) and (d) of paragraph 44. We can also accept in principle Amendments Nos 46 and 54 calling for action on interregional services.

The starting point for the Commission's proposals on aviation is our belief that although, clearly, there is always room for improvement in any system — and it does not matter whether it be in Europe, the United States or anywhere else — the way in which airlines and governments work and cooperate at present does bring benefits to many air travellers. I think it is foolish — if I may so, with respect — to discount that altogether as some honourable Members have done.

Let me just give a few examples of this. I understand the problem that Mrs Nielsen alluded to because I myself was 'bumped' in Vienna not very many weeks ago, and it is a pretty uncongenial experience. It is wrong that that sort of thing should happen to people. But there are benefits, and let me just give a few examples of those. Our Community airlines offer regular schedules and frequent flights at convenient times. They give travellers the freedom to switch flights without warning and without penalty. They make it possible for travellers to buy a ticket from one airline and to fly with another. So, in other words, by and large, the airlines do offer their passengers good value. We also believe that the changes that we propose will bring about a greater variety of services, and at a lower price, to even more travellers, thus benefitting passengers and the whole industry — workers and airlines alike.

### Clinton Davis

Accordingly, the Commission has designed a package of measures which builds on the present benefits, some of which I have outlined. It seeks to limit the various veto rights which Community governments and airlines use to block the introduction of lower fares or to restrict capacity. Progressive bilateral agreements, some of which have taken place, are, of course, very welcome. But as long as these veto rights remain it means that any move towards lower air fares or better services is at the pace of the slowest — and that is the problem. The less innovative airline or government would always have the final say, would always be able to deny passengers the best value for money — and that is our objection. The Community is not in business to protect monopolistic activities or cartel-like arrangements which can, and sometimes do, prejudice the interests of our citizens. Experience has shown that where innovative airlines are given the go-ahead, passengers do get a wider choice of fares, especially low fares, and routes. The same applies to services.

Experience has also shown that where governments take a progressive attitude, new possibilities open up; and increased traffic can mean airline and airport growth. That can mean more jobs too.

We also recognize that interplay between government and commercial action is crucial to the efficiency of air transport in the Community. That is why the Commission proposes changes both at the government and at the airline level. Action on one front and inaction on the other would almost certainly be ineffective.

I want to make this absolutely clear. It has been picked up by several honourable Members during the debate. We are saying in our package a clear *no* to a United States style deregulation. We refuse to bring about this sort of market free-for-all for a number of reasons. These include, first of all, the fact that, as has been said by a number of honourable Members, conditions in the United States are utterly different from those which exist in the Community. The United States has different social, economic and fiscal laws. The United States Government takes a different view, a more relaxed view, about the fate of any one of its national carriers. That is a fact of life. But it is equally a fact of life in Europe that national carriers are very important to many of the Member States. You cannot ignore these matters. If you want to make progress you have to face the realities of life, Lord Bethell, and not just tilt uselessly sometimes at windmills. I have to go to the Transport Council and I have to run into conflicting views and I have to try to arrive at a sensible and progressive settlement of ideas, and this is what we have to turn our attention to increasingly. Sometimes that is a most difficult task.

So instead of deregulation, the Commission has proposed an approach based on five elements. First, the Commission proposals give priority to improving air transport arrangements inside the Community and, at the same time, these proposals are compatible with

wider European and international systems. They do not interfere with arrangements between Member States and third countries.

Secondly, on fares, we want to relax existing rules to allow enterprising airlines to bring in lower fares, providing that such fares are genuinely cost-related.

Thirdly, we want to limit government interference in so-called capacity arrangements. But we recognize that total market domination by the airlines of one Member State would not be acceptable and so we propose to allow governments to intervene in these arrangements when the share of its airlines in traffic with another Member State falls to 25%. Now, clearly, the way in which we have gone about it is not immutable and this objective could be met in other ways. One of those, possibly, may be by refining the ideas advanced by Mr Klinkenborg and Mr Ebel as represented in Amendments Nos 39 and 49.

Fourthly, linked to these changes in the fixing of air fares and capacity, the Commission is prepared to exempt from the Treaty's competition rules, under certain conditions, some airline practices, for example, revenue sharing and consultations on fares. The exemptions we propose will be reviewed after seven years.

Fifthly, to guarantee that airlines compete under fair and equal conditions, the Commission is proposing comprehensive guidelines for the control of State aids in the air transport sector.

There are two other major considerations which were a constant part of the Commission's thinking: employment and aircraft safety. On employment, the Commission believes that the changes that it wants to bring about will not have a negative effect on employment or on working conditions. But I can well understand the concern expressed by the social partners at the prospect of change. I give this undertaking without hesitation: in this area and, indeed, in others for which I have responsibility, I will do everything I can to make a genuine dialogue with them, and indeed with the Parliament, a central feature of my approach to industrial issues.

In this context may I add that the Commission welcomes the idea in the Committee on Transport's report calling for a joint committee to be set up with representatives of the social partners.

The other concern which was uppermost in the Commission's mind was airline safety. Safety has been said during the course of this debate, and rightly so, to be a matter of paramount concern. The tragic events of the last few months, making 1985 the worst year in aviation history, have demonstrated the need for continuous vigilance. The main responsibility lies with national regulatory authorities and the existing expert international organizations. But I want to make abso-

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lutely clear too that the Commission will continue to give the fullest support to maintaining and improving levels of safety and security. And without commenting on individual accidents or incidents which are subject to very full investigation, I want to make the following points. Tighter and more efficient security checks at airports are an essential safeguard against terrorist activities. That may involve personal inconvenience, but that is of much less concern than the need to ensure that those security checks are effective.

Urgent studies are needed concerning the configuration of seats in aircraft, emergency evacuation procedures, hand-luggage regulations and their enforcement, the use of flame-retardant materials in the construction of passenger seats and the use of fuel additives designed to prevent kerosene from burning in a crash, of at least to limit the burning. Any barriers relating to the exchange at international level of vital security information has to be removed. I therefore turn to Mr Cornelissen, who raised this point, and say that what I have done about this is to write to the Community Transport Ministers listing a number of fields where the Commission considers urgent action to be necessary and pledging the Commission's full support on measures to maintain and improve passenger safety.

To sum up, the object of the Commission's package is to achieve cheaper fares and better services while safeguarding the interests of those working in the industry and safeguarding safety too. From what I have heard today and from what I have read in the Committee on Transport's report, these aims are widely shared by the Parliament. The debate today is not so much about objectives as about the means of achieving those objectives, and in this respect I have to say that I am disappointed with some aspects of the present report. I fear that the amendments proposed by the Committee on Transport and the motion for a resolution would not create sufficient impetus for change to bring about the objectives that we all desire. In short, I fear it is too supportive of the *status quo*.

In this regard, I would mention three specific points. First, the Commission has proposed that governments may only intervene in capacity arrangements when the share of its airlines falls to 25%. The Committee on Transport would amend this in a way which, I must say, loses all clarity by allowing governments to intervene where there is, 'a serious impairment of economic viability'. However, as I said earlier, I am interested in the later ideas that have been advanced by Mr Klinkenborg and Mr Abens.

Secondly, the Commission has proposed that certain inter-airline practices should only continue if government interference is reduced. The committee would give the Council a determinant role in the application of competition rules. I cannot accept that in the form proposed. It would vest extra power in an institution which, at the instance of this Parliament, the Court

has condemned for inactivity and inertia. It simply does not add up.

Thirdly, one of the conditions proposed by the Commission for exemption from competition rules is that, in any revenue-sharing arrangement between airlines, only a maximum of 1% of the pooling revenue could be transferred as compensation for scheduling losses. The report of the committee and, indeed, other amendments suggest 5%, which endorses the existing position and creates no incentive to change.

Therefore, in conclusion, I want to make it clear that the Commission is determined to bring about changes in the present system as quickly as possible. The Council has set itself a goal of taking the first decisions by the end of this year, and we spoke earlier about this during the debate on the Court's judgment. We are doing everything we can to make sure that this goal is achieved. I want to stress that if by next June the negotiation process launched by the memorandum is not seen to be working, then we shall have no option but to use other weapons. These weapons include direct action by the Commission against airline and government practices which it believes are contrary to free and fair competition. Already, to give a warning of our determination, we have taken a number of legal steps. However, trying to achieve our objectives through the Court is very much a second-best solution. We prefer, as a Commission, a balanced political approach, the sort of approach that we have proposed and which is now being considered by Parliament.

Let me conclude on a more optimistic note. Although discussions to date have been slower than we would have wished. I do believe that they show a significant degree of common ground on the need for change to the present aviation system and the direction such change should take. I think the detailed and creditable work of this Parliament's Committee on Transport, notably the hearings that it conducted last February, confirms this. Although we have much work still to do, the Commission believes that if Member States display the necessary political will, the Council can still take the necessary first decisions in principle on capacity and tariff systems by the end of this year. The Commission insists that the Council work to this end, and I hope we will have the support of Parliament in the realization of this aim.

(Applause).

**President.** — The debate is closed.

The vote will be taken at the next voting time.

(The sitting was suspended at 1.15 p.m. and resumed at 3.15 p.m.)

IN THE CHAIR: MRS CASSANMAGNAGO  
CERRETTI

*Vice-President*

**Mr Cicciomessere (NI).** — *(IT)* Madam President, I have been informed that the Enlarged Bureau has decided to alter the agenda that was approved by this Assembly. More specifically, on the agenda for Wednesday there was the joint discussion of a series of questions on South Africa, including the one tabled by me together with Messrs Pannella, Tortora, Amadei and Guarraci.

That question was tabled on the basis of the derogation from Article 42 of the Rules of Procedure, laid down by the Bureau. Well, it appears to me that, by a decision that objectively violates the Rules of Procedure, the Bureau has eliminated this question, declaring it inadmissible. I should like to point out that, once the Bureau of this Assembly has established a derogation regarding the deadlines and times of presentation, the regulations pursuant to Article 42 of the Rules of Procedure, which allow a group of at least 5 members to table a question, apply completely and in their entirety; and indeed the Assembly has included the question to which I refer on the agenda.

I should therefore like, Madam President, to have this information confirmed by you, since, if it is confirmed, the Non-attached Group would be prevented from taking part in this debate.

**President.** — I wish to state that all groups, including the non inscribed, will have the opportunity of tabling a motion for a resolution in the House. It was decided this morning and accepted by the author that Mr D'Ormesson's question would be withdrawn. Consequently, Mrs Cicciomessere's statements are not contradictory unless new elements have been added in the last few minutes. However, I shall make it clear as soon as possible what the situation is.

#### 4. *Convention for the navigation of the Rhine*

**President.** — The next item is the report (Doc. A 2-83/85) by Mr Van der Waal, on behalf of the Committee on Transport, on the proposal from the Commission to the Council

(Doc. 2-1746/84 — COM(85) 10 final) for a regulation laying down the conditions for access to the arrangements under the revised Convention for the Navigation of the Rhine relating to vessels belonging to the Rhine Navigation.

**Mr Van der Waal (NI), rapporteur.** — *(NL)* Madam President, ladies and gentlemen, under the Mannheim

Convention vessels of all nations have free access the River Rhine since 1868.

The Commission's proposal for a regulation concerning the revision of the Convention for the Navigation of the Rhine, which we are now discussing, seeks to impose certain restrictions on this free access. The proposed restriction is of vital importance to the inland waterway shipping sectors of the Member States of the Community. After all, the Rhine-Main-Danube link is expected to be completed in 1992, making the Rhine basin accessible to vessels from the Eastern Bloc state-trading countries.

If Western European inland shipping, which is already having to contend with a structural overcapacity in tonnage terms, is to be protected against excessive competition from these countries, restrictive provisions on the use of the Rhine are unavoidable. Strictly speaking, these are no more than formal legal provisions. However, for a correct assessment of their real importance the Rhine-Main-Danube link should be seen in the context of the present situation of the Community's inland waterway sector and the threat posed by the Eastern Bloc shipping companies when the canal is opened.

The project, which is of an impressive scale and complexity in engineering terms, the cost of which is being borne entirely by the Federal Republic of Germany and which is confined to German territory, is, of course, primarily important for the Federal Republic itself. It will open up certain parts of South Germany and, by linking them directly to the sea, greatly stimulate the economy of these regions and the development of their inland waterway ports.

But the canal will also link two international rivers and consequently perform a distinctly international function, not only because Switzerland and above all Austria will benefit but particularly because the 3 500-kilometre waterway will create an East-West link between the North Sea and the Black Sea. While the creation of this European waterway seems set to bring considerable growth in trade between Eastern and Western Europe, this gives rise to the problem that led to the proposal for a regulation. After all, once the Main-Danube Canal is open, third-country vessels will have direct access to the Rhine basin and two opposing politico-economic systems will meet. The link thus has not only its purely economic side but also major politico-economic aspects. While economic activity in the West is primarily based on free enterprise, the activities of the inland waterway fleets of most Eastern European countries are subject to government control. As a result, their premises in the area of transport practices are entirely different. Systematic price cutting, freight restrictions and unequal treatment of interested parties are typical examples.

It will be completely impossible for the Community's inland waterway carriers to protect themselves against

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these practices. Free access to the Rhine for the fleets of state-trading countries would therefore have disastrous consequences for Western European inland waterway carriers, who are already in a critical position due to structural overcapacity. This statement is substantiated by the difficulties Western European inland waterway carriers are now encountering on the Danube. Although the Belgrade Convention gives all vessels free access to this river, the policy of the state-owned companies is causing Western European carriers serious trouble.

To prevent a similar situation occurring on the Rhine, the Central Commission for the Navigation of the Rhine, which acts as the guardian of the Mannheim Convention and in which the countries that have signed the Convention are represented, has drawn up an additional protocol in consultation with the Commission of the European Communities. This additional protocol states that free access to the Rhine for transport between ports on the Rhine is restricted to vessels flying the flag of one of the Contracting States and having evidence to prove their nationality.

In a set of implementing provisions the Central Commission for the Navigation of the Rhine specifies the conditions which a vessel must satisfy to qualify for the document issued by the appropriate authority. There must, for example, be a genuine link between the vessels and the state concerned, as reflected, for example, in the ownership of the vessel and the place at which the owner is established. As transport on the Rhine comes under the Community's transport policy, the obligations and freedoms of the six Contracting States, five of which belong to the Community, should apply to the vessels of all the Member States. The implementing provisions adopted by the Commission for the Navigation of the Rhine should therefore be converted into Community legislation by means of a Council regulation. We assume here that the implementing provisions of the Central Commission for the Navigation of the Rhine will be included in the regulation as an annex. In this respect, we fully agree with the Economic and Social Committee and the Commission for the Navigation of the Rhine.

Discussions with the Commission have shown that it has no objections to this. The additional protocol entered into force on 1 February 1985, shortly after the Commission drew up its proposal for a regulation. This requires vessels navigating the Rhine to carry an authorization after a transitional period of two years, that is to say, from 1 February 1987.

To summarize, Madam President, we believe the regulation proposed by the Commission is a suitable instrument for protecting the Community's inland waterway sector against the competitive practices of undertakings in state-trading countries which do not operate in accordance with free market principles. The discussions between the Commission of the European Communities and the Central Commission for the

Navigation of the Rhine progressed satisfactorily, and in the same spirit we want to deliver a favourable opinion on the proposed regulation. I hope this Assembly will be as unanimous in adopting the motion for a resolution before us.

**Mr Schreiber (S).** — (DE) Madam President, first I would like to thank warmly Mr Van der Waal for his excellent report. He managed in his report to show up the very real threat to which inland navigation in the Community would be exposed by unrestricted access for fleets from the state-trading countries after the opening of the Main-Danube canal.

I am therefore very pleased that Mr Van der Waal concentrated in his report on describing the political and economic framework and not on the finer legal points of the Commission proposal.

So today we are discussing the economic problems of inland navigation companies in the riparian states of the Rhine. They will determine the fate of thousands of independent inland waterway carriers from Rotterdam to Basel whose livelihoods are threatened by the persistent structural economic crisis in the trade. Fewer and fewer goods are being carried by waterway and the freight capacity is being increasingly under-used. The freight tariffs cannot keep pace with the constantly rising operating costs and as a bitter result of this trend, many inland waterway carriers have to give up and sell their vessels.

Such cases are also increasingly frequent in the region I represent in the European Parliament. In the Rhine ports of the Lower Rhine, that is in the Duisburg, Krefeld and Neuss area, the effects of the crisis on the inland navigation market can already be felt clearly. The unrestricted access of fleets from the Comecon states after the opening of the Main-Danube canal would exacerbate the problems and the sufficiently well-known practices of the state shipping companies who push their way into the market by systematic price cuts and other artificial measures while not themselves observing the market rules would mean the economic ruin of many inland waterway carriers of the Rhine. We therefore endorse this Commission proposal, because it really shuts the door to the dangers indicated. We do not regard the Commission proposal as detrimental to the further development of East-West trade. The Socialist Group in particular has always called for *détente* and the expansion of economic relations between the two blocs in our divided Europe. We also have great understanding for the attempts by the Comecon states to balance their deficit trade balance with the West. But this can and must not mean the destruction of entire economic branches in the Community or that undertakings from the state-trading countries create unilateral advantages for themselves on the market by means of practices which distort competition, while not recognizing or observing the market laws themselves. We endorse the Com-

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mission proposal and the van der Waal report because we want to guard ourselves against that threat.

**Mr Ebel (PPE).** — *(DE)* Madam President, ladies and gentlemen, in my group's view the underlying theme of Mr van der Waal's report, namely restricting the freedom of Rhine navigation, is of vital importance since as we know, for years now, if not for decades, Western European inland navigation has had to combat the problem of structural surplus capacity, which means that the addition of new freight capacity — and here, as we have heard, it is a question mainly of shipyards from the Comecon countries which will penetrate the Rhine in 1992 after the opening of the Rhine-Main-Danube canal — is bound to have a fatal effect on this crisis-ridden branch of the economy. The Commission proposal must be seen against this background; its aim is to protect the Community's inland fleet by restricting the former freedom of Rhine navigation according to the following criterion: only vessels belonging to the Rhine Navigation will in future be entitled to transport goods on the Rhine. This membership requires a genuine link between the vessel and the contracting state and, as we have heard earlier, the contracting states of the Rhine Navigation Convention are the United Kingdom, Switzerland, the Netherlands, Belgium and the Federal Republic of Germany. The only investigation criteria are the nationality of the owners, the co-owners, the company, the share-holders and others concerned.

As the rapporteur emphasizes, quite rightly we believe, this rule is an essential requirement for our inland navigation and in our view it fully satisfies the justified demands for protection. It is not — and here too we agree with the Member of the Socialist Group, and the report also emphasizes it — meant as an impediment to the further intensification of EEC-COMECON trade relations of which this House has always been in favour, since we all realize that intensification of these relations is one of the basic preconditions for the re-integration of our continent. But until we can find a fundamental solution to the problems which are piling up between these two European economic areas in the field of transport, based on the principle of justice, we must be bound to protect our modes of transport against a competition which does not operate according to market economy rules and which is unilaterally favoured by different economic and social structures. In our view the Commission proposal and the report on it by Mr van der Waal — whom I must warmly congratulate — therefore deserve our unconditional support and may I ask this House on behalf of my group not to fail to endorse this report.

**Mr Wijsenbeek (L).** — *(NL)* Mr Van der Waal has spoken about the Rhine Shipping Act, and I am curious to hear what else Mr Van der Lek has to say in his wake. To be serious, Madam President, I should like to express my group's heartfelt approval of Mr

Van der Waal's proposal. I have two comments to add. The first is that, as Mr Van der Waal has so rightly said, the situation in the European Community's inland waterway sector is particularly alarming. This applies not only to the East-West links, Madam President, but even more so to the North-South links. For Belgian inland waterway carriers the present situation is especially difficult. When we see that we may face even greater difficulties as a result of the opening of the Rhine-Main-Danube Canal, I will just point out that we are seeing our sea transport market going to the dogs because of unfair, subsidized competition from the Eastern Bloc state-trading countries. We must avoid this situation, especially in view of the present state of the inland waterway sector. The Van der Waal report therefore has my full support. I wish Mr Van der Waal luck with it.

**Mr Ulburghs (NI).** — *(NL)* Madam President, I have read the Van der Waal report very carefully and with a great deal of interest. I therefore congratulate Mr Van der Waal on his report. It is a good report, which rightly reflects the serious concern felt for the European inland waterway sector in general and the carriers in particular. In this context, he expresses his fear of what he calls unfair competition from the Comecon countries that have a state shipping sector. I can certainly understand his fear, but I should like in this connection to raise a few objections to his statement.

The world is unfortunately divided into two power blocks, facing each other strategically, militarily and economically. Europe lies in the centre of this universal power struggle. If an all-destructive war breaks out, old Europe will in all probability be the battlefield. The Rhine and Danube would probably run red for the last time. Through old Europe flow these two magnificent rivers, one to the East, the Blue Danube, the other to the West, the romantic Rhine. If these rivers could speak, they could recount the whole history of old Europe. If these rivers could sing, they would sing the most beautiful songs and symphonies.

Madam President, I am sorry I have waxed lyrical. To the matter in hand. These two rivers are to be linked. This will be a historic moment, and we should rejoice. Indeed, we find that in the past peoples and cultures met as they passed along waterways, which led to trade. By exchanging the products of their labour, peoples grow closer and get to know each other.

Mr Van der Waal's excellent report reflects his fear that the red peril will result not only in unfair competition but also in the spread of red ideas, with the Rhine used, like the Danube before it, as a red carpet. My proposal is this: firstly, the East-West waterway should be used as an honest trading route, on which East and West will have a unique opportunity to negotiate with respect for each other. Both will derive economic benefit from this, through an agreed code of conduct, through treaties and controls. This will be a difficult task, of course.

## Ulburghs

Secondly, the East-West link can be a unique and fine way for people to meet each other, not only for trade but also for cultural exchanges. Tourists from both sides, travelling along the beautiful banks of these rivers and through their historic towns, could transform this waterway into a way of peace.

Thirdly, this waterway is far cheaper and less harmful to the environment than the heavy, expensive and polluting motorways. There is no singing and dancing on motorways. I therefore call, Madam President, for the encouragement of travel along the Rhine and Danube and for good agreements, so that these two rivers may become carriers of freedom, justice and peace and perhaps a Europe that stretches from the Atlantic to the Urals.

**Mr Fatous (S).** — (FR) Madam President, ladies and gentleman, this report, dealing with a worrying situation for which measures are urgently needed, received the almost unanimous support of the Committee on Transport.

Shipping has suffered considerably on account of the economic crisis and the development of industrial and production patterns. There could be disastrous consequences, particularly since the opening of the waterway between the Rhine and the Danube, if measures are not taken to check transport operators from Eastern-bloc countries. We cannot stand idly by and allow dumping, freight restrictions and unequal treatment.

Community shipping should be protected. A prime place in a common transport policy should be given to inland shipping which offers many advantages — a high degree of safety, little risk of pollution and relatively low energy consumption.

We shall support the proposals made in this report, which we consider satisfactory.

**Mr Clinton Davis, Member of the Commission.** — Madam President, I would like to start by thanking the rapporteur, Mr Van der Waal, and also the Committee on Transport for the excellent report and for the draft resolution recommending approval of the Commission's proposal. Indeed, I am able to limit myself to a few observations because, happily, Mr Van der Waal has deployed most of the salient arguments which I would have sought to utilize myself. I hope that is a healthy precedent.

The economic and political importance of the Main-Danube Canal is clear. Its probable completion in 1992 will be an important moment in the history of transport within the Community and, indeed, for the links that have to be forged with Eastern Europe. Our proposal limits the transport between ports on the Rhine or its tributaries to vessels from Member States and Switzerland. These vessels have to be protected from

competition by those from Eastern Europe which could otherwise carry out these operations whilst on an international journey. Now there is no question of excluding them from access to the Rhine for trading, although it would be useful in any appropriate agreements made with East European countries to ensure that their vessels participate fairly in this sector. That surely is a most important factor.

I note the wish in the draft resolution to change the structure of the proposed regulation in order to incorporate, as an annex, the implementing provisions adopted by the Central Commission for the Navigation of the Rhine. The Commission can accept this solution, which does not modify the content of the proposed regulation and which has also been asked for by the Economic and Social Committee.

Finally, though this is not directly linked with the proposed regulation, I note that in the draft resolution there is a reference to the resolutions of Parliament of 1979 and 1984 on measures to deal with over-capacity and the reorganization of the market so as to limit access, to regulate chartering and prices and to limit the operation of boats by means of temporary immobilization. On this point, I will content myself with recalling the policy of the Commission in this field as set out in the communication 'Progress towards a Common Transport Policy'. The Commission will support reductions in capacity, but it does not consider it necessary to control access to the inland waterway market. On the contrary, it considers that uniform conditions should be set for access to the profession of inland waterway carrier and, indeed, the Council already has a proposal from the Commission on this.

**President.** — The debate is closed.

The vote will be taken at the next voting time.

## 5. VAT relief to German farmers

**President.** — The next item is the report (Doc. A 2-87/85) by Mr Prout, on behalf of the Committee on Legal Affairs on citizens' rights on certain legal problems relating to the consultation of the European Parliament on the granting of VAT relief to German farmers to compensate for the dismantling of MCAs.

**Mr Prout (ED), rapporteur.** — Madame President, under Article 155 the Commission is the guardian of the EEC Treaties. Amongst its other responsibilities in this role, it must ensure that all the institutions act within the law, if necessary by resorting to the Court of Justice under Articles 173 and 175. It is Parliament's task, in its supervisory role, to make the Commission exercise its powers in a politically responsible way. As a last resort, Parliament may, by virtue of Article 144,



**Prout**

censure the Commission for failing to do that. As an alternative to acting indirectly through the Commission, Parliament may use such legal powers as it has to act directly against an offending institution by resorting to the Court of Justice itself. Indeed, this is precisely what happened in the isoglucose and transport cases.

The Commission has for a long time sought to abolish MCAs because they are incompatible with a common Community price structure for agricultural products. It has always been clear, however, that their abolition would lead to certain farmers, German in particular, losing income. The Commission, therefore, decided that the phasing out of positive MCAs should be accompanied by measures, operating through the VAT mechanism, to compensate for such income losses. On 6 November 1983, it submitted a proposal to amend Regulation No 974/71, the regulation originally establishing the MCA system. In particular, compensation was to do no more than balance income loss, to be degressive and to be temporary. On 15 March 1984 Parliament approved the proposal, emphasizing that if the Council were to make any substantial amendments it would have to be reconsulted.

On 31 March 1984 the Council adopted Regulation No 855/84. It bore no relationship whatsoever to the Commission's original proposal. Astonishingly, as Mr Beumer said in the European Parliament debate on 13 December 1984, not a single one of the criteria mentioned by the Commission is to be found in the regulation adopted. It is, in the view of the Committee on Legal Affairs and Citizen's Rights, impossible to imagine a more blatant contravention of the principles laid down by the Court of Justice in the isoglucose case. There, the Council had adopted Regulation No 129379 in relation to none of whose terms Parliament had delivered its opinion. In this case the Council adopted Regulation No 855/84, in relation to whose terms Parliament has delivered its opinion in part only.

Substantial change, amounting to an obligation to reconsult, may result equally from subtraction from or addition to a Commission proposal or a combination of the two. Clearly, the removal by the Council of every single criterion for giving the aid in question proposed by the Commission and approved by Parliament, substantially alters the measures finally adopted. The addition of Article 3, setting compensation at 3%, gives rise to an equally fundamental alteration. The Legal Affairs Committee is confident that the Court of Justice would hold that Regulation No 855/84 is void.

Inexplicably, the Commission, knowing of the Council's intentions, failed to withdraw the proposal before adoption — as they have a right and duty to do. Inexplicably, once the measure was adopted, they failed to attack it in the Court under Article 173, as they have a right and duty to do. We, I fear, must also bear some of the blame. During the period of two

months after the publication of Regulation No 855/84, the time granted by the Treaty to institute proceedings under Article 173, we never pressed the Commission to act, as we have a duty to do as its political supervisor.

At the Fontainebleau meeting of 25 and 26 June 1984, the European Council decided that it wished to enable the VAT relief for German farmers to be increased from 3% to 5%. In his speech to the European Parliament on 13 December 1984, Commissioner Tugendhat said that 'when invited by the Council to propose a modification to Regulation No 855/84 to increase the maximum to 5%, the Commission declined. We declined, he said, 'because we did not believe that the change was justified'. Nevertheless, the Council went on to adopt the increase by Decision 84/361 four days after the Fontainebleau Summit.

How did they do it? Well, the Council circumvented the Commission's refusal to cooperate by using Article 93(2), third subparagraph, as a legal basis for its decision. Most conveniently, decisions by the Council under this article require the participation neither of the Commission nor of Parliament. It states that on application by a Member State the Council may, in exceptional circumstances, decide that national aid shall be considered to be compatible with the common market in derogation from the provisions of Articles 92 to 94. It is clear that Article 93(2) may only be used as a legal basis by the Council to permit the introduction of national measures derogating exclusively from the terms of Articles 92 to 94. It cannot be used, as it was in this case, as a legal basis for measures derogating from other provisions of Community law by purporting to amend legislation based on such provisions. Decision 84/361 requires the application of Articles 43, 99 and 100. In each case the Treaty requires Council decisions to be taken on the basis of a proposal by the Commission after consulting the Assembly.

There is in fact, Madam President, a second reason why Article 93(2) cannot be used as a legal basis for this decision. By Article 42 of the Treaty, Articles 93(2) shall apply to the production of and trade in agricultural products only to the extent determined by the Council within the framework of Articles 43(2) and 43(3). The Council has never so determined.

Astonishingly, the Commission did nothing. Once again, in breach of its duty under Article 155, the Commission failed to bring infringement proceedings against the Council under Article 173 within the two-month limitation period. And, I am sorry to say, Parliament again failed to press the Commission to take such proceedings as we are obliged to do by virtue of our role as political supervisor.

On 29 June 1984, Germany adopted legislation providing for the immediate application of the measures contained in Regulation 855/84 and Decision 84/361.

**Prout**

Even had the regulation and the decision been properly adopted by the Council — which they were not — these German measures would have been illegal. Why? Because the government had acted without waiting for the necessary changes in the Sixth VAT Directive to make their measures compatible with it.

The Commission, grasping this point, proposed appropriate amendments to the Sixth VAT Directive in its proposal for a 20th VAT Directive. In its report on the proposal — the now legendary second Beumer report — Parliament expressed grave reservations, in particular that VAT concessions must only be made on the basis that their fiscal impact was neutral and did not affect the calculation of Community own resources.

It became clear from its meeting of 11 June 1985 that the Council intended to depart from Parliament's opinion. Nevertheless, the Council informed Parliament that the conciliation procedure need not be applied as the directive proposed would not have appreciable financial implications within the meaning of paragraph 2 of the Joint Declaration on Conciliation procedure of 4 March 1975. The 20th Directive was adopted on 16 July and published on 25 July 1985.

Madam President, the joint declaration is a contractual agreement between the three institutions. The parties agree to initiate the procedure for Community acts of general application which have 'appreciable financial implications'. The legal status of the declaration is still unclear. It seems, however, from the analysis of the Court of Justice that the test as to whether a Community measure has appreciable financial implications is an objective one. It is not enough for the Council simply to say that it does not believe that it does.

But if, on the basis of the objective test, the Council is in breach of the terms of the declaration, does Parliament have a remedy? The committee believes that it may well do so on the basis of the Court's well-established doctrine of legitimate expectation. By virtue of the joint declaration, the Council has agreed to invoke the conciliation procedure in certain objectively defined circumstances. In reliance on this undertaking, Parliament has passed a resolution on the 20th VAT Directive thereby concluding the consultation procedure. It is quite clear from the terms of its resolution that Parliament believed — and the Council did nothing in the course of Parliament's proceedings to lead Parliament to question that belief — that the conciliation procedure would be invoked before the measure was adopted in its final form. If Parliament had known that the Council was not going to respect the provisions of the joint declaration, it would not have voted its resolution. It would have applied Article 36 and sent the whole matter back to committee. Therefore, Parliament has acted to its detriment in believing that the Council would respect its agreement, which it has not done. In other words, the legitimate expectations of Parliament have been disappointed.

How can we extricate ourselves from this frightful mess? It is too late, as I have said, for the Commission to bring Article 173 infringement proceedings against the Council in respect of either the regulation or the decision. The two-month limitation periods are long past. It is not, however, too late to bring such proceedings against the Council in respect of the 20th VAT Directive. The two-month limitation period will not be up until 25 September. Moreover, such an action will not only call into question the Council's refusal to open the conciliation procedure; it will also invoke the validity of the regulation and the decision because they form part of the legal basis for the 20th Directive. The Committee on Legal Affairs and Citizens' Rights believes that Parliament has a duty to ensure that the Commission acts to enforce the rule of law.

Can Parliament itself take legal measures? We have already allowed one opportunity to slip by. The legality of Decision 361/84 has been referred to the Court of Justice in a private action. By virtue of Article 37 of the Statute of the Court, we may intervene in cases before the Court, as we did in isoglucose. However, the limitation period for such an intervention expired on 27 February 1985. There remains a possible action under Article 175, to which no limitation period applies, on the grounds that the Council has failed to correct the illegalities inherent in the regulation and the decision. The committee wishes to consider this approach further before recommending any action from Parliament. If the Commission does what we ask it will not be necessary.

Why has the Commission allowed all this to happen? One can only speculate. Is it political cowardice in the face of the Council? Is it contempt for Parliament? Or is it just sheer incompetence? We simply do not know. It is probably a mixture of all three. But we ourselves must take some share of the blame. We remained silent in the face of all this when there was so much we could have done to prevent it. What were we doing? For much of the time we were talking about acquiring more powers. If we spend more time worrying about the present and less talking about the future, we may find that the future looks after itself.

*(Applause from the right)*

**Mr Beumer (PPE)**, *draftsman of the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy*. — (NL) Madam President, monitoring is one of the most important functions Parliament has to perform, and I welcome the fact that in cases of doubt Parliament's committees quite often ask the Legal Affairs Committee to establish whether the Council and Commission have a legal basis for their actions. I should like to thank the Legal Affairs Committee's draftsmen, Mr Prout, for his in-depth examination of this question.

There are three points to which I should like to draw attention. The first concerns Regulation 855/84,

**Beumer**

which was adopted by the Council on the basis of a proposal from the Commission without Parliament being consulted, even though new, fundamental elements, namely the level of support and the use of VAT, had been added to the proposal. Parliament was not consulted on these important new elements, and I think that was a serious omission.

Secondly, I should like to say something about the decision of 30 July 1984. I agree with the rapporteur that — as we had assumed, but it seems certain now after Mr Prout's statement — what we have here is the improper application of Articles 93(2). Under Articles 93(2) national support measures may be declared to be in accordance with the common market. But the measures provided for in the decision we are now discussing cover a far wider field. I would point out, for example, that this decision anticipates a piece of Community legislation, an amendment to the sixth directive, in which the Commission and Parliament must certainly be involved. I therefore think that the Council has acted wrongly here and that the Commission should have refused to propose a twentieth directive, because it did not have the right to do so.

The third point concerns conciliation. The Council says that conciliation with Parliament was not needed because there were no major financial implications. But the Commission's proposal says that, if its methods are not adopted, the financial implications will be serious. The Council did not apply the Commission's methods, and Parliament may therefore claim that there will indeed be such financial implications. I would also refer to an arithmetical example in the second report of the Committee on Economic and Social Affairs, which even the Commission has accepted as being relevant and which also shows that there will be serious financial implications. Now the Council is saying, 'We have received guarantees from the German Government that will prevent these financial implications from occurring.' If that is the case, Parliament should at least have been consulted after the Commission's proposal on this point had been accepted. It could then have formed part of the conciliation between the Council and Parliament. But as that did not happen, Parliament must continue to assume that there will be serious financial implications.

Madam President, with its resolution Parliament has delivered its opinion on the twentieth directive with a reservation. Now that I have heard Mr Prout, I believe this reservation must be followed by action, provided Mr Prout's report and especially paragraphs 6 and 8 are adopted. In my opinion, the Commission must then submit new proposals for this directive, because it is clear, in our view, that the legal basis does not exist for gaining acceptance for what has now been set in motion.

## IN THE CHAIR: MR NORD

*Vice-President*

**President.** — As laid down in the agenda adopted by Parliament, the debate will now be interrupted and continued tomorrow morning.<sup>1</sup>

6. *Action taken on the opinions of Parliament*

**President.** — The next item is the statement by the Commission of the European Communities on the opinions and resolutions of the European Parliament.<sup>2</sup>

**Mr Cryer (S).** — I would like to ask, with regard to pages 10 and 11 of this report, why there seems yet again to be an emphasis on financial aid to countries in difficulty, and with regard to the previous report why there was even more cereal aid given on the last occasion that the Commission reported. In this report the actual physical food given amounts to about 3 000 tonnes of milk powder and 16 000 tonnes of cereal. Will the Commission accept that in view of the huge food stocks which exist, there ought to be much greater pressure from the Commission to provide food rather than financial aid, and could he give an explanation as to what is likely to happen in the future?

**Mr Varfis, Member of the Commission.** — (GR) Mr President, the difference with respect to the Commission's previous statement in no way heralds a change of policy. The decisions made are being implemented. However, there are many transport problems, and many delays. The difference in question is symptomatic of this, and it is highly probable, in accordance with the Commission's general position which the European Parliament has often debated, that next month we shall see a different picture.

*Question Time*

**President.** — The next item is the first part of Question Time (Doc B 2-790/85).

We shall begin with the question to the Commission.

As the author is not present, Question No 1 will be answered in writing.<sup>3</sup>

Question No 2 by Mr Lalor (H-761/84):

Subject: Lung cancer and smoking

<sup>1</sup> *Topical and urgent debate (announcement):* see Minutes.

<sup>2</sup> See Annex.

<sup>3</sup> See Annex 'Question Time'.

**President**

From the pathological aspect the Commission notes that cigarette smoking is responsible for most cases of lung cancer (11 times more frequent than in non-smoking). It also predicts that more than 1 million deaths from lung cancer are to be expected before the year 2000.<sup>1</sup>

Will the Commission now indicate what progress is being made in relation to its communication to the Council on health-related problems, particularly in this case smoking and will it furthermore outline the difficulties that exist at Member State level that would prevent common action at Community level?

**Mr Sutherland, Member of the Commission.** — The matters referred to in the question raised by Mr Lalor were, in fact, discussed by Health Ministers on 29 November 1984 at the Brussels Council and in Venice on 4 May 1985. Interest was expressed on both occasions in addressing the problem of diseases due to smoking, together with drug and alcohol abuse, within a framework for cooperation. The importance of effective anti-smoking measures was generally accepted and whilst there was a genuinely positive reaction to the point of view which was expressed by the Commission as to the importance of cooperation and coordination, difficulties were also identified having regard to different stages of development of programmes in the Member States. More recently at its meeting of 28 and 19 June in Milan the European Council emphasized the value of launching a European action programme against cancer which should include the harm caused by tobacco.

**Mr Lalor (RDE).** — There is quite a smokescreen developing in relation to this, even including cover for the Council, from the Commission. I want to ask the Commissioner whether he would agree that this non-reaction, or non-action, by and from the Council on this urgent issue is simply not good enough. In addition, in the light of the extreme seriousness of an ever-increasing number of fatalities from lung cancer as a consequence of smoking, will he as the Commissioner responsible for action make more sustained and positive efforts to get across to careless and callous member governments and their Ministers for Health and Economics that where human life and business interests clash should not be one element of doubt as to where their responsibilities lie?

**Mr Sutherland.** — Having regard to the competence of the Community institutions in the field of health, the Commission is inhibited in what it can do. However, let me first of all say in reply to Mr Lalor's supplementary question that no more sustained efforts could be made than have been made consistently by

the Commission during the course of the last six months and, indeed, before that, to bring about greater coordination in this particular area. So the Commission has nothing to apologise for. Quite the reverse. The Commission has been extremely active in this field. Without in any sense trying to suggest that the Member States have reacted as fully as they might in coordinating policy, it is to be pointed out that there are specific difficulties in this field which have to be taken account of. There is as yet little in the way of a coherent general policy or coordinated action, and this to some extent is a result of the fact that in different Member States the control of advertising in marketing and the whole process of education in this field is conducted in different ways. In some places, it is achieved by voluntary agreement and restraint; in others, there are legislative requirements. The Commission is pushing vigorously to bring about a coordinated position which can help to alleviate some of the risks to health which have properly been adverted to by Mr Lalor in a supplementary question.

**Mr Sherlock (ED).** — Could the Commissioner give us his view on the probability of addressing those governments whose revenue contributions are numerically several times the size of the profits actually made by the tobacco-selling organizations? Income from this source is in many Member States a very significant contribution to their revenue.

**Mr Sutherland.** — It certainly cannot be said that this issue has ever been adverted to by Health Ministers as a reason for the lack of coordination or movement in the field of health and cigarettes. Fiscal policy may or may not be an inhibiting factor as regards movement in Member States. I cannot comment on that. All I can say is that in the discussions at the Council which I have attended, there appears to be a genuine intention to coordinate and to bring about health education programmes and, indeed, some coordinated response to advertising in respect of cigarette sales.

**President.** — Question No 3 by Sir James Scott-Hopkins (H-2/85):

Subject: Cooperation between national governments in the investigation of commercial fraud.

To ask the European Commission what efforts it is making to ensure that cooperation between national governments in the investigation of commercial fraud is increased and does it share my view that such a development would be consistent with both the letter and the spirit of the Treaty of Rome with regard to encouraging the free movement of capital within the Community?

**Lord Cockfield, Vice-President of the Commission.** — Commercial fraud is a wide-ranging term that can have an impact on many areas of economic activity. It

<sup>1</sup> Bull. EC 9-1984, p. 9 1.2.5.

**Cockfield**

is not clear what specific aspects the honourable Member has in mind.

As far as fraud committed by an individual or a commercial undertaking is concerned, the prime responsibility for dealing with this lies with the Member States in accordance with their own national laws.

As far as fraud relating to Community funds is concerned, in certain areas such as customs and agriculture, arrangements are in operation for Member States to provide mutual assistance and information. In addition, directives providing for mutual assistance in the field of direct taxation and recovery of VAT debts have been in existence since 1977 and 1979 respectively. More recently, in November 1984 the Commission submitted proposals to intensify cooperation between tax administrations of Member States on international tax evasion and avoidance.

In the field of trade and goods, the Commission proposed a regulation in December of last year which would provide for cooperation between national administrations in preventing counterfeit goods from penetrating the Community's external frontiers.

In the case of fraud affecting the financial interests of the Community, the Commission has put forward a proposal to amend the Treaty to permit the adoption of Community rules on the protection under criminal law of the financial interests of the Community. This is under discussion in the Council. In general, the Commission believes that completion of the internal market will require further cooperation against commercial fraud, whether associated with capital movements or otherwise.

**Sir James Scott-Hopkins (ED).** — I shall need to study that reply before making a really worthwhile comment on it. Would the Commissioner not accept that with the advent of the more sophisticated methods of communication that exist today, the possibilities and, indeed, the facts of commercial fraud over the frontiers of the Community are increasing and that therefore there is an even greater need than he has said in his reply for coordination at Community level in order to deal with these frauds, which are, at the moment, sapping confidence in the inter-Community trade which exists at the moment.

**Lord Cockfield.** — I entirely agree with what the honourable Member said in the first part of his supplementary. It will be necessary to consider very carefully what further measures are necessary against commercial fraud in connection with the free movement of capital inside the Community. However, I think it would be wrong not to free the movement of capital because of the risk of fraud. The matter ought to be dealt with the other way round — that is to say, it is important to provide for the freedom of movement of

capital and, as a consequence, to take additional measures against commercial fraud. However, we are very well aware of the problem.

**President.** — Question No 4 by Mr Rogalla (H-24/85);

Subject: Framework agreement with Canada

In the light of this agreement, what is the Commission's assessment of technical and political developments and the current situation in the trade disputes between the Community and Canada (involving footwear and beef)? When will these disputes be settled?

**Mr Clinton Davis, Member of the Commission.** — Article 11 of the framework agreement stipulates that

'the parties shall cooperate at the international level bilaterally in the solution of commercial problems of common interest'.

It was in this context that the Commission earlier this year pursued the solution of two trade problems with Canada. They concerned Canadian import restrictions on footwear and beef.

In the case of footwear the Community and Canada came to an agreement under GATT Article 19. This agreement was signed on 30 April and concerned compensation for the trade loss which the Community is suffering as a result of the extension by one year of Canada's import restrictions. With regard to beef, after consultations under Article 19 a negotiated settlement was reached, signed on 6 June, whereby the Canadian Government opened a quota of 10 668 tonnes instead of the 2700 tonnes originally offered for Community beef exports in 1985. The solution of these two problems has already contributed to a considerable reduction of tension between the Community and Canada. My colleague, Commissioner De Clercq, who has responsibility for these matters, has regular meetings with the appropriate Canadian Ministers, with whom he has developed a very good working relationship.

**Mr Rogalla (S).** — (DE) I am not very satisfied with this answer because it does not contain an assessment. Surely the Commissioner must be aware that the purpose of this question was to find means to combat the threat of the increasingly economic and technical nature of our relations with a partner such as Canada. So I would like to ask: what does the Commission intend to do to establish political relations with Canada in order to gain Canada as a political partner, e.g. in our negotiations and talks with the USA? The key words here are: Nicaragua and star wars.

What does the Commission intend to do in order to go beyond the framework agreement and introduce a

**Rogalla**

dimension into our Community which will make political relations with the Third World and Canada possible?

**Mr Clinton Davis.** — Our intention, as is evidenced by what I have already said, is to foster the best possible relations with Canada. I think it is a happy feature of what has happened that some very difficult problems appear to have been resolved — I hope permanently.

As to the broader issues raised by the honourable Member, these do not fall strictly within the question which he has tabled. Perhaps it would be more appropriate if he were to put down another question to my colleague, Commissioner De Clercq, on those broader issues. We have, as a Commission, already expressed a view in this House on one of the matters to which he has alluded, namely, Nicaragua.

**Mr Marshall (ED).** — Referring to the framework agreement with Canada, one of the factors which does influence relationships between this country and Canada is the annual Canadian seal cull which many find abhorrent.

Can the Commissioner, whose remit also includes such matters, indicate what progress there has been in ensuring that the ban on sealskin imports becomes permanent?

**Mr Clinton Davis (ED).** — We debated this issue in this House, and the position of the Commission has been made quite clear. There are difficulties in this regard as far as the Canadian Government is concerned, but it is our intention to seek to persuade that what we are doing, what we are seeking to do, is reasonable. What has been put to the Council of Ministers is a reasonable approach to these matters, and I hope that the Canadian Government will take a rather more benign view of these matters than they have in the past.

It is true, of course, that a Royal Commission has been established by the Canadian Government to investigate these matters, but we did not see that as any reason to change the views that we had expressed, to which we in fact attach very considerable importance.

**Mr Zahorka (PPE).** — (DE) Mr Commissioner, will you take note that after the last meeting of the inter-parliamentary delegation of the European Parliament with colleagues from the Canadian Parliament in the framework of the negotiations with Canada, the Commission must in my view consider three points: firstly, that this framework agreement does not contain any follow-up mechanism nor any advance warning system for what might be called the trade policy irritations that always arise to a minor extent in these relations — e.g. in the case of seed potatoes and other questions of

international policy detail—although the Canadians have far greater expectations of us than we have been able to fulfil to date. Secondly, the capacities are not filled, and thirdly Canada wants to diversify towards Europe in view of the high volume of trade with the USA.

In this context, is the Commission prepared to make the appropriate changes at the 1986 Tenth Anniversary?

**Mr Clinton Davis.** — I am grateful to the honourable gentleman for advising the Commission on the lines that he has. No doubt my colleague will consider very carefully what he has said. With regard to the absence of an advance warning system, I only wish that advance warning systems were able to anticipate all problems and that they were already in place in respect of every single potential problem. I fear that is not the case.

The only really effective way of building up increased confidence between Canada and the Community is, in my belief, to carry on along the lines that my colleague, Mr De Clercq, has followed, namely, to hold regular meetings with Canadian Ministers. I think that represents the best way to anticipate potential problems that arise. So much is a matter of confidence and trust, and it is in those regards that Commissioner De Clercq is continuously working.

**Mr McCartin (PPE).** — I am sure the Commissioner is aware of the importance of beef exports to the Irish economy. As the Commissioner is aware that Ireland suffered the major loss in the breakdown of these agreements, could he tell us specifically whether Ireland's share of the European contract for beef with Canada will be increased or reduced as a result of the agreements with Canada which have just been concluded?

**Mr Clinton Davis.** — Not without notice. No doubt, therefore, the Member will take the appropriate action of putting down a question for a written answer.

**President.** — Question No 5 by Mr Elliott (H-35/85):

Subject: International regulations limiting aircraft noise.

Is the Commission aware that a recent public report in the UK (the Eyre Report) recommended a massive further extension of London (Heathrow) Airport, involving the building of a new terminal and runway, together with a large growth in aircraft movements at Stansted Airport. Both these proposals are causing grave concern amongst local residents in the London areas because of the serious environmental consequences, notably an increase in aircraft noise. In the light of this can

**President**

the Commission state what the current situation is over the adoption of international regulations limiting aircraft noise and what actions it can take, if developments such as proposed for London are carried out, to ameliorate the resulting environmental damage.

**Mr Clinton Davis, Member of the Commission.** — The possible expansion of Heathrow and Stanstead airports clearly fall within the responsibility of the United Kingdom Government. As far as aircraft noise is concerned, the Commission fully appreciates that this can and does cause acute distress and the Community has played its full part in seeking to reduce it. Two directives on the subject have been adopted, one in 1979 and the other in 1983. Within the Community these directives give the force of law to the recommendations on noise levels set down in Annex XVI of the Chicago Convention. It is moreover our intention to make these rules apply to all aircraft entering the Community from 1988 onwards, an action which will further reduce the overall level of noise. Since the directives were adopted, a number of requests for exemptions have been received from Member States but, except in highly specific circumstances, these requests have been rejected. I would add that all civil subsonic jets above 20 tonnes already registered without noise certificates must be modified to meet the appropriate Annex XVI noise standard or be replaced by December 1988. Exemptions may be granted if the aircraft is to be replaced by one meeting the most stringent of the Annex XVI standards. This should encourage the purchase of the quietest aircraft, an objective which lies at the heart of the Commission's approach to this matter.

**Mr Elliott (S).** — That was a very helpful answer. But what we have heard from the Commissioner really relates to the problem of noise from different types of aircraft. There is also the problem of increased nuisance that arises from expansion of aircraft movements either over a larger section of the 24-hour period or by the adoption of flight paths which mean that additional areas will suffer noise nuisance. Is there anything in the existing directives or any proposed extension of those directives that can in any way prevent further nuisance which may be caused by increased movements and extending the time at which flights take place and the areas affected by flight paths?

Can I further say that one of the excuses which is given, not only in Britain but in other countries, for the supposed need to enlarge and extend airports is that if we do not do it, a neighbouring country will do it. I would have thought that by proper enforcement of directives on aircraft noise, it might be possible to avoid the problem of being told if we do not increase aircraft movements, expand our airports, then other countries will do it and we will suffer. Can those directives be used to try and prevent this problem?

**Mr Clinton Davis.** — I do not think the directives can be used to deal with the problems raised by the honourable Member. But I can assure him as one who has at one time had responsibility in the United Kingdom for dealing with aviation, that I am very sensitive to the problems that he has raised. Of course, these affect thousands upon thousands of people. But essentially questions of aircraft movement around and about airports and the question of the use of particular flight paths must be a matter for the regulatory authorities in any particular Member State.

**Mr Sherlock (ED).** — Some of the most effective interventions made by this Community have been in the field of aircraft noise. They are acknowledged internationally to be among some of the best proposals ever made with a view to the implementation of Annex 16. In congratulating the Commission on initiating this, I would merely ask if it has any further proposals, particularly in the range of sonic level aircraft noise and perhaps, whether development should go on, in the range of supersonic aircraft noise.

**Mr Clinton Davis.** — Not at present, but, of course, this is a matter which requires constant vigilance, having regard to the noise nuisance which can so easily be caused by it.

**Mr Zahorka (PPE).** — (DE) The best means to combat aircraft noise is the aircraft itself. The European Airbus is one of the quietest planes in the world. Unfortunately the largest British airline has not yet put that aircraft into service. Is the Commission prepared to help ensure that the European Airbus product, the quietest aircraft we have in Europe and the world, can penetrate to the United Kingdom too, by urging that the United Kingdom also attach more value to it, so that aircraft noise can be reduced there too?

**Mr Clinton Davis.** — I thought for one moment that the honourable gentleman was suggesting that the airbus produced a noise the equivalent of Beethoven's Fifth. The airbus is, of course, a good advertisement for the possibility of producing less noisy aircraft, but I think he is asking me to go quite beyond the powers of the Commission in responding to his question.

**President.** — Question No 6 by Mrs Lemass (H-97/85):

Subject: Pre-retirement courses

It was revealed at a recent conference on 'The Elderly in Rural Areas — Issues for Policy and Practice' held in Ireland that only that 5%-10% of those retiring in any year attend a pre-retirement course or avail themselves of specialized advice before terminating employment.

**President**

Will the Commission provide an estimate of the number of people attending pre-retirement courses in the other Member States and comment on the implementation in each of the Member States of paragraph 5 of the Council Recommendation on the Principles of a Community Policy on Retirement Age adopted by the Labour and Social Affairs Council at their meeting of 10 December 1982, which states that 'retirement preparation programmes should be started during the years preceding the end of working life with the participation of organizations representing employers and employed persons and of other interested bodies'?

**Mr Sutherland, Member of the Commission.** — The Commission does not have the data requested by the honourable Member on the number of people taking courses on preparation for retirement. The Member States have, however, been requested to supply information on the application of the Council recommendation of 10 December 1982, adverted to in the question. Such information should enable the Commission to report to the Council.

It will be borne in mind, however, that the Council recommendation of 10 December 1982 on the principles of a Community policy concerning the age of retirement, being only a recommendation, cannot oblige Member States to put into practice the proposed principles. It is anticipated that the report following upon the furnishing of the information will be available at the end of this year. The difficulty in obtaining the information sought by the honourable Member is that there are no reliable sources of information available and that different criteria are applied by the agencies which have given any information to date. Information is difficult to centralize because of the diversity of initiative. The ILO estimates that less than 5% of those eligible take a course in those countries where retirement preparation is an established practice.

**Mrs Lemass (RDE).** — It is quite obvious that, given the very low level of participation at those courses, something will have to be done. There is an obvious need to involve a greater number of people, who in some cases live for 20 years or more after retiring. Does the Commissioner not agree that every effort should be made to encourage as many private firms and State-sponsored bodies as possible to set up adequate and interesting pre-retirement courses for their employees? In this way the wealth of knowledge and experience that people have acquired could be used in a constructive way for their own benefit and for that of their community. I gather from what the Commissioner said that there are no plans to make finance available at this stage to encourage more people into those courses or to provide more courses. Am I right in saying that, Commissioner?

**Mr Sutherland.** — With reference to the preliminary part of the supplementary question, I agree absolutely with the Member as to the importance of the issue concerned. With regard to the latter part, the Commission has done and is doing something to assist in this particular area.

Amongst the conclusions and recommendations of the seminar organized by Eurolink Age with the Commission back in December 1984, certain specific recommendations stand out. One of those relates to the fact that it should be possible to use the European Social Fund for financing some suitable projects in this particular area. Secondly, the Commission is of the view, and this particular seminar concluded, that preparation for retirement is not just the concern of older workers, but of all the population, particularly young people whose image of old age needs to be changed. Preparation for retirement should include activities which would promote integration among generations, particularly between the young and the old, using the qualifications and experience of older workers to benefit the young.

These proposals, as suggested in this seminar, have been made available to the Member States and the Commission is actively pursuing coordination in this area with regard to a subject matter which is of very considerable importance.

**Mr Elliott (S).** — I would like to respond to the point which the Commissioner made in his reply to Mrs Lemass' supplementary. I am very pleased indeed to hear the initiatives the Commission is taking in this regard, but my question is in two parts.

First of all, is the Commission able to assist in the compilation of information regarding the broad range of provision of facilities for the elderly in various Member States in order that we may all be enabled to learn from each other's practices and initiatives?

Secondly, can he tell us whether the Commission has investigated the entitlement of migrant workers and other minorities to the facilities for the elderly which we have been discussing. Is that entitlement guaranteed in any way?

**Mr Sutherland.** — With regard to the first part of the question, paragraph 5 of the Council recommendation of 10 December 1982 included among its terms that retirement preparation programmes should be started during the years preceding the end of the working life with the participation of organizations representing employers and employed persons and of other interested bodies.

Following upon that recommendation, the Council requested all the Member States to supply information on the application of this Council recommendation of



**Sutherland**

10 December 1982 concerning the principle of a Community policy on retirement age and what they are doing within the Member States concerned.

That information was to have been furnished by the end of the month of June. In the early months of this year a supplementary question was raised in regard to a number of issues with Member States and further information has been obtained. It is anticipated that the final report will be available by the end of this year.

With regard to the aspect of migrant policy, which is really a question in itself, the honourable Member will be aware of the proposals which have been put before the Parliament and discussed in regard to the communication on migrant policy and the concern of the Commission to ensure that benefits accruing to individuals in the Member States should equally be available to migrant workers from Member States within the Community, and the proposals which have been put forward in that regard.

**Mrs Banotti (PPE).** — I would be grateful if the Commissioner, would return to some of the points he was making about the use of the European Social Fund to finance those courses, and indicate whether, in studying the efficacy of these courses in recent years, they have discovered that the provision of pre-retirement courses, generally speaking in private companies, more or less within the last month of a person's employment have proved to be counter-productive. Since this is a time of great emotional stress for those who might possibly participate in these courses many of them find it too difficult at that stage to enrol for them, as is evidenced by the very low rate of take-up in private companies.

**Mr Sutherland.** — I recognize the difficulties which have been referred to by the honourable Member in regard to the operation of pre-retirement courses and the utilization of the European Social Fund. The utilization is nonetheless very limited and, recognizing that the resources generally available in the Social Fund are themselves extremely limited, I was referring in my earlier answer to the fact that it might be possible for greater utilization of the available funds to take place. I recognize the difficulties which are necessarily associated with the termination of employment and the difficulty that people have in adjusting to the possibility, even, of taking courses of this kind. That is something which, I think, could usefully be considered in the context of pilot projects in the future on the best possible type of training courses which could be made available for those at pre-retirement, taking into account, perhaps, the psychological factors that are involved in adjusting to employment at a stage when normal working life is coming to an end.

**Mr Welsh (ED).** — The House will welcome Commissioner Sutherland's friendly reference to Eurolink

Age and will certainly applaud the aid that the Commission is able to give to this organization. However, it is very important not to raise false expectations. Would the Commissioner confirm that questions of retirement and social welfare generally are pre-eminently matters for the Member States and their budgets, that the Community's Social Fund is already overstretched and has no chapter that is relevant to these matters, and that therefore the Commission's role for the foreseeable future can only be one of coordination and perhaps encouragement?

**Mr Sutherland.** — I would first of all confirm, with alacrity, the suggestion that the Commission's funds and the resources available to the Social Fund are extremely limited and that the demands made on them are already excessive. It is nonetheless conceivable that applications could be put forward particularly in the area of pilot projects for training for people of advanced age as opposed to those who are extremely young. The likelihood of a significant amount of money being made available from the Social Fund, having regard to the demands made on it at present, is, however, extremely limited. I need not remind the honourable Members of the distinction between young and old regard to the fund available from the Social Fund and of the fact that 75% of disbursements go to those categorized as young people. In general, therefore, I would agree with the views expressed by the honourable Member while holding out some possibility that the Social Fund could be utilized at least for pilot projects in regard to establishing possible means of re-employment and training for re-employment.

**President.** — Question No 7 by Mr Wijsenbeek (H-170/85):

Subject: Pharmaceutical prices.

Can the Commission say why a ruling has still not been given after more than seven years on complaints 29-663 and 28-773 concerning discrimination in the pharmaceutical prices charged to chemists in the Netherlands?

**Mr Sutherland, Member of the Commission.** — I would like to preface my reply by saying that of necessity it has to be somewhat complicated and detailed because the issue itself is an extremely complex one.

On 13 April 1981 the Commission initiated proceedings in the cases referred to in the question under Articles 85(1) of the Treaty. This resulted in a statement of objections addressed to the Dutch Association of Dispensers and to the Dutch Association of General Practitioners, the latter insofar as its members run their own dispensaries. The objections were directed at price lists established by these associations which had as their object or effect discrimination against parallel import drugs compared to drugs distributed through

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manufacturers' channels. The main anticompetitive element was that in principle, compared to manufacturers' import drugs, dispensers buying parallel import drugs received a smaller margin.

During the years 1981 and 1982, an answer having been received and a hearing having taken place following the furnishing of the statement of objections, the Commission consulted with the Association of Dispensers about a possible amicable settlement. A new calculation system for prices of parallel import drugs was drawn up which provided for sharing the benefit of lower prices of parallel import drugs between the dispenser and the patient in the proportion of one-third to two-thirds, in order not to discourage purchases of parallel imports. This compromise system was accepted by the Association of Dispensers but could not be put into because of new legislation which was introduced in Holland.

As provided for by this legislation, the Dutch Association of Dispensers negotiated with the national health and private insurance funds about the new compromise system. These negotiations in turn failed and the Association applied to the newly created body having authority to rule on medical tariffs 'the COTG' for the implementation of the system. The COTG rejected this application by decision of 6 February 1985, asking the parties to submit before 1 December 1985 a global concept for a pricing system applicable to all categories of drugs and not limited to parallel import drugs. So we are at a point where the parties are to submit a concept for a pricing system applicable to all categories of drugs and not limited to parallel import drugs before 1 December this year.

Even if the Commission had not discussed an amicable settlement but had taken a decision to prohibit, any alternative pricing system would have been subject to the proceedings presently in progress before the Medical Tariff Board. The Commission, therefore, continues to remain in close contact with the parties and will see to it that under the new legislation a satisfactory solution is found.

**Mr Wijsenbeek (L).** — (NL) Having heard the Commissioner's answer, I have one brief question to add. If the Commissioner now suggests — and not unjustifiably — that new proposals should be submitted before 1 December 1985 on the whole drug pricing system, why has it had to discuss one legal action, which ultimately affects the whole industry, for seven years before coming to the simple conclusion that the organization of the market in this sector under Article 85(1) of the EEC Treaty may be justified?

**Mr Sutherland.** — One of the reasons why I gave the historical background to this is that, in fact, seven years has not passed without action on the part of the Commission. I had hoped that I had pointed out that

the fact that the Commission initiated proceedings under Article 85(1) on 13 April 1981 and that this was followed by a number of steps such as those indicated by me, has brought about a situation where we can envisage in the immediate future a satisfactory conclusion to this matter. The Commission has laid down conditions to be met in order to make an alternative pricing system compatible with the competition rules. I am hopeful that the pressure which has been exerted over a period of years will have the effect of bringing about a mitigation of the position which is the root cause of the question raised by the honourable Member.

Nobody can be satisfied with a period of seven years between a complaint and the conclusion of a settlement. But in this particular case, having regard to the very real complexities of dealing with a large number of parties, there are, I think, mitigating circumstances to be taken into account.

**Mr Ducarme (L).** — (FR) I quite understand the Commissioner's reply, but it is worrying to note that we must wait seven years for the Commission to act. I know the present Commissioner has not been in office for seven years and that he is largely to be excused on this ground, but it is still worrying that the situation persists, all the more so because the pharmaceutical industry is very anxious to see implemented those aspects of European policy that concern it.

I should like to ask the Commissioner if the situation will be settled by January next, if he thinks that the Commission will be happy with the compromise, in view of the judgment handed down, and if this compromise position will be reflected in the various demands of the European pharmaceutical industry.

**Mr Sutherland.** — I think that, having regard to the prolonged history of this matter, it would be very ill-advised of me to make a categorical statement that everything will be resolved by the date which has been suggested. All that I can say is that the matter is being very actively pursued by the Commission, that I am satisfied, having considered all the documentation I have been given, that it is a matter which is receiving attention, and is being pursued actively and that the Commission is fully aware of the peculiar difficulties and problems in the area of drug prices and that this is a matter which is receiving particular attention and will continue to do so.

I hope that we can comply with the sort of time limits that have been referred to. Certainly our belief is that the global concept for a pricing system applicable to all categories of drugs and not limited to parallel import drugs should be available by 1 December of this year, in which case it should be possible immediately to prepare and agree a formula for the future which will be more satisfactory.

**Sutherland**

I am sorry I cannot be more definite than that. If I were to attempt to do so, I think I would risk misleading the Member.

**President.** — Question No 8 by Mr Adamou (H-208/85):

Subject: Protection and distribution of books

Books — a special, exceptionally valuable and irreplaceable commodity — are the principal means of satisfying man's intellectual needs and a crucial element in the advance of human society. However, since books have not become a basic necessity for the whole of the population, production and distribution are beset by many dangers. Consequently, unless a uniform retail price is fixed in each Member State, book publishing will be subject to profiteering, unfair competition, a decline in quality, problems with import pricing and writers' remuneration, in short book production and sales will be enfeebled.

In the light of this situation, what measures does the Commission propose to take to ensure that book production continues, quality improves, distribution expands and sales increase, thereby providing thousands of workers — writers publishers, proof-readers, illustrators, translators, graphic artists, page-setters, blue- and white-collar print workers, book-sellers, etc. — with employment and a livelihood, particularly at the present time of economic crisis and severe unemployment?

**Lord Cockfield, Vice President of the Commission.** — The Commission presented a communication to the Council on the creation of a Community framework system for book prices to the Council meeting on 28 May. The communication examines current practice on the sale and distribution of books in the Member States and suggests possible approaches to establishing a Community framework system for book pricing. The objective of such a system would be to eliminate conflicting national systems and to strike a balance between regulation and competition.

The Commission will be holding consultations with interested parties on the most appropriate action that should be taken and will present further proposals to the Council in due course.

**Mr Adamou (COM).** — (GR) I thank the Commissioner for his answer, and of course, though the problem is urgent, we shall await further action.

**Lord Cockfield.** — I simply wish to say that I am most obliged to the honourable Member for his response.

**Mr Normanton (ED).** — While the question standing in the name of Mr Adamou and the answer given to it

by the Commissioner relate to the production and trade in books inside the European Community, I wonder whether the Commission, when deliberates and studies further the subject matter of this question, will give serious consideration to providing and developing ways and means of facilitating the distribution of books from Europe, either newly printed or second hand or rejected to the Third World, since it is in this area that there is a growing call for access to books on nearly all subjects and the resources for their purchase are and will remain acutely limited?

**Lord Cockfield.** — A most interesting suggestion, but one which lies somewhat outside the scope of the question.

**President.** — Question No 9 by Mrs Giannakou-Koutsikou (H-239/85):

Subject: Statements by the Austrian Government concerning the steps it proposes to take to reduce Community road transit traffic

Following the statements by the Austrian Government reported in the international press, concerning the steps it proposes to take to reduce Community road transit traffic through Austria, and since this affects the Community's interests, can the Commission, particularly since the Council of Ministers of Transport of 23 May 1985, say what steps it proposes to take to prevent any such action being taken by the Austrian Government and whether the renewal of the Council's mandate to the Commission, decided on at the Council of Ministers of 23 May 1985, to continue negotiations with Austria on transport affairs, does or does not also encompass extending that mandate to cover essential questions linked to the financing of infrastructure?

**Mr Clinton Davis, Member of the Commission.** — On 23 May 1985 the Council modified its directives for the negotiations between the Community and Austria in the transport sector. I went to Vienna on 6 June for explanatory talks based on this Council decision with Mr Lacina, the Austrian Minister for Public Economy and Transport.

Mr Lancia declared that Austria could not agree to undertake any negotiations on the basis of the negotiation directives adopted by the Council on 23 May, but is prepared to discuss the general development of combined railroad services and cooperation between the railways.

On 24 June, I reported on the outcome of my visit to Vienna to the Transport Council. The Council approved the approaches proposed by the Commission for discussions with Austria on combined transport and on cooperation between the railways. The frame-

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work for such discussions with Austria was submitted in July by the Commission to the Council and is being discussed by the Council.

As far as the question concerning the relevant Austrian measures is concerned, I can inform the House that for the time being Austria does not envisage taking unilateral action against our road transit traffic in order to shift it from road to rail.

**Mrs Giannakou-Koutsikou (PPE).** — (GR) Of course, I have had some sort of answer to that part of my question which dealt with the risk of probable measures by the Austrian Government. However, I have had no answer concerning whether Council has adopted any policy decision relating to the financing of infrastructural work by the Community.

**Mr Wijsenbeek (L).** — (NL) I sat there listening to the translation, but the the Commissioner's answer to Mrs Giannakou's question was obviously 'no'. Despite this, I should like to ask the Commissioner whether, when he answer 'no' as regards co-financing and cannot provide further details, he agrees with me that sooner or later some kind of solution must be found for the co-financing by the Community of the system of combined rail and road transport proposed by the Austrians. Otherwise, travelling through Austria will become prohibitively expensive, which means that the links between certain countries of the Community, specifically Greece and Italy, and the rest of the Community will become unnecessarily expensive. Is the Commissioner therefore considering further financing by the Community?

**Mr Clinton Davis.** — I think the important thing to recognize is that although discussions with Austria are now certainly very much more hopeful than they have been for some considerable time in the past, we have still to provide a framework for discussions on closer cooperation with Austria. I hope that the Council will apply some element of urgency to recognition of this issue and that we can expect some progress at the next Council meeting in November. Frankly, I had hoped for a more rapid response, but it was not forthcoming, and we shall now have to try harder to persuade ministers that this is an essential prerequisite to any effective dialogue with the Austrian Government.

**President.** — Question No 10 by Mr Flanagan, for whom Mr Barrett is deputizing, (H-273/85):

Subject: EEC Forestry Policy

A joint committee of the Irish Parliament and Senate has called for an EEC Action programme with the ultimate aim of establishing a common forestry policy and, in the meantime, the inclusion of timber as a product under the Common Agricultural Policy. In view of the fact that the EEC is

still only 50% self-sufficient in timber products, will the Commission make a statement on this important issue?

**Mr Clinton Davis, Member of the Commission.** — As the House will recall, the Commission has undertaken, within the framework of its programme for 1985, to present a forestry action programme to Parliament and the Council before the end of the current year. The Commission shares the view of the honourable Member that the development of the Community's forestry is a very important objective. This is especially true since the Community currently suffers a balance-of-trade deficit in timber products of 13 billion ECU.

In 1984, Ireland alone imported some 390 million Irish pounds' worth of timber products, a fact which presumably greatly influenced the parliamentary committee to which the honourable Member refers in his question.

Finally, may I call the honourable Member's attention to the fact that the Commission has suggested the promotion of timber production as an alternative to surplus agricultural production in its document 'Perspectives for the Common Agricultural Policy' (COM(85)333).

#### IN THE CHAIR: MR GRIFFITHS

##### *Vice-President*

**Mr Barrett (RDE).** — Would the Commissioner agree that there has been an exceptionally long and unjustifiable delay in establishing a common forestry policy when we bear in mind that timber represents the second largest import into the European Community after oil? It is only proper that this should be dealt with as a top priority for this and many other reasons. I am delighted to hear that progress will be made before the end of the year.

**Mr Clinton Davis.** — The long delay has, in my view necessitated the publication as soon as possible of a green paper to deal with the current perspectives that need to be applied. As I have indicated, I hope that it will be available quite shortly. There is a clear need to reassess priorities and prospects and to engage in the widest possible dialogue on the development of an industry of such importance to the Community.

**Mr J. Elles (ED).** — I thank the Commissioner for his answer. But it is not a very satisfactory one in my view, because if you look at the Commission's proposals which are before the Council at the present time, there are two proposals concerning forestry policy,

**J. Elles**

one which was tabled in 1978 and one for a Council decision to set up a forestry committee in 1979. There has been no decision for the last six years and, therefore, I doubt whether there will be any progress in any forestry action programme.

*(The President urged the speaker to put a question)*

There will not be any progress on forestry policy until wood is included in Annex II of the Treaty. Therefore, I ask the Commission to raise the question at the inter-governmental conference when it comes round over the next few months and to put wood into Annex II so that we can have a real forestry policy.

**Mr Clinton Davis.** — At the present time wood is not covered by the common agricultural policy. I do not share, on the broader issue raised by the honourable gentleman, his deep gloom about the possibility of progress. When he refers to my answer as being unsatisfactory, I am not sure what he is really getting at. Does he disapprove of the publication of a green paper to re-examine priorities and perspectives in the light of the fact that no progress has been made for so long? Was that not a reasonable course to pursue? What I would say in answer to my own question is that the idea of a green paper has been widely welcomed by the industry, by everybody concerned with the industry, and what I now look forward to is an input from people who are concerned with the development of forestry once the publication has taken place.

**Mr J. Elles (ED).** — Would the Commissioner please answer the question.

**Mr Clinton Davis.** — I have answered the question to the best of my ability.

**President.** — You have heard the Commissioner's answer. You will have to take the matter up with him afterwards.

**Mr Kuijpers (ARC).** — (NL) As the agricultural policy has to cope with surpluses at the moment, I should like to ask you what you think of the following proposal. Could tax concessions not be granted for afforestation in the Community? Quite a few farmers might then give part of their land over to trees. This would have three advantages: firstly, agricultural surpluses would be reduced, and secondly, there would be less soil erosion, of which there is a danger in Europe, and in addition to this, our timber imports could be reduced. What does the Commissioner think of this?

**Mr Clinton Davis.** — I listened with interest to what the honourable Member said. But it is not really a mat-

ter for me to comment on at this stage. What I would say, however, is that there are precedents for the European Investment Bank to lend money to forestry projects. That is perhaps a matter which could be usefully pursued. But in relation to the development of forestry generally, I think it would be wrong for me to prejudge response to the green paper when it is published, and no doubt the honourable gentleman will, himself, look at that and see what positive ideas he can inject into this whole argument.

**Mr Maher (L).** — I think the Commissioner will agree with me that it is not so much white papers or green papers we need as action to enable us to produce more paper in future because we all know that paper is made from wood. So does the Commission. So we want action.

Since it is true that forestry has always been the poor relation of agriculture and of fisheries, etc. in the Commission, has the Commission now increased the staff dealing with the question of forestry or is it carrying on with the old team? If there has been an increase, what has been the extent of that increase? In other words, how many people in the Commission are now delegated to deal with the important question of afforestation?

**Mr Clinton Davis.** — The only change in staff as far as I am aware is me in that I have taken over this responsibility since 7 January. I only wish that it was as easy as all that to produce staff to deal with the host of problems that I and my colleagues have to deal with with a complement of staff that works extremely hard but in numerical terms cannot really deal as rapidly as we would like with the enormous problems that confront us.

As to the question of action rather than words, let me say this. I believe that after the delays that have occurred, it is right to reassess the position. But I believe too that it would be wrong for me, having come into office, to seek to dictate, perhaps with the support of the Commission, to the industry what is now required. I want a reasonable period, a short period indeed, to elapse after the publication of the paper so that people can inject their own ideas into the debate and then we can realistically look for support from the Council of Ministers for the action that needs to be taken to assert the role of this vital industry.

**Mr Ducarme (L).** — (FR) I have a two-part question. First, the Commissioner has spoken of a green paper shortly to be published. I should like to ask him if it is currently being drafted within the Commission, if it is a green paper as we know it, or a working plan and finally, if this working plan will be supported by a proposal for financing at Commission level, a point I consider to be of very great importance.

**Ducarme**

Second, I should like to know if, before drafting this plan, preliminary talks were held with the competent national authorities to discover the different tax policies being implemented in various countries, for example the problem of estate duties in forestry policy. I should like to ask him what he thinks of the events mentioned earlier by one of my colleagues.

**Mr Clinton Davis.** — I think there are three questions rather than two. Yes, it is being drafted within the Commission. As to the second part, I am asked whether it is the usual sort of green paper. No, it will be an extraordinary sort of green paper. As to what it actually will contain, I fear the honourable gentleman will have to wait for it and he will then have an ample opportunity to read it and make his own contribution to the discussion.

He asks whether there will be widespread consultation with Member States and with authoritative bodies when the programme comes to be drafted. The answer to that is, of course. Already we have had discussions with forestry bodies, with Member States and the whole purpose of issuing a green paper is to ensure that such consultations do take place.

**Mr McCartin (PPE).** — Is the Commissioner aware that a scheme for the subsidization of the establishment of forests in the west of Ireland has been a complete failure, even though this land has the highest yield class in all of Europe? Has the Commission drawn the conclusion that since forestry gives only a very long-term return, we must ensure that land owners are assured of compensation within their lifetime by means of some sort of annual payment? Is the Commission taking that element into consideration in preparing its new policy?

**Mr Clinton Davis.** — It is a very relevant factor and I think that the honourable gentleman will perceive when the green paper is published that that among many other issues will in fact be confronted. I have already to one of the issues relating to financial assistance through the European Investment bank that might usefully be considered.

**President.** — As the authors are not present, Questions Nos 11 and 12 will be answered in writing<sup>1</sup>.

Question No 13, by Mr J. Elles (H-294/85):

Subject: Proposals still pending before the Council

In its document SEC(85)263 final, the Commission lists the proposals on which the European Parliament has delivered an opinion, but which

are still pending before the Council. Many of these proposals are well known, one or two of them even dating back to 1968.

Would the Commission please state its attitude concerning the withdrawal of some of these proposals given the amount of time that they have lain on the Council table without decision?

**Mr Varfis, Member of the Commission.** — (GR) Every year the Commission examines pending proposals, and if it judges that there are any which have become redundant, or which are not topical, withdraws them. Naturally, the number of proposals so withdrawn varies from year to year. In recent year the average number of proposals withdrawn has fluctuated between 20 and 30 per year. In each case the Commission, whether it submits new proposals, or simply withdraws proposals without submitting new ones, informs both the Council and Parliament.

Of course, not all pending proposals are redundant. As the question rightly points out, some proposals have been on the shelf for years, even though still topical. Why does it take so long to examine them? The basic reasons are either difficulties relating to Council, especially when unanimity is called for, or the technical complexity of the proposals in question, for example when they refer to the elimination of technical obstacles to exchange, or to the tax situation of companies.

As to the more general matter of withdrawal, I would remind you that the Commission not only has the right to withdraw proposals that have ceased to be topical, but that it can withdraw other proposals as well. The fact that the Commission is entitled to submit proposals implies that it can withdraw them as well, when Council calls for a substantial change in the content or aim of the proposals in question.

**Mr Elles (ED).** — Thank you, Commissioner, for that rather helpful reply. I have two questions. Firstly, is the Commission aware of the instability for business and industry caused by the non-implementation of proposals which hang before the Council? Does the Commission, in this context believe there should be a time limit, let's say of 3 years, after which a proposal should be withdrawn? Does it not deem that such a period of time would be a good idea for withdrawal of proposals which is not part of legislation today?

Secondly, does the Commission have the right to withdraw proposals without prior consultation of Parliament and its committees, because often four or five years will have elapsed since Parliament delivered its opinion on a proposal of the Commission which will, of course, have changed significantly with the passage of time. Therefore, I would ask the question, should the Parliament or its relevant committees be consulted before these proposals are withdrawn?

<sup>1</sup> See Annex 'Question Time'.

**Mr Varfis, Member of the Commission.** — (GR) As for the first question, I think it would be difficult to specify a period of time, for example 2 or 3 years. There are proposals which the Commission submitted knowing that their examination would be delayed. I think a more effective method, as we recently saw with the White Paper on the internal market, would be to have a general agreement for a category of proposals. The Commission should indeed have a timetable from the Council for the examination of these proposals, and should monitor adherence to it. It should also point out to the Council any cases in which the latter has undertaken some obligation but has not complied with it, always of course in consultation and contact with Parliament, which will have discussed the matter.

Next, as for the Commission's right to withdraw delayed proposals, I have to say that this is a delicate point. Where such proposals continue to be relevant, and where the Commission has not changed its opinion about the content of any such proposals being debated and are pending in Council, it is difficult to withdraw them on the grounds of the delay alone. Naturally there are instances, for example as we saw this morning in connection with transport, where a ruling of the Court was made regarding delayed proposals, and I know that the Commission has stressed to the Council its intention, in certain instances, to consider the possibility of withdrawing a proposal if the delay should become excessive. Nevertheless, it remains a sensitive point and I must say that no clash has so far taken place though the matter is under serious scrutiny. You asked whether, in the event that the Commission withdraws a proposal, it would do so in consultation with Parliament. As I have already said, the Commission informs Parliament about proposals it is withdrawing because they are no longer relevant. Concerning Parliament's opinion I cannot give you a precise answer at this time since the matter has not arisen, but I think that Parliament will certainly have a chance to express its opinion, without being able to say exactly when.

**President.** — Question No 14, by Mr Ephremidis (H-304/85):

Subject: Insurance companies in Greece.

The Commissioner responsible for competition, Mr Sutherland, has warned the Greek Government by letter that, if it fails to amend certain measures relating to insurance companies (notably Article 13 of Law No 1256/62) to prevent the latter insuring public companies, state property and beneficiaries of loans from state banks, he will refer the matter to the European Court of Justice.

What action has the Commission taken so far to implement this measure which will benefit multinational companies with branches in Greece at the expense of public insurance companies and the Greek insurance market and, furthermore, what

are the results of its recent agreements with the Greek Government?

**Mr Sutherland, Member of the Commission.** — On 30 May 1985 the Commission sent to the Greek Government a decision under Article 90(3) of the EEC Treaty finding that certain measures taken by the Greek Government in the field of insurance are incompatible with the common market. These measures discriminate against the insurance companies of other Member States carrying on their activities on the Greek market.

The decision adopted by the Commission allows the Greek Government a period of 2 months in which either to inform the Commission of the measures taken to comply therewith, or under Article 173, to institute proceedings against the decision before the Court of Justice. This period expired at the beginning of August.

During a recent visit of mine to Athens, before the summer break, I discussed with the Greek authorities their intention to take appropriate measures to ensure fulfilment of the obligations arising from the Commission's decision. More recently we have sought further concrete information from the Greek Government and are awaiting a reply.

**Mr Ephremidis (COM).** — (GR) The Commissioner spoke of recent decisions by the Greek Government relating to these insurance matters. However, we are concerned with legal directives in force since 1962, and which regulate in certain ways the insurance of public property or of companies which contract state loans. Now, the Commission wants to arraign the Greek Government before the Court and is trying to regulate retroactively a matter that had been regulated long before Greece's accession. I would like some clarification of this point, and I would also like to know what the situation is following the Commissioner's visit to Athens, in other words what was the reaction of the Greek Government?

**Mr Sutherland.** — The point of the question of the honourable Member was the point of my reply. In other words, I was directing myself to the law of 1962 and the discussions I referred to in Athens relate to the law of 1962. The fact that that law exists since 1962 does not of course alter the requirement that Member States have to comply with the Treaty and the obligations imposed by it. The Commission has been anxious to bring about that compliance and, with a view to achieving that compliance, the discussions I referred to have taken place. It is of course hoped and believed that compliance with the obligations of the Treaty will render unnecessary any court proceedings of the kind suggested.

**Sir Peter Vanneck (ED).** — Is the Commissioner aware that the success in the insurance market in Greece of any company coming in from outside — national, international or multinational — will only depend on the success of the service it is able to render and the rates which it is able to proffer, and that this in itself must be good for the insurees in Greece rather than the present state of affairs subsisting since 1962, where the insurers have been virtually feather-bedded in a virtual monopoly situation?

**Mr Sutherland.** — The matters referred to by the honourable Member are the rationale for the competition policy of the EEC which the Commission will enforce.

**Mr Alavanos (COM).** — (GR) I would like to repeat a question put by my colleague Mr Ephremidis, which the Commissioner failed to answer. During his visit to Athens last summer, and his discussions with the Greek Government, what attitude did the latter adopt towards the Commission's demand? The Commissioner did not answer, and he should have, in view of the fact that, as he told us, the two-month time limit imposed on the Greek Government has lapsed.

**Mr Sutherland.** — First of all I must correct the honourable Member. I did answer the question. I will repeat what I said. Following the contacts which the Commission has had, including my visit to Athens, the Commission has no reason to believe that the Greek Government will not take the appropriate measures to ensure the fulfilment of the obligations resulting from the Commission's decision. In other words, the Commission is satisfied from its contacts with the Greek Government that steps will be taken to remedy a law which the Commission has found incompatible with the obligations imposed by the Treaty. I cannot go any further than that, but I think that answers the question as fully as possible.

**President.** — Question No 15, by Mr Cot (H-312/85):

Subject: Inclusion of European studies in civics syllabuses.

The Commission has no doubt observed that the preamble to the Treaty of Rome gives expression to the determination to lay the foundations of an ever closer union among the peoples of Europe'. Civics teaching lies at the heart of this enterprise. How does one learn about Europe, the European Community and the union among the peoples of Europe? Has the Commission made an assessment of the civics courses in the Member States, and has it examined the new elementary school courses in France, which fortunately give new impetus to the subject but in a fundamentally national perspective, since Europe is hardly men-

tioned and the European Community is totally ignored?

**Mr Sutherland, Member of the Commission.** — The Commission considers that a European dimension should be present across the whole spectrum of teaching and not just in civic education. In particular, three elements should be present. First, some foreign language teaching. Secondly, the provision of school exchanges and trips. Thirdly, there should be some teaching about the process of European integration and the interdependence of European countries.

This matter has been raised at the most recent meeting of the Ministers for Education. At the meeting on 3 June 1985 of the Council of Education Ministers, ways of improving the treatment of the European dimension in education were considered. The Commission notes with satisfaction that the Ministers shared the views set out on the three-part structure that I have referred to. The conclusions of that meeting select a number of areas in which activities should be undertaken including the three areas already mentioned as well as the areas of teacher training and the development of appropriate teaching material.

It has to be said that, provided adequate human and financial resources can be made available by the budgetary authority, the Commission considers that these conclusions provide a solid base for a programme of activities in this field. Without the provision of those adequate human and financial resources, the coordination of such a plan would obviously be greatly impeded.

The Commission will be discussing with the Education Committee of the Council the implementation of the various conclusions and resolutions of the meeting of 3 June, including the European dimension. It will hold a meeting in November with the major non-governmental organizations active at European level in the promotion of the European dimension on teaching, and on the basis of these discussions the Commission will develop a programme of activities.

**Mr Cot (S).** — (FR) I thank Commissioner Sutherland for his reply, which I am sorry to say I did not find entirely satisfactory, because there is discrepancy between what he says and the facts as I see them. We all agree that a European awareness must be developed from a very early age. Therefore, if we really believe in a citizens' Europe, it is important to impart to our children at the start of their education the basic information necessary for the development of firm beliefs.

However, I find that the enthusiasm found at the highest level is not reflected in school courses. By way of example I have taken civics courses which have just been introduced in my own country, France. Although



**Cot**

I welcome the return of civics teaching to the syllabus, I must nevertheless deplore the almost total absence of a European dimension from these civics courses and also from history courses.

I would ask the Commissioner, therefore, to reply to my question about whether a detailed assessment was made of the place of European studies, in the various forms he outlined earlier, in our different educational systems, and what steps will be taken by the Commission to put into effect these statements of intent, such as Mrs Falcucci's letter to President Pflimlin last May.

**Mr Sutherland.** — The Commission has, I think, very actively pursued this particular issue, first of all at the Education Council to which I have referred. Secondly, it will be pursuing it further in November with the non-governmental organizations that I have also referred to. Further, the matter is being pursued through the proposals that the Commission has, both in regard to exchange programmes — the joint study programmes of the Commission — and the contacts being developed between university and industry, which have a cross-border dimension.

Of course, we are not satisfied in any way with the development of teaching in this area. It is lamentably below the level of participation in teaching generally which we would hope Member States will ultimately achieve. I did make the point — and I repeat it — that the amount available to the Commission to propagate this very necessary issue is extremely limited. Under Article 273 it was 200 000 ECU in 1985, a ludicrous figure in the context of the importance which is apparently attributed to the subject following upon the pronouncements of the Ministers at European Council and Council of Minister level.

**Mr Cryer (S).** — Would the Commissioner accept that the term 'European' has been hijacked to mean a section of Europe, of ten, soon to be twelve, countries, and that it is arrogant of him to use this term, which refers to the whole of a continent of 40 countries, when he means ten or twelve? Will he bear this in mind in future? Further, when the Commission pours out its propaganda about the Community under the guise of education, will it include the 15 million people who are unemployed for whom the Commission has failed to find policies to get them off the dole? Will it include the 72% that it is currently spending on the Common Agricultural Policy and the 4% that is spent on social policy, which again represents a massive failure on the EEC's part to meet the needs of the people it is proposing to educate?

**Mr Sutherland.** — As regards the question put by the honourable Member, I feel quite certain that we shall have his support in seeking adequate budgetary resources to deal with the various issues he has raised. I have no doubt that the Community will respond as

best it can, having regard to its limited resources, to the very serious problems that he has adverted to. I look forward to that support from him in the future.

With regard to the question of denominating members of the Community as Europeans and thereby in some way suggesting an exclusion of others, he knows quite well, I am sure, that that was not the intention and that we are talking here about Community Member States, and the euphemism used for it in the course of the discussion was 'European'. I did not intend to reflect in any way on states within the continent which are not parties to the Treaties.

**Mrs Lienemann (S).** — (FR) I should like to ask the Commissioner if he thinks a comparative study of the different Community countries is necessary for the introduction of a European dimension to history civics teaching. I think such a study would serve to awaken public opinion to the problem.

**Mr Sutherland.** — I agree with the questioner. I think it would be a very useful and worthwhile exercise. It seems very difficult to see how one can proceed to a coordinated policy without having a clear understanding of what exactly is happening in each of the Member States. That detailed knowledge is not yet available. I hope that following upon the discussions and the expression of intent which I personally heard from the Ministers of Education, it may be possible to coordinate and obtain that information with a view to rationalizing our approach to this very difficult issue.

**Mr Rogalla (S).** — (DE) I would like to refer to the Treaty of Rome and the civics courses and ask whether I may infer from the Commissioner's answer that earlier Commissions made no preparations whatsoever in this area; can he also tell me whether any Member State has made more or less progress in this area by itself and whether there are any differences between the various Member States as regards preparatory work for civics teaching?

**Mr Sutherland.** — Historically, the Commission and the Community Institutions generally have been interested in this issue from a very early date in the development of the Community. Indeed, the general interest of Community institutions in the question goes back to 1959, and it has developed over the subsequent decades. In the Council resolution of 9 February 1976, an education action programme was developed, and in the budget debate for last year an amendment was moved on the subject. Nobody, however, is satisfied. I do not intend to go through a chronological sequence of events from the commencement of the Community to the present time, but there have been constant expressions of goodwill from Ministers of Education and other Ministers in regard to this issue. However, I think that formal proposals have now to

**Sutherland**

be developed and that is what we are in the process of trying to do with the assistance both of governments and of non-governmental organizations.

**President.** — As the authors are not present, Questions Nos 16, 17 and 18 will answered be in writing<sup>1</sup>

Question No 19, by Mr Fitzsimons (H-767/84):

Subject: Energy projects

In view of the severe winter conditions of 1985 and in view of the Community's support for energy demonstration projects, is the Commission in a position to evaluate the performance of projects currently being tested in the Community and, if so, will it state what impact these projects have had in saving and guaranteeing energy supplies?

**Mr Mosar, Member of the Commission.** — (FR) As you all know, on the basis of decisions taken last June, we recently carried out, with the help of outside consultants, an evaluation of the Community energy demonstration projects, which showed very positive results. May I remind you that the results are outlined in a Commission document. I should also like to remind you that the debate on Mr Starita's report on Thursday, will provide us with the opportunity of going more deeply into the issues at hand.

The full text of the evaluations is included in Commission document No 29/85.

These evaluations show that roughly a hundred projects were finished before the end of 1984. Half of them may be considered to have been successful insofar as they reached their technical and economic targets as specified in contracts given by the Commission. Nevertheless, thirty of these highly successful projects were seen to be repetitive. In reply to the second part of the question; given the fairly limited number of completed projects, it is still not possible today to measure the effects of the demonstration project on the total energy supplies to the Community. However, experts noted that although the project was only in its early stages, the technical and economic results were already becoming apparent. There has been a certain measure of success, especially when one considers the present state of the energy market. Consequently, the Commission proposed to the Council that it should continue the programme after the end of 1985. We shall no doubt have the opportunity to return to this question during Thursday's debate on the report in hand.

**Mr Fitzsimons (RDE).** — I would like to thank the Commissioner for his rather lengthy and informative

reply. However, I would like to know whether the allocation of Community funds is based on the commercial viability of the projects and whether the Commission can state what percentage of the proposed 150 million ECU for alternative energy projects for the period 1983 to 1987 has already been allocated, and for what type of project?

**Mr Mosar.** — By way of reply to this supplementary question asking for more details, I should like to refer to the report drawn up by the Commission. Do I have to remind you that since 1978, annual calls for tender were published, of which the last one on 10 December 1984 for the year 1985 gives details on precisely the points just made? I shall give the honourable Member the table in which he will find listed point by point the different details which interest him.

The Commission, basing itself on the data in this table, chose the projects after calling for the opinion of the Advisory Committee on the Management of Demonstration Projects. On the whole, this procedure proved to be fairly satisfactory, as I said earlier on.

**President.** — Question No 20, by Mr Fitzgerald (H-11/85):

Subject: Aid for islands

Will the Commission indicate to what extent the European Community has provided aid for pilot projects in the islands of the Member States, and will it further outline what proposals it has to assist new projects, should applications be made by the Member States.

**Mr Varfis, Member of the Commission.** — (GR) The Commission is aware that in a sense the islands are the edge of the periphery, and that they pose special and serious problems. That is why they are counted among the regions that enjoy priority in the Regional Fund's interventions, and this priority is indeed mentioned in Article 21(\*) of the new Regulation which provides that when the Commission is considering an application submitted by a Member States for aid from the Fund, it shall take particular note, among other things, of the special problems stemming from the island character of the region for which aid is sought.

As for the pilot projects, that is a term with various possible meanings. Pilot projects include plans for alternative forms of energy, and also plans financed within the scope of preparative activities for the IMP's. Some of these plans concern islands belonging to the three countries which benefit from the IMP's, such as Sardinia to Italy, Corsica to France, and Lesbos to Greece.

The priority to islands is also demonstrated by the fact that many of the non-quota interventions of the

<sup>1</sup> See Annex 'Question Time'.

**Varfis**

Regional Fund are earmarked for them, as for example in the alternative forms of energy sector, which are in any case appropriate for islands and could solve one of their most serious problems, that of energy supply. Besides, island suffer special problems in the transport sector. And in that sector, apart from the regular interventions by the Regional Fund — I can mention the example of the financing of car ferries in Scotland, and terminal stations — there is a specific regulation providing finance from the non-quota section for infrastructural work in the sector of transport to the islands. I refer especially to certain Greek islands, and to the interventions effected to improve the communication links that interconnect them both to one another and to mainland Greece.

That is all I wanted to say about the priorities granted for the purpose of solving the problems of the islands, and I repeat that the Commission has already acted to deal with them, and that it will no doubt continue this policy in the future.

**Mr Fitzgerald (RDE).** — While I thank the Commissioner for his reply, I heard little joy, little aid, or little help for any islanders in it. I want to ask him very specifically, does he think that recognition of the fact that they should receive priority is not adequate answer? What I asked him in the question initially was what pilot projects had been undertaken and what further proposals there were to provide assistance and aid to islands in our Community? Not, I might add, to a select group of islands in Greece or those covered by the Integrated Mediterranean Programme, but indeed those on the northern periphery as well, which he appeared to ignore completely. I want to know from him what positive commitment there can be to the global islands in our Community, the northern ones as well as the southern ones to which he appears to give more attention.

Furthermore, can those island communities expect some positive action by the Commission, because the neglect up to now has been criminal. It is obvious to me that the Commissioner is not aware of the growing disparity between the living standards of mainland Europe and of island communities. That growth is continuing apace and needs to be arrested. I am disappointed and I hope I have expressed it adequately.

**Mr Varfis.** — (GR) I am sorry that you are disappointed. I do not think you can have understood my first statement. I made no predictions as to the future of the islands, on the contrary, I said that the Commission is aware of the problem and will do all it can to give priority to the islands. But I should remind you that the interventions by the Regional Fund are consequent upon applications for projects submitted by the Member States. When the latter submit a series of plans which exhaust their quotas, i.e. the sum which they are entitled to receive within the framework of

the lower and upper limits, then the Commission intervenes and works out a sequence of priority. That is precisely what I stressed, and as mentioned, in the Regulation, priority is given to the islands in this sequence. It has never happened that plans have been submitted for islands, which would contribute substantially to their development, and been turned down.

But apart from the Regional Fund's regular intervention within the scope of the Regulation, as I said earlier, there are special programmes based on the Commission's initiatives and approved by Council, for non-quota finance to provide priority aid for the islands. Now that there are no special programmes, the Commission is empowered — and the Regulation allows for this — to intervene and implement common programmes for island development.

Since you referred to pilot projects, and since these relate to the Mediterranean programmes, I made special mention of as many such plans as have actually been financed. I do not wish to distinguish between islands in the north and in the south. The important factor is the state of development of the islands in question, their degree of underdevelopment, and their special problems. Among these I mentioned the problems of energy and transport, which are very important.

**Mr Paisley (NL).** — Is it the policy of the Commission to maintain the levels of population on the islands of Member States? Has the Commissioner received a list of proposals from the United Kingdom Government in respect of Rathlin Island off the north coast of Northern Ireland, which at the beginning of this century had a thousand people on it and now has less than a hundred? Could he tell the House if any EEC aid has been made available to this island for a ferry service?

**Mr Varfis.** — (GR) I think it would be hard to claim that there is a definite policy for maintaining the population of islands in the Community. Such a policy is a matter for the Member States.

Of course, the Commission shows great interest and considers that in all regions which show potential for development, which have a history, it is desirable to keep up the population and to maintain development. This is a desirable aim, and as I said earlier, to the extent that the Member States request it, the Commission is empowered to undertake initiatives which, reciprocally, must be approved by the Member States. Thus, the Commission's aim, to that extent and within the scope of the developmental policy for underdeveloped or less well developed regions, is to help the islands as much as possible. Specifically with reference to the islands of Northern Ireland, I cannot tell you whether there is a specific plan. What I am sure of, however, is that if there has been an application from

**Varfis**

the United Kingdom, and if there is a specific plan for the development of those islands, the application has or will be considered by the Commission in the most favourable possible light.

**Mr Pearce (ED).** — Would the Commissioner confirm with a 'yes' or 'no' answer my distinct understanding from his replies that for one reason or another, be it Commission initiatives or Member State requests, islands in the Mediterranean area are much more to the front of Commission attention and Commission finance than islands off Scotland, Ireland and other parts of the northern section of the Community? Have I understood correctly that it is islands in the Mediterranean that are the number one priority and that islands in the northern part of the Community have a lesser priority?

**Mr Varfis.** — (GR) I said no such thing. If the Regional Fund has allocated a large quota to the Mediterranean islands, this is quite clearly because the Member States requested it. Perhaps the Greek islands represent a very large proportion of Greece's territory as a whole, which is not true of the United Kingdom.

As for the particular activities, for example alternative energy programmes, these relate to new forms of energy as well, such as solar and aeolian energy, which may have proved appropriate for certain Greek islands for which corresponding applications were submitted. I can assure you, then, that there is no discrimination to the extent that there is no difference between the islands, to the extent that serious problems exist, and to the extent that the Member State requests aid for the islands in question.

**President.** — As the author is not present, Question No 21 will be answered in writing.

Question No 22 by Mr Marshall (H-61/85).

Subject: Cruelty involved in the transportation of animals

The RSPCA has documented the fact that considerable cruelty is involved in the transportation of animals to other Member States from Britain. What action does the Commission intend to take to deal with this problem?

**Mr Clinton Davis, Member of the Commission.** — Mr President, the Commission received a formal complaint earlier this year from the Royal Society for the Protection of Animals regarding the transportation of animals. The Commission services are giving very serious attention to this complaint and have already asked for comments from the Member States involved, namely the United Kingdom and France. In addition, enquiries are being made of all other Member States. Once these enquiries are complete, we shall be in a

position to decide what action is the most appropriate and Parliament will, of course, be kept fully informed.

**Mr Marshall (ED).** — Can I thank the Commissioner for indicating that he is making enquiries? Can I ask for an assurance that he will complete those enquiries very speedily because the question of cruelty in the transportation of animals is one which concerns a very large number of people in the Community? Many people would like to see this cruelty come to an end. Could the Commissioner assure us he will take every action this year to complete his enquiries?

**Mr Clinton Davis.** — The answer to that is yes, although I do not have the direct responsibility in this particular instance. I am not satisfied that the governments of France and the United Kingdom, to whom letters were addressed some considerable time ago, have responded with the speed which is necessary. In my view, it is now essential that they reply within days rather than weeks and it is essential too that those responses should be positive. Therefore, in answer to the honourable gentleman, I will certainly use my best endeavours to see that this matter is progressed rapidly.

**President.** — The first part of Question Time is concluded.<sup>1,2</sup>

## IN THE CHAIR: LADY ELLES

*Vice-President*

*(The sitting, which had been suspended at 6 p.m. as a result of an incident in which two Members unfolded an anti-apartheid banner in the middle of the Chamber, was resumed at 6.05 p.m.)*

*Votes*

**Report (Doc. A 2-80/85) by Mrs Bloch von Blottnitz, on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the unusually high incidence of cancer in the vicinity of the reprocessing plant at Sellafield in the United Kingdom.**<sup>3</sup>

## EXPLANATIONS OF VOTE

**Mrs Bloch von Blottnitz (ARC), rapporteur.** — (DE) I shall be brief, for yesterday's debate filled me with a

<sup>1</sup> See Annex 'Question Time'.

<sup>2</sup> *Topical and urgent debate (announcement)* — *Setting up of two committees of enquiry: see Minutes.*

<sup>3</sup> See previous day's debates.

**Bloch von Blottnitz**

certain joy and satisfaction since none of my substantial arguments could be contradicted and nearly all speakers agreed with my views. However, only very few were prepared to draw the practical consequences. So unfortunately, and I stress the word, one of the central demands was not endorsed, namely the ban on further material being transported there. But that would merely have been a logical conclusion. Nevertheless, I will vote for the report of the Committee on the Environment, Public Health and Consumer Protection for I think environmental policy is a policy of small steps and unfortunately not yet of bold strides.

(Applause)

**Mr Seligman (ED).** — On a point of order, Madam President. There has been a mistake in translation in the English version which is significant. It says in clause H of the preamble: 'cannot sanction continued operation'. That is a mistranslation. It should be '... cannot be viewed favourably'. That is a much less demanding version. The other languages all say: '... cannot be viewed favourably'.

I think the press should realize this and also the Parliament.

**President.** — Mr Seligman, I imagine that the basic document was in German, so it would be a question of what the German text was. It may just be a mistranslation. We will check that when we come to the vote.

**Mr Seligman (ED).** — The German version said: '... nicht für gut heißen'.

**President.** — I think therefore the translation was faulty in this document. It is a pity that it has taken so long, after so many speeches, to come to this conclusion. Those who have the English text or any other which has not got a proper translation of the German should amend it accordingly. I will remind voters when we come to that point.

**Mr Sherlock (ED).** — I had hoped that a sufficiently amended report would follow yesterday's debate to justify the support of my group. Be in no doubt, we share the anxieties expressed last night by so many honourable colleagues. Unfortunately, there remain so many slanted and contorted variations of the facts as to make voting against this report the only possibility.

Most of our amendments attempted to correct misstatements of fact. The proposals for cure were mostly rejected by this House in its wisdom, but paragraph 8 and various other objectionable facts remain. This alone would be a cause for rejection.

The very small part of the Commissioner's address which was relevant — that which applied to the pow-

ers of the Commission — was quite acceptable and, within those limits, reassuring. I must ask this House to ask of itself where it is heading in matters of this nature — scientific and technical affairs. My colleague, Mr Collins, seemed to share my fears judging from his remarks. Where everybody rejects the opinions of experts except their own, is any accurate solution possible? Why bother with facts when we have so many opinions?

Mrs Squarcialupi remarked on the need for a philosophy, but remember that the principal tool of a philosopher is logic and every syllogism must begin with an agreed statement of fact, a truth, which should be self-evident. How, without agreed facts, can we possibly start?

The anarchist, nihilist dogma which underlies every word in this report seems to have been overlooked by all too many colleagues. They have failed to recognize that this is likely to be a triumph for the unacceptable pseudo-green policy. Ask yourselves after this success, where will the next onslaught be made? We must vote against.

**Mr Adam (S).** — I want to say this: I called last night for certain amendments to be carried which did not call for the closure of this plant. My view is that the report, as it now stands, the implementation of the recommendations, will actually mean that nuclear plants throughout the whole of the Community will be more safely operated. I think that that is a laudable outcome and I shall support the report.

**Mr Ippolito (COM).** — (IT) The text on which we have to vote is not, from either the technical or the scientific standpoint, an acceptable report because it is generic very biased.

In addition, it is totally inconceivable that, on so narrowly specialised a document, the Committee on Energy, Research and Technology, which is the specifically competent committee, should not have been asked for its opinion.

Finally, yesterday's discussion was muddled and confused, and many members showed their lack of familiarity with the technical terms of the problem, often confusing a chemical reprocessing plant with a nuclear reactor.

Fortunately, the majority of the amendments adopted, particularly amendments Nos 14 and 16 tabled by Messrs Adam and Collins, corrected the more serious distortions of the original resolution.

We, too, hope, as proposed by Mr Linkohr, that qualified experts of the EEC will make a careful survey of how the Sellafield plant operates.

**Ippolito**

For these reasons, as well as for the general points made yesterday by Mrs Squarcialupi, our Group will vote for the amended resolution, in the hope that there will not be a repetition in the future of this failure to call for the decisive opinion of the technically competent committee.

**Mr Maher (L).** — I will support this motion, not because I believe that it is a particularly good one, but because I believe that I would be acting irresponsibly if I failed to do so in order to ensure that in future these nuclear plants are operated in such a way that there is no risk of effluent finding its way out of these plants and presenting a risk to human beings.

I think the Commissioner was correct last evening in saying that serious as the unemployment problem is the safety of human beings must take precedence over the question of employment. It is clear from all the information that is available, including a court decision against the owners of this plant, that at best it was operated in a slovenly and irresponsible way and, at worst, there was criminal negligence. We must ensure in future that these materials — the most lethal known to man — are not allowed to endanger human health.

I will support the motion on that basis.

**Mrs Faith (ED).** — I will be voting against this report because of the distortions, but I would also like to point out that the Commissioner said yesterday that he would ask the Community's committee of experts to look again at the findings of the Black report in the light of the judgment against Sellafield this July.

I must agree that no-one can do other than condemn the irregular discharges in 1983, but they can have no bearing on the Black report or its recommendation — the Black committee were looking at the incidence of leukaemia in the area over a long period.

In his references to the court case, Mr Clinton Davis neglected to include the fact that the judge had said that he would bear in mind 'a factor of particular importance in this case that should not be lost sight of — there was no harm or risk of harm to any member of the public'. It must also be noted — and Mr Clinton Davis did not say — that the judge said to people living in the area, 'You will have been generally encouraged that those premises are run not by eccentric scientists of erratic disposition, but by people who are not only highly qualified by examination or experience, or both, but who are all, almost without exception, solid, sensible, conscientious and usually thorough'.

In his summary of the case, Mr Clinton Davis did not bring those points forward. I feel that his dissertation was not as well balanced as one would expect from a Member of the Commission. Nor was his reference to

the effect of the judgment on the Black report relevant.

**Mr Pearce (ED).** — I have with others, of course, the concern about the events of Sellafield and the desire to make sure that this sort of thing does not happen again.

This report that we have before us, even in its amended form, is not about that. It is not the report that Mr Maher or Mr Ippolito were referring to. This report is a message from the Green political part of Europe peddling their views.

If it were the case that this matter had not been properly investigated by the British authorities, if it were the case that the company concerned had not been brought to court, tried, found guilty and fined, if it were the case that remedial action had not been taken, if it were the case that the Commission had anything concrete to add to the situation, the report might make some sense. But it does not do that. This is a report which is intended to destroy the nuclear industry. It is a report which is intended to destroy jobs, it is intended to destroy industry, because those are the views of the members of the Green political parties of this Community.

I do urge people to see the report as it is, to join me, if they can, in voting against, or, if not, at least to abstain.

**Mr Falconer (S).** — I would like to thank Mr Pearce for associating me with that report and calling me a Green. Noting the Tories' pursuit of zeal, their pursuit of the law when workers are fighting for the right to work, may I also draw your attention to the fact which I referred to yesterday, namely, the 1969 Act and the Ministry of Defence's breach of it and their contempt for it. Can I draw your attention to the words of Mr Rimington, the Director-General of the UK Health and Safety Executive. He refers to Rosyth dockyard where polaris submarines are being refitted and refuelled. At Rosyth approximately 1 000 deficiencies in making available transfer records have been identified. As far as we can ascertain, no system for making available records to workers has been in operation since 1985.

Colleagues in this Chamber, the Tories knew of this. I passed a letter on to Mr Sherlock yesterday prior to the debate and yet they wish to delete the eighth indent of this particular resolution. They are a law-breaking party when it suits them and it suits them on this occasion. After sucking off the profits of our members working in the coal industry, they now want to suck off the profits of our members working in the nuclear industry. I ask the Assembly to support this report overwhelmingly, for I am sure that the majority of this Assembly are law-abiding and are interested in the health and safety of our people.

**Mr Turner (ED).** — I shall vote against this resolution but I am glad that Parliament and the Commissioner both accepted Amendment No 1 because this report refers to many interesting studies but they are necessarily based on very small populations. It would have been possible for us to have determined the statistical significance of these types of studies by the application of complex probability theorems, but we did not have the statistical criteria. Therefore I am glad that the Commissioner has supported the proposal that in future the Commission will consider means for promoting greater agreement on statistical criteria in environmental work that we carry out.

**Mr Seligman (ED).** — Even amended, this report still contains misleading statements, impractical recommendations and exaggerated half-truths, particularly in the preambles. Mrs von Blotnitz did not even consult the Sellafield annual records of radioactive discharges and occupational safety. She refused to look at them, and they are very comprehensive.

Obviously there have been mistakes in the past at Sellafield, but they have now been taken firmly in hand by the British Government, and recital H, which asks for massive reductions of radioactive effluent, is not practical. The present effluent is in accordance with the Paris Commission recommendations, and that goes as far as is practical.

Mrs von Blotnitz's explanatory statement is dangerous. It is full of half-truths, and I hope the press and the public will not regard this explanatory statement as the opinion of Parliament. This Parliament must only deal in the truth, the whole truth and nothing but the truth.

*(Applause from the European Democratic Group)*

**Mr Taylor (ED).** — I have been present throughout the entire debate, because this is a very serious subject which has vital implications for my constituents in Northern Ireland. As I represent the East coast of Ireland, facing Sellafield, I am one of those MEPs most affected by this subject. When I hear some colleagues recklessly referring to cancer and leukaemia, I become most alarmed.

Throughout this debate there has been no evidence given in support of these well-publicized scares. Indeed, I was disturbed to hear that the rapporteur did not visit Sellafield and that her committee failed to take evidence from Professor Black or the BNFL. This report is incomplete and was based upon selective evidence. For that reason I had intended to vote against it.

However, the present position at Sellafield is not satisfactory. There should be no room for doubt nor scope for scaremongers. There must be stricter control of the

discharge, and this is a useful subject for greater cooperation between the Republic of Ireland in the south of my island and us of the United Kingdom in the north of the island. Yes, Northern Ireland and the Republic of Ireland should cooperate to ensure that the monitoring procedures are adequate. However, false scares or emotional charges are damaging, and I know that the Southern Irish fishing industry is appalled by those southern Irish MEPs who by the content of their speeches have implied that their waters are polluted and their fish contaminated.

This inadequate report has been improved by the acceptance of several amendments from the European Democratic Group. It still has inconsistencies, but it now includes two main proposals: control of the discharge and the retention of Sellafield. I shall, therefore now support the amended report even though I still have strong reservations.

**Mr Sherlock (ED).** — On a point of order, Madam President, I should like to make a personal explanation in regard to the point made by Mr Falconer. I expect that in the excitement he did not notice, but the signal I gave to my group on that particular indent, in view of his correspondence which he showed me, was to abstain.

**President.** — I shall not accept any further requests to speak on this matter. There was a point made concerning Mr Sherlock. Mr Sherlock has spoken. That is now concluded.

**Mrs Ewing (RDE), in writing.** — I welcome the Bloch von Blotnitz report because it coincides with a UK Government proposal to extend the reprocessing facility at Dounreay in Caithness in my constituency.

The Government has given lamentably inadequate details of its proposals for Dounreay and this has given rise to considerable concern in the local farming, fishing and tourist industries. It has also caused alarm in the neighbouring islands of Orkney and Shetland.

I understand the fears which have been clearly expressed in the area and I believe that the disturbing evidence relating to Sellafield in this debate can only serve to strengthen opposition to the proposed extension at Dounreay.

In supporting the proposed shut-down at Sellafield, which I believe is totally justified, I also call for a full scale Public Inquiry on the proposed extension at Dounreay and for a 3 year moratorium on any plans to extend Dounreay's reprocessing facility.

**Mr Hindley (S), in writing.** — Yesterday the Commissioner rightly reminded the House that BNFL had already been found guilty in the courts for polluting

**Hindley**

the sea. The fine, £ 10 000, was laughably small, particularly when compared to the fine of £ 50 000 imposed on Greenpeace for attempting to prevent that pollution.

I support this report for three main reasons;

Firstly, there is growing concern that the Lancashire coast south of Sellafield is becoming increasingly polluted. The Fylde coast has always been a favorite holiday area for the industrial workers of my constituency, Lancashire East.

Secondly, there is growing concern for marine life off the North-West coasts of England; the immediate concern is that there may be a risk to health by consuming contaminated fish. This fear is widespread. In the Lancashire fishing port of Fleetwood you can see signs in fishmongers' shops saying 'NOT LOCAL FISH'.

This genuine concern has not been acknowledged sufficiently by the UK government, and for a very specific reason which brings me to my third point.

The UK Tory Government is pushing ahead with a programme for nuclear energy, despite the environmental and health risks, for political reasons. Their nuclear energy programme is motivated by an intention to squeeze labour out of energy production to diminish the power of traditionally militant organized labour, like the National Union of Mineworkers.

I believe that this rush to nuclear power, which ignores the real concerns of ordinary people, must be checked.

I believe that this report will, in a small but significant manner, contribute to checking the nuclear energy policy of the UK government, and therefore I shall support it.

**Mr Colocotronis (S), in writing.** — (GR) I feel the need to offer a justification of my vote on the proposed resolution by Mrs Bloch von Blottnitz.

The dangerous situation created at the Sellafield processing plant in Britain, where one of the oldest nuclear installations in the world is in operation, brings topicality to one of the greatest problems of the age: the danger that threatens humanity from environmental pollution by spent nuclear fuels and all forms of emission of radioactive substances.

The data presented in Mrs Bloch von Blottnitz's detailed report persuade us once again of the following:

First, the problem of radioactive wastes is insoluble and its consequences extend over incalculable periods of time.

Secondly, damage to the environment cannot be avoided at any of the production stages; neither during the transport of the materials, nor during the generation of energy, and in no way during the transport and disposal of wastes, especially when this is attempted in sea areas. It is now commonly and officially recognised that it is wrong to suppose that radioactive substances dumped at the bottom of the sea are harmless.

Scientific investigations have shown that in the area of Britain in question the incidence of leukaemia in children is ten times the normal, with many cases of cancer. One can imagine the extent and size of these risks if, granted the dimensions which energy production by nuclear reactors is assuming in our times, we were to face similar problems in Greece where our groundbase is made so unstable by a high frequency of earth tremors. For this entirely specific reason I am opposed to the whole of the situation prevailing at Sellafield in Britain, whose consequences involve all Europe's citizens.

No underestimation of this risk must be permitted. I support the proposed resolution as just one step in the protection of man in our times, and of our descendants, who will be as much at risk and more.

**Mr Kuijpers (ARC), in writing.** — (NL) About a year ago we were shocked by the results of the Sellafield inquiry. The high incidence of cancer near the Sellafield reprocessing plant made us think, and political measures had to be taken. Hence the motion for a resolution on this subject.

When I read the report, I find that the politicians' concern was not unfounded. The facts are bewildering, and it is clear that the problem is not confined to Sellafield.

The report is a thorough analysis of the problem, and I congratulate the rapporteur in every way. I shall therefore vote for the report with great pleasure.

*(Parliament adopted the resolution)*

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**Mr Schwalba-Hoth (ARC).** — (DE) Madam President, I would like to ask the Bureau to ensure that in future the Rules of Procedure are observed, under which all Members who speak here must declare any private or business considerations that may influence them. During the explanations of vote one Member of this House who just spoke against this report was at the same time owner of a heat-exchange company for nuclear power stations and may still be so. For reasons of fairness the Bureau should instruct Members who speak here to declare such industrial obligations too.



**President.** — I note the point which has been made by the honourable Member. However, I would also remind you that one cannot refer to one's personal obligations every time one speaks. I think it is absolutely right that when any Member has an interest in a subject which is debated before this House, it should be declared, as is the practice in my own national parliament. That I uphold as a principle which should be observed by all Members. Whether or not there is any right in the case which has just been referred to is not for me to decide, but the point has been taken. I am quite certain that all colleagues here will have noted the point and will ensure that this principle is always observed.

There is no necessity to make any reply. No Member has been accused of any particular action. If any Member feels that they have been accused by that particular statement, then, of course, they must speak if they wish to defend themselves.

**Mr Seligmann (ED).** — I just want to say that I am retired from industry. The only company I have anything to do with deals with rubbish disposal.

*(Laughter)*

**President.** — In that case, Mr Seligman, it must be at your discretion when you declare your interest.

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**Report (Doc. A 2-86/85) by Mr Klinkenborg, drawn up on behalf of the Committee on Transport, on Memorandum No 2 from the Commission on civil aviation and in particular the proposal from the Commission to the Council (COM(84)72 final — Doc.1-164/84) for:**

**I. a decision on bilateral agreements, arrangements and memoranda of understanding between Member States relating to air transport;**

**II. a regulation on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector.**

*Proposal for a regulation Article 2, paragraph 1*

**Lord Bethell (ED).** — Before we vote on Article 2, Madam President, can I draw your attention to the fact that yesterday evening or this morning Amendment No 86 was moved under Article 74 of the Rules of Procedure by the rapporteur and Mr Ebel on the grounds that it was a compromise between various opinions in this Parliament on the question of the applicability of Article 85(1) to the air transport sector.

I believe that this so-called compromise text is not a compromise at all, that it in no way departs from the

original matter of principle which is whether or not the competition articles should apply to the air transport sector. It still suggests that Article 85(1) shall not apply to certain categories of agreements between undertakings. I feel that this compromise was put together by various individuals rather like an air traffic conference in secret and as part of a cabal and I ask you not to admit this so-called compromise amendment.

**President.** — Lord Bethell, in accordance with the Rules of Procedure, I am not in a position to decide that this is not a compromise amendment. I must therefore accept it in good faith. I understand what you have said, but I think I must accept that Amendment No 86 by Mr Klinkenborg and Mr Ebel is a compromise amendment.

*Motion for a resolution*

*Paragraph 19, Amendments Nos 74 and 47.*

**Mr Klinkenborg (S), rapporteur.** — (DE) Madam President, I am against Amendment No 74 and in favour of Amendment No 47.

**Mr Stevenson (S).** — On a point of order, Madam President. I am sorry to interrupt, but I wonder whether I could plead with the rapporteur and the author of Amendment No 47 to have this in addition to the text in the report. I feel it will lend itself to the report — add strength to it — and will certainly mean that many of us might support it if it were an addition and not a replacement.

**President.** — We will now ask the rapporteur what his view would be if Amendment No 47 were put to the Parliament as an addition as opposed to being an amendment to paragraph 19. What is the view of the rapporteur?

**Mr Klinkenborg (S), rapporteur.** — (DE) I think there is a serious misunderstanding. I am against amendment No 74 and in favour of Amendment No 47. So I am in favour of the amendment Mr Stevenson has just advocated.

*Explanations of vote*

**Mr Marshall (ED).** — The Klinkenborg report is a disgraceful sell-out to vested interests. The rapporteur clearly believes that the interest of consumers should be secondary to those of others. He has failed to tackle the basic problem. Why should air fares be so much higher in Europe than in the United States?

*(Protests from the Socialist Group)*

**Marshall**

He has shown himself to be the tool of the IATA cartel. He totied to IATA but refused to meet the independent airlines. The consumer welcomes lower air fares. Thus on the London to Amsterdam route there has been a dramatic increase in the number of passengers since air fares came down. The tragedy of the present situation is that many airlines are indifferent to their consumers. They prefer to remain overstaffed and overpaid and forget that their major objective should be to serve the needs of consumers.

The rapporteur wishers to featherbed this vested interest. His reactionary approach, ignoring the wishes of consumers who yearn for lower air fares, has been condemned by the consumers in the European Community group. It has been condemned by the independent airlines who want to give the consumer choice and better value for money. It is little short of a scandal and should be condemned by this House.

*(Applause from the European Democratic Group)*

**Mr Arndt (S), (DE)** — Madam President, Mr Marshall kept speaking of *the rapporteur* just now. He has obviously not realized that in this present form the report is no longer the rapporteur's report but a report by the majority of this House. I would be grateful if he would withdraw his reproaches against the majority of this House.

*(Applause from the left)*

**President.** — Thank you, Mr Arndt, for making that observation. I think the point has been duly noted by the House, judging by the reaction.

**Lord Bethell (ED).** — It is deeply distressing, that this Parliament seems about to support a report which will make travel between European countries more expensive and which will limit the natural freedom of our citizens to communicate with one another, thus strengthening Europe as a whole.

The rapporteur has been consumed with the interests of the airlines. He has taken very little account of the travelling public and this was obvious from the meeting that were held within the Committee on Transport. It is shocking to find the Socialist Group voting for paragraph after paragraph in favour of a cartel, in favour of a monopoly. It is very disappointing for us to find our friends in the Christian-Democratic Group voting against a more unified Europe, against the Treaty of Rome, for paragraphs which would dilute the Treaty of Rome and provide for exemptions from it in a very important sector.

I very much hope that those who truly value who truly value the principles of our Community and who want

our Community to be more united and more free will vote against this report.

*(Applause from the center and the right)*

**Mr Newton Dunn (ED).** — We were sent here last year by people, not by cartels and monopolies. We are about, it appears, to support cartels and monopolies.

*(Protests from the Socialist Group)*

**President.** — I ask Members to respect the right of other Members to speak in this House without interruption. That applies to both sides of the House. Will you please keep silent while the Member is giving his explanation of vote?

**Mr Newton Dunn (ED).** — There is ample evidence that the public wants lower air fares and more choice. In nine months of operation the bilateral arrangement between the UK and the Netherlands has invited 32 new air connections and an extra 70 000 passengers who would not otherwise have flown on the London-Amsterdam route. The evidence is there. The public wants lower air fares and more choice and you are about to deny it to them.

The British and Danish Conservatives in this group are proud to be the most *communautaire* in that we are trying to create a common market and to apply the Treaty of Rome. In sorrow and in anger, my group will vote against this report because this Parliament looks as if it is about to betray the interests of the public.

*(Applause from centre and the right)*

**Mr Adamou (COM), in writing.** — (GR) Implementation of the principles of the so-called 'free economy' in the air transport sector will mean complete bankruptcy for the Greek national airline, namely Olympic Airways. This is because:

First, the aid, subsidies and exemptions granted to it by the Greek Government will cease, in other words Olympic Airways will no longer enjoy the basic support thanks to which it survives and continues to operate as an undertaking.

Secondly, Olympic Airways would face the unequal competition of foreign companies in the same sphere of operation, and with its existing infrastructure, would be unable to withstand this competition. Thus, it would cease to fulfil its national purpose as a public company of common benefit.

Up to now, in December 1981 and June 1982, Greece exercised the veto and obstructed the implementation in our country of the air transport competition Rules,

**Adamou**

and it is thanks to this that Olympic Airways has survived so far.

Despite the positive points in Mr Klinkenborg's report on behalf of the Transport Committee, we maintain our reservations and our fears, and declare categorically that our party — the Greek Communist Party — opposes any extension of the rules of competition to the air transport sector, and to the definition of fares by the Community.

We insist that fare prices should continue to be defined on the basis of IATA's decisions, subject to full unanimity and with the right of veto. And this, because we believe that the modification of fare prices within the framework of the Community, the procedures envisaged, the right to monitor agreements between sovereign Member States of the Community and third countries, combined with the embargo on subsidies by Member States in favour of their national air carrier, can only have catastrophic consequences for the national air carrier in Greece. We shall therefore vote against the Transport Committee's report.

**Mrs Ewing (RDE), in writing.** — I welcome the second memorandum on civil aviation as a major step towards a common air transport policy.

My primary interest is in improving airlines services to the Community's peripheral areas and islands, including my Highlands and Islands Constituency.

Where a national carrier fails to provide adequate services in terms of frequency of flights, convenient flight schedules, ticket costs etc and where it is clear that improved services would increase the demand for seats on a given route, I believe that the national carrier should face a greater degree of competition from other operators.

On the other hand, some routes will never be profitable and by obliging the national carriers to operate such routes, we must ensure that they receive sufficient compensation on other routes.

The recent success of small independent airlines in Scotland has convinced me of the need for a greater degree of liberalization in air transport.

**Mr Maffre-Baugé (COM), in writing.** — The Commission is playing the sorcerer's apprentice in the delicate matter of air transport. It is calling for deregulation which would lead to the total disorganization of our air traffic. There is evidence of a systematic attitude both in the economic reasoning and the analysis of the situation.

Must we remind ourselves of the sad record of accidents in 1985 which left almost 1 200 dead? Were these not the result of fierce competition among airlines which resulted in a lowering of safety standards?

The rapporteur was right not to accept this adventurism and request that the existing system of bilateral agreements should be maintained, along with the system of state-controlled airlines, international negotiations and consideration of all the interests including those of airline staff and passengers.

However, the amendments adopted force the French Communist and Allies Group to abstain from voting on the final text.

**Mr Prout (ED), in writing.** — I must say that I find the House's rejection of Amendment No 29 quite staggering. This amendment expresses the belief that certain agreements may be granted exemption from the prohibition contained in Article 85(1) subject to an opinion of the Parliament where it so requests. We spend hours and hours of our time calling for new powers for the Parliament to be contained in a new Treaty, yet refuse to vote for them when we amend individual Commission legislation. Do we really want the Commission to exercise this power without parliamentary control? Or are we simply too idle to take the trouble to understand what we are voting for?

*(Parliament adopted the resolution)<sup>1</sup>*

*(The sitting was closed at 7.25 p.m.)<sup>2</sup>*

<sup>1</sup> The rapporteur spoke:  
— IN FAVOUR of amendments Nos 2, 3, 10, 39 (first three paragraphs), 42, 45, 47, 49, 50, 53, 54, 57, 62 to 64, 76 to 86.  
— AGAINST amendments Nos 4, 6 to 9, 21, 24 to 38, 58 to 61, 67 to 75.

<sup>2</sup> Agenda for next sitting: see Minutes.

**COMMISSION ACTION ON EUROPEAN PARLIAMENT OPINIONS ON  
COMMISSION PROPOSALS DELIVERED AT THE JUNE AND JULY 1985  
PART-SESSIONS**

This is a report on action taken by the Commission on amendments proposed at the June and July 1985 part-sessions, within the framework of Parliamentary consultation, and on disaster aid as arranged with Parliament's Bureau.

Reports adopted by Parliament in June, and discussed in the July 'action taken' communication, are not mentioned in this paper unless there have been fresh developments. This paper also mentions two reports voted by Parliament in April, for which the Commission adopted amendments to its initial proposals following the July part-session.

**I. COMMISSION PROPOSALS TO WHICH PARLIAMENT PROPOSED  
AMENDMENTS THAT HAVE BEEN ACCEPTED IN PART BY THE COM-  
MISSION**

**A. For the following reports, the Commission has amended its original proposal to incorporate amendments it had accepted in the House:**

Report by Mr Seligman, adopted on 14 June (PE A 2-36/85), on the proposal from the Commission of the European Communities to the Council for a regulation on a programme of support for technological development in the hydrocarbons sector (COM(84)658 final)

The effect of the amendments is:

- that Community support may not normally exceed 49% of the eligible cost of the projects except in the case of the projects by small companies involving a Community contribution of less than 200 000 ECU;
- that all contracts for support are to provide for repayment of the Community's contribution in the case of successful commercial exploitation of the project in question;
- that preference is to be given to projects involving the association of at least two independent companies which are not established in the same Member State and to projects promoted by small and mediumsized undertakings, solely, jointly, or in collaboration with large undertakings
- that the Commission will report to Parliament and the Council every two years on application of the regulation and the repayment of subsidies.

Commission's position at debate: verbatim report of proceedings, 13 June 1985, pp. 278-279.

Text of motion for resolution adopted by Parliament: Minutes of 14 June 1985, Part II, pp. 11-14.

Commission's amended proposal: COM(85)453 final of 31 July 1985.

Report by Dame Shelagh Roberts, adopted on 11 July (PE A 2-29/85), on the proposal from the Commission of the European Communities to the Council for a regulation on the entry in the accounts and terms of payment of the amounts of the import duties or export duties resulting from a customs debt (COM(84)739 final).

The amendment raises from 2 ECU to 10 ECU the amount of duty which the customs authorities of certain Member States need not enter in the accounts under existing provisions where the cost of recovery would be out of proportion to the amount due. The figure of 10 ECU corresponds to the amount that the customs authorities may disregard in post-clearance recovery under Article 8 of Council Regulation 1697/79/EEC on the postclearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties.

Commission's position at debate: verbatim report of proceedings, 10 July 1985

Text of motion for resolution adopted by Parliament: Minutes of 11 July 1985 — Part II, pp. 30-31.

Commission amended proposal: COM(85) 470 final of 21 August 1985.

- Report by Mr Rothley, adopted on 11 July (PE A 2-35/85 rev), on the proposals from the Commission of the European Communities to the Council for regulations
  - I. introducing special and temporary measures applicable to the recruitment of officials of the European Communities in consequence of the accession of Spain and Portugal
  - II. introducing special measures to terminate the service of officials of the European Communities
  - III. amending Regulation (EEC, Euratom, ECSC) No 260/68 laying down the conditions and procedure for applying the tax for the benefit of the European Communities
  - IV. amending Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply (COM(84) 680 final)

The amendment seeks to extend the proposal to include:

- Community officials in categories A, B, C, D and the Language Service and grades A3, LA3, A4, LA4, A5, LA5, B1, B2, C1, C2, D1, D2, who are over 55 years of age and have 10 years' seniority; and
- Community officials, other than officials in grades A1 and A2, with 25 years' seniority, regardless of age.

The proposed measures are to be applied in the interests of the service on a voluntary basis. The Joint Committee will be consulted. The institutions will select those officials to whom the measures are to be applied within a ceiling set by the budgetary authority each year which may not exceed 20% of officials eligible. Officials' financial rights are modelled on the termination-of-service regulation adopted in the context of Greek accession.

Commission's position at debate: verbatim report of proceedings, 14 June 1985, pp. 302-304.

Text of motion for resolution adopted by Parliament: Minutes of 11 July 1985, pp. 11-17.

Commission's amended proposal: COM(85)469 final of 20 August 1985.

- Report by Mr Nordmann, adopted on 19 April (PE 2-6/85), on the proposals from the Commission of the European Communities to the Council for:
  - I. a directive on consumer protection in respect of the indication of prices for non-food products (COM(83)754 final)
  - II. a directive amending Directive 79/581/EEC on consumer protection in the indication of the prices of foodstuffs (COM(84)23 final).

The amendments specify:

- that the unit price may be shown by poster or labelling, but must not be confused with the selling price;
- that, until the end of the transitional period during which the Imperial system of weights and measures is authorized in Ireland and the United Kingdom, the Irish and British authorities will be free to determine the units of weight and volume for each product or category of product;
- that certain small retail businesses may be exempted from the obligation to indicate the unit price by labelling.

Commission's position at debate: verbatim report of 18 April 1985, pp. 280-281.

Text of motion for resolution adopted by Parliament: Minutes of 19 April 1985, Part II, pp. 6-14.

Commission's amended proposal: COM(85)398 final of 19 July 1985

- Report by Mr Marshall, adopted on 19 April (PE 2-9/85), on the proposal from the Commission of the European Communities to the Council for a regulation amending Regulation (EEC) No 543/69 on the harmonization of certain social legislation relating to road transport and Regulation (EEC) No 1463/70 on the introduction of recording equipment in road transport (COM(84)147 final).

The amendments take account of the amendments requested by Parliament and accepted by the Commission in the House, with the exception of those relating to maximum driving time in any two consecutive weeks

and daily and weekly rest periods, on which Transport Ministers reached unanimous agreement at the Council meeting on 24 June 1985.

The provisions are as follows:

- maximum driving time in any two consecutive weeks: 90 hours
- minimum daily rest period: 11 hours or 12 hours if non-consecutive
- minimum weekly rest period: 180 hours for 4-week period, 45 hours per week on average.

Commission's position at debate: verbatim report of proceedings, 18 April 1985, pp. 309-311

Text of motion for a resolution adopted by Parliament: Minutes of 19 May 1985, Part II, pp. 29-42.

Commission's amended proposal: COM(85)458 final of 7 August 1985.

- B. For the following reports the Commission is preparing amendments to its initial proposals which will take account of the changes it accepted during the debate:

- Report by Mr Hutton, adopted on 12 July (PE A 2-72/85), on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 2617/80 instituting a specific Community regional development measure contributing to overcoming constraints on the development of new economic activities in certain zones adversely affected by restructuring of the shipbuilding industry (COM(84)715 final)
- II. a Regulation amending Regulation (EEC) No 219/84 instituting a specific Community regional development measure contributing to overcoming constraints on the development of new economic activities in certain zones adversely affected by restructuring of the textile and clothing industry (COM(84)715 final)
- III. a Regulation amending Regulation (EEC) No 2619/80 instituting a specific Community regional development measure contributing to the improvement of the economic and social situation of the border areas of Ireland and Northern Ireland (COM(84)715 final)
- IV. a Regulation instituting a specific Community regional development measure contributing to the development of new economic activities in certain zones affected by the implementation of the Community fisheries policy (COM(84)715 final)
- V. a Regulation relating to the establishment of specific Community regional development measures in 1985 and amending Regulation (EEC) No 1787/84 (COM(85)243 final — C2-52/85)

Commission's position at debate: verbatim report of proceedings, 12 July 1985.

Text of motion for resolution adopted by Parliament: Minutes of 12 July 1985, Part II, pp. 6-21.

## II. COMMISSION PROPOSALS IN RESPECT OF WHICH PARLIAMENT DID NOT REQUEST FORMAL AMENDMENT

- Report by Mrs Squarcialupi, adopted on 8 July (PE A 2-51/85), on the proposal from the Commission of the European Communities to the Council for a decision amending Decision 81/971/EEC establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea (COM(85) 123 final)

Commission's position at debate: verbatim report of proceedings, 8 July 1985, pp. 14-15

Text of motion for resolution adopted by Parliament: Minutes of 8 July 1985, Part II, pp. 5-8.

- Report by Mr Hindley, adopted on 11 July (PE A 2-74/85), on the proposal from the Commission of the European Communities to the Council for a Regulation concerning the conclusion of a Trade and Economic Cooperation Agreement between the European Economic Community and the People's Republic of China (COM(84)713 final)

Commission's position at debate: verbatim report of proceedings, 10 July 1985, pp. 122-123.

Text of motion for resolution adopted by Parliament: Minutes of 11 July 1985, Part II, pp. 28-19.

- Report by Dame Shelagh Roberts, adopted on 11 July (PE A 2-43/85), on the proposal from the Commission of the European Communities to the Council for a Regulation amending for the third time Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties (COM(84)737 final)

Commission's position at debate: verbatim report of proceedings, 10 July 1985, p. 125.

Text of motion for resolution adopted by Parliament: Minutes of 11 July 1985, Part II, p. 32.

- Report by Mr Stavrou, adopted on 12 July (PE A 2-66/85), on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 1603/83 laying down special measures for the disposal of dried grapes and dried figs held by storage agencies (COM(85)146 final)

Commission's position at debate: verbatim report of proceedings, 12 July 1985, pp. 270-271.

Text of motion for resolution adopted by Parliament: Minutes of 12 July 1985, Part II, pp. 37-38.

- Reports without debate by Mr Tolman, adopted on 12 July (PE A 2-76/85), on the proposals from the Commission of the European Communities to the Council for
  - A. a Regulation amending Regulation (EEC) No 1943/81 on a common measure to improve the processing and marketing conditions in the cattlefeed sector in Northern Ireland (COM(85)234 final)
  - B. a Regulation amending Regulation (EEC) No 1938/81 on a common measure to improve public amenities in certain less-favoured agricultural areas of the Federal Republic of Germany (COM(85)236 final)
  - C. a Regulation amending Regulation (EEC) No 1054/81 establishing a common measure for the development of beef cattle production in Ireland and Northern Ireland (COM(85)238 final)

Text of motion for resolution adopted by Parliament: Minutes of 12 July 1985, Part II, p. 1.

### III. COMMISSION PROPOSALS TO WHICH PARLIAMENT PROPOSED AMENDMENTS THAT THE COMMISSION FELT ABLE TO ACCEPT IN A DIFFERENT FORM

- Report by Mr Fajardie, adopted on 12 July (PE A 2-47/85), on the proposal from the Commission of the European Communities to the Council for a decision laying down the procedure for appointing those members of the Board of the European Foundation to be chosen by the Community (COM(85)116 final)

Although it was reluctant to re-open negotiations within the Council by presenting an amendment to its initial proposal, the Commission agreed to Parliament's request that three Members of the Parliament should appear on the list of names put forward in connection with the procedure for appointing those members of the Board of the European Foundation to be chosen by the Community. The Commission's agreement to this point was confirmed on 23 July in a letter to the President of the European Parliament. On 25 July the Council adopted the decision laying down the procedure for appointing those members of the Board of the European Foundation to be chosen by the Community.

Commission's position at debate: verbatim report of proceedings, 11 July 1985, pp. 260-261.

Text of motion for resolution adopted by Parliament: Minutes of 12 July 1985, Part II, pp. 27-29.

### IV. INFORMATION ON EMERGENCY AID GRANTED IN JULY AND AUGUST

#### *Intra-Community emergency aid*

On 24 July the Commission decided to grant emergency aid of one million ECU to the inhabitants or families of the victims of the Trentino-Alto Adige disaster caused when a dam in the Fiemme Valley in the Dolomites burst on 19 July 1985.

#### *Emergency aid to non-member countries*

##### *Financial aid*

Article 950 of the Budget

<i>Country or recipients</i>	<i>Amount</i>	<i>Grounds</i>	<i>Administered by</i>	<i>Date of decision</i>
The "Boat People" (China Sea)	100 000 ECU	—	Médecins sans frontières	18 July 1985
Mozambique	1 million ECU	Drought Dublin Plan	Freedom from Hunger	26 July 1985
Mauritania	1.5 million ECU	Drought Dublin Plan	Care (France) Licross Médecins sans frontières	8 August 1985
Chad	1.5 million ECU	Drought Dublin Plan	Médecins sans frontières WFP	9 August 1985



*Food aid*

<i>Country or Recipients</i>	<i>Quantity/Product</i>	<i>Grounds</i>	<i>Administered by</i>	<i>Date of decision</i>
Palestinian refugees in Lebanon	2 000 t cereals 300 t sugar	—	UNRWA	3 July 1985
Angola	1 200 t cereals 500 t legumes 200 t skimmed milk powder	Drought in province of Namibia	"Food for Work" Programme	23 July 1985
Ethiopia	1 400 t milk powder 500 t butter oil	—	Relief and Rehabilitation Commission (GO)	1 August 1985
Chad	500 t milk powder	—	Licross	14 August 1985
Mauritania	650 t milk powder 500 t butter oil	—	Licross	14 August 1985
Somalia	100 t milk powder 400 t milk powder	—	Licross UNHCR	14 August 1985
Sudan	250 t milk powder	—	Licross	14 August 1985
Honduras	50 t milk powder	—	UNHCR	14 August 1985
Refugees in Ethiopia, Somalia and Sudan	250 000 ECU for purchase of high-energy biscuits	—	Oxfam, UK	14 August 1985
Honduran refugees	10 000 t cereals	—	UNHCR	14 August 1985
Refugees in Somalia	2 200 t cereals	—	UNHCR	14 August 1985
Kampuchea	1 800 t cereals	—	TROCAIRE/ CIDSE (NGO)	14 August 1985

## SITTING OF WEDNESDAY, 11 SEPTEMBER 1985

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IN THE CHAIR: MR PFLIMLIN

*President*

*(The sitting was opened at 9 a.m.)<sup>1</sup>*

**Mr Pannella (NI).** — (FR) With your leave, Mr President, I should like to say that I find it intolerable that this Parliament should be obliged to be one Member short of its plenum, having been unable to appoint

the replacement for Mr Molinari, who has been forced by serious ill-health to resign and leaves with our very sincere and fond best wishes. The Italian Supreme Court is in recess and has therefore not sent us the documents needed to enable Mr Cridente to take Mr Molinari's place. I was anxious to draw attention to this. We are one Member short because the Supreme Court of the Italian State is in recess. I draw attention to this state of affairs and register my protest.

I should also like to say, Mr President, that we have heard — through unofficial channels, of course — that the Bureau took a decision yesterday on the new Secretary-General and that Mr Vinci was elected unanimously. We should like to congratulate Mr Vinci

<sup>1</sup> Approval of minutes — Documents received: see Minutes.

**Pannella**

— not as an Italian but as a Member of the European Parliament — on this decision which, we confidently expect, augurs well for Parliament.

**President.** — Naturally we are sorry that our colleague, Mr Molinari, has been obliged to resign for reasons of health. This information was conveyed immediately to the competent Italian authorities so that his successor could be nominated. As you yourself have pointed out, Mr Pannella, special circumstances prevent the Italian institution whose duty it is to clear up the matter from doing so. That his successor has not yet been appointed is obviously something that we all regret. As far as the European Parliament is concerned, however, it has taken all the necessary steps. Of that I can assure you.

I should also like to thank you for the kind remarks you have addressed to Mr Vinci, as in the normal course of events I am not permitted to give him the floor.

**Mr D. Martin (S).** — Mr President, I have a point of order in relation to this afternoon's debate on South Africa. I wish to draw your attention to the fact that three Conservative Members of this House — Sir Henry Plumb, Sir Jack Stewart-Clark and Sir Peter Vanneck — are all directors of companies with holdings in South Africa. I want to ask for your assurance that these directors, who are all knights, these knights of shame, will not be allowed to take part in this afternoon's vote and this afternoon's debate. I want your assurance that that will not happen, Mr President.

*(Mixed reactions)*

**President.** — We have taken note of your remarks. However, this is not a point of order; it is a complaint about certain colleagues.

**Sir Peter Vanneck (ED).** — On a point of order, Mr President. Could I ask which company of which I am a director has interests in South Africa?

**President.** — I am sorry, Sir Peter, but I do not want to get involved in a dispute between two Members.

**Mr Herman (PPE).** — *(FR)* Mr President, I wish to raise a point in connection with the agenda. On Monday, replying to a question from our colleagues, you announced that we would have a debate on the basis on which Parliament is going to be involved in the Intergovernmental Conference, following an exchange of letters between yourself and Mr Poos. And you replied that we would have ample opportunity to debate this problem during the course of the part-session.

I have examined the agenda, but in vain; there is no mention of this debate. I wonder when we are going to get the opportunity to discuss this matter with the President-in-Office of the Council.

**President.** — What I can do is to inform you of the contents of the letter which I received yesterday from Mr Poos, to whom I extend a respectful and cordial welcome.

As you have very rightly observed, this item does not appear on the agenda for this part-session. The enlarged Bureau discussed this matter yesterday at some length, and it was decided in principle that a debate would be held during the October part-session. Arrangements for this debate were also discussed at some length. It will take the form of oral questions with debate. I say oral questions in the plural, because the various groups may very well feel the need to table separate questions.

Obviously we hope to come to an agreement with the President-in-Office of the Council of Ministers with regard to the exact date, because it would undoubtedly be extremely useful if he could be present at the debate.

I would stress once again that there must not be any confusion between the Council of Ministers, which is a Community institution, and the intergovernmental conference, even if the spotlight will be directed on one and the same person. This is perhaps a little legal nicety, but I think that it should not give rise to any major difficulties.

**Mr Wijsenbeek (L).** — *(FR)* Mr President, I think that you really ought to have a rear-view mirror, since this is apparently the only Parliament in the world where some Members are seated behind the President's back. This is incredible! I am sitting in my colleague Mr Nordmann's seat which, with the new seating arrangements, is two places from the end. This seat is actually behind the Chair, and I should therefore like to draw your attention first of all to the places allocated to us. My second point is that our Group should in any event have been given seats in the centre of the Chamber rather than out here on the right.

My main reason for asking to speak, however, is that I wish to support the procedural motion moved by Mr Pannella at the very beginning of the sitting. I raised my hand but was unable to catch your eye, Mr President, because I am sitting behind you. I should therefore first like to congratulate you on the choice that you made yesterday evening of our new Secretary-General, to whom I should also like to extend my congratulations. Secondly, Mr President, with regard to Mr Molinari's resignation, I believe that there is a need to take a fresh look at the powers and responsibilities of the Committee on the Verification of Cre-

**Wijsenbeek**

dentials. Indeed, I think that we must be the only Parliament in the world which does not have the power to decide which of its own Members are to be admitted or not and cannot decide whether someone is or is not to be accepted as a new Member.

I would therefore ask you, together with the Bureau, to make a re-examination of the powers and responsibilities of the Committee on the Verification of Credentials. I note that its chairman, who shares my view, is in the Chamber.

I hope, Mr President, that you will be able to do something about this quite impossible seat placing that my colleague Mr Nordmann is having to put up with.

**President.** — I can see you very well indeed, Mr Wijsenbeek, and I do not feel in the slightest that you are going behind my back. In fact, you are on my side. Would I not be right in saying that?

*(Laughter)*

In any case, even before the work on the Chamber was begun, certain colleagues were seated either at the extreme right or at the extreme left, and I remember very well always having to lean forward a little to see them, something that I always did. The fact is that I like very much to see my colleagues, not just to hear them.

However, since you have raised this matter of the Chamber, may I say, as one who was not responsible for the extension, that it was carried out in a very short time and in an excellent manner and that we owe a debt of sincere gratitude to the people who did the job.

*(Applause)*

With regard to Mr Molinari, I have already given an answer to Mr Pannella on this matter. We are not to blame. The competent Italian authorities were immediately informed of Mr Molinari's resignation, and replacements are appointed in accordance with the provisions of national law. In the case of Italy, it is a matter for the Italian Supreme Court.

Mr Pannella has told us, something that we were also aware of from other sources, that the Italian Supreme Court is in recess and therefore has not been able as yet to deal with the matter. We may regret this, but I see no reason to be in any way critical of the way in which Italian institutions function.

There is no problem with the verification of credentials. The problem is one of the appointment of replacements by the competent national authorities. That is what we have got to understand.

**Mr Fich (S).** — *(DA)* Mr President, following on from what Mr Herman said a moment ago, I should

like to remind you of the little exchange which took place on Monday, when we started, in which you, Mr President, read out a letter which I protested about. On Monday you announced that I could register my protest and develop it further in the debate which would take place this week. Now I hear — and that was what Mr Herman was asking about — that quite simply no such debate will take place this week. In other words the information I was given on Monday was incorrect, so I should like to ask: when shall I have an opportunity to raise for debate the letter which you, Mr President, read out on Monday?

**President.** — This letter is not being made the subject of a debate. I was only passing on some information.

# 1. VAT relief to German farmers (continuation)

**President.** — The next item is the continuation of the debate on the report (Doc. A 2-87/85) by Mr Prout.<sup>1</sup>

**Mrs Vayssade (S), chairman of the Committee on Legal Affairs and Citizens' Rights.** — *(FR)* Mr President, I merely wish to offer a few comments on this topic, reminding Honourable Members that this report was adopted unanimously by the Committee on Legal Affairs and Citizens' Rights.

Yesterday we had a debate in this Chamber on the consequences of the judgment delivered by the Court of Justice following our infringement proceedings, but it would appear that the Council has not yet appreciated the implications of this judgment or seen fit to draw the appropriate inferences.

None of us disputes the importance of the problem facing farmers. With the elimination of monetary compensatory amounts, the question of German and Dutch farmers' incomes became a serious issue in need of urgent action, and we could almost congratulate the Council on the speed of its response. But why was it necessary for the Council to have acted in defiance of the lawful procedures in our Community and largely ignored the role of the European Parliament, only going through half of the procedure for consulting it, taking no account or virtually no account of its opinions and refusing to take part in any conciliation with it?

How can the European Parliament have any confidence in the promises given by the Council, which promises almost unanimously to increase the powers of our Parliament, to recognize it as having real legislative powers, when at the same time it acts in this despotic way and refuses to take the other institutions' powers into account?

<sup>1</sup> See Debates of 10. 9. 1985.

**Vayssade**

We therefore approve the Prout report and I would urge the Commission to act on it.

The battle that we are waging, and the vigilance that we have shown in committee, is manifestly a battle for Parliament, but I hope that I can convince the Commission that it is also a battle for the balance of powers in this Community, that by defending the powers of our own institution we are also defending its powers, that it too has also been partly ignored by the Council in this matter and that, since the Commission is the guardian of the Treaties, it would be a shame if it did not wish to behave accordingly and react in its turn.

I hope that Parliament will accept the recommendations of its rapporteur and that we shall be voting in favour of this report. I also hope that, if the Commission does nothing, we in Parliament will draw all the necessary inferences, since all the battles that we have been fighting to enlarge and enhance the effectiveness of our powers entail strict vigilance to ensure that our existing powers are respected. This is what the Committee on Legal Affairs and Citizens' Rights has tried to achieve through the Prout report.

**Mr Wijsenbeek (L).** — (NL) Mr President, I am now back in my own seat, even if it is still not the right seat for me, since I should really be sitting in the centre of this Chamber.

Having said that, I now turn to the item in hand. The Prout report now before us is nothing less than a declaration of bankruptcy by this Parliament. We are always complaining that we still do not have full rights and powers. Yet on this occasion Parliament itself is falling short of the mark on the very issue where we have long been trying to take the initiative, namely, the effort to secure joint legislative powers. It was the same rapporteur, Mr Prout, whom I warmly congratulate on his report, who was instrumental on behalf of this Parliament in getting the isoglucose ruling converted to a procedure pursuant to our Rules of Procedure. But we are still not making full use of our own powers. We can postpone delivering our opinion until the Commission has said what it intends to do about our amendments. If we do, we shall at least be taking a first step in the exercise of joint legislative authority.

I shall give just one example that I happen to remember well. A few months ago we were debating driver hours and rest breaks in road transport. On Thursday evening during the late sitting, at one minute to midnight, the Commission Member, Mr Clinton Davis — whom I absolutely do not personally reproach — picked up a list and said, 'Mr President, in view of the lateness of the hour, I shall just quickly, indicate what action the Commission intends to take on Parliament's amendments. Now, then, numbers 1, 3, 5, 7, 9...' and he then proceeded to read out a list of numbers, and continued, 'Those are the ones we are unable to adopt, and we accept numbers 2, 4, 6, 8 and 10.'

Mr President, we are digging our own graves. What ought we to do when something like this happens? The rapporteur should pick up the list and say: Look here, these are crucial amendments, they are not being adopted by the Commission, and so we are going to stop the proceedings and apply Rule 36(2) of our Rules of Procedure. That means we shall take no further action to deliver our opinion until the Commission has told us that it will think again, or can state the reasons why it will not adopt certain amendments.

The same thing happened yesterday with the Klinkenborg report. After Parliament had put more than a year's work into this report, the Commission Member had the nerve to stand up and cold-bloodedly declare, 'I am sorry, but of the amendments tabled by Parliament I am able to accept only one'. And the one amendment that the Commission felt able to accept was actually withdrawn at a later stage! We cannot any longer take this lying down or go on saying to ourselves, 'The Commission won't adopt any of our amendments. What a shame!'

On both items — drivers' hours and rest periods and the Klinkenborg report — I was on the other side. I voted against both. I nevertheless consider that the then rapporteur, John Marshall, and now Mr Klinkenborg, will be failing in their duty as rapporteurs if they do not stand up on behalf of Parliament and confront the Commission, saying that if the Commission remains obdurate in its decision not to adopt any of Parliament's amendments, then we shall have no option as parliamentarians but at long last to invoke Article 144 of the Treaty and pass a motion of censure. It is a thing to be mortally ashamed of, Mr President, that this Parliament has not to this day ever passed a motion of censure. This does not of course reflect on the individual Members of the Commission, practically all of whom are our natural allies; it is a purely institutional question.

Mr President, let us grasp the opportunity arising from the Prout report and let us make a formal application to you, as Chairman of the Bureau, for specific action. Parliament should draw up a procedure that will enable us to improve monitoring of the action taken to follow up what we, as a parliament and as the elected representatives of the voting public, have asked for. In this connection I should like to draw attention to Document No 85/4300, entitled 'Commission statement on the action taken on the opinions delivered by Parliament at the June and July 1985 part-sessions'.

Mr President, my copy of that document happens to be in Italian; I can cope with the title, but I am sorry to say that I have some difficulty in following the action actually taken by the Commission on Parliament's opinions in Italian. Yesterday we were asked if anyone had any comments to make on Document No 85/4300. The silence in this Chamber was deafening. No one spoke a word. Now that I have had a look at this document — with the help of an Italian-Dutch

**Wijsenbeek**

dictionary — I can now say that I am very dissatisfied with it, but I have only myself to blame because I should have tried to read it earlier. What it comes down to — and I want to say this as a formal request to you, Mr President, as Chairman of the Bureau, — is that Parliament should set up a team of officials — and I know our officials are very capable, since I used to be one myself — with their own office, whose job it would be to follow up the action taken on Parliament's opinions in a much more systematic way than hitherto. When things are happening that are quite at variance with Parliament's whole purpose, when they do not receive any publicity, and when they violate our debating procedures, as in the case of the Prout report, then it is certainly time to hit the alarm bells. This kind of thing cannot go on. I admit, of course, that we ourselves are the first to blame. We Members of Parliament sometimes deserve to be seen wearing penitential garments. I feel I ought to have mine on already. I promise that I shall now start to live a better life, and I have Mr Prout to thank for improving my understanding of this whole matter.

**President.** — I have taken note of your last suggestion, but I may tell you that there is already in existence a department which deals with the action taken on opinions delivered by the European Parliament.

**Mr Rogalla (S).** — (*DE*) Mr President, the question which must be asked is whether it is a good thing that the European Parliament should, for the second time in as many days, be considering questions of legality and the proceedings it ought to bring. However, I should like to strike a conciliatory note by saying that I see no shame in helping law and justice to win the day. On behalf of the Socialist Group let me offer three comments of a judicial nature. Firstly, we need to clear up a misunderstanding: in taking legal steps against the Council of Ministers, which approved the 20th VAT Directive by itself, we are not acting against the farmers concerned, who must indeed be given their well-deserved and promised financial compensation for the loss of the monetary compensatory amounts. But this must be done in ways laid down by the Treaties, which include consulting and involving the European Parliament.

The second point of concern to me is the wording of paragraph 8 of the motion for a resolution and the possibility of Parliament taking legal initiatives itself. Article 173 of the EEC Treaty, which describes the right of the Institutions to have the legal acts of the Community reviewed by the European Court of Justice, speaks of the Member States, the Council and the Commission. The European Parliament is not mentioned because when the Treaties were drawn up it was not directly elected and did not yet as a democratic body express the will of the people. Consequently — and here I call upon you, Mr President, and the Bureau — a constructive interpretation of the

principle of democracy must lead to the European Parliament's right to bring proceedings, as a directly elected popular assembly, being written into Article 173 of the EEC Treaty.

Of course, there is a time limit for this which, according to the rapporteur, is from 26 July to 26 September. If in paragraph 8 of his motion for a resolution the rapporteur instructs the President, the Bureau and other bodies of the European Parliament to take all the requisite steps including, if necessary, proceedings before the European Court of Justice, then the Bureau must decide by this deadline, i.e. before 26 September, whether this interpretation is acceptable. I would call on you at this time to do so and would remind you that the deadline is approaching.

The third point I wanted to deal with has already been covered most excellently by my honourable friend Mr Wijsenbeek. There is a time limit both on actions under Article 173 of the EEC Treaty and on actions brought by counsel for a private individual. In the former case the time limit is two months and in the latter case, under Rule 37 of the Rules of Procedure of the European Court of Justice, it is three months. This question thus needs careful scrutiny, and we must be in a position as the European Parliament to involve ourselves in any proceedings as appropriate. Our attitude needs to be improved here.

**Lord Cockfield, Vice-President of the Commission.** — Mr President, this is essentially a dispute between Parliament and the Council of Ministers. The Commission is involved only incidentally.

Perhaps I might start by making a comment on a political level. I entirely appreciate the feelings of indignation expressed by the Parliament, and those of you who have studied that admirable document, the Beumer report, will recall that the Commission itself took exception to the course of action originally proposed and refused to put forward directives to give effect to a VAT relief for farmers. Now we do believe that the use of a taxing instrument in this way is quite inappropriate. However, despite the views of the Commission, the Council of Ministers then embarked on an alternative course of action and proceeded by way of Council decisions. It is out of those Council decisions that the present difficulties arise.

Perhaps I might also make this comment, that at the meeting of the Council of Ministers in June I did myself press strongly that there should be a process of consultation with Parliament, but the results of that, of course, are now known to you all.

So much for the political side of this. What we are now concerned with, however, is not the merits or demerits of what has been done at all. We are concerned purely with a legal point and that comes out most clearly from Mr Prout's report, because right on

**Cockfield**

the cover it says '... on certain legal problems'. The body that settles legal problems is not the Commission, it is the Court of Justice. In fact proceedings have already been commenced in the Court in the case of *Segaldo Joint Farming Group v Council and Commission*. The Commission are, therefore, with the Council, defendants in this case and any relevant arguments will, no doubt, be put forward. It was, of course, open to Parliament, as Mr Prout has said, to be represented in those proceedings, but Parliament refrained from taking that course of action. Nevertheless, the stage is now set. The principal players are on the stage: the aggrieved party, the Council of Ministers and the Commission, and the Court of Justice is sitting in the seat of judgment. In the words of the Duke of Wellington, as reported by Stanley Holloway, on the occasion of the Battle of Waterloo, 'Let battle now commence'.

**Mr Prout (ED), rapporteur.** — Mr President, may I crave your indulgence to make three very brief comments in my role as rapporteur.

The first is to react to what Mr Rogalla said about the politics. There is no question, of the Committee on Legal Affairs and Citizens' Rights being opposed to VAT relief for German farmers. We do not question the political wisdom of what has happened. We are not trying to prevent German farmers from getting compensation against the reduction of positive MCAs. I think that is absolutely clear. It is entirely a question of Parliament's rights.

I want to pick up two other things that Lord Cockfield said. The first was that this is a dispute solely between Parliament and the Council and that the Commission is involved incidentally. Well, I would respectfully disagree with that, Mr President. The Commission, under Article 155, is the guardian of the Treaties. It protects the rule of law in the Community. It represents the interests of all the institutions. If Parliament is harmed by any institution, it is the Commission's duty to bring the action before the Court of Justice. The Commission has a duty to protect us. So the Commission is not involved incidentally; it is a primary factor in all this. Although we have been negligent, as Mr Wijsenbeek said, in not pressing the Commission earlier, that does not absolve the Commission from its responsibility.

That is my first point. The second is that Lord Cockfield says that the Court is the body that solves these matters. That is true. However, to get the Court to solve these matters, we have to get in front of the Court, and we cannot do that without the Commission's help. Now, fortunately for us, there is a private action on Decision 361/84 which means that the matter is being brought to the Court — not by the initiative of the Commission, I might say, but by the good fortune of a private litigant. However, that private litigant is not questioning the two other matters that I

raised: Regulation 855/84, which we believe is a blatant contravention of the isoglucose decision or the Council's contemptible attitude towards Parliament in the conciliation procedure. Now we must take these things seriously. We shall not be taken seriously over Spinelli, we shall not be taken seriously over our demand for more powers in the great forums of the Councils and the States if we do not take our own rights seriously. If we do not fight for the rights that we have, we do not deserve to have more rights than we have got.

(Applause)

**President.** — The debate is closed.

The vote will be taken at the next voting time.

## 2. Welcome

**President.** — Ladies and gentlemen, I should like to inform you that the delegation from the Spanish Cortes to the European Parliament — Spanish Cortes Joint Committee have taken their places in the official gallery.

(Applause)

I extend a very heartfelt welcome to these representatives of the Spanish Parliament.

Once again I welcome Mr Poos, President-in-Office of the Council of Ministers, who is being so kind as to attend our debate.

(Applause)

## 3. Enlargement to include Spain and Portugal

**President.** — The next item is the joint debate on:

- the report (Doc. A 2-81/85) by Mr Hänsch, on behalf of the Political Affairs Committee, on the enlargement of the Community to include Spain and Portugal;
- the oral questions with debate by Mr de la Malène, on behalf of the Group of the European Democratic Alliance, to the Commission (Doc. B 2-729/85) and the Council (B 2-730/85) on the financial consequences of enlargement for the Mediterranean countries associated with the Community.

**Mr Hänsch (S), rapporteur.** — (DE) Mr President, ladies and gentlemen, today the European Parliament



**Hänsch**

is drawing a line beneath the many debates and resolutions in which over the last seven years we have repeatedly, the great majority of us, called for the Community to expand and include the democracies of Spain and Portugal. The accession date of 1 January 1986 has been agreed on. The majority of this House, is very glad of the fact.

Our debate today concerns ratification. Our resolution will effectively be a ratification. We in no way seek to usurp the role of the national parliaments; we are endorsing them. Our purpose is no longer to influence the negotiations on the accession treaties or to change the treaties. We cannot now change them, any more than the national parliaments will be able to change them in their debates and resolutions in the coming weeks and months.

All that is required from them and from us is now a clear and decisive yes or no. Do we, the elected representatives of the peoples of the Community of Ten, want Portugal and Spain to join on the terms negotiated or not? The time for 'yes buts', 'perhaps' and 'maybe ifs' is over.

The motion for a resolution laid before you by the Political Affairs Committee is thus unusually brief compared with the bulk of the accession treaties. To prove to you that these exist I have brought them with me: all one thousand and more pages. Examination of these treaties by the Political Affairs Committee and the committees it asked for an opinion prompted a series of suggestions and reservations about individual provisions. All of these should be borne in mind by the Commission and the Council in their future policies.

However, despite all their individual reservations and fears, the various committees and the Political Affairs Committee all conclude that the terms of accession worked out are acceptable. Their findings all point to a clear endorsement of the accession treaties. As a result the Political Affairs Committee has made the opinions of the committees consulted an integral part of the explanatory statement to its motion for a resolution.

I should like at this point to thank all those involved in this work, which faced a very tight deadline.

We want, and are able, to express an unreserved endorsement of the accession treaties. In all major areas the provisions of the treaties are clear and complete. The risk of misunderstandings, false expectations and thus of new or subsequent negotiations is smaller than it was at the time of the first and second enlargements of the Community in 1972 and 1980. The Community's legislation and other acts are accepted in full by the new Member States. Where this is not possible, clear and express exemptions have been agreed on. The agreed network of transitional periods, progressive adaptations and time-limited exemptions seems to us to be in line with the spirit of the Com-

munity and well balanced overall. It takes account of the interests of old and new Member States alike.

We are very gratified to see that Spain and Portugal have declared their willingness to elect their MEPs directly within one year of accession. They are thereby complying with a pressing wish of this House. Our endorsement of the accession treaties has the backing of nearly all political parties in Portugal and of all the political parties in Spain.

In none of the countries which joined the Community in 1973, nor in the one which joined in 1981, did we find such firm support for accession as that currently evident in Spain and Portugal. This gives us hope for the future.

We endorse their accession with a careful eye to the individual challenges and problems which effect the Community and the new Member States. We know that accession will be a shock to the economy in Portugal and Spain, to the workforce there and to small and medium-sized businesses. This will probably apply especially to Portugal.

The Portuguese Prime Minister was right when he said once that our biggest problem was to change people's attitudes. Let us help the two new Member States of the European Community to do so.

Regional differences in the Community will increase. Following enlargement 20% of the EC's population will live in regions whose gross domestic product per capita is less than 60% of the EC average. Money earmarked for the Regional Fund is currently 6% of our budget, and we know that this will not be enough to balance out these great discrepancies between north and south.

Considerably greater spending will be needed if we are to cope with at least part of the difficulties we shall encounter, and we shall watch attentively to see that at least some of them are covered by the Integrated Mediterranean Programmes.

Enlargement of the Community will also have an impact on our relations with the States on the southern and eastern shores of the Mediterranean. The Community has an increasing strategic political responsibility for the stability of this region. It must continue to be a market for the sales of these countries' products. We hope to see the negotiations due on adaptation of the preference and cooperation agreements beginning shortly and reaching a successful conclusion.

The Spanish Government has made it clear that it proposes to open diplomatic relations with Israel before the 1986 parliamentary elections. We warmly welcome this. In so doing Spain would be acting on a call made by this House.

**Hänsch**

If Spain could resolve to sign the nuclear non-proliferation treaty, that would be a further important step towards the political coherence of our Community.

It is sometimes said that there could be a danger of the Community of Twelve being even more unwieldy and unable to act than the Community of Ten. Nothing, nothing at all suggests that the new Member States will hamper the decision-making process or be a disruptive force. On the contrary, we have every reason so far to suppose that Spain and Portugal will work towards a more efficient and more democratic Community. I could wish that some of the existing Member States had said what the two new governments have said on the subject of strengthening the powers of the European Parliament.

There remains the question of the cost of accession. Of course the cost of accession will be drawn from the Community budget. The Commission has announced the additional costs for 1986. They will be 1 285 million ECU. This is less than one third of what we spend every year to support the milk market. For these 1 285 million ECU the young democracies of Spain and Portugal are joining forces with the old Europe. Anyone who thinks this is too much, too high a price to pay, should be reminded of the fact that in 1936, nearly 50 years ago exactly, thousands of young Europeans were prepared to risk their lives in the civil war to preserve democracy in Spain. Should we not now be prepared to spend at least a few ECU to do so?

(Applause)

Today we are holding our last debate on Spain and Portugal in this newly equipped chamber. As from 1 January 1986 we shall be debating European Community matters jointly with our Spanish and Portuguese colleagues. Our endorsement of the accession treaties will show them that their future lies in Europe and that Europe's future lies with them.

(Applause)

**Mr de la Malène (RDE).** — (FR) Mr President-in-Office of the Council, Mr President, ladies and gentlemen, only recently, very recently, the Mediterranean, while admittedly no longer the *mare nostrum* of our Roman ancestors, was still to some extent a European sea. And then changes began to occur: Europe developed to the north of the Mediterranean, while a trend towards unification of the Arab world was developing across the south. There have been many other events since, the effect of which has been that the Mediterranean has become less distinctly European in character.

After 1970, and in 1972 in particular, our Community became worried about this. Efforts were made to set up what was known at the time as an overall Mediterranean policy. It involved the conclusion of a series of

agreements of various types with the majority of the countries surrounding the Mediterranean, all except Albania and Libya.

Ten years later, by 1982, it was possible to begin taking stock of this overall policy. And it has to be acknowledged that the record was — I choose my words carefully — rather disappointing. The trade imbalance between the northern Mediterranean, by which I mean our Community, and the various other Mediterranean countries had doubled in seven years. The imbalance in agricultural products continued on a rising scale and, apart from a few traditional trade flows, the results of our overall policy were rather meagre.

It was against this background that the first negotiations on enlargement opened. This prompted natural and understandable anxiety in all these countries, where people could see that, even within the existing Community, the problems of the Mediterranean were being coped with less than adequately. They could see that the problems of Mediterranean agricultural produce were also being dealt with less adequately than those of other agricultural produce. And these countries could visualize the existing difficulties being compounded by the problem of enlargement. They could anticipate the force of the impact on their exports of wine, fruit, vegetables and olive oil, in which our Community was already self-sufficient and was going to have substantially more than adequate supplies, especially in the case of citrus fruits. Here, too, the balance which had been established was in danger of being destroyed, not to mention the fisheries problem!

A mood of anxiety therefore developed. Was it these partners from the Mediterranean basin who were going to bear the cost of accession, the cost to which Mr Hänsch was referring just now, which our countries — especially our countries in the north — were unprepared to pay?

Enlargement, as Mr Hänsch was saying, is a costly process and has repercussions on the common agricultural policy, on the ERDF, on the Social Fund and in many other areas. The IMPs which have been proposed to us fall very far short of what is required. These countries accordingly said to themselves: since there is no money, we are the ones who are going to bear the costs and enlargement is going to consist in part, as far as we are concerned, in extending the frontier from the Pyrenees to Gibraltar. This was a considerable worry, and one which we had a duty to take into consideration. It was in view of this worry that we expressed our well-known misgivings. We were told: this is a problem, granted, but we shall see afterwards! This was said to us about a considerable number of things. We have now virtually reached the 'afterwards' stage, since the enlargement has been signed and sealed, and we have still not seen very much.

I know that the President-in-Office of the Council will tell me that, on 30 March last, the Council instructed

### de la Malène

the Commission to do something. And the Commission, as I am also aware, prepared a communication. But what is contained in these guidelines? To begin with, an objective: for these countries on the Mediterranean coast, the objective is to secure the future of traditional trade flows, but there are two conditions attached, the first of which is that this should only apply to the current volumes in the case of certain products, basically those to which I have just referred, and the second that it should be confined to matters which are really of vital importance to the countries concerned.

The means of attaining this objective that the Commission is likely to propose are readily anticipated: tariff dismantling in line with the machinery set up for the purposes of enlargement. In addition to that, a few gestures for 'out-of-season' produce, but these will be geared to aggregate quantities. This mechanism, if accepted, will therefore be applied to wine from Cyprus, tomatoes from Morocco, potatoes from Morocco again, citrus fruits, from Israel in particular, and olive oil, for only four years.

We of course hope that the Council agrees to these minimal measures which are going to be proposed to it as the means of providing reassurance, but, given the problems presented by the Mediterranean and the trends in these southern countries, who can fail to see that this response falls far short of what was being hoped for in 1972? We must answer the call from these countries for the establishment of North-South exchange. Our response must take in all the relevant aspects: industry, cooperation, research and finance. I have to say that what we are being told, namely, that the traditional trade flows are going to be maintained come what may, worries us. Why? Because of the likelihood that all the mechanisms will make for a gradual weakening of these traditional flows. The pressures from within our Community of Twelve will be strong, naturally. And who will defend with equal strength the requirements, the objectives, the needs of the countries all around the Mediterranean? It is quite obvious that there is an imbalance in the machinery, and hence the danger that the situation will deteriorate, slowly but surely. The result of such deterioration would be that our enlarged Community would find itself with a frontier to the south, particularly when one bears in mind the population trend all around the Mediterranean. It would be a tragedy for Europe if it were cut off from the south. And the responses offered by the Commission and the Council are totally inadequate to deal with this problem. It is because of this that we said that the enlargement as presented to us was incomplete. An enlarging Community takes on increasing responsibilities. The impression received is that, instead of fitting itself to meet these responsibilities, in the interests of peace, in the interests of balance, it is going to withdraw into itself. It is going to have more responsibilities but more limited means with which to discharge them. This bodes ill for the future of Europe, for the future of the North-South balance

which is a matter on which we, as 12 developed countries, have a duty to honour our responsibilities in full.

These are the misgivings, Mr President-in-Office of the Council, that I wished to express to you. I naturally hope that they are without foundation but, I regret to say, fear that they will soon be borne out by events.

*(Applause from the right)*

**Mr Poos, President-in-Office of the Council.** — (FR) Mr President, thank you for giving me this opportunity to address the House.

Before answering the question from Mr de la Malène, I should like to congratulate Mr Hänsch on the quality of his report and to express my own agreement with the generally positive conclusions contained in his committee's report.

The enlargement of the Community to include Spain and Portugal has been an accurate reflection of the vitality and magnetic force of our Community, with the ideals for which it stands of solidarity, unity, prosperity, democracy and peace. The enlargement of our Community to include Spain and Portugal, confirming that the two Iberian countries are part of Europe, is a consolidation of these two countries' democratic constitutions and, at the same time, a stimulus for their development and — why not? — a fillip for their economies.

Of course, the accession negotiations were long and difficult. Discussions went on night after night on agriculture, fisheries, social affairs, own resources and other important issues. But everything that the Ten had built up since the ratification of the European Treaties, everything that the Ten had developed among themselves, was kept intact, and the transitional periods called for in the instruments of ratification are long enough to give the Portuguese and Spanish economies time in which to adapt to the European structures.

Following the favourable opinions formulated by the Commission and the European Parliament's positive resolution of 8 May 1985, we now have a broadly positive opinion from your Political Affairs Committee.

I can assure Parliament that the Council is fully aware of the efforts that must be undertaken in order to ensure that this further enlargement proceeds as smoothly as possible. I note in particular that the Political Affairs Committee emphasizes the need for reforms to make the Community's decision-making procedures more efficient and more democratic. As you know, the Presidency-in-Office is at one with Parliament on this and will be doing everything in its power to ensure a successful outcome to the intergovernmental conference which opened two days ago in Luxembourg.

**Poos**

I now come to the question from Mr de la Malène, who is worried about the financial implications of this enlargement for the Community's associated countries in the Mediterranean. In this connection I would remind the House that, in the light of the recommendations which the Commission first made as long ago as June 1982 and renewed in April 1984 and March 1985, the Council has carried out an analysis of the Community's relations with the Mediterranean countries concerned in order to assess the potential impact on these relations of accession by Spain and Portugal.

At the time of its session held in late March 1985, the Council, in parallel with the negotiations on enlargement with Spain and Portugal, adopted a political declaration concerned with the Mediterranean policy of the enlarged Community in which it confirmed the importance attached to relations between the Community and the Mediterranean third countries and the determination to strengthen them further. It was in the light of these considerations, therefore, that the Council reaffirmed the overall conception of the Mediterranean policy of the Community, whose objective is to promote the economic development of the Mediterranean third countries and to foster the continuance of harmonious and balanced relations and trade with them.

In this context the Community will be working towards mutually satisfactory solutions to resolve the anxieties expressed on numerous occasions by the Mediterranean third countries in connection with the potential impact of enlargement on their traditional exports.

The Community intends both to take steps to secure the future of these traditional flows and to mount initiatives to provide effective support for the efforts made by these countries to reduce their agri-foodstuffs deficits and progress gradually towards self-sufficiency in food and diversification of their production.

The Mediterranean policy of the enlarged Community must be capable of evolving in response to changing conditions and must be such that it leads to substantial, lasting results in the medium term, both on the level of trade in industrial and agricultural products and on that of economic development.

In the more general, long-term context the Community will be committing itself to continued financial and technical cooperation with its Mediterranean partners so as to provide appropriate support for the economic and social development of these countries.

In July the Commission forwarded to the Council proposals for directives for the purpose of making adjustments, following enlargement, to the trade arrangements contained in the cooperation and association agreements with the Mediterranean third countries.

The Council lost no time in commencing its examination of these proposals, which is still in progress.

As I stated in this Chamber on 10 July, when presenting the programme for the period of Luxembourg's presidency, the accession of Spain and Portugal will add a new dimension to a network of special relationships that the Community maintains with its partners around the Mediterranean. It must provide a strong incentive to consolidate and build upon the cooperation arrangements already in existence, while adjusting them to the new situation created by enlargement.

This is the spirit in which the negotiations on adjustment of the various Mediterranean agreements should be approached.

**Mr Cheysson, Member of the Commission.** — (FR) Mr President, on 8 May last the Assembly held a debate on relations with the countries in the southern Mediterranean. Today, in the context of discussion on enlargement of the Community, a debate is taking place on the effects that this development is going to have in the southern Mediterranean. The Commission would like to extend its thanks for this to Parliament, which is ensuring that this topic remains well to the forefront of the Community's preoccupations.

Is there any need to underline how important these countries in the southern Mediterranean are to the Community?

They are important economically, representing the Community's third largest market. This is the region where our biggest trade surplus is achieved: 10 000 million ECU in 1983. Even on food, as we know, we have a balance-of-trade surplus. Our economic relations with them are important to us, and important to them. Let me just mention that exports to the Community account for 70% of Malta's foreign trade, 60% of Tunisia's foreign trade, 50% of Algeria's, and 40% in the case of Cyprus, Egypt, Morocco and Syria.

They are also important politically. When Europe was devastated by war, the Middle East and North Africa also suffered, but we are all affected by the current tensions in certain parts of the southern Mediterranean. The possibility, the contingency of a confrontation between the superpowers would have a direct impact on us.

Yes, we are bound by political and economic ties and we cannot conceivably remain indifferent to what is going on in the southern Mediterranean, especially since we are particularly well-placed to cooperate with countries in that part of the world, given our cultural past, given our historical ties, given a certain gift for understanding and, let it be said in plain language, given the fact that, as everyone knows, Europe has no aspirations to hegemony and is therefore the ideal

**Cheysson**

partner for these countries. Indeed, is there any subject on which the Arabs are so unanimous in their opinion, is there any subject other than that of their close relationship of mutual confidence with Europe?

The Commission therefore notes with pleasure that, in his reply, the President of the Council emphasized the overall importance of these relations and, in reaffirming the overall approach to our Mediterranean policy, restated our objective: to contribute to the economic development of the third countries in the Mediterranean and to promote the balanced future development of trade between the two regions.

As Mr de la Malène indicated, this policy has led to the conclusion of eight cooperation agreements with the countries of the southern Mediterranean, agreements with the two islands of Cyprus and Malta and the agreement with Yugoslavia.

The purpose of these agreements was to organize cooperation. Is the record disappointing, as the Honourable Member was saying? The Commission would not be so negative in its assessment. Trade has increased at a remarkable rate, and our agreements have helped the process of industrialization in a number of countries in the southern Mediterranean. But the record is not as good as it might be. These agreements have become outdated in many respects. They need to be reworked and given greater depth, so that we do not merely continue but intensify our cooperation. On this point the Commission is entirely in agreement with the remarks made by Mr de la Malène.

I said as much on 8 May: our intention is to seek out every available means of fostering a long-term perspective in relations between the southern Mediterranean and Europe. An effort is therefore required in all areas of industrial, technological and scientific development. An effort is required to support the strategies, the long-term policies pursued in the southern Mediterranean, as well as those pursued by our producers of goods and services, including small and medium-sized businesses in particular. On all these matters the Commission will be bringing forward proposals, which will reach the Council table during the first days of October. These proposals will be aimed at supporting all the long-term policies, encouraging investment, including reciprocal investment in some cases, and promoting concerted action between our companies in all fields of common interest, ranging from fisheries to energy, from light industry to services. That is the attractive way forward.

But is there not a danger that enlargement is going to disrupt this remarkable existing situation and the exceptionally promising outlook for Europe on all fronts? That is the question we are addressing today.

I do not accept that there is any justification for immediately jumping to pessimistic conclusions. Not

least because of all the positive aspects of enlargement. Mr Poos, President-in-Office of the Council, was saying just now that enlargement would be adding a new dimension to cooperation between Europe and the southern Mediterranean. Yes, the Spanish and Portuguese are especially well-placed for close relations with the countries of the southern Mediterranean, in view of their history and their natural disposition. Yes, we know that Spain and Portugal will press the case for the Community to pursue an active Mediterranean policy. Yes, the industrial market opening up to the countries of the southern Mediterranean in countries as large as Spain and Portugal is extremely attractive. On the other hand, though, there is this limited number of competing agricultural products which present a problem. That is a fact that we have to face, and it is not possible to deal with the problem on the basis of seasonal differences between the northern and southern Mediterranean. The growing seasons, and consequently the periods when produce is exported, are too close.

This being the case, how is this problem to be viewed? The first point to be borne in mind is that the products which are sensitive for growers in the southern Mediterranean countries are marginal in relation to the Community market. They are marginal where the Community is currently self-sufficient or faces the possibility of going into surplus. The exports of wine represent less than 1% of output by the Twelve, the exports of tomatoes less than ½% of production in the Twelve, and even the exports of olive oil account for only between 3 and 4% of their output. All the substantial volumes of exports are of products of which the Community is intrinsically a net importer.

On the other hand, as we already know, but it deserves to be repeated, some of these products are fundamental to the life of a number of these countries, certain trade flows having developed gradually down the years, and in those cases there would be severe disruption to social structures, and even a threat of serious political destabilization, if there were to be a reduction in the exports in question.

The olive oil exported by Tunisia amounts to 3%, or very little more, of total production in the Community, but it amounts to 42% of Tunisia's agricultural exports and provides employment for 20% of the agricultural workers in that country. Tomatoes and citrus fruits are staple supports of society in Morocco, citrus fruits in Israel. These are social and political realities which Europe cannot allow itself to compromise.

This is not a financial matter, it is not a question of providing financial compensation for the fundamental upheavals that would be caused in these countries. The trade flows must be maintained at their existing levels. The Council has given undertakings to this effect on numerous occasions, and in particularly clear terms on 30 March last. This is a duty that we must honour.

**Cheysson**

How are we to do so in practice? First of all, Mr President, there is one self-evident fact. These trade flows developed and stabilized under certain conditions of competition between products from the southern Mediterranean and those from Spain, in particular. Consequently, on Spain's full entry into the Community, these conditions of competition must remain unchanged.

Our proposals, as set out in the Commission's communication of 17 July, accordingly call for elimination of the residual customs duties in line with the elimination of duties for Spain and Portugal, as Mr de la Malène stated, but they also make provision for other measures. Where timetables and reference prices have been laid down, the arrangements for re-establishment will be the same for north and south, something which is particularly important from the viewpoint of the calculation of entry prices as from the fifth year of the transitional period.

In the case of the sensitive products, these proposals are applicable to the current traditional volumes.

It is not our view that the future of our relations with the countries in the southern Mediterranean is going to involve development of trade in those particular products. The future developments, the growth in our trade, will lie elsewhere. But we must maintain these traditional volumes, and we shall be keeping a constant watch on the balance to ensure that they are maintained.

For two particular products special measures are necessary and will have to be arranged. The first is wine, the exporters concerned being the Maghreb countries, Cyprus and Yugoslavia; here the volume of one million hectolitres must be maintained. The second is olive oil, where a marketing guarantee will be necessary during the initial period at least. It will also be necessary to tackle the problem of fisheries with Morocco, and we expect this to be done when the existing agreement giving fishing rights in Moroccan waters to Spain is converted into a Community agreement.

All these things, Mr President, have to be done before the end of the year. We cannot wait until afterwards, as Mr de la Malène rightly says. We have given an undertaking. The Council's undertaking was very clear. These negotiations must be conducted in parallel with those on enlargement. This is an absolute necessity: before Spain's and Portugal's accession, before 1 January, detailed measures must have been adopted, measures which will reassure the southern Mediterranean countries and dispel the great anxieties which the Honourable Member was very justifiably emphasizing in his speech a few moments ago.

The question now arises as to whether all this can be made to work. Mr President, experience shows that where the countries in the southern Mediterranean are

competitive, where they are skilled in producing and marketing, as long as the conditions of competition remain as they are, it can be made to work. For instance, Morocco's exports of oranges have increased over the past 10 years, during which Spain's have declined slightly. Morocco has the skills to produce oranges competitively. The same can be said of Israel and its output of a wide range of products. Where these countries are competitive, as long as the conditions of competition are maintained, there is no reason to suppose that the traditional trade flows cannot also be maintained. To repeat, as far as existing volumes are concerned and subject to that limitation, we have no intention of imposing further sacrifices on the farming industries of northern Mediterranean countries.

There are those who say that the Spanish may be tempted to develop the markets in question at the expense of the southern Mediterranean countries.

Mr President, this shows little confidence in our new partners, in their sense of political responsibility. Spain has closer links than any of the present Member States with the southern Mediterranean, with Morocco in particular, links forged not only by the whole corpus of her history, her cultural past, but also by her economic present. There are more Spanish boats fishing in Moroccan waters than in Community waters. To suppose under these circumstances that the Spanish would embark upon a policy knowing that its effect would be to destabilize Moroccan society again displays little confidence in their political judgement. The assurances that I received when I last visited Madrid, the assurances which were given in public before the Spanish press by Spain's Minister for Foreign Affairs on behalf of his Government on this subject are perfectly clear.

Consequently, Mr President, while we must not minimize the difficulties of this particular problem relating to a limited range of sensitive agricultural products, we must not exaggerate them either. I repeat, this is not where the future growth in our relations is to be found. But it is where serious potential danger lies. It is a problem which must be tackled in terms of itself. We are not going to offset a reduction in traditional exports from the southern Mediterranean with additional financial aid or improvements in other spheres. Financial aid and improvements in other spheres will be necessary. That is where the growth in our trade will come in future. However, it is still necessary for guarantees to be given to secure these basic activities which underpin society in a number of the southern Mediterranean countries, and for these guarantees to be translated into detailed provisions before 1 January next, which is why we have been at pains to distinguish between the limited proposals that we make on this subject and the much more ambitious ones that we shall be making on the future of cooperation.

*(Applause)*

**Mrs Rothe (S)**, *draftsman of the opinion of the Committee on Agriculture, Fisheries and Food*. — (DE) Mr President, ladies and gentlemen, as my honourable friend Mr Hänsch has done on behalf of the Political Affairs Committee, I should like, on behalf of the Committee on Agriculture, Fisheries and Food, to express our satisfaction at the successful conclusion of the accession negotiations with Spain and Portugal and welcome the new Member States as of 1 January 1986. This third enlargement will certainly, as far as agriculture is concerned, mean at least three challenges. Challenges for the present and future markets of the EC, challenges for the agriculture of Spain and Portugal and challenges for our trade relations with the other Mediterranean countries.

The Community of Twelve will be markedly different from that of the Ten. It will comprise a further 2.8 million agricultural concerns. That is more than half of all agricultural concerns contained within the EC at present. The total area farmed or under crops will increase by one third, and 35% more people will in future be earning their livelihood from the land.

The position of the Community's markets will also be different in the enlarged EC. We shall in future produce rather more Mediterranean products than we consume. We shall be virtually 100% self-sufficient in fruit and vegetables. Wine surpluses are likely to increase considerably. We can be expected to produce an olive oil surplus of about 10%. Against this, however, there will be 32 million more Spanish and Portuguese consumers to help reduce surpluses of continental products to a varying degree.

This very brief outline shows clearly that agriculture and fisheries were some of the trickiest areas of negotiation both for the existing Member States and for Spain and Portugal. I am thus all the happier, on behalf of the Committee on Agriculture, Fisheries and Food, that the difficult and lengthy negotiations have culminated in a result which clearly reflects the efforts expended to find a balance of interests. The transitional provisions agreed on for a period of up to 10 years should to a large extent cushion the effects about which there is anxiety. They will certainly serve to aid integration and also provide protection. But the point should be made that it is particularly the agriculture of Spain and Portugal which will need protecting.

Although these transitional provisions are for a longer period than was the case at the time of the previous enlargements, there is, of course, a time limit to them. Our committee insists that this transitional period should be used to the best effect. It must be used to achieve the true integration of Spanish and Portuguese agriculture into the Community's common agricultural policy. Ratification of the accession treaties merely lays the foundations for a functioning enlarged Community. A stable Community of Twelve can only be built up from these foundations as a result of further political decisions and practical measures.

The Committee on Agriculture, Fisheries and Food makes very clear demands in its opinion as to how the transitional period should be used to this effect. Special account must be taken of the position of agriculture in Spain and Portugal. In Spain, particularly in the north, some 50% of agricultural holdings are smaller than 5 hectares. In Portugal this is true of 75% of all holdings.

Additional features, particularly of Portuguese agriculture, include inadequate infrastructures, a shortage of machinery and tools, inadequate farm management and inadequate education. Specifically in order to ensure equal opportunities for the agriculture of the new Member States, to ensure the existence and development of hundreds of thousands of small farmers, and bearing in mind the level of unemployment in these two countries, which is already very high, the Committee on Agriculture, Fisheries and Food calls for the special programme for Portugal to be specified in detail, for existing structural policy to be appropriately amended and for agricultural training to be improved. By means of such special programmes for Spain and Portugal we hope to save more people from having to live there without work and having to leave the land.

So far I have made no mention of the impact of accession on fisheries. After the excellent reports by my honourable friend Mrs Péry, already debated by the House, I hardly need do so. I would merely stress that here too the agreed transitional period must be used to integrate these two countries by means of an active social and structural policy.

Let me say a few more words on another aspect which has already proved to be a major one in the debate. Our committee is particularly worried about the possible consequences of the accession of Spain and Portugal for the other Mediterranean countries. We have undertaken commitments under cooperation agreements. Farmers growing tomatoes and oranges in Morocco, early potatoes and wine in Cyprus, olives in Tunisia, citrus fruits in Israel, have relied on the EC.

Up to 80% of their agricultural exports go to the EC. Millions of people live this way, relying on the European Community to take their produce. In their interest and in our own we must not make them suffer for our agricultural difficulties. I thus welcome and acknowledge the statements which have been forthcoming from Council and Commission. I think they create hopes for prompt and successful negotiations which should, in the view of the Committee on Agriculture, Fisheries and Food, at least guarantee present-day agricultural exports. We have not only a contractual but also a political and certainly a moral obligation to do this.

This third enlargement — and my view is shared by the Committee on Agriculture, Fisheries and Food — must provide a new initiative not only to think about

**Rothe**

reforming the agricultural policy but actually to do something, and I hope we can embark on this task very soon with our colleagues from Spain and Portugal.

(*Applause*)

**IN THE CHAIR: MR NORD***Vice-President*

**Mr Rigo, draftsman of the opinion of the Committee on Budgets.** — (IT) Mr President, the opinion of the Committee on Budgets, of which I am draftsman, is undoubtedly in favour of Mr Hänsch's report on the enlargement of the Community to include Spain and Portugal.

The Treaty of Accession, which is the result of long years of negotiation, provides for a series of measures in support of the economies of the Iberian countries which reflect the political determination of Member States; they are, however, measures that could have negative repercussions, as both Commissioner Cheysson and the spokesman for the Committee on Agriculture have said: repercussions in the Mediterranean countries of the Community and in those outside the Community as well. For this reason we support with conviction the four conditions indicated in the Hänsch resolution, particularly the one calling for complete European solidarity on the costs which the accession of the two new Member States will involve.

We shall see in the budgets to come whether the principles affirmed in the Treaty will be reflected in the deployment of further financial resources and the distribution of Community expenditure on different lines.

Today, as far as budget revenue is concerned, it must be recognized that the Treaty of Accession provides for the immediate extension to Spain and, within four years, to Portugal of the Community's own resources, thus emphasizing once again the fundamental principle of the financial independence of the Community *vis-à-vis* Member States. On the other hand, we must realize that the flat-rate reimbursement to the two new countries of the amounts paid in the form of own resources, albeit at a reducing rate, will have — even though it excludes a 'fair return' — an effect on the total amount of financial resources available. In the near future, with the initiatives designed to strengthen substantially the Community's solidarity programmes, the financial problem will come up again, as in recent years, in its entirety.

These are the motives for the two suggestions put forward by the Committee on Budgets: on the one hand, the desirability of increasing the financial and budget

resources so as to ensure greater equilibrium between the economies of the North and the South and, in addition, the appropriate, rapid growth of the policies that are bound up with the Community's structural expenditure. And on the other hand, the need to adjust the structure of the Community budget to the requirements of the new Member States, for which, by size and by nature, the financial instruments at present operating in the Community are not fully adequate.

These wide-ranging questions will have to be tackled in the near future, and their solution may prove quite complex, since it is not yet possible to evaluate in full the future financial availability and the size of structural expenditure, factors that have a direct influence on the quality and hence on the outcome of Community policy and must find natural support in the budget.

**Mrs Tove Nielsen (L), draftsman of the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy.** — (DA) Mr President, I should like to express my satisfaction that we have now reached a stage in the political and democratic construction of Europe such that in a few months' time we shall be welcoming Spain and Portugal into our circle. We are well aware that the accession of these two countries will confront us with some very serious economic and social problems which we must resolve together. We realize that the economic centre of gravity is shifting southwards. It is our collective task to secure the best possible outcome from the challenges facing us. Indeed we must not forget that the accession of Spain and Portugal will afford us greater scope for building on the cooperation which these two countries maintain with Latin America. We hope that we can do much to develop that cooperation further.

We are also well aware that there are some problems — this has already been pointed out by a number of speakers — with regard to the close cooperation we have on economic matters with the countries in the southern and eastern Mediterranean. We hope and believe that, when the period of transition has expired, we shall have achieved some results which will enable these countries to derive continued satisfaction from the negotiations we conduct with them. Also, for historical reasons, we have a share in the responsibility for the economic and social development of this part of the Mediterranean.

We talk a great deal in Parliament of the need to complete the creation of the internal market before the end of 1992, and we mean what we say. But it is necessary for us to stress that the completion of the internal market itself must go hand in hand with the procedure for the accession of Spain and Portugal. We know that there are some formidable economic problems to solve in the two new Member States. We know that they have both high unemployment and high inflation. The committee feels that it must stress that, with the tech-



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nological challenges we are facing in the Community, it is necessary to apply the economic resources the Community must make available in such a way that they will help the Spanish and Portuguese populations to restructure their businesses in a way which will enable them to take up the serious challenges thrown down by this age of technology. There is much to do here. I am pleased to hear from the Commission today that it is disposed to put forward a proposal very soon indicating the areas in which support will be provided. For it is quite clear that it is precisely the many small and medium-sized businesses which most need Community support. And that is what we in the committee want.

(Applause)

**Mr Ciancaglini (PPE)**, *draftsman of the opinion of the Committee on Social Affairs and Employment. — (IT)* Mr President, ladies and gentlemen, we say 'Yes' without hesitation or ambiguity to the accession of Spain and Portugal to the Community, because enlargement is a political question of crucial importance for all of us. We have to take account of all its implications, and above all the prospects that it offers for the political unity of Europe and our mission in the Mediterranean area.

The negotiations have been long and difficult but have been brought to a very positive conclusion for all concerned, if we look at the economic and financial consequences also from the political standpoint. On this occasion of the ratification of the treaties, we should also express the congratulations and warmest thanks of Parliament to the negotiators and, in particular, to the Vice-President of the Commission, Lorenzo Natali, and to Mr Andreotti.

We must therefore emphasize that the Community of the Twelve will be a different Community not only in quantitative terms but also in qualitative terms, on account of the fact that the centre of gravity of Europe has moved southwards, and this is very important to everyone.

In this context the solution of certain grave social problems, which as a result of enlargement will become more serious, becomes of central importance and demands an answer that cannot be postponed. In practice, for the Community, in the social field as in other fields, enlargement must be seized as the opportunity to transform ourselves and tackle both the serious economic and employment situation existing in the Community of the Ten, and the repercussions that enlargement will have.

The Committee on Social Affairs and Employment, on whose behalf I am speaking, very much hopes therefore that the accession of Spain and Portugal will provide the occasion for the implementation of a genuine social policy on the European scale and the effective

improvement of the living and working conditions of all the citizens of a Europe that seeks to become the Nation of Nations.

Within the framework of the lines of agreement in the social sector, we have to consider the problems regarding the freedom of movement of workers, equality of treatment, access to employment and the family social security services, and, from this standpoint, we as the Parliament urge the Commission and the Council to press forward actively with the process of harmonization and equalization, even beyond the transitory terms envisaged by the treaty.

I should like also to make a few further observations, pointing out in the first place that it would have been useful had all the committees of this Parliament been able to take part in advance in the conduct of the negotiations, and this we recommend today for any similar cases that might arise. Secondly, we draw attention to the very real fact of unemployment as a constant problem for the two new countries, not to mention the manner in which it will aggravate the problem at Community level. We should like therefore to emphasize the need for a coordinated programme to fight unemployment at Community level, having particular regard to the accession of Spain and Portugal to the Community.

(Applause)

**Mr Vandemeulebroucke (ARC)**, *draftsman of the opinion of the Committee on Regional Policy and Regional Planning. — (NL)* Mr President, honourable Members, the Committee on Regional Policy and Regional Planning has confined itself to an interim opinion on the enlargement of the Community to include Spain and Portugal because it considered that enlargement of the Community was a matter of such fundamental importance that it decided to draw up a special own-initiative report. We have therefore delivered an interim opinion drawing attention in particular to the serious regional imbalances within Spain and Portugal, to the fact that exacerbation of these imbalances can be expected, so that the integrated Mediterranean programmes are likely to become crucially important, and to the fact that there will thus obviously be an immediate need for comprehensive increases in regional and structural aid from the Community, starting in the 1986 financial year. I wish also on behalf of the Committee on Regional Policy and Regional Planning to thank my colleague Mr Hänsch for having accepted our opinions on this matter in full.

Mr President, honourable Members, I want to explain why we decided to draw up an own-initiative report. Not just because of the clear differences between different aspects of the problem, not just because of the fact that two southern European countries are acceding, but because we are dealing with countries with a very special regional situation. In Spain certain auton-

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omous areas are recognized under the constitution: the Basque country, Catalonia, Andalusia and Galicia. In Portugal there are islands with autonomous status: Madeira and the Azores. There is thus a widely varying pattern of regional structure, and thus also of economic conditions.

Catalonia is more of a trading nation. The Basque Country is an industrialized nation that is however urgently crying out for restructuring and by Spanish standards must certainly be considered as a region in economic decline. Galicia and Andalusia have more predominantly agricultural structures, but are so different from each other as probably to defy a common policy. In Galicia, for example, the average size of holding is 1.5 hectares, whereas in Andalusia the predominant structure is the *latifundium*.

In Portugal also regional divergencies are very great. In addition to the self-evident specific problems of the islands, there is a fundamental duality both as between the coast and the interior and between the North, with very finely parcelled landholdings, and the South, with predominantly large holdings of 1.00 hectares or more. These differences, honourable Members, obviously make a Community regional policy all the more necessary.

In drawing up my report I was particularly impressed, in the case of Spain, by the vitality of the autonomous regions. They have taken preparations for accession with unusual seriousness, and perhaps nowhere else in Europe have so many studies and statistics on the local economic and social situation been compiled at regional level to prepare for enlargement. In Spain most of the autonomous regions have set up special administrative departments with specific responsibility for information on the European Community. Catalonia has established a *patrona catala pro Europa* representing Catalan banks, savings banks, chambers of commerce, etc, in addition to the regional assembly, as a means of creating public awareness of the European Community among the Catalan people.

The Committee on Regional Policy and Regional Planning welcomes these efforts because our view of regional policy is based primarily on the assumption of an integrated regional approach. So we also hope that these autonomous regions will be very actively and directly associated with the mapping out of a corrective regional policy, and that they will also be directly involved in discussions on Regional Fund appropriations for Spain and Portugal.

Mr President, honourable Members, the situation in Spain holds out some grounds for hope. I think the situation in Portugal is going to be more difficult. I think it is no exaggeration to say that Portugal is still inadequately prepared for accession. Initial Regional Fund aid projections have now been submitted to the Commission, but practically all of these are of an infrastructural type, and these were thrown out by the

Committee on Regional Policy and Regional Planning years ago. Practically all our regional policy thinking is now in terms of integrated policy.

In the case of Portugal there is also the problem of a cumbersome bureaucracy, a protracted dispute as to who is authorized to hold talks with the Community on Regional Fund appropriations, and a very serious shortage of experts and specialists in the field. There is the Portuguese tradition of very strong local autonomy, and there is the slow process of testing out regionalization in Portugal. There is however also a splendid example of an integrated regional policy in the shape of the Beira Interior development. That might well serve as a model for a fresh Portuguese policy approach.

Mr President, in conclusion I should like to say that it is not a question of more resources alone, but that Spain and Portugal offer us an opportunity for a refinement of European democracy. As a nationalist and federalist I am convinced that we can only improve our efforts to build a better Europe by thinking constantly in terms of unity in diversity. No unity without diversity, but diversity does not, of course, end with the Member States. Regions and nations must be actively involved, and that will only be attainable if they can contribute in all their diversity to the achievement of European unity.

**Mr Roelants du Vivier (ARC), draftsman of the opinion of the Committee on the Environment, Public Health and Consumer Protection.** — (FR) Mr President of the Council, Mr President, ladies and gentlemen, the Committee on the Environment, Public Health and Consumer Protection considers the environmental problems associated with the accession of Spain and Portugal to be of such importance that it decided to submit an interim opinion only and to seek leave to draw up an own-initiative report on this topic so that it could present a complete overview — something which is lacking at present — and propose a number of solutions for the future.

The environmental problems are very important, involving as they do the need to transpose Community environmental law into Spanish or Portuguese law, which will involve many difficulties, as we shall see. In addition, there will be the impact of the measures taken to implement the common agricultural policy, which can be expected to have a far-reaching influence on the environment in both countries. Finally, there will also be what could be termed the reciprocal effect, by which I mean the impact of Spanish and Portuguese conditions on European environmental policy.

To take the first point, I believe that consideration must be given to the impact of Community environmental legislation on Spanish law. There are currently over 60 European directives concerned with the envi-

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ronment, which all Member States are required to transpose into their own legislation. As we are well aware, Spain and Portugal are going to have to tighten up their standards. I am thinking of Spain in particular, since the Spanish have not asked for any derogations, except in the case of lead in petrol. Spain should therefore be applying all the Community's environmental legislation as from 1 January 1986, virtually at a stroke.

We know that it is totally inconceivable that it will be able to do so in such areas as water pollution, air pollution or waste. We therefore consider it important to express certain misgivings and at the very least to call upon the Spanish and Portuguese authorities to draw up a memorandum to give us an indication of how they propose to go about this task.

Finally, I should also like to draw attention not only to the impact of implementation of the common agricultural policy, which is bound to be discussed on numerous occasions, but also to the importance of bearing in mind that the arrival of Spain and Portugal is going to bring certain aspects of environmental policy into play for the first time. I am thinking in particular of deforestation, which is an extremely important problem in the Iberian peninsula. According to the very recent OECD report on the state of the environment, almost a quarter of Spain's land area is degenerating into desert. It is to be expected that the Spanish and Portuguese authorities will bring at least some aspects of these various problems confronting them to the European forum, and our committee hopes that they do so, since this will mean that these considerations can be incorporated into European environmental policy.

(Applause)

**Mr Selva (PPE)**, *draftsman of the opinion of the Committee on Youth, Culture, Education, Information and Sport*. — (IT) Mr President, ladies and gentlemen, we all realize that, naturally, the central part of the negotiations leading to the Treaty of Accession of Spain and Portugal was economic in character, but the committee on whose behalf I have the honour to address you wishes, with a few brief comments, to call the attention also of the Council of Ministers and the Commission to a point of fact: the entry of Spain and Portugal into the European Community can bring new impetus to the building of Europe, a real cultural and spiritual community.

Spain and Portugal have in fact made a substantial contribution to what is known as Western civilization, and enlargement is giving to these two countries the place that naturally belongs to them in the building of Europe. This committee therefore totally supports the report drawn up by Mr Hänsch, and I should like to make a few observations that may serve as a stimulus to future action.

We consider that Spain and Portugal must be associated in a still more decisive and detailed manner with our activities, by extending even the powers that we have at present available in some sectors. I am thinking, for example, of the People's Europe. It is essential for Portugal and Spain to take part in the activities that were launched at the Fontainebleau conference. I think that, in this framework, the academic recognition of diplomas, the creation of European sports teams, the provision of aid for joint audio-visual productions and the question of youth exchange are all matters to which Spain and Portugal, like all the other countries in the Community, must commit themselves, so as to establish a Community structure that will unite not only institutions but people as well.

We know that in the field of education, culture and youth the Community has neither specific powers and responsibility nor adequate resources; we must, however, give power to the very Articles of the Treaty of Rome so that this wider, more real Community will take shape.

In conclusion, I should like to say that the young democracies of Spain and Portugal, which, from 1 January 1986, join the European Community, are a great source of hope for Europe, for peace amongst peoples, for progress and for the internal and external equilibrium of the Community. We are therefore satisfied, and we, the Parliament, will see that the Treaty of Accession of Spain and Portugal is implemented. However, we shall also work for its extension — I emphasize this — to the cultural field, where values and needs exist that make our Community of the Twelve so vital.

(Applause)

**Mrs Cassanmagnago Cerretti (PPE)**, *draftsman of the opinion of the Committee for Development and Cooperation*. — (IT) Mr President, where the consequences of enlargement for the Community's development policy are concerned, I think I should emphasize three specific points.

The first of these concerns the Mediterranean area. You will remember that in the report adopted in May 1985 I emphasized the future relations between the European Community and, in particular, the countries of the Maghreb and the Mashreg. Whilst I will not go into the details of that report in this opinion that I am presenting to you, I think it is necessary to mention not only the powerful political repercussions that enlargement will have on this region but also the impact — perhaps inevitable — on the terms of trade and hence on the very economic foundations of many developing Mediterranean countries. In particular, we must devote particular attention to Tunisia, in view of its very great dependence on exports of olive oil.

The second factor that figures clearly in the majority of our considerations concerns the future relations of

**Cassanmagnago Cerretti**

the European Community with the Latin and Central American countries. It is perhaps wrong to categorize all of these as developing countries since, despite its serious economic difficulties, a country such as the Argentine clearly cannot be put in the same category as a country such as Salvador, which has a very much less developed social, economic and political infrastructure. This committee has been called in the past to examine certain policies concerning, for example, the poor rural communities of Brazil, or even the regional development of Central America. From this standpoint, the entry of Spain and Portugal may have certain repercussions. I say this not so much on account of the particular linguistic bonds that logically unite these two countries to Latin and Central America but rather, and above all, because of the Spanish and Portuguese commercial interests in Latin America, which have existed for many years. The European Parliament and the Community in general already maintain close relations with the countries in this region, especially those of the Andes Pact and those that are members of the Latin-American Parliamentary Assembly. In the recent political initiatives taken at the Costa Rica Summit a new, positive impetus was apparent in Community policy.

With regard to the Lomé Convention countries — and this is my third point — our political commitment is certainly very much greater compared with what has been done with the other countries just mentioned. In purely budgetary terms the allocations for the development of the CAP countries far exceed any aid that we shall be able to provide for Latin and Central America. Our trade with the CAP countries will continue on terms that are clearly favourable for these countries in a way that cannot be considered — at least, for the immediate future — where the countries of Latin and Central America are concerned.

Having said that, the accession of Mozambique and Angola to the Third Lomé Convention means that Portugal, especially, will be able, through a Community instrument, to revive the economic relations that it had with these Portuguese-speaking countries before the revolution, albeit on a totally different basis.

With regard to the new members of the European Community, participation in the Lomé Convention provides them with the opportunity to expand their own markets and develop their own technical presence on the African continent, and for this reason they will undoubtedly exert an influence on the present commercial operators of the region.

Spain and Portugal have already indicated that they will exploit the opportunities offered by the Lomé Convention and that they are ready to accept the responsibilities which that entails. It was partly because of the enlargement of the Community that the negotiators of Lomé III agreed to increase resources, thus making it easier to reach agreement. Without enlarge-

ment it would have been extremely unlikely that sufficient funds for Lomé III would be found, seeing that, even now, they are barely sufficient. In addition, the CAP countries will find that they have access, without any customs duties, to another market of 50 million potential customers.

*(Applause)*

**Mr Wettig (S).** — *(DE)* Mr President, ladies and gentlemen, today's debate by the European Parliament on ratification will certainly be the last debate of its kind in this House for a long time, because politics and international law will not in the foreseeable future allow other European States to join the European Community.

The accession of Spain and Portugal on 1 January 1986 will take us from the original Community of Six to a Community of Twelve. The economic and political stature thus attained by the Community far exceeds that envisaged when the Community was founded. To take just the geographical dimension, all the European States which border the Atlantic, except for Iceland and Norway, are part of the European Community. Apart from Yugoslavia, all the big European countries bordering the Mediterranean will be members of the European Community.

Discussions on accession in the last few years must have given the impression that the Community of Twelve was not only doubling the number of its original members but that the problems facing it had also doubled.

We believe this to be true only at first glance. It is true that we shall have more problems in the Community when Portugal and Spain join, but it is also true that the Community's problems, which were always there, will merely become more acute. The opinions delivered by the various committees make this clear on four specific counts: of central importance will be institutional questions, financial questions, questions of economic policy and agricultural questions.

The Community has in recent years had to wrestle with major problems concerning the role of the institutions in order to remain capable of taking decisions. It is a mistake in my view to assume that the accession of Spain and Portugal will make the Community less able to take decisions. Discussions in these new Member States make it clear that they will give the Community important new momentum towards regaining its ability to take decisions. They will support us along the road to Political Union and not block us.

As far as financial questions are concerned, it is certainly true that we have taken account in the accession treaties of the productivity of these two countries. But it is also true that we are trying to create a financial equilibrium for these countries, which will be bringing

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not only strong but primarily weak regions into the Community, and trying to ensure that the Community's programme, which does more for the weak and gives less support to the strong, is continued after accession.

It is true that the number of problem regions in European agriculture will increase thanks to Spain and Portugal, but these two countries will also support what we have been demanding in Parliament for years, namely, the organization of a new upswing in the Community's agricultural policy. This seems to me to be an extremely important new move generated by them.

As regards the agricultural sector, it is not as if the common agricultural policy will be in need of reform only on the accession of Portugal and Spain. We had surpluses already, and the Community budget has for more than 10 years been earmarking thousands of millions to convert and dispose of these surpluses. Problems over Mediterranean products such as wine, olive oil, fresh fruit and vegetables were familiar to the old European Community, even to the original Six: they are not exclusive to the Nine or Ten.

These matters will continue to exercise us in the next few years, but they seem to me to be minor, soluble problems. The treaties attempt to cushion their effects during the transitional period. There has been criticism of some of these provisions, but flexible application — by both sides — could help to make the most of the transitional period. It could help to make both countries full members of the European Community and thus achieve the aim of strengthening democracy and fostering the democratic process in these two countries as a result of their membership of the European Community. This is fully endorsed by the Socialist Group.

*(Applause)*

**Mr Habsburg (PPE).** — *(DE)* Mr President, at last the day has come which we have been waiting for since the last elections to the European Parliament in 1979, when we can endorse the accession of the Iberian States of Spain and Portugal to our Community. But I should like to start by saying once again how much we have appreciated the magnificent work done by our honourable friend Klaus Hänsch. It is truly a fine, excellent report and we can only endorse it in its entirety.

But at the same time I should like to say a few words of thanks for the work done by my honourable friend Lord Douro as chairman of the delegation negotiating with Spain. I should also like to thank Commissioner Natali. His task has not been an easy one. It required him to conduct extremely difficult negotiations, and he did so in a way which we cannot but applaud. On the one hand he knew that we had to succeed, but on the other hand he made every effort to ensure that the

solution found would be a lasting one. It was not like the situation in some of the earlier accession negotiations where unresolved questions were sought just for the sake of solving them, but where problems subsequently arose precisely because they had been swept under the carpet.

A good job has been done here and, as things stand, I think it will succeed. We must bear in mind, however, that this decision was primarily a political one. It was a political decision because we Europeans have to understand that for us the Mediterranean is the cornerstone of our security. Already during World War Two Churchill spoke of the Mediterranean as the 'soft underbelly' of Europe. That is just as true now in times of political dispute as it was then in times of military conflict. For us Europeans it was thus essential to have the Iberian States on our side, as they are the key to the Mediterranean.

There has been much discussion of the problems of the other Mediterranean States, with emphasis being laid here on the difficulties they will face. Indeed, there will be difficulties, but anyone who knows a bit of history also knows that the Mediterranean has more often been a dynamic force in Europe than peripheral to it, and I see here a clear step towards the resurgence of this dynamism on a long-term basis. It will bring to Europe not only a new dimension but new strength as well.

But we must now consider where we are to go from here. Mr Wettig has already stressed, and I welcome the fact, that there is no foundation for the fear that the Spanish and Portuguese might be a drag on the Community. On the contrary, I expect a powerful infusion of new energy from them, because they are joining the Community with enthusiasm.

I was in Spain just a few days ago, and I think I know what I am talking about. Accession of the Iberian States has made us the world's leading economic power. This means that we now carry greater political clout, but also greater responsibility as a Community. I know that difficult days lie ahead, there will be constant problems, but since we have already conquered some of them, I see absolutely no reason to be pessimistic. On the contrary, I see every reason for confidence that future problems will also be solved.

The Group of the European People's Party will thus give its full and total support to Mr Hänsch's report. We shall vote against the proposed amendments to it and against the other proposals on the matter.

Allow me, Mr President, to conclude with a few words in the language of our friends from the *Cortes* and the Spanish Senate:

Quisiera solamente en castellano saludar los amigos de España que para nosotros es un gran agrado verlos aquí y esperamos tenerlos aquí con nosotros dentro de

**Habsburg**

pocos meses trabajando por nuestro ideal comun europeo.

*(Applause)*

**Lord Douro (ED).** — Mr President, this is our final opportunity in this House to express our pleasure that we will be joined next January by our colleagues from Spain and Portugal when the two Iberian countries finally become full members of the European Economic Community.

As chairman of the Joint Committee of this Parliament with the Spanish *Cortes* and as someone who, for historical reasons, bears a Portuguese name, it gives me particular pleasure to speak in this debate on behalf of my group. It is, as many others have said, a very very important development for the Community that, after so many years of tireless negotiations on both sides and despite unexpected delays, we have finally arrived at this point.

Three countries — Spain, Portugal and Belgium — have already ratified the Treaties of Accession. All other countries are set to ratify by the end of the year. There does not appear to be any political problems with regard to the ratification, which is a great relief. Therefore, it is very appropriate that the European Parliament should hold its ratification debate right after the summer recess, thus setting, I hope, an example to all the national parliaments which will be holding their ratification debates in the next few weeks.

Many fears have been expressed that a Community of Twelve will be unmanageable, that the decision-making will be impaired and, indeed, that the whole cohesion of the Community will be weakened. Fortunately, both Portugal and Spain have already demonstrated that they are in many, many ways more European than several of the existing Member States. This can only strengthen rather than weaken the workings of the Community, the institutions of the Community and, I believe, the decision-making in the Community.

We also should not ignore the tremendous importance of the fact that we are now being joined in the European Economic Community by two important members of the Western Alliance. This, of course, will tremendously strengthen security in Western Europe and stability generally in this part of the world.

It is significant that all the opinions from Parliament's specialist committees have come out in favourable terms in favour of this enlargement. There are numerous technical and sectoral difficulties about enlargement. We all know that. Nevertheless, all the committees of this Parliament are in favour of enlargement. That should not be underestimated.

Finally, I should like to join those who have once again expressed their thanks to Commissioner Natali

for all the work he has done to arrive at this day. I imagine it is the last time he will come to this Parliament as the Commissioner responsible for these negotiations, and that must be a great relief to him. On behalf of my group, I would like to express our complete support for the Treaties of Accession and extend a warm welcome to our Spanish and Portuguese colleagues who will be joining us in January.

*(Applause)*

**Mr Piquet (COM).** — *(FR)* Mr President, I shall begin with a prefatory comment. To my mind, our Assembly is in no way empowered to take any decision whatsoever concerning ratification. The Treaties which govern the functioning of this institution make no provision for any such powers. Moreover, I consider it an aberration that we should appear to be taking decisions here, when any real choice is the exclusive preserve of the national Parliaments. It is out of respect for my own national Parliament that I speak in these terms. If only for this reason, the French Communists and Allies will be voting against at the end of this debate.

But there is more, or worse. Enlargement is not only a misguided option but goes against the grain of history, from all points of view. What we are heading for is not an enlargement but, given the risk, a disintegration of the Community. The serious deterioration in social and economic conditions in the Community is going to get rapidly worse. The guarantees, the transitional periods for which provision has been made, will provide no protection. The experience with the United Kingdom and then with Greece is instructive in this respect, and no-one can be under any illusion — I refer here to France only — as to the dire consequences of this enlargement both for farmers and for industrial employees. Incomes, standards of living, employment and productive potential are all going to be affected. This enlargement will inevitably lead to a levelling-down of living conditions and cause severe damage to the economic potential of the countries concerned, with the attendant risks of political dependence.

What we are really heading for with this enlargement is the establishment of a free-trade zone in which all the agricultural, monetary and industrial imbalances will become more pronounced. We know that American and Japanese firms are falling over themselves to turn Spain and Portugal into bridgeheads to the European market. It has to be acknowledged, as the trip by Mr González to Tokyo confirms, that the Spanish and Portuguese Governments are only too ready to play the Japanese or American card when they consider it necessary, to the detriment of Community interests. Consequently, the enlargement envisaged will not only fail to provide solutions to the crisis in our Community but on the contrary is likely to make matters worse. And the great risk is that it will shatter what remains

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of the Community rules and eliminate all possibility that we shall be able to reconquer our internal market. In other words, instead of consolidating and developing the construction of Europe, it will weaken it, if it does not actually cause it to disintegrate. This is therefore a dangerous prospect, from every viewpoint. Our economic and trading strengths will be diluted. There will be more pressures, not to say *diktats*, from the United States or Japan, the Community will suffer yet further undermining of its identity, its personality, and cooperation in all spheres, which is vital in these times, will become even more difficult. And there are also the crucial issues of peace and disarmament, which I have not discussed, but on which the Community could be playing a leading role.

It is in the light of these considerations, Mr President, that, out of concern for the interests of working people and for the interests of our country, we shall be saying no when the time comes to vote.

*(Applause from the benches of the Communist and Allies Group)*

**Mr Romeo (L).** — *(IT)* Mr President, we have now decided to accept the members of the *Cortes* in this Chamber and are looking forward very warmly to seeing them with us here in a few months' time.

However, we must not forget that Parliament has already been obliged in the past to express its reservations regarding the procedure followed by the Council in connection with the appointment of these representatives — that is to say, on the need for them to be elected by proper European elections. This has now been done as far as the appointment and election of the Spanish representatives is concerned, and we also understand the reasons why it cannot be done so quickly in the case of Portugal. However, I want to emphasize this point, because the Liberal Group had asked Parliament, in an explicit resolution, to make its position clear on this question. I hope especially that this event will now be a thing of the past in the relations between Council and Parliament and that the Council will henceforth show greater consideration for Parliament, as the first steps in the intergovernmental conference appear to indicate.

The Political Affairs Committee states that there will be costs, and that these costs will be borne by the entire Community. If, however, we get down to brass tacks, it is clear that these costs will fall in the main on certain regions of the Community, on the southern regions, that is. It is these countries, the Mediterranean countries in the Community, that will have to bear more directly the impact of the competition of the Iberian countries, and that will see the resources that are allocated to the regional policy spread more thinly over a vaster area, seeing that the Iberian Peninsula, too, will make considerable demands on regional policy. It is to be hoped, therefore, that the resources

and allocations of the Regional Fund will be increased. But who can hope that this will happen to any appreciable extent unless radical changes are made in the common agricultural policy, especially when it is said that the intention is to extend the competence of the Community to other sectors that will absorb considerable resources — technology, for example.

Some will say, 'But there are the IMPs!' These IMPs, which were something quite considerable, initially, have in reality been pared away and reduced to insignificance, as the chairman of the Committee on Regional Affairs pointed out recently.

Despite everything, some of the British Members, I believe it was, with a doubtful sense of humour, and in the belief that the IMPs have shifted the balance of the Community to the South, have proposed the introduction of the IPIN — the 'Integrated Programmes for the Industrial North' — so as to put the Mediterranean countries back once again into the situation in which they found themselves previously.

I hope that this is just a joke, but it is certainly a joke in bad taste. In addition, it is said in a great many reports and statements that the intention is at least to maintain the present level of imports, and we would agree on this. But what exactly does it mean? Does it mean that the intention is to increase still further the exports of typical Mediterranean products by the partner States? In this case we say that there is a contradiction in terms: on the one hand a policy of aid and support for the southern regions of the Community is pursued, while on the other a commercial policy is followed that in essence hits the Mediterranean countries. This contradictory situation must be removed.

**Mrs Ewing (RDE).** — Mr President, I have always welcomed Spain and Portugal and have said so in many speeches. I am also one who thought that the democratic road taken by Spain and Portugal was one of the most important events in European history. Having said that, I make no apology for being a critic on one matter, namely, fishing. I am glad that there are some members of the *Cortes* here because I think that they might take away some of the points I make.

The first is that the inspectorate we have is totally inadequate numerically. Everyone knows this to be the case but somehow or another we do not appoint more. Obviously with Spain and Portugal coming in we need more members to be added. It is a good inspectorate so far as it goes but it is only 13 in number. The original figure mentioned was 30 and we really are rather tired in the fisheries subcommittee of the inaction on this matter. We hope that our new Members from Spain and Portugal will demand in the interest of all of us that this inspectorate be brought up to the original force that we had in mind, which was really part of the condition on which the common fisheries negotiations were concluded.

**Ewing**

The second thing is the flags of convenience. There seems to me to be little point in our very painfully hammering out quotas which never please anybody really because fishermen always want more, as we know. But we do sit down together. We sit around tables. We fix quotas and apart from the question of enforcing what we fix, which I have already mentioned, we have a strange back door which is the registration of 48 Spanish vessels in the UK which we say should be added to the number of vessels that Spain is getting. At least they should be taken into account by way of reducing the number that Spain is getting.

In answer to questions in the fisheries subcommittee the Commissioner said that this is a matter for the UK Government to deal with. We have asked the UK Government to deal with it and it won't deal with it. But it seems to me that the Commission has a responsibility here too, because they are responsible overall for the quota fixing. Here is a back door riding a horse and pair through the whole negotiations and making a nonsense of it. Only two of the 48 Spanish vessels I mentioned make any serious pretence of fishing as if they were British registered vessels. This loophole must be attended to by the Commission as well as by the UK Government.

Lastly, and perhaps this is the most important point, the behaviour of the Spanish in breaking the rules, the fact that they have been fined over and over again to the extent of half a million pounds by the Irish Navy alone, does not augur well for the future unless the Spanish fleet really does learn to behave and obey the rules.

**Mr Newens (S).** — Mr President, although, along with a number of my colleagues in the British Labour Group, I am deeply critical of a number of features and aspects of the EEC, I wish to support the Hänsch report and welcome the accession of Spain and Portugal to the Community. Next year is the 50th anniversary of the outbreak of the Spanish Civil War. We shall be reminded on a number of occasions that Spain and also Portugal languished until the 1970s under totalitarian fascist dictatorships which denied to their peoples the most elementary democratic rights.

In the case of Spain many heroic young people from different European countries, including Britain, fought alongside Spanish democrats in the 1930s to seek to avert the catastrophe which overtook their country. It is a vindication of the sacrifice of all those brave Spanish, Portuguese and other Europeans who defied fascism at the risk of their lives and liberty that Spain and Portugal are democratic countries today. We understand their desire to join the Community and to strengthen their democracies and we support their accession on these grounds. In so doing we are only too well aware of the serious problems posed firstly for Spain and Portugal, secondly for existing members of the EEC and thirdly for other Mediterranean countries.

In the EEC the CAP will become even more onerous and irrational and the pressures for the most drastic changes in our system of agricultural support will become irresistible. We shall have to move towards a system of planning production and ending the practice of producing unlimited agricultural surpluses to waste while food prices are kept high. We shall have to provide support for those farmers who need it without the vast waste of resources which is the basic feature of our present system. We shall also need to end monetarist policies and adopt a more constructive and planned approach to the problems of our economies if unemployment is not to become incomparably worse. I believe that Socialist policies will become more and more relevant to the resolution of the problems of our time.

As far as other Mediterranean countries are concerned, I wish to mention Cyprus, which is suffering at the present time as a result of the occupation of a large part of its territories by Turkish forces. We need to safeguard their markets in Europe as well as the markets of other countries mentioned. I believe we must also seek to prevent damage to the links which Portugal and Spain enjoy with Latin American countries including Cuba. It would be deplorable if we were to worsen those. Despite the problems, I still welcome Spanish and Portuguese accession, both as a Socialist and a member of the British Labour Party, and wish to reaffirm our profound feelings of friendship and goodwill towards the peoples of both those countries. We very much hope that they will not allow themselves to be pushed into acceptance of the military strategies of the United States of America and will join with us in the Socialist Group in resisting the nuclear arms race which some people here are only too anxious to push forward.

We look forward to working alongside Spanish and Portuguese representatives here, above all with those who will us in the Socialist Group in support of the ideals of Socialism, internationalism and peace.

*(Applause)*

**Mr Croux (PPE).** — *(NL)* Mr President, on behalf of my group I should like to stress the importance of today's events, in particular when seen in terms of the Community as such. We certainly regard it as an extremely important moment. Following the turn of the Belgian Parliament and before the other parliaments, the European Parliament is now ratifying the Treaties of Accession with Spain and Portugal. The presence of some Spanish colleagues in the official gallery indicates how important this issue is for Spain and Portugal, just as the commitment with which this debate is being conducted, on the basis of the excellent report by Mr Hänsch, confirms it.

We are in effect entering a new dimension, not just for the Community but also for Spain and Portugal.



**Croux**

Indeed I would go so far as to call it a third dimension for these countries. What we are witnessing today is not just a form of regional or national integration but European integration as a new entity with international characteristics. We welcome the fact that these countries are acceding with a particularly positive and constructive outlook. They are making their entry to the Community at a time when we ourselves are in full flight of institutional development on the way to European Union. Both as observers and now also as partners, Spain and Portugal have consistently shown a serious interest in this new development. We are convinced that this will remain so during the Intergovernmental Conference now taking place, which is due to reach a decision towards the end of this year. We know that Spain and Portugal will not lose their distinctive characteristics by accession to the Community; on the contrary, the European framework will give them more room to expand and a stronger base from which to make their presence felt in the wider world. We ourselves — as already stated — welcome the fact that this new openness to the South, with the possibility of a bridge to Latin America, has at last become a reality for our Community.

We would add that we must suit our actions to our words when we say that our Community must not only be quantitatively enlarged but also qualitatively changed. When we say that we must improve our institutional structure because Twelve will be more difficult than Ten, we mean that we must make optimum use of the Intergovernmental Conference, of the dialogue between Parliament and the Ministers and the Council that is now under way. The power of veto will have to be reformed, more authority will have to be delegated to the Commission and Parliament will have to be allowed to share democratic joint decision-making powers. It makes no sense to talk in terms of a qualitative leap forward unless we can introduce all these measures.

Spain and Portugal are prepared to go to great lengths to adapt their industrial and technological development to match Community standards, and we have some idea of the enormous effort that will entail. But we too must share a common policy with them, on technology, for example, which is much more important than intergovernmental cooperation, and the same goes for the progressive integration of these countries into the single market and the Customs Union. Such a common policy will be necessary, not only to overcome the economic crisis and unemployment but also if we want to secure a single large-scale common market, technological development, more economic policy convergence, better external trade relations, development cooperation and human rights and promote security and peace. We all understand that these items are all closely and intrinsically interrelated, that we must act cohesively in terms of a common vision, that we must guard against erosion of our institutional progress. We made a clear statement of our views on 9 July in Luxembourg and adopted it

with a big majority. And we welcome President Pflimlin's endorsement this week.

European Union must now quickly become a reality, but as part of a cohesive and global approach, such as that outlined in proposals and initiatives adopted by this Parliament. That will put us in a better position towards the end of this century to work in conjunction with Spain and Portugal, which take a very positive and constructive view of this possibility, in a Europe enlarged to include the Iberian Peninsula, and in the wider world, so as to make a more substantial contribution to the well-being of our peoples and citizens than is now the case, thanks in part to our wider European identity.

*(Applause)*

**IN THE CHAIR: MR FANTI***Vice-President*

**President.** — Mr de la Malène and others have tabled a motion for a resolution to wind up the debate on the oral questions. This motion for a resolution has been distributed under the number B 2-805/85.

The vote on the request for an early vote will be taken at the end of this debate.

**Mr P. Beazley (ED).** — Mr President, today's debate is really an historic occasion. It is a real cause of satisfaction and even jubilation for all those in this European Parliament who have worked for many long years to achieve the enlargement of the Community by the accession of Portugal and Spain. From Parliament's point of view, it is satisfying that our faithful rapporteur, Mr Hänsch, has succeeded in bringing the subject back to this House to consider and approve the terms proposed for accession. He deserves all our congratulations for the way he has handled the institutional aspects of these matters.

From Portugal's and Spain's point of view with their young democracies, it is a matter of great consequence, a real turning-point in the long and proud histories of these two lands. It will stand alongside the creation of their ancient nationhood matching the capture of the Lisbon Castle of St George by Alfonso Enriques in 1147, supported by the Crusaders who sailed down from the northern ports which are today in Britain, France, Belgium, Holland and Germany. It is comparable with the liberation of Spain from the Moors and the creation of a strong, Christian, unified nation.

From the Community's point of view it is also a new beginning. Each enlargement has brought to the Community new challenges and new opportunities, but also

**P. Beazley**

new problems, as it will for Portugal and Spain. The enlargement of our Community coincides with the timing of the very necessary stage of reform of our Community's institutions and practices. We must quickly reach agreement on the future organization and orientation of our enlarged Community. That spirit of adventure and determination which fired the great navigators who sailed from the ports of Portugal and Spain to discover the passages to the Americas, to Africa, to India and the Far East must also stream through the veins of the present Members and renew that spirit which originally conceived our Community and lead it united, confident and effective into the 21st century.

May I just say one word in Portuguese?

Infelizmente os nossos amigos portugueses não estão na nossa Câmara hoje. Mas em todo o caso temos aqui a presença dos membros das Cortes Espanholas. Desejo lhes sinceramente um bom futuro na nossa Comunidade Europeia.

Obrigado, e bom êxito a todos os nossos novos colegas.

**Mr De Pasquale (COM).** — (IT) Mr President, the entry of Spain and Portugal into the Community has always been considered by us Italian members of the Communist and Allies Group as one of the fundamental pillars in the building of a united Europe.

It is not true that the enlargement of the Community is a disruptive factor, as some people still persist in maintaining. The very reverse is, in fact, true. Europe can only become a great, peaceful power and exercise a decisive function in the political and economic equilibrium of the world if it is able to understand, amalgamate, harmonize and unite, at increasingly higher levels, all its national components; only, that is, if it can succeed in harnessing together its great economic resources and its great capacity for work.

Those who still hanker after Little Europe or, worse, support outdated supremacies for mistaken national interests are out of the picture. We therefore consider the entry of Spain and Portugal into the Community as a decisive step in the right direction, and we appreciate the declared readiness of the new members to contribute actively to the creation of the European Union. We are proud, as Communists, to have made our contribution, in Italy and in Europe, to bringing this event to maturity. We therefore agree — as the Hänsch report says — with the Treaties of Accession and we hope that the process of ratification will be completed by the end of this year so that at the beginning of 1986 we can welcome the entry of our new Spanish and Portuguese colleagues into this Chamber.

A new chapter is opening for the European Community. This cannot be denied: new challenges, new

contradictions, new imbalances and new problems are appearing both within and outside the Community, especially in the Mediterranean, but it would do no good to cast them out or ignore them. We have instead to tackle them and solve them tenaciously and in a spirit of solidarity and reciprocal respect.

Basically, the accession of Spain and Portugal makes it all the more urgent to solve, in the common interest, all those problems that are already in existence and still unsolved in the old Community, from institutional reform to the renewal of the common policies and the extension of structural aid — and from the single internal market to monetary integration and fiscal harmonization.

It is up to us, therefore, to the democratic parties of Western Europe, to win this difficult battle as quickly as we can and in the best way possible.

*(Applause from the benches of the Communist and Allies Group)*

**Mr Galland (L).** — (FR) Mr President, ladies and gentlemen, on behalf of the Liberal Group I should like to add my congratulations to our colleague Mr Hänsch on his report and to say to him that, while his motion for a resolution is short, the length of a motion for a resolution is no measure of its quality and that this report is quite complete; various national Parliaments, which have not yet voted on the principle of enlargement, would do well to take their lead from the excellent synopsis provided by this report. To Commissioner Natali it is not so much my congratulations as my thanks that I should like to offer, for all the unstinting work that he has put into this. He has been one of the architects of the fine achievement that has eventually been brought to fruition with the signature of this Treaty of Accession on 12 June 1985.

One of the satisfactory aspects of this exercise is that it is bringing two very European countries into the Community; in this it differs from the previous enlargement, when we were joined by a country which can be described as, at most, much less European than the average. It is our hope that the arrival of the eminently European Spaniards and Portuguese will make the Community as a whole more European, mindful as we are that some of our countries could well do with a shot in the arm to boost their European convictions.

In this vein, and for all the length of the negotiations which, as you know, gave rise to arguments, prompted reservations and may have dampened our Spanish and Portuguese friends' European enthusiasm, it is necessary for all the Spanish and Portuguese political parties, that is to say the vast majority in favour of joining the Community, to set about the task of rekindling enthusiasm for Europe throughout the Iberian Peninsula.

**Galland**

The negotiations on accession were lengthy, as I say. The experience of the previous enlargements prevailed, and that is all for the better. We are satisfied that the bulk of the foreseeable problems have been dealt with thoroughly.

On behalf of my Group, I should now like to make a few comments on various points. First, we are confident that the challenge to the organization of agriculture presented by the arrival of Spain and Portugal will also give us the opportunity to reform the common agricultural policy along two parallel lines: reform to ensure that we have market outlets for our produce and reform to secure future prospects for our farmers. We note the support given to the Hänsch report by the Committee on Agriculture, which has always been a stalwart defender of European farmers' interests and will remain so in our eyes until we can be convinced otherwise. This support is a clear demonstration that the apocalyptic scenario that we have been given of the effects on agriculture of Spain's and Portugal's accession was unjustified.

In addition to this necessary agricultural policy, we want to see the application of new policies on technology and research, in the interests of these two new countries and in our own.

Finally, Mr President, it is the view of my Group that Spain must establish diplomatic relations with Israel, and we consider this to be so important, Mr Commissioner, that it should have been made a prior condition of accession. We are certain that the Spaniards will recognize Israel. In the interests of the Community and its credibility in the rest of the world, we believe that Spain's accession should not have been agreed to until this prior condition — recognition of Israel — had been met.

The conditions of the treaty must be scrupulously adhered to on both sides, and the new Member States must help to ensure that the great challenge in prospect is met successfully.

Referring to fisheries just now, Commissioner Cheyson drew our attention to the Spaniards' compliance with fisheries agreements. A word of warning. A close watch should be kept on the Spaniards in this regard; a visitor to Portugal's fishing ports, say one of the large ports in the south of the country, will be able to judge for himself from the number of Spanish vessels docked there, having been arrested by the Portuguese for contravening the agreements between the two countries.

We therefore say to the Spaniards that it is time they complied with a number of agreements, and in particular that they settled matters with the other country which is about to enter the Community, Portugal. There is, of course, a need for these two countries to improve their road links and other communications with the Community as a whole. This is true of Spain

but especially so of Portugal, which needs to invest heavily in roadbuilding and indeed in its railway system.

A final word on Portugal, for which I have a special affection. For Portugal accession will not be a matter of adjustment but of radical, revolutionary change. It will need total commitment, a new attitude of mind, relaxation of bureaucracy, greater efficiency in all areas of national life. That is what it will take for Portugal to make a success of its entry into the Community.

In conclusion, Mr President, I have this to say: the Community of Twelve is perfectly capable of functioning, and we know that it will be necessary to reform our institutions. Something will have to be done about the problem of the right of veto. Improvements are needed in our decision-making process. What has saddened us in this Chamber is the sight of leading figures in this Parliament indulging in demagoguery.

I mention the example of Mr Dankert, who to the best of our knowledge had always been in favour of enlargement. How is it, then, that he can today call upon the Dutch Parliament to vote against enlargement, on the ground that we should first resolve our institutional problems? Mr President, is that an honest attitude to the Spaniards and Portuguese? No. Is it a politically responsible attitude? No.

We for our part know that the proof of the pudding is in the eating, and it is in that spirit that the Liberal Group makes a determined and confident call to all the national Parliaments to ratify the Treaties of Accession, so that this Chamber may be filled to capacity four months hence. Naturally, we shall be voting unanimously in favour of Mr Hänsch's report.

*(Applause)*

**Mr Graefe zu Baringdorf (ARC).** — *(DE)* Mr President, ladies and gentlemen, we cannot sing along with this general paean of praise to greet the accession of Spain and Portugal, which would have us believe that accession will be of benefit to all concerned.

How can this be? 'Let's do a deal', said the hen to the pig, 'which will benefit both of us. I'll provide the eggs and you the chops.' Yes, there are deals to be made. Take the example of agriculture. 20% to 25% of all wage-earners in Spain and Portugal are engaged on agriculture. 80% of all farms are less than 5 hectares in area, with an average in Galicia of only 1.5 hectares. The challenge facing us, albeit with transitional provisions, is to bring the agriculture of these countries into line with the agricultural system of the EC. This opens up a market for the agricultural industry of the Community's main industrialized States, including the Federal Republic of Germany.

**Graefe zu Baringdorf**

Mechanization of agricultural production in Spain and Portugal and the greater use of chemicals opens up an enormous market.

Take Greece as an example. Between 1983 and 1984 Greek imports of agricultural machinery and chemicals from the EC rose by 50%. 205 cotton-picking machines were purchased through the EAGGF, the Community's Guidance and Guarantee Fund. The point is that a machine of this kind can pick 20 000 lb of cotton a day, whereas a human picker picks only 200 lb a day.

We have visited Andalusia and we have seen how many workers there are there already without work and without land. We concluded that if the trend continues in Andalusia, even more jobs will be rationalized out of existence as technical and chemical production aids increasingly take over.

Where are the much heralded opportunities for building up a processing industry which will absorb these farmers and workers who are losing their jobs? They are not forthcoming! The agricultural industries and large cooperatives in the Federal Republic of Germany have long been poised to supply Spanish markets. So far Andalusia's milk has been supplied by Galicia. It will soon be coming from France.

We found Galicia to be a privileged region with kindly people, interesting topography, a largely unspoilt environment, an agriculture offering employment for a lot of people, even the old. The EC will classify Galicia as a disadvantaged region. Mr Wettig's claim that the EC supports the weak and does not allow the strong to get stronger is not true. The converse is true: this EC destroys structures!

A central assessment of the conditions of agricultural production does not allow for the regional features which typify agricultural work and production. We demand that agricultural policy measures should be set by the individual countries and regions themselves. Understanding within Europe is impeded not by the special nature and independence of the regions but by the centralist economic and social system which is geared to competition and destruction.

The decision to accept Spain and Portugal has been taken. I hope that as a result there will be more objections and greater resistance to a destructive policy. We thus welcome all our political friends from Spain and Portugal as allies in our efforts to construct a policy for the peaceful, friendly development of a Europe of the regions.

**Mr Natali, Vice-President of the Commission.** — (IT) Mr President, Mr President of the Council, ladies and gentlemen, I shall not make a long speech, not only out of dutiful respect for the commitments and rules of this Parliament but also, and above all,

because we have before us a document, Mr Hänsch's report, which is a complete document, about which the only thing that the Commission can say is that it gives it its full approval, and I should like to thank him for the work he has done.

I want, however, to thank Mr Hänsch and Parliament not only for this last work but also, and above all, for the interest, intelligence and enthusiasm with which Parliament, in its committees, its joint committees and its full Assembly, has followed this long story, a story that comes to its conclusion today in this Chamber; and various speakers have emphasized the importance of the act that the European Parliament is about to accomplish.

In his report, I repeat, Mr Hänsch illustrates the complexity of the problems and emphasizes the validity of the solutions that have been found. Listening also to the draftsmen of the opinions of the various committees, whilst some of them express doubts — or, at all events, indications as to certain specific sectors to be followed up — we have reached the conclusion that not only have we reached the end of this long journey, as was to be wished, but we have concluded it under the best possible conditions.

What, in effect, was the problem that faced us — we all know, but let us remind ourselves once more — when Portugal and Spain made their applications to join? It was a significant moment, as it was the first action taken by the two politically important countries after regaining democracy. On the one hand, we were faced with a gesture of considerable political significance, but also we had to consider the positive contribution which the presence of these two countries could make to the Community. A positive contribution bound up with their cultural, civil and spiritual traditions and with the specific fact that their presence meant also that the Community would have a new geographical equilibrium and that their presence would bring with it significant relations with countries in other continents. Against these very positive aspects, which justified the immediate reaction in favour of accession, there was undoubtedly the fact of the difference in economic and social structures, which in reality differed considerably from the situation in the Community. I naturally do not include the problems connected with specific sectors, which also form part of this general diagnosis that I have made. What was the great effort that we made? That effort was to endeavour to find solutions, establishing transitional periods and derogations that would enable the two countries — as we stated in this very Chamber and we confirm today — to be integrated harmoniously and in a balanced manner into the Community as it is.

I should like us not to forget, ladies and gentlemen, that the purpose of this speech is not purely and simply to set out the terms of the problem. It would be sufficient, for example, to recall that, where the Portuguese situation is concerned, which is undoubt-

**Natali**

edly more delicate and more difficult than the Spanish situation, for the first time in the so-called story of the accession negotiations we have also provided a series of *pre-accession* measures on the part of the Community to facilitate the integration of Portugal and enable that country to face up to the challenges implicit in entry into the Community.

Mr Hänsch acknowledges — and I thank him once again — that the solutions that were found were the most balanced ones possible. Some of them have been criticized, but I would say that that is normal in our system, in which we have to endeavour to find solutions where interests that are often diverging are involved. But what we have to do is not so much criticize one solution or another as to look at the picture overall. And here I should like to say a word, ladies and gentlemen, if you will permit me, regarding the Council of Ministers and the Spanish negotiators. We have often heard criticisms in this Chamber of the ministerial negotiators for their delays and slowness: well, I should like us to recognize that, finally, both the Portuguese and the Spanish representatives have found solutions that are both adequate and equitable.

As I said before, I have listened to criticisms in this Chamber, and some of them have referred to 'hasty' solutions during the negotiations. Now it does not seem to me that eight years of thoughtful consideration and negotiations can have led to any solution that could be described as 'hasty'. Some have pointed out the complexity of some of the regulations in the Treaty, and of course there are some sectors, such as agriculture, that are particularly delicate, but I agree with all of those who have said that the problems of agriculture and agricultural reform are problems that were already in existence prior to the entry of Portugal and Spain. Others have emphasized the problems regarding fisheries; and, lastly, Mr Galland has referred to relations between Portugal and Spain. I think it is important to emphasize that relations between the two countries have been defined in the Treaty, and they were defined with goodwill on both sides, which shows the determination of these two countries to be in all sincerity close to one another, not only geographically but also in their joint actions.

I should, however, like to add, as far as the fishing question and other sectors are concerned, that doubts have been voiced in this Chamber as to the ability of the applicant countries to conform to the rules that they have accepted. I do not think that we should adopt this suspicious, doubting approach. It is true enough that, in the life of the Community, we have already seen many Member States break the Community's rules; that notwithstanding, I do not accept, nor must we accept, that we should entertain doubts and suspicions that the applicant countries have accepted commitments that they do not intend to honour. I think we must not do them such a wrong; on the contrary, we must be convinced that they will make

every effort to adhere to the rules and regulations of the Community.

Mr Hänsch rightly emphasized that the entry of Spain and Portugal presents immediate financial problems, and I agree with his observation that the financial resources that we envisage making available are certainly not exaggerated, in view of the complexity of the problems that face us and the political objectives that we must achieve; but he also emphasized, as have other speakers, the need to look closely at the future problems of a Community of the Twelve. Mr Hänsch, ladies and gentlemen, I should only like to recall that at the start of this long process the Commission presented documents, which were called 'frescoes', which pointed out overall considerations that had to be borne in mind and certain steps that had to be taken.

Since one of the problems on which Parliament's attention is rightly focused at this moment is the question of the institutional debate, I should like to recall that in one of those documents — the 'Fresco II', as it was called — the Commission emphasized that there was already the need to reform the decision-making process; and it was then feared that the implementation of that reform would be complicated by the presence of Portugal and Spain. I believe, Mr President, that the presence of Portugal and Spain also means something else: we have rightly pointed out that this act that you are about to accomplish is an act of solidarity with the young democracies also, and it is a contribution that Europe is in duty bound to make. We must not however forget — or, rather, we must emphasize — that Portugal and Spain will also make substantial contributions to the Community. Their positions concerning the institutional question and the growth and development of the Community are already proof of this fundamental contribution that they can make to our Community, which, with enlargement and quite apart from the debates on the crisis, has shown its vitality and which we believe — no, we are sure — can continue to move forward and progress, together with the Spaniards and the Portuguese, for the attainment of the fundamental aims of freedom, justice and peace.

**President.** — The debate is closed.

We shall now proceed to the request for an early vote on the motion for a resolution by Mr de la Malène and others.

*(Parliament rejected the request for an early vote)*

The vote on the Hänsch report will be held at the next voting time.

#### 4. *South Africa*

**President.** — The next item will be the joint debate on the oral questions with debate on South Africa:

**President**

- by Mr Wurtz (Doc. B 2-812/85), on behalf of the Communist and Allies Group, to the Foreign Ministers;
- by Mr Arndt and others, on behalf of the Socialist Group, (Doc. B 2-813/85) to the Commission and (Doc. B 2-814/85) to the Foreign Ministers;
- by Mr d'Ormesson and others (Doc. B 2-857/85) to the Foreign Ministers;
- by Mr Prag, on behalf of the European Democratic Group, (Doc. B 2-859/85) to the Foreign Ministers and (Doc. B 2-860/85) to the Commission;
- by Mr Habsburg, on behalf of the Group of the European People's Party, (Doc. B 2-861/85) to the Commission and (Doc. B 2-876/85) to the Foreign Ministers;
- by Mrs Heinrich and others (Doc. B 2-862/85), on behalf of the Rainbow Group, to the Foreign Ministers;
- by Mr de la Malène, on behalf of the Group of the European Democratic Alliance (Doc. B 2-864/85) to the Commission and (Doc. B 2-865/85) to the Foreign Ministers;
- by Mr de Vries, on behalf of the Liberal and Democratic Group, (Doc. B 2-866/85) to the Foreign Ministers and (Doc. B 2-867/85) to the Commission.

**Mr Wurtz (COM).** — (FR) Mr President, Mr President of the Council, on 30 July last I, on behalf of the Communist and Allies Group, tabled the oral question which led to this debate being held. Everything that has happened since then has confirmed that the time is more than ripe for all influential groups in the Community and its Member States to face up squarely to their responsibilities with regard to the crucial problem of the posture to be adopted towards the South African regime.

There are many people, some of them in this Chamber, who did not wait for Pretoria's escalation of repression over the past year or for the general groundswell of public indignation about this vicious regime before demonstrating in words and practical action that they were determined to do everything in their power to put an end to apartheid.

We Communists take pride in having been among those who have been relentlessly toiling for years to help to isolate this racist power, to abolish this abhorrent system and to foster solidarity with the peoples of southern Africa. One demand has been gathering strength throughout this struggle, the demand for the application of real, effective sanctions, that is, immediate, compulsory sanctions affecting all areas of vital interest to the Pretoria régime. This is the demand of the overwhelming majority of the blacks in South

Africa and all their representative organizations. It is subscribed to by the United Nations, by the OAU and by the ACP countries. Moreover, there is ever-increasing support for sanctions in world public opinion. We have argued the case for this just claim in this very Chamber time and time again.

It is admittedly a grave and exceptional step to apply such sanctions, but there is justification in the case of South Africa, because that country's regime is operating a system of racial and social segregation such as has been seen nowhere else in the world, a system which breeds repression within the country and hegemony throughout the region, starting with occupied Namibia and extending to all the front-line States, which are subjected to harassment and aggression and drawn into an enervating and endless war.

Apartheid is all these things: a system of laws, rules and practices which are indissociable one from another and therefore cannot be reformed, the whole being an affront to the dignity of the peoples of Africa and the international community collectively. But what attitude has been adopted hitherto by the Community and its Member States? The very word sanction has been proscribed. Oh yes, Europe has always been ready with words to condemn apartheid. But at the same time it has remained South Africa's main trading partner and the leading investor in that country. A quarter of its coal imports come from South Africa, along with substantial proportions of its imported lead, chromium, manganese and even tropical produce and fresh oranges. Its companies have invested billions of dollars and its banks have been carrying on lucrative business there. Nothing is excluded from this flourishing cooperation, not even trade in armaments. The mere mention of all these links is enough to give an idea of the impression that would be made on Pretoria if genuine sanctions were strictly applied by the Community and each of its Member States. The Council has just followed the example given by France and President Reagan by giving a few inches of ground in the face of pressure from public opinion. Its action amounts to little, far too little. But it will give everyone dedicated to the defeat of apartheid encouragement to carry on their campaign until action is taken which is really commensurate with what the situation requires.

Mr President of the Council, if I am unable to convince you of the human rights argument justifying the case for genuine sanctions, I can still appeal to your political acumen. Some of you have hitherto presented Mr Botha and his crew as reformers. These sinister individuals have even been received officially in Paris, Bonn and London. Not content with that, by undertaking a visit organized and controlled by Botha, you have now lost much of the authority that you commanded with people like Nelson Mandela, the ANC, the UDF, the black community and the whole of Africa. You have delivered a stinging insult to the European Community. Now that big business itself is entering into discussions with the ANC and the banks

**Wurtz**

are scarcely putting their confidence in the existing regime any more, are you, Mr President, going to lag behind your own friends for much longer? In the name of what, of whom, of what interests? We for our part subscribe to a much higher conception of the interests of Europe, of its nations, of the Community itself, and we shall show ourselves capable of defending it.

**Mrs Simons (S).** — (DE) Mr President, the Socialist Group, for which I speak, attaches great importance to this debate, which clarifies the responsibility which we Europeans have towards South Africa. Parliament must be fully involved in the necessary decision-making process here.

At this early stage of the debate I should like to voice the hope that the day is not far off when this House will no longer need to debate South Africa as a matter of urgency, because there will then be freedom and justice for all who live there, irrespective of their colour or race. I think this hope is a realistic one, for the time and thus the power of the apartheid system are drawing to a close.

Not primarily because we in Europe and America are working so hard for the freedom struggle. No, primarily because the people of South Africa, men, women, schoolchildren, students, workers, churchmen and trade unionists are fighting this battle for their rights and will win it.

In the long term an unscrupulous minority can today no longer subjugate the great majority of a population, and everyone knows that. But even though we are not the deciding protagonists in this struggle for freedom, we do have an important part to play. The inescapable fact remains that the system of apartheid is partly secured by the political and economic support which it continues to draw above all from Western Europe and the United States.

Apartheid is not primarily a question of separate compartments in trains and buses, or the banning of marriage or sexual relations across the colour line: it is above all a degrading system whereby human beings are deprived of any share in government, land ownership or economic influence. Foreign investment does nothing to improve this position! It has really been used rather to strengthen apartheid and it continues to be so used. It has destroyed jobs for black South Africans more often than it has created them.

The often-heard argument that sanctions would harm the very people they are meant to help thus appears a dubious one, especially when used by those who have hitherto invested in South Africa, who have profited from the low wage levels, poor environmental and occupational health and safety legislation and the weakness of trade union influence there.

We must decide whose side we are on, that of the oppressor or the oppressed. What does that mean in concrete terms? This House has taken on the honourable task of defending human rights, and repeatedly the rights of those suffering in South Africa. We know that our statements and resolutions are heard by a world audience. Their impact should not be underestimated.

But in the dramatically worsening situation, and in view of the fact that soldiers and police are now shooting at children, arresting ten-year-old schoolchildren, in view of the widespread suffering and the manifest political ineptitude of the government there, verbal statements are no longer enough.

On behalf of the Socialist Group I thus reiterate our frequent demands for effective action, and that means sanctions. We want an end to Europe's further economic and political support of apartheid and thus a clear declaration of our support for the oppressed. For this reason we have long been demanding specific consistent measures which will, we hope, have above all a political effect.

Our demands are well known. They apply to cultural, economic, military and political matters and do not need to be restated here. Resolutions on some of them were taken yesterday in Luxembourg — not, to our great disappointment, by the UK Government.

We also call once again and emphatically for greater support of the frontline States and Lesotho within the framework of the Southern African Development and Cooperation Council. This is a true objective of the Community's development policy, and indeed we are committed to it under the Lomé Convention. I am glad that the Foreign Ministers confirmed this yesterday.

The day before yesterday the US President made a binding commitment to take measures against apartheid. Yesterday nine EC Foreign Ministers and those of Spain and Portugal agreed on first steps. So far, so good! What else could they do really, now that international pressure has reached such a level? But I will say this quite clearly: the decisions we have taken are not enough! Above all we shall monitor their implementation very carefully, and we shall need to. How, for example, can we effectively check that the EC's 'code of conduct' is respected and how are we to punish infringements? Who is to check effectively whether or not paramilitary goods such as helicopters continue to be supplied to South Africa, from the Federal Republic of Germany, for example?

But to return to our oral questions. We deplore the inadequately prepared and conducted visit by the three Foreign Ministers and Commissioner De Clercq. Why did the Foreign Ministers not stand by the demand that they should themselves decide with whom and on what they wished to speak in South Africa? Why, at

**Simons**

the end of their visit, did they say there were no plans for economic sanctions at present, thus giving the impression to the public at large of at least partial complicity with the Botha Government? Why did they not speak out for the liberation of Namibia? These omissions need to be remedied!

I would end with a further appeal to the Commission, and I ask it to take me seriously. In April my Group asked the Commission to examine the feasibility of certain economic measures against South Africa. It has not yet done so. These measures included a ban on the importation of Krugerrands and coal and a ban on the exporting of petroleum. The Council of Ministers is now half way to approving these two things. We want this list extended to include an import ban on gold, platinum and diamonds. We call on the Commission to produce a strategy for implementing these measures. Use your powers!

I began with a hope, and I will end with a promise. I gave this promise publicly in Soweto on 10 February as a guest of the United Democratic Front at the big celebration following the award of the Nobel Peace Prize to Desmond Tutu. It was as follows: 'We shall support you and help you in your fight for justice until you have won your freedom.' We must all, I think, endorse this pledge.

*(Applause from the left)*

**Mr d'Ormesson (DR).** — (FR) The South African Government is now engaged in carrying out real reforms, with the abolition of the ban on marriages between black and whites, the recognition of blacks' freedom of trade union association, the forthcoming removal of obstacles to freedom of movement for blacks, and the increase in miners' wages in the country which has a higher standard of living than any other, apart from Gabon, in sub-Saharan Africa.

The existence of freedom of trade union association and freedom of the press makes this country one of the least repressive on the African continent, the rest of which is made up of 16 military dictatorships, 33 single-party States, many of them with totalitarian regimes, and only seven democracies.

And yet the assault launched against the Pretoria Government on the pretext of campaigning against apartheid is coming to its climax. Why do I see the glorification of this campaign as the conclusion reached on the basis of a diabolical calculation rather than as tribute paid to an honourable cause? I maintain that the harmonious future of South Africa, as of Africa in general, depends on the rejection of violence and crime as instruments of policy and the cessation of civil war wherever it is being waged.

To those who consider it a matter of honour to defend the freedoms of others, I would put the question

whether apartheid is a matter of skin colour and nothing else.

From what is said in certain quarters, it would appear that the only obstacle to the reign of innocence in Africa is the Pretoria Government. Is Pretoria to take all the blame? I wonder.

What of the civil war in Ethiopia sustained by Colonel Mengistu with the backing of 20 000 Cubans? Is Pretoria to blame for that? And the campaign waged by the Polisario against the Kingdom of Morocco, is that Pretoria? And Gaddafi's operations in Chad, is that Pretoria? And the 1967 massacres of Catholics in Biafra, was that Pretoria? And the inhuman expulsion in 1983 of five million natives of Ghana, Chad and Mali from Nigeria, was Pretoria to blame for that? And the massacre of the N'debele people in Zimbabwe, is that Pretoria? And the civil war which is laying waste to Mozambique and Angola, is that Pretoria, or is it Moscow, which has despatched 40 000 Cuban soldiers and technicians to Luanda, along with 2 500 Soviet officers, 3 500 East German officers and 6 000 members of the Portuguese Communist Party to shore up a government which is hated by the people and opposed by a resistance movement made up entirely of blacks, from highest-ranking officer to private soldier?

Only blindness can obscure the fact that the USSR is the orchestrator, spreading death in southern Africa with a view to dominating it and gaining access to virtually all its resources of chromium, platinum, gold, manganese, vanadium and cobalt, and in addition controlling the sea lanes around the Cape of Good Hope.

Its cat's-paws, along with the Cuban troops, are the ANC and Swapo, all of whose cadres are trained at the Komsomol school of the Communist Party in the USSR, in East Germany and Cuba, which are the sources of all their weaponry and means of transport.

I therefore feel entitled to ask the President-in-Office of the Council whether today's debate is a diversionary operation to draw attention away from the failure of Marxism in Africa or a debate springing from a concern for peace, harmony and freedom. If it is the latter, who is going to speak out to invite the Governments of Ethiopia, Mozambique and Angola to negotiate ceasefires with their opponents, the withdrawal of foreign troops and free elections? Peace and freedom should mean the same things to all of us!

With its refusal yesterday to apply sanctions which would cause hardship to the innocent without affecting the culprit really responsible for the turmoil in South Africa, which I am prepared to identify as Moscow-based international Communism, the United Kingdom has handed us a lesson in political courage which the Council, the Commission and the European Parliament would do well to reflect on.

*(Applause from the right)*



**Mr Prag (ED).** — No one in my group underestimates the gravity of the situation in South Africa or the danger of taking steps which would exacerbate the violence now escalating. Let no one mistake either the dimensions of the problem.

We are not dealing here with a small colonial population, or even with a major problem of decolonization such as occurred in Zimbabwe where there were 250 000 white people of relatively recent vintage. We are dealing with a large black population of 24 million and a white minority of 4.5 million people, which is not far short of the population of Denmark, a Member State of the Community. They are as indigenous to the country as are its black population. In these circumstances it is dangerous even to think of violence as if it could solve the fearful problems created by apartheid. We cannot allow a system to emerge which would fail to solve these major problems. We need a system which will not only give the black majority citizenship and democratic rights but also ensure the freedom of the coloured, Indian and white minorities of 6 million people.

I believe that tough economic sanctions such as are advocated by our colleagues on the other side of the House would have the worst possible effect. They would mean that western Europe would be disengaging from the possibility of exercising any real influence on events. Look at what happened in Rhodesia, now Zimbabwe. Sanctions strengthened the white business sector and we had, under a Socialist government, years of failure to do anything. It was under a Conservative government that diplomacy brought about the elections which brought about independence and the State of Zimbabwe. It was not sanctions, it was Conservative diplomacy under Lord Carrington.

Thirdly, tough economic sanctions are bound to stifle economic growth and harden the atmosphere in which violence will continue to escalate. It will hit the black South Africans hardest and will create even greater discontent than we have at the moment.

Now the programme discussed by the Council yesterday consists by and large of a consolidation of measures of which my group approves and which are already in existence — the arms embargo, the almost total freeze on international official contacts, the question of sensitive materials for the police and armed forces. There are only one or two new measures involved: the oil embargo and the recall of military attachés. That might well be regarded as a reasonable stepping up, a very gentle escalation, of the measures already taken. Also, of course, we would certainly approve programmes to aid the victims of apartheid.

The list is, as I said, a sensible consolidation of existing measures. There is no question, as in the Socialist resolution, of disinvestment or the dismantling of trade with the ill effects that would have on employ-

ment, both for black and white people in South Africa, and, indeed, in some of our own countries.

We British know the toughness, indeed obstinacy of the Afrikaners. Britain fought them in the Boer War. South Africa also fought beside us in two world wars — voluntarily in the second to defeat Fascism and Nazism. We have experience of how they react, and the harder you hit them, the tougher their reaction. We do not wish to recreate among them the *lager* mentality. We do not wish to see the hardening of hearts. My Group believes that only through carefully measured steps can the black majority be given political rights and peace be restored and the dismantlement of the evil apparatus of apartheid be achieved. We do not believe this can be achieved in the long run if violence continues to escalate and the numbers of dead rise from hundreds to thousands. Disinvestment and a run-down of our trade with South Africa, as advocated by our colleagues opposite, will merely create more unemployment and exacerbate violence. It will not do what we want above all to do, and that is to end permanently the evil system of apartheid and create a politically fair and acceptable democratic system in South Africa.

*(Applause from the centre and from the right)*

**Mr Pirkel (PPE).** — *(DE)* Mr President, ladies and gentlemen, everyone, albeit for a variety of reasons, is increasingly concerned at developments in South Africa. The European Parliament cannot and will not ignore them. For this reason my Group, together with other groups, has prepared and tabled the motion for a resolution now before you. In it we uphold the principle that the European Community too must do all it can to promote a *peaceful* solution to the internal political conflict in South Africa, which is escalating at so alarming a rate.

Especially now, when violence has the upper hand in various places in South Africa, we must do all we can to avoid fanning the flames. I say this to all sides of the House but especially to all those with political responsibilities in South Africa.

We all know that South Africa is a multiracial nation with a long and involved history. All sections of the population have dislikes and prejudices *vis-à-vis* each other which cannot be removed simply by calls to or sanctions against the government or by forcible enactment of specific measures. A comprehensive approach is required.

The European Parliament has already made its own calls for a broad approach of this kind in previous resolutions and has indicated what form it should take. Its major demand is for an immediate start to the prompt dismantling of every form of social apartheid. We firmly repeat this demand today. There must, however, also be participation in government for all

**Pirkk**

population groups in South Africa, the only way in which peace can and will be restored.

Any unbiased observer of reality in the Union of South Africa knows that a one man one vote system cannot be introduced immediately in a single political step. But it must be the objective of a transitional phase subject to a time limit. At the same time we all know that it would be quite wrong to blame the tensions and conflicts in South Africa solely on relations between blacks and whites, for to some extent black groups of the population are still very much dependent on the white authorities to keep relations between them in a state of balance.

Just how much the sudden removal of such structures of law and order might also harm the blacks has been evident in many areas of Africa, not least Zimbabwe. Only peaceful progress can help here. Revolutionary change accompanied or triggered by violence would cause immeasurable harm to all, and particularly to the blacks.

We too must do everything we can to save South Africa from chaos. A breakdown of the economic or administrative order in South Africa would damage the blacks most. Extreme unemployment and a fall in social and economic prosperity, which is relatively high compared with the rest of black Africa, would be a bleak consequence for the blacks. But chaos in the Cape would also be dangerous for its neighbouring States in black Africa, for millions of black Africans today depend on the South African economy for their daily bread.

For us Europeans too the restoration of internal peace in South Africa is of great importance. Some of our vital trade and transport routes pass via South Africa. South African raw materials are indispensable to our economy. Ensuring peaceful progress in South Africa is of course primarily the job of the South African Government. To some extent we must level the accusation, which it already accepts in part, that it has for years followed a wrong political line built upon apartheid. We must also accuse it of not acting decisively enough and fast enough now.

The aim of our motion for a resolution is urgently to induce the South African Government to take up without delay the political opportunities offered. Our list of measures is designed in such a way that it does not need to provoke a hardening of attitudes and obdurate reactions. After calm appraisal Pretoria too must see it as a positive contribution towards the right course to follow.

We must take care to avoid three things. Firstly, we must not by inappropriate actions strengthen the resistance of certain short-sighted white groups in South Africa; secondly, we must not by means of rash sanctions strengthen South African efforts towards autarchy and thus frustrate our own intentions; thirdly, we

must not get ourselves into the hypocritical position where what we are fighting in South Africa is silently or even officially condoned in other parts of the world. Fourthly, the European Parliament will only be credible if it applies the same standards everywhere. We cannot and must not tire of acknowledging world revolutionary strategies in South Africa.

We must do all we can to defend human rights in South Africa and see them respected. This means the renunciation of all violence, also by those whose release from prison we are calling for here. Also by Nelson Mandela. It is in this spirit that we wish to work for peace in South Africa and with South Africa.

**Mrs Heinrich (ARC).** — (DE) The Foreign Ministers were asked *when* effective economic and trade sanctions were going to be applied to the regime in South Africa and when relations would be established with the organizations which represent the black majority of the population. Don't tell us that the blacks do not want such relations! Last week's embarrassing visit by the three Foreign Ministers was nothing less than a goodwill tour, an endorsement of apartheid and a slap in the face for the anti-apartheid movement.

We are not saying that it was meant to be. In our view just one unofficial meeting with just one representative of the ANC is not enough. What is needed are immediate, binding contacts aimed at overthrowing the system of apartheid, and this also means official recognition of the bodies representing the black majority.

The sanctions announced yesterday by the Foreign Ministers of the EC States are ineffectual to inadequate; they reflect the economic selfishness of industrialized nations which fear for their investments and financial deals. Even so, the suspension of oil supplies, the promise that there will be no new nuclear cooperation agreements and no new supplies of paramilitary equipment, together with the suspension of cultural and sporting links with South Africa and the restricting of export credit terms, are a signal which we welcome. But the only cultural agreement in existence was one with the Federal Republic of Germany. All this is far too little to force the system of apartheid to its knees. These are minimum requirements long since called for by the UN. It is a scandal that there has in the past actually been paramilitary and nuclear support for the white racist regime. We want to know when there will be effective sanctions.

The arguments that sanctions would firstly be ineffective and secondly would harm the blacks are easily countered. The South African economy is heavily dependent on exports. 25% of the gross domestic product is exported. Some 80% of this is minerals and farm products. 50% of South Africa's currency earnings are from the sale of gold. What price sanctions here? As to the second argument: the black population does not fear economic sanctions. Its sufferings are

**Heinrich**

due to apartheid. The great majority of blacks have repeatedly demanded such sanctions. Three million blacks, nearly half the economically active black population, are unemployed, not counting the homelands. Nine million blacks, banished since 1976 to the so-called homelands, are treated as foreigners.

The homelands are the poorhouses created by the rich, where millions vegetate below the absolute poverty line, huge camps for the cultivation of cheap labour, into which the old, sick or strikers are dumped.

The minority government is isolated not by Moscow but by its policy of apartheid. This House no doubt knows that non-whites were not even consulted about the so-called constitutional reform. The fact that 82% of coloureds and Asians boycotted the elections to the separate parliamentary assemblies and that only 1.3 million whites voted for the reform bill whilst 1 million either abstained or voted against shows clearly how fragile is the basis of apartheid, even among those who have benefited from it hitherto.

This very week the Government launched an offensive against white pacifist opposition leaders. The 1973 United Nations Convention, by analogy with National Socialism, branded apartheid as a crime against humanity. Apartheid means not only the oppression of the black majority and depriving them of any power, torture, forced resettlement, banishment, the separation of millions of families, apartheid also means the illegal occupation of Namibia.

The black majority stands by its freedom declaration of more than 30 years ago. Under the slogan 'make apartheid unworkable' trade unions, school and student bodies and citizens' committees are trying to break the back of apartheid by means of strikes and boycotts. But anti-apartheid spokesmen have repeatedly stressed that only tangible sanctions will offer a last chance of a peaceful victory over apartheid. If South Africa's allies are not prepared for such steps, the only alternative is an unimaginable blood bath. Because we do not want that, we demand immediate and ongoing sanctions.

Even an economic community must realize that trade and financial links which uphold an inhuman system call its own moral code and credibility into question. It is a tenet of political moral codes to withdraw support from such a system.

**Mr Lalor (RDE).** — Mr President, it is extremely important to find an agreed formula for a unanimous parliamentary condemnation of the deliberate, systematic, institutionalized *apartheid* being practised now, as in the past, by the minority and unrepresentative South African Government. It is vital that we unanimously reject and castigate a régime that maintains a police force whose guns, hoses, whips, batons and riot

gear are never used to control or repel any group of protestors unless they are black or supportive of blacks. We must also unanimously condemn a government holding people like Nelson Mandela for 25 years without fair trial and refusing to release him without all sorts of qualifying guarantees. I do not know of anyone else in the world who, even if guilty, would not have paid his debt to society after being incarcerated like Mandela for a quarter of a century.

(Applause)

I support the common intergroup amendment, but let me say, Mr President, that it is the very minimum I would back. I want Mandela released unconditionally forthwith, and I am amazed that that is not built into the resolution.

I am very inclined to support Bishop Tutu's call for maximum economic sanctions. It is frightening for us to realize that our doubts about whether economic sanctions are advisable or not are based on the fear that the South African Government would use the effect of these sanctions to further crucify the black population. It is horrifying to realize that this is the real reason why genuinely sympathetic action is not usefully being taken in support of the Tutu call. Human beings are always more important than business, and none of us, for any reason, should be afraid to spell out and condemn the *apartheid* practised in South Africa.

I was extremely disappointed — and I am glad that Mr Poos is here — to note that our three Foreign Ministers from Luxembourg, Italy and the Netherlands kowtowed to President Botha in accepting permission to visit South Africa on the basis of their having no right to insist on any improvement. They — as I see it — let us down, but on the other hand, reading the report of the Council meeting yesterday, I was pleased to note that the Netherlands Minister expressed disappointment at not being able to be far stronger in the Council condemnation. That in its own way conveys to me the impression, in any case, that the three-man delegation did learn something from their visit. I was very upset to find that the Council decided, for one reason or another, that more time was needed before taking proper action. I would like to ask the Council — I see that Mr Poos will be speaking shortly — what further evidence they require. Do they want thousands more of the majority blacks in South Africa to be lying dead on the streets before they accept that something ought to be done in this regard?

I want to say categorically, Mr President, that the Botha Government will have to change from their oppressive attitude — and soon — because otherwise the whole of South Africa will be caught up in a bloody holocaust where many will suffer — and it will not be confined to the blacks.

(Applause)

**Mr de Vries (L).** — Mr President, a recent tour of South Africa has taught me that English is understood by a wider cross-section of the population than is my native language, namely, Dutch. By way of exception and because I want the Liberal contribution to this debate to be noted in South Africa, I will therefore speak in English today.

My visit last month once again impressed on me the appalling price in terms of human suffering that people are forced to pay under the apartheid system. While no one could fail to see that atrocities are being committed by, for example, blacks against Indians, it would be equally wrong to ignore that even this violence has its roots in South Africa's unique system of racial segregation and racial domination. The Population Registration Act attributes a racial origin to every South African, with all the bitter consequences that implies. The Group Areas Act and the pass laws by which it and much other oppressive legislation is policed have led to the wholesale deportation of men, women and children and the break-up of families. The Internal Security Act permits the authorities to hold detainees indefinitely without trial and without access to lawyer, family or friends.

These are Soviet procedures. We urge the repeal of these repellent laws. The South African Government claims to represent the values of European and Christian civilization. Let it act accordingly!

Apartheid is doomed. It need not surprise us that many businessmen are opposed to it. A preindustrial society cannot be maintained in an industrial age. Industrialization and urbanization are turning things like influx control and the Group Areas Act into ever so many anachronisms. The erosion of apartheid is inevitable and irreversible.

The crucial question is: will the pace of change be fast enough to stem the rising tide of violence?

I fear that it will not. Only the prospect of genuine political reform, of power-sharing, will do so. Otherwise the radicalization of South African blacks will continue. At the same time, Mr President, this very radicalization and the concomitant hardening of the stance of many whites makes reform even less likely to come about. Herein lies much of the tragedy of South Africa today.

The political centre is crumbling. Moderate forces are losing support because their approach is not seen to produce results. To strengthen South Africa's moderate forces should therefore be the prime objective of the European Community.

*(Applause from the right)*

Europe should pay close attention to what the main opposition party — the Liberal Progressive Federal Party — asks us to do and not to do. The more we

listen to them the stronger their domestic position will become.

We should support those who employ peaceful means to bring about change, such as consumer power and labour power. That implies a total ban on all sales of military equipment to and from South Africa, which indeed has been one of the outcomes of yesterday's debate in Luxembourg.

But it also means that foreign companies investing in South Africa have a vital role to play provided they act according to both the letter and the spirit of the EC Code of Conduct. That code must be strengthened, for example, by including relevant ILO regulations. The EC should recommend a similar approach to other foreign investors, notably Japanese and Arab ones. Most importantly, the code should be made mandatory.

We should support the South African business community and say that acceptance of the requests leaders of that business community have been making is a condition of debt rescheduling.

Finally, the Community should prove its concern by helping those persecuted under the system, just as we have helped the victims of martial law in Poland. Humanitarian aid should be provided through non-governmental organizations like — I name just a few examples — the Black Sash or the Detainees Parents Support committees.

Mr President, to conclude, a blood bath in South Africa need not yet be inevitable. Revolution is not yet around the corner. There are still many South Africans, regardless of creed or colour, who are committed to peaceful change, to the establishment of a society based on respect for human dignity. They deserve our unwavering support. We call on the Council and on the Commission to provide it.

*(Applause)*

**President.** — Seven motions for resolutions have been tabled to conclude this debate on the oral questions on the situation in South Africa.

The vote will be taken at the next voting time.

The President-in-Office of the Council, Mr Poos, will reply to the oral questions at the beginning of this afternoon's sitting after the vote on the objections to the topical and urgent debate.

*(The sitting was suspended at 1 p.m. and resumed at 3 p.m.)<sup>1</sup>*

<sup>1</sup> *Topical and urgent debate (objections): see Minutes.*

IN THE CHAIR: MRS CASSANMAGNAGO  
CERRETTI

*Vice-President*

**Mr Poos, President-in-Office of the Council. —** (FR) Madam President, ladies and gentlemen, the insecurity, unrest and rising tension in South Africa are providing the whole world with dramatic evidence of the bankruptcy of the futile apartheid system to which a section of the white population of South Africa continues to cling.

We have been shocked but not surprised by the intensification of violence there over the past year and more; the apartheid system is sustained by violence and therefore inevitably provokes violent reaction. The situation now prevailing is dangerous for South Africa and for the whole of southern Africa.

The Ten, along with Spain and Portugal, are justified in speaking out and making known their views on the situation in that part of the world in an effort to promote progress towards solutions which are both fair and democratic.

Mankind is indivisible, the right to life and human dignity attaches to all citizens of the world and is of concern to the governments which represent them. The duty to respect human rights, of which racism is a particularly abhorrent violation, is enshrined in, *inter alia*, the United Nations Charter and the Universal Declaration of Human Rights. It is out of the question for pluralistic democracies to stand aloof when violations of the universal principle of humanity come to their attention; they must, in the nature of things, hold themselves duty bound to challenge such violations and strive to eliminate their effects and to prevent them from spreading.

The Ten, Spain and Portugal are determined to discharge this moral obligation both at home and abroad, in South Africa as elsewhere. The interest taken by the countries of the European Community in the situation in South Africa is further justified by the historical ties and wide-ranging contacts between Europe and that part of the world. However, it would be mistaken to look to the Europe of the Twelve to abolish the apartheid system and build a new South Africa. This is not something which can be done by outside States: it is the task of the South Africans themselves, and they alone are in a position to undertake it. The international community, and Europe in particular, is under a duty to help all South Africans to recognize and accept this truth. The countries of the European Community have condemned the apartheid system time and again. Since this system has not yet been abolished, their relations with South Africa are inevitably dominated by the need to help bring about its abolition.

On 22 July this year the Foreign Ministers of the Ten, Spain and Portugal adopted a declaration on the European position in regard to South Africa in the present context. On 31 July they decided to send a European ministerial delegation to South Africa. They also gave consideration to a number of other constituent parts of a European policy towards that country.

My purpose in coming to address the House today is to give you an account of the European mission, the dates of which were 30 August to 1 September, the party being made up of the Foreign Ministers of Luxembourg, Italy and the Netherlands together with the Member of the European Commission responsible for external relations. In the course of my speech I shall be able to reply, in broad terms, to most if not all of the 10 oral questions presented only this morning.

Allow me to recapitulate the terms of reference of this ministerial mission appointed on 31 July: this visit was not, I assure you, a friendly visit or goodwill tour. Its purpose was to explain the views of the Ten to the South African authorities in the firmest possible terms. I can assure you that we did so unequivocally and without allowing ourselves to be muzzled by the South African Government. We told them of the grave concern that the apartheid system was causing in our countries and demanded its abolition. We discussed the serious developments seen recently in that country and pressed the South African Government for further details of the plans foreshadowed by the President of the Republic in the speech that he made on 15 August. At the same time, the mission stressed the importance that it attached to the contacts that it was to make with leading figures in the political, socioeconomic, religious and cultural life of all the South African communities.

The purpose of the mission was not to make recommendations for or against sanctions, but to report back so that the Ministers of the Twelve could make a judgement and decide on the action to be taken. At their meeting yesterday, they duly considered the position and reached decisions, details of which I shall be giving you at the end of my speech.

The statement that I made on leaving South Africa was very badly misinterpreted by the press. My sole purpose had been to clarify our terms of reference, which had not been to engage in a debate in South Africa itself on the pros and cons of sanctions but to report back to my colleagues, leaving them to decide on the action to be taken.

Nor was it the purpose of the European mission to recommend detailed formulas or timetables to the people of South Africa, least of all the black majority. Only the South Africans themselves can work out the future structures of South African society.

In its official contacts, the mission met the President of the Republic, the Foreign Minister and his deputy, the

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Minister responsible for constitutional affairs and the Minister responsible for black education and development.

During these meetings we emphasized that it was necessary for the system of racial discrimination still in force to be completely dismantled without delay. At the same time we expressed our view that the abolition of apartheid did not preclude provisions designed to afford some protection to minorities. Europe is anxious for South Africa to become a fully democratic, peaceful and prosperous country where citizens enjoy equal rights and can feel safe and secure.

During our conversations with the South African Government we asked them to make early arrangements for an unconditional national dialogue with the authentic representatives of all the communities.

However, such a dialogue scarcely seems possible at present, unless certain steps are taken by the Government to create a psychological impact and bring about a new situation. In our view, these should include the measures enumerated in our declaration of 22 July, and in particular the release of political prisoners, including Mr Nelson Mandela, the ending of the state of emergency, negotiations with all representative leaders, including some now in prison, with an unrestricted agenda for these negotiations, and finally a clear commitment to put an end to apartheid, with the elimination of racial discrimination and in particular abolition of the pass laws and the Group Areas Act.

A note setting out the views expressed by the South African Government to the European delegation was made public by the South African authorities on 1 September 1985.

In this note the South African Government rejects the concept of apartheid in as much as this term is construed as meaning the political domination of one community by any other, the exclusion of any community from the machinery of political decision-making, injustices or inequalities in the opportunities available to any community, and finally racial discrimination and violations of human dignity.

In addition, this document contains some details of the Government's programme for reform and a restatement of the Government's position regarding the state of emergency and the political prisoners.

The Foreign Ministers of the Ten, Spain and Portugal discussed the contents of this document during the course of 10 September. They took the view that it would be inappropriate, and probably ill-advised, for them to hazard an exegesis of such a text from a European standpoint. They reaffirmed that the objective of the Ten, Spain and Portugal was the outright abolition of apartheid in its entirety, not merely one or other of its constituent parts.

Apartheid is not something which can be broken down into good parts and bad parts.

*(Applause)*

They hold that all citizens of South Africa must enjoy equal rights and that proper provision must be made for the protection of minorities. If these objectives are to be attained, it is necessary for there to be real dialogue with the representatives of the black population, with no discrimination. To the extent that the South African authorities are expressing good intentions, they must realize that they are expected to be as good as their word. The South African Government must now give an early tangible demonstration, through practical action on the ground, of the sincerity of the intentions announced in their declarations. No delay at all can be tolerated here, not only because of the tragedy unfolding daily in many parts of South Africa, not only because of the increasing polarization towards the political extremes, but in addition because the announcement of piecemeal concessions spread over a long period will not be conducive to the creation of a new situation in which it would be possible to set in train a convincing process of negotiation.

Truth to say, the South African Government have no choice but to turn their backs on the apartheid system in its entirety. Have they genuinely understood this? That remains to be seen.

What is certain is that the dismantling of this system must be carried out speedily and with resolution. The least that can be said is that there remains great uncertainty as to the determination of the South African authorities.

The case for continuation of the action by Europe and other countries in the West until the apartheid system has disappeared is conclusive. This action is useful and necessary. The truth of this was underlined by the fact that all the people whom we met unofficially told us of their fears about the present dangerous situation. I stress that these people were contacted by our mission, not selected by the South African Government. The European delegation had very useful discussions with church and trade union representatives, with business managers, journalists and leaders of the PFP (Progressive Federal Party) and the political movements Inkatha and Azapo (Azanian People's Organization).

To round off these contacts, the President-in-Office of the Council and the Member of the Commission responsible for external relations met representatives of the ANC (African National Congress) in Luxembourg on 10 September.

The situation is dangerous because of the frustration and impatience of the black population, the apparently uncontrollable anger of the young people, the collapse of the hope placed in peaceful change, the loss of confidence in South Africa's future among international

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business circles and, finally, the spontaneous disinvestment which threatens to compromise the health of the South African economy over a long period. There is a widespread feeling of despair, of an incipient civil war which will be bound to affect all communities, as illustrated daily by the increase in the number of violent incidents caused and provoked by repression.

Although the use of violence was rejected as a means of solving political problems by the majority of those with whom we spoke, many of them told us of their fear that it would become the solution of last resort for the black population.

The black leaders stressed their determination to find peaceful means of carrying on the struggle, but they admitted to great difficulty in finding any at the present stage. Because of this they spoke strongly in favour of the restoration of a minimum climate of confidence, without which no dialogue could be started. The Government should adopt the measures necessary to make it possible for such a climate of confidence to develop.

Most of those with whom we had unofficial discussions were naturally of the opinion that pressure on the Government was necessary and useful. Pressure is exerted from within South Africa by the trade unions, the business community and the churches, among others. It will be continued and intensified. The legitimacy of external pressure was recognized by many leaders. It could be moral, diplomatic or political. It could also be positive pressure, the object of which is to support the forces working for peaceful change. There were also many who stressed the urgent need for restrictive economic measures as a peaceful way of combating apartheid. Others, on the other hand, were opposed to such measures.

The increasing identification, in the minds of the population, of western political and economic values with the ignominious system of apartheid is giving cause for deep concern to many leaders of the black community.

Both on the Government side and among the people whom it met unofficially, the European delegation met with a great reluctance to be specific about the content of the concepts which should be the subject of negotiations. By contrast, the actual principle of negotiation was generally regarded as necessary. This wait-and-see attitude on both sides seems likely to make it extremely difficult to get dialogue and negotiations going, and any losses of time as a result of this could be dangerous. The fact is that the leaders whom we met all spoke of their fear that the violence would continue to spiral inexorably. Doubtless few of them believe that a South Africa free from violence will be possible in the short or medium term, with or without the apartheid system.

The prospect that they find least acceptable is the daily escalation of violence on either side, as the rifts

between the various communities grow ever wider, with no hope of a reversal of the process, and today's resentments turn into open, unbridled hatred.

The urgent need to stem the tide of violence is therefore of paramount concern to the opposition leaders whom we met, both black and white. Until such time as apartheid is rejected officially and unequivocally, the pressure from the black community in South Africa will continue. The likelihood that it will be intensified is extremely high and, in the opinion of the people we met unofficially, repression will be powerless to restore calm to the country as long as apartheid has not started to be dismantled.

The Ten, Spain and Portugal observed that, since their meeting in Helsinki, the situation had continued to deteriorate dramatically.

South Africa and the vast majority of its population are still waiting for their Government to announce urgent, clear-cut measures, and the wait is proving unbearably painful.

The meetings that the European delegation had in South Africa during its brief stay confirm the need for Europe to keep up the pressure on the South African Government, in concert with the other members of the international democratic community. That is the conclusion reached following the visit by the *troika* to South Africa. This conclusion was accepted by the Ministers of all the Member States of the Community, together with those of Spain and Portugal, during their meeting yesterday.

We must keep up this pressure until such time as a real process of negotiation, bringing in all the country's representative political forces, has been set in train.

The European effort should be directed not only at the Government in Pretoria, so as to encourage it to abandon apartheid, but also at all sections of South African society generally. It is nevertheless important to stress that the Ten, Spain and Portugal will be concerned primarily to promote the initiation of dialogue within South African society itself.

The action by the Twelve will comprise diplomatic activity, the intensity of which will be greater than in the past. It is or will be backed up by certain measures which the Ten, Spain and Portugal have taken or will be taking, collectively or individually, *vis-à-vis* South Africa.

In parallel with restrictive measures, there will be positive measures, notably in the social and educational fields, to which very close attention will be paid. The European impact on the campaign for the abolition of apartheid must not be limited to direct government action but must include a private contribution. The code of conduct for European companies has played a useful role in the past. With strengthening, it can

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become an even more effective instrument. A programme should be mounted to create awareness among European nationals in South Africa, to encourage them to be active in the circles in which they move, with the means at their disposal, working for the abolition of apartheid and the establishment of true democracy in South Africa.

These were the conclusions, in broad outline, reached by the Foreign Ministers of the Ten, Spain and Portugal at their meeting yesterday, following a detailed discussion of the situation in South Africa and the European attitude to it.

Nine ministers, supported by their counterparts from Spain and Portugal, agreed on the text of a press release containing a list of restrictive and positive measures which they would be taking in concert. The United Kingdom gave its agreement to the general part of the press release and to the positive measures, but wishes to give further thought to the restrictive measures.

I can now give you full details of these restrictive and positive measures. The restrictive measures first:

- A strictly controlled embargo on exports of arms and paramilitary equipment to the Republic of South Africa;
- A strictly controlled embargo on imports of arms and paramilitary equipment from the Republic of South Africa;
- Rejection of all cooperation in the military field;
- Recall of military attachés from the Republic of South Africa;
- Refusal to accredit new military attachés;
- Discouragement of cultural and scientific agreements, except where they are such as to contribute to the elimination of apartheid or do not have the effect of supporting it;
- A freeze on official contacts and international agreements in the fields of sport and security;
- Prevention of oil exports to the Republic of South Africa;
- Prevention of exports of sensitive equipment for use by the army or the police;
- Prohibition of all new cooperation in the nuclear field.

Now the positive measures:

- Action to adapt, strengthen and publicize the code of conduct;

- Aid programmes to support non-violent anti-apartheid organizations, notably the churches;
- A programme of aid in the educational field to the non-white community, to include grants to attend universities in their countries;
- Intensification of contacts with representatives of political, trade union, employers', cultural, scientific and sporting interests in the non-white community;
- A programme of aid to SADEC and the frontline States;
- A programme to create awareness among nationals of the Member States resident in the Republic of South Africa.

The matter of other measures, including sanctions, remains on the agenda. As the Ten, Spain and Portugal announced on 22 July last, they intend to re-examine their attitude in the absence of appreciable progress within a reasonable time, and to take stock of the situation at regular intervals.

In addition, instructions have been given in the appropriate quarters to examine the possibility of increasing social and educational aid from the European Community to the non-white population and political refugees.

*(Applause)*

**Mr De Clercq, Member of the Commission.** — *(FR)* Madam President, ladies and gentlemen, I should first of all like to thank those honourable Members who spoke this morning, whose strong contributions have not only set a high tone for this debate but also demonstrated the concern that they and this Parliament feel for the agonizing problem that we are discussing today.

Madam President, ladies and gentlemen, since we last discussed South Africa, in April, the succession of violent incidents and killings has continued almost daily. This tragedy stems entirely from a single cause: apartheid. The only thing which will bring it to an end is the disappearance of apartheid. A people with a sense of self-respect will not rest until there is an end to injustice and humiliation and it has been able to recover its dignity.

Apartheid is violence in all its forms: not only the brutal repression of demonstrations for fundamental rights, but the state of emergency, arbitrary imprisonment, detention of political prisoners, racial discrimination, and refusal to negotiate with authentic representatives of the people.

Our reaction to all this is that it has got to stop. I said as much in this Chamber on 18 April, Mr Carlo Ripa



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di Meana said the same a few weeks later and the Commission repeated it on 31 July, when it condemned this reprehensible system which has no future and invited the Member States to prepare for the day when, in its opinion, measures against South Africa would become inevitable.

The mission by the *troika*, which was regarded in some quarters as a rash venture, provided the opportunity to convey this message to the South African Government and people firmly and unambiguously, as Mr Poos has just been explaining. In addition, it enabled us to gather invaluable information direct from a large number of representatives of all sections of South African society, including the Government, the official and unofficial opposition, the trade unions, the employers and the churches. We were thus able to obtain a clear idea of the situation and therefore to provide the Foreign Ministers meeting in political cooperation with the best possible basis for their discussions and their decisions.

For all these reasons the Commission considers that this mission was extremely useful. In my view it was a political gesture which succeeded in bringing home to the South African Government that patience is running out in the Community, as elsewhere, and that the rapid introduction of radical reforms based on negotiation is an absolute necessity.

Mr Poos has just given you a thorough report on the mission carried out by the *troika*. I therefore do not propose to go over the details but shall confine myself to briefly giving you my impressions of the political situation in South Africa, a deeply divided country. To judge from the statements made to us, by the Government among others, it could be thought that there is agreement on the principles and the urgency of the abolition of apartheid, but it is far from clear that these words have the same meaning for all concerned. Apart from this agreement on the objective to be attained, there are profound differences of opinion, not only between blacks and whites but also among whites, among blacks and among the religious communities, the trade unions and other groupings.

My main worry is over the lack of any indication of the way ahead. There are no proposals — or at least none that I learnt of — concerning the country's future structures. As far as I can see, the negotiating table is empty. Moreover, as long as the Government refuses to treat with organizations like the ANC, it is unclear who will be sitting around the negotiating table.

The Government is showing great reluctance to commit itself firmly to reform, and this is heightening the already extreme distrust among the despairing black population, who are becoming increasingly prepared to make the ultimate sacrifice. It will take a significant gesture from the Government, restoring a minimum level of credibility and confidence, to avert polarization and escalating violence. Words will not be enough

to amount to a significant gesture; action is necessary. But I have strong misgivings about the present Government's ability to manage the necessary qualitative leap forward, to move far enough to meet the demands of the current tense situation. My hope is that the progressive elements among the whites, particularly businessmen actuated both by moral considerations and their own economic interests, will step up their pressure on the Government and take the necessary initiatives *vis-à-vis* the black liberation movement, which the Government is either refusing or unable to make up its mind to do. The planned meeting between a delegation of South African businessmen and the ANC gives some cause for hope in this respect.

Madam President, this situation is clearly alarming. If the present impasse is allowed to continue, then some of our South African counterparts assure us that more violence and eventually a bloodbath are inevitable. There is, however, a way to prevent that, and that is to open *bona fide* negotiations as soon as possible with all the representatives chosen by the black people themselves. The Government must not exclude anyone, certainly not because they happen to be in jail at the present time.

The Commission is convinced that it will be necessary to apply further pressure to the Botha regime to get it to drop its present inflexible but inconclusive position. The unfortunate fact is that political pressure alone has failed to get the South African Government to accept the need for fundamental changes. The time is ripe for other — by which I mean economic — pressures.

The Commission has not arrived at this conclusion precipitately or light-headedly. But in an extraordinary situation extraordinary measures are justified. In the present situation the end, which is to secure abolition of a system that robs the overwhelming majority of the population of South Africa of its fundamental political and civic rights, clearly justifies the means. That is why we have set our doubts on sanctions aside, as appears from the Commission statement of 31 July 1985. Our information from South African sources confirms us in this position. Pressure must be applied.

In our opinion we must proceed systematically and evenhandedly. The first objective must be to send a clear political signal, to show Pretoria the writing on the wall. Then we must step up our support for the victims of the regime, for all organizations engaged in peaceful struggle for the abolition of apartheid, and for the countries that have South Africa as a neighbour.

The political cooperation package drawn up yesterday points in the right direction, in my view. It is not a spectacular package. But, as I have just said, the point is to send a signal. The fact that nine out of the ten Member States are prepared to send such a signal is, it seems to me, of major political importance, the more

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so in that the door to further measures is being held open in the event that Pretoria pays no heed to the call of the great majority of its own population and to public opinion in all the rest of the world. I am, of course, sorry that a full consensus was not reached yesterday and that the United Kingdom expressed reservations in the matter of sanctions. That will not be good for Europe. It represents a weakening of our signal and consequently a spark of hope for those who want to prop up the apartheid system. I do not in the least suspect Britain of being an ardent supporter of that system, and I therefore sincerely hope that its reservations will be withdrawn as soon as possible.

Be that as it may, the Commission has already begun to consider ways and means of translating the consensus, if it is eventually secured, into joint measures. Where trade measures in particular are concerned, we should strive, in terms of effectiveness of impact and Community authority alike, to secure decision-making by the Community as a whole.

The Commission has been asked to consider more severe measures. I would point out that the Commission has not excluded any particular measure, but at the same time I must also remind this House that we are concerned here with the area of political cooperation. That imposes certain constraints on our margin of manoeuvre. The Commission does not enjoy the right of initiative in this area, as it does in areas covered by the Treaty of Rome. Nor can a Community decision be taken without prior consensus among all the Member States. That is why we are seeking to bring just such a consensus about. I can assure you that we have already begun the necessary preparatory work and are in a position to make proposals at any time as soon as this consensus has been reached. In that connection I would ask this House to bear these circumstances in mind when it puts the motion for a resolution to the vote in the next few hours.

As regards positive measures, the Commission has the necessary powers and has already used them. Let me refer firstly to the action we have already taken. Over the last five years we have released more than 14 million ECU in appropriations for humanitarian aid to the victims of the apartheid regime, in particular to South African refugees in Angola, Zambia, Mozambique and Zimbabwe. We support peaceful anti-apartheid organizations and movements. A contribution of ECU 275 000 has been made to six programmes carried out by these organizations. Most important is our contribution to the development of the 10 SADEC countries. Since 1980 we have made more than 1 000 million ECU available under Lomé II in the form of food aid programmes and European Investment Bank projects. Much of this development aid has been used to make the SADEC countries less dependent on South Africa and can thus be seen as a contribution to the struggle against apartheid by peaceful means. The Commission is in no doubt that

we must continue along the same road and step up our level of action.

We shall therefore treat all applications for humanitarian aid within the limits of the available budget appropriations for 1985 as a priority and submit the necessary proposals for more funds to be made available for 1986. The last word on this will, of course, rest with the budgetary authority, and the budgetary authority is, ladies and gentlemen, the Council of Ministers on the one hand and Parliament on the other. May I draw your attention to one of the positive measures:

The strengthening of contacts with the non-white community in the areas of political activity, trade union and employers' organizations, cultural, scientific and sporting activities, etc . . .

That is one of the positive measures to be found in the press release Mr Poos referred to a few minutes ago.

The Commission will consider how it can best contribute in the event to the implementation of such a proposal. Madam President, positive and negative measures must, in our humble opinion, go together. In other words, support for the victims and opponents of apartheid is no alternative to economic measures. The same is true of improvements to the code of conduct for European firms operating in South Africa. The Commission takes the view that strengthening of the code and the involvement of South African workers in monitoring its application must be actively sought. Discussions of this aspect are now being held under political cooperation, but once again this is one element of the package and not an alternative to economic measures.

In conclusion, Madam President, ladies and gentlemen, may I say, in reply to the questions that the different political groups have tabled to the Commission, that: (1) pressure must be applied to South Africa; (2) to do so, a package of positive and negative measures will be necessary; (3) the *troika* have done a good job and have helped to lay the foundations for a consensus of all the Member States, bar one, on a package sending a clear political signal to South Africa as a first step; and (4) the Commission is ready to draw up and implement the necessary proposals — on its own initiative where they fall within its terms of reference and it can secure the necessary resources (i.e. the positive measures with budgetary consequences) and/or after receiving the necessary mandate where one is required (i.e. in relation to the negative measures).

Madam President, in the debate on South Africa all the standpoints are well known, all the arguments are on the table. The choice of action now has to be made. I hope that the United Kingdom will also shortly come round to a position of support for Community action. If there is one area where the Community can do a good job by for once pulling its full weight together, then perhaps this is it. As one of our South African

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counterparts put it, more than 20 million black South Africans are watching you. In fact, Madam President, ladies and gentlemen, the whole world is watching the European Community, a unit of 320 million inhabitants whose economic, political and moral influence in the world certainly must not be underestimated. It will be for the Community once again to demonstrate the truth of the old adage: *noblesse oblige*.

**Mr Metten (S).** — (NL) Madam President, there is nothing more to be said about the unsustainability of the apartheid system in South Africa. We can easily see it for ourselves every day on television. The question is rather how much more blood will have to flow before the white government is ready to sit down with the representatives of the non-white population to talk about the timing of one-man-one-vote elections.

We, West Europeans have a special responsibility in this. Our ancestors — and some of our contemporaries to this very day — carry the responsibility for establishing and consolidating the apartheid regime. And the European Community has a special connection with Black Africa through its association with practically the whole continent under the Lomé agreement. 60% of external investment in South Africa comes from EEC countries, and 45% of South Africa's external trade goes to the EEC. And to complete the picture, half the petroleum sold in South Africa is supplied by EEC companies. The obvious conclusion therefore is that the EEC not only has a special responsibility in relation to South Africa but is also in an excellent position to meet that responsibility by exerting pressure on the present South African Government.

And when my Group talks about exerting pressure on the South African regime, we do not mean going on a fact-finding visit like the one just staged by our *troika*. After the highly promising EPC declaration on 22 July, which set out a number of pointed demands, the fact that the *troika* agreed to the stipulation of no intervention in South Africa's internal affairs was rightly seen as kowtowing to the apartheid regime and as a clearly retrograde step. The fact that the visit went ahead as normal despite the arrest of a number of our South African interlocutors did not help to improve the situation. A visit of this kind should only have taken place at all if it could have displayed an openly anti-apartheid character. In present circumstances it was a major blunder, as demonstrated by the support it has helped Botha to win for his policies.

Nor when it talks about applying pressure to the South African regime does my Group mean reading the South African regime a sermon, which is as far as the right-wing parties in this Parliament are prepared to go. That any such soft-line approach has outlived its usefulness is clearly indicated by the fact that the American President finally had to drop his policy of constructive engagement only last Monday. Although

the sanctions Reagan has announced do not go very far — and are in fact aimed at forestalling more far-reaching measures — the recognition of the need for sanctions against South Africa is an important signal both to South Africa itself and to America's allies. Lest anyone still doubt the importance of that signal, American Secretary of State Shultz in a letter to the EEC only yesterday urged adoption of a common line with the United States, and that means applying sanctions. Although the British Foreign Secretary, Sir Geoffrey Howe, had on the previous day described the American measures as being designed to prevent damage to the South African economy, his replacement in Luxembourg yesterday held out against a much weaker package than the American one — there was no ban on the import of Krugerrands, for example — by the nine other EEC countries. The argument that Britain has the biggest economic interests in South Africa and must consequently proceed cautiously stands today's political and economic reality on its head. Political pressure on the South African Government is mounting daily. The EEC is practically the only group of countries that still confines itself to expressing a great deal of concern while doing very little by way of concrete action.

The internal political situation in South Africa is in any case steadily becoming untenable. Just how untenable is evident from the economic reaction to the crisis in the country: the collapse of the rand, the need to suspend repayments on external debt, the reluctance of the international banking community to rush to South Africa's assistance, and the initiative of large-scale industry in South Africa in sitting down at the negotiating table with the ANC. With its decision to oppose sanctions, the British Government has, I fear, backed the wrong horse. Yet Britain's refusal does not absolve the other Member States from the responsibility to implement immediately the sanctions they have agreed to among themselves and to continue to consider the option of more severe sanctions. You must strike the proverbial iron when it is hot, and at the present time it is red-hot. Effective pressure now will prevent much bloodshed at a later date. I therefore conclude by appealing to the right wing of this Parliament to lend its support to concrete measures like those called for in the Socialist motion for a resolution.

(Applause from the left)

**Mr Vergeer (PPE).** — (NL) Madam President, ladies and gentlemen, developments in South Africa in the last few months have, unhappily, forced us to hold another debate on the political situation in that country.

In large areas of South Africa, as you know, a state of emergency has been declared, while since last September hundreds of people have been killed in riots and more than 2 000 have been arrested. A bloody civil

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war is liable to break out in South Africa, the consequences of which can scarcely be anticipated at present. Nor does there appear to be much hope of forestalling it. We must at all events acknowledge that the situation has deteriorated, that there is an escalating level of violence and that the black population is the principal victim.

The Community has for many years had a special relationship with the African continent under the Convention of Lomé and — what is also a major concern for us, Madam President — a special responsibility for what happens in Africa. Our friends keep telling us again and again of their concern at developments in South Africa, in particular at the fate of the black population that is oppressed by the apartheid system. The Group of the European People's Party rejects all forms of violence and condemns apartheid in whatever form, together with all forms of racial discrimination. A peaceful solution will only be brought about, however, through effective reforms. The basis for these must be equal rights for all, black and white alike. That will mean conceding South African citizenship, an effective influence on political decision-making, and participation in the government of the country. The present South African Government must make a clear declaration to that effect and express its willingness to engage in dialogue with the representatives of all population groups on that basis. A major responsibility on moderate forces in South Africa is entailed here. The European Community must miss no opportunity to state as much in the clearest possible terms.

Madam President, some representatives of my Group will shortly be conveying this message in person. The question is whether these conditions for securing a peaceful settlement can be realized without imposing economic sanctions. My Group does not have a single, unified view on this matter. We are particularly concerned as to the effectiveness of these sanctions and the negative impact on the black community in South Africa and neighbouring countries. As you know, this more complex view of the situation is represented in one of the amendments tabled.

The time available for a peaceful solution is short. Let us hope it will not be too short. The message from the South African Government recently delivered by President Botha in Durban lacks contact with reality, and the underlying policy must be changed. As to the black leaders, we ask them to help to prevent any further escalation. A confrontation between black and white likely to erupt in violence will only get in the way of a peaceful solution and will result in the complete breakdown of South African society. My Group therefore urges the Council and the Commission to lend their full support to efforts to secure a peaceful solution in South Africa.

**Lord Bethell (ED).** — Madam President, I have worked to destroy the system of apartheid all my adult

life. I hope there is no one in this Assembly who is not an opponent of that terrible system. None the less, I should like to explain to colleagues some of the views that we in the United Kingdom have about this complicated question, bearing in mind that British investment in South Africa is larger than all of the other nine Community countries put together.

It seems to some of us that investment in South Africa is good provided that it is strictly controlled by a European code of conduct and provided that it is used for the betterment of the whole of the population, especially the downtrodden black majority. I would ask Mrs Heinrich, who spoke strongly against investment in South Africa, whether or not she wants Barclays Bank, for instance, to close down their operations in that country, in which case there would be 8 000 non-white people who would lose their jobs. Is that really what she wants to do?

*(Protests from the Socialist benches)*

There are 8 000 non-white people working for Barclays Bank, and the code of conduct has been rigorously implemented by that bank so that there is no segregation at all among its workers in South Africa, either at their place of work or in their place of recreation. I put it to you that this is the way to tackle apartheid, by investing in South Africa and by making sure that apartheid is undermined from within — not simply to wash your hands of the matter.

When the gentlemen over there talk about a culture boycott, do they really want to close down the Goethe Institute in South Africa? Do they wish to deny black South Africans the right to study German culture? Do they want us to close down our British Council for Cultural Relations also? If they do, then I think they are grievously mistaken about the way that apartheid will be dismantled. Indeed, they will plunge South Africa into chaos if their views are implemented. You have got it wrong, colleagues on the left!

What should be done is, firstly, to strengthen the code of conduct. I would remind colleagues that it was a British initiative to institute the code of conduct in the first place. Under that code of conduct there can be no segregation for European companies that operate in South Africa. It should be tightened up. In some European companies there, including German companies, there is still segregation at the place of work and in amenities. This should be done away with. It is shameful and unthinkable and I hope that the Ministers will see that the code of conduct is rigorously implemented.

Likewise, I want to say to the Commissioner and to the Minister that there is no lack of will on the part of the British Government. We will see that all the positive recommendations are implemented and I would predict, although I cannot speak for them, that all the restrictive proposals will be accepted also by the time

**Bethell**

that they are studied. But one cannot do these things in one afternoon, one must act seriously, and I assure you that Britain will act very seriously indeed.

**Mr Cervetti (COM).** — *(IT)* Madam President, I appreciated the eloquent efforts of President Jacques Poos to justify the mission to South Africa under his leadership.

His efforts were, however, in vain. Let us be quite blunt about it — the mission was a mistake and a failure. The facts that occurred inside that country while the mission was in progress speak for themselves; so, above all, do their outcome and their repercussions in the world. No one would listen to the many, many voices raised in criticism and opposition.

I heard one justification for that journey. It was said that we had to do something of our own, something coming from the Community, from Europe. It was right to do something, but the line taken was the direct opposite of what it should have been. In reality, that was where the mistake and the failure originated.

No clear, cut-and-dried, open position of condemnation, that would have meant more than a few half-words, was adopted. Instead, mediation was preferred, and compromise, and ambiguity, with and *vis-à-vis* that racist regime, and with and *vis-à-vis* various international forces. The United States, for example, took the line of so-called constructive engagement.

Having said that, we must point out that the mission had one result. It was a lesson that made clear the mistake and its causes. We now have to draw all the conclusions from it if we wish effectively to have an autonomous, European role. Condemnation of that regime must not, therefore, be expressed solely in words; it must be translated into precise actions.

Yesterday the Council took a number of insufficient, partial, absolutely unsatisfactory measures. However, I should like to consider them as being the first admission of previous mistakes, and even of embarrassment. This is the proof that we need to change direction and take another line.

The President-in-Office of the Council said that the door to sanctions remained open. Well, we must pass decisively through that door. We Communists have always been cautious regarding the principle of sanctions, because we consider them a two-edged sword. Why, today, are we considering them seriously? The answer is that the call for these sanctions comes from those who are affected — not from minorities in that country but from the great majority of the black and coloured population and substantial parts of the white population as well.

We can discuss methods, we can discuss the nature of the sanctions and the procedure for implementing

them, but they must be adopted, since we cannot delude ourselves by applying sanctions to arms alone or the use of arms. More over, the sanctions adopted on other occasions have not been implemented, which is why today we have to extend them to all the strategic sectors and nerve centres of the economy and the financial world, for them to be truly effective.

Our Parliament also has a role to play in this. I heard a decisive but ridiculous position adopted by the extreme Right. There were also understandable positions adopted by the Conservatives, and there was indecision, vacillation and opposition from other sectors. However, I also heard voices in favour, voices calling for us to take this line.

We then have to go — as I was saying — beyond sanctions and extend our commitment to the entire political field. You called for the release of Mandela. You were right to do so! We have, however, to establish relations and give recognition to all the representative organizations of South African society. Shultz invited us, invited Europe, to concert our policies. In fact, Reagan is in difficulty today. Public opinion is making itself felt; the two Houses of the American Congress now have a majority in favour of sanctions that are very much more stringent than those of the Administration, which are inadequate or feigned.

We are not, in principle, opposed to any form of conciliation. We are, however, opposed to the conciliation that today looks like subordination or something of the kind. In any case, we want first to establish a line of our own, a line that is independent. And then, why should there be conciliation only between Europe and the United States? We have a proposal to make: let Europe be the promoter of conciliation at the highest international level, in UNO — in accordance, moreover, with the resolutions already adopted by that body.

We have to act, urgently. In South Africa they are fighting for a policy that is right — the anti-apartheid cause, the anti-racist cause, the cause of human rights.

In this battle we must give our Europe dignity of behaviour and prestige, and we must do this with great determination.

*(Applause from the left)*

**Mr Beyer de Ryke (L).** — *(FR)* While listening to the President-in-Office of the Council just now, and also when listening to the Commissioner, I was reminded of a little anecdote about Edward Kennedy, who one day went to Indonesia and on his return summoned the ambassador and told him, 'Mr Ambassador, you must do this, you must not do that, I forbid you to do that'. And the ambassador looked at him, smiled and asked him in reply, 'Senator, how many days did you spend in my country?' Senator Kennedy replied, 'I was

**Beyer de Ryke**

there for three days'. 'Ah', exclaimed the ambassador, 'then I understand, because, you know, to really understand the subtleties of my country, it's not enough to spend three days there, you really need four days'.

That, Mr President, is the lesson I want to draw — albeit jokingly. Nevertheless, you were in South Africa to gather information for yourselves and for us. We have to decide on our policy in the light of your report.

For myself the principles and basic elements which come to the fore are as follows: firstly, condemnation — and I have heard you speak to this point, and I agree with you — of apartheid, a creed and a system which I have always considered to be a real historical error. Secondly, we should also introduce an arms embargo, a total embargo, in order to decompress, as one might say, and to lower tension. And when I say embargo, I mean an embargo against the white government in Pretoria and an embargo on arms for the ANC. Embargo, yes, but without any hypocrisy or ambiguity.

Furthermore, no dismantling of the country's economic system, we do not want to be like Molière's doctors; we have to cure the sick, not to kill. Yes, South Africa is sick, let us try to cure her.

Finally, we must encourage all those, in the camps and in the various communities, who want to establish a dialogue leading to genuine power-sharing, and who are not playing the Soviet Union's game. Yes, we have to encourage those who want a dialogue, all of them — and this is a sociological fact — and not leave out the Afrikaans community, because all political power is in the hands of that Afrikaans community.

In conclusion, Madam President, colleagues, we are calling for such sharing, but reasonable and fair sharing, we are calling for reform.

So, we turn to Pretoria and we warn the government: it is midnight, Dr Botha.

**Mr Verbeek (ARC).** — (NL) The Ministers — Mr Poos, Mr Andreotti and Mr Van den Broek — and the Commission Member, Mr De Clercq, have represented the EEC in South Africa in the most shameful manner. After dining with President Botha they announced, 'These have been constructive and enlightening discussions. There is definite hope, and we shall not recommend economic sanctions to the EEC'. And they added, echoing President Reagan, 'Avoiding an economic boycott will help black people'. That is not just hypocrisy, it is not naivety, it is wilful and knowing deception.

The assumption that they know better than Bishop Tutu or the Rev. Alan Boesak is plain to see: we white

people will decide what is good, in economic terms, for black people. The black leaders who are asking for an economic boycott obviously have no economic or political sense. But in the words of the Rev. Mr Boesak, 'When the economic ladder falls down, the people sitting at the top will be in trouble; and that means the white people'.

The three Ministers stated that improvement would only be a matter of time in South Africa. But a question of time means also a question of blood, a question of death, a question of genocide. The European Community is not a human community, it does not know the meaning of international solidarity, the EEC is a market pure and simple. Markets are not interested in human beings or peoples; markets are only interested in money, in ECUs, in marks, in pounds, in guilders and in francs. The black people of South Africa are still just a saleable commodity as far as the EEC is concerned, just as they were from the beginning of the slave trade. The EEC calculates that it will cost it too much to do anything to help black South Africa.

Pik Botha has stated that his government must change apartheid in order to maintain it. That is obviously what makes the three EEC Ministers think there are grounds for hope. But there is some real hope. The real hope is the strength of the black people themselves, and that is the only hope. The only hope we in Europe have to offer, the only real support we can give, will be to recognize all the wealth in South Africa as belonging to its black population. Black people will have to fight for it themselves. Anyone who wants to be a good white at this time must do what the black people ask: impose an economic boycott.

Madam President, the only people who will apply effective economic sanctions at present are the banks, because they are equally indifferent to right-wing politics and to parliamentary forces.

**Mr Stirbois (DR).** — (FR) Madam President, colleagues, in Africa there are foreign troupes, thousands of Cubans, oppressing the black peoples of Angola and Mozambique who are fighting for their independence.

It is not only certain European governments which keep quiet on this subject, but the French Socialists, for example, do openly support the Marxists in southern Africa. With others they condemn South Africa for declaring a state of emergency in 37 districts.

Is it only South Africa that is supposed to have problems? Let us be serious. Of the 30 poorest countries in the world, 27 are African. They have another point in common, namely, their methods of government are almost always identical: a single party under the orders of a single head. Ethiopia is the African country most devastated by famine. Who is its ruler? The Marxist dictator Menghistu. Humanitarian agencies have sent supplies, but they are not distributed in those

**Stirbois**

provinces which have the most opponents of the regime. Cereals have even been shipped for the Soviet Union.

The Socialists and Communists are silent.

They prefer to draw attention to themselves by condemning South Africa, which has experienced drought but has no famine. That must be particularly galling for those on the left, especially as it is in South Africa, in the South African homelands and in Namibia that annual per capita income is highest.

It is also South Africa which has the lowest infant mortality rate of the African continent. In this area the most appalling figures are those for Angola, Mozambique, now overtaken by Ethiopia. Is that not strange?

As for violence, it is essentially the act of rival black organizations manipulated by the ANC, a Communist terrorist organization controlled by Joseph Slovo, a member of the KGB. The terrorists' objective: to get the West to believe that South Africa has become a racial battleground between black and white. Moscow is trying to destabilize this State which is a beacon for economic and social progress in Africa, a State whose wealth and underground deposits are vital for Europe. Did not Zinoviev declare, 'We shall overthrow Europe through Africa'?

South Africa is southern Africa's rampart against Communism. To condemn it, when it is trying in an orderly and consistent way to organize independence for new black States within its own frontiers, can only benefit terrorism and the only totalitarian States of the second half of the 20 century. The boat people are fleeing from Communism, they are on the China Sea, not off the Cape of Good Hope.

Mr Poos no doubt heard the Zulu chief, Mr Buthelezi, declare in Canada recently, 'For us, to have work is a matter of life or death. For you, to disinvest or to refuse to make any investment in the AFR would be to condemn mothers, fathers and children to famine'. Mr Poos was right therefore in refusing to take an immediate decision on disinvestment. In order to be able to judge properly, one must know what the real situation is in this country whose demographic situation is unique in the world and, therefore, complex.

Some months ago the Indian community in Durban got together to help Zulus in distress after a long period of drought. A cheque was handed to the Zulu chief in front of press cameras. In reply to the question 'What would you do if you held political power?' the Zulu representative replied, 'We should drive the Indians into the sea'. And let the Indians then pick up the cheque. There is no need to comment on that story.

And so I invite the Members of the European Parliament to obtain proper information and to support a constructive European policy towards the Republic of

South Africa, which is fighting terrorism at home, just like Great Britain in Northern Ireland, or France in Corsica and the Basque country. An African-style democratic system is operating in South Africa: there are five political parties, from left to right, for the white community. In August 1984 Indian and coloured voters went to the polls. The blacks living in the independent national States have political rights. In other regions they have civil rights within the framework of local government.

The system is not perfect, of course, but even if it does differ from the European model, it does so in order to prevent any one ethnic group from dominating the others. The Zulus themselves are not in favour of the formula 'one man, one vote', because they would run the risk of losing their identity. The South African authorities are building a multinational society with several communities in which all communities and tribes will be able to develop harmoniously while preserving their identities. Must we ask them to hurry up at the risk of plunging this country into a bloodbath?

Without any doubt the consequences would be incalculable; peace would be threatened. Think of the black, white, coloured and Indian populations and forget the devastating woollyminded ideologies which have led to the disappearance of, for example, three million Cambodians in another country which was the victim of Communism. . . .

*(Applause from the benches of the Group of the European Right)*

**President.** — Mr Stirbois, I am afraid that I must interrupt you. You have exceeded your speaking time.

**Mr Van der Waal (NI).** — (NL) Madam President, in our opinion policy on South Africa must concentrate on the road to change by exclusively peaceful means, as judged by the criteria of effectiveness. This means that we reject economic sanctions and boycotts. That puts us on the same side as moderate South Africans like Mrs Suzman, for many years a member of the progressive opposition party in Parliament, and Chief Buthelezi, leader of six million Zulus. Both reject the apartheid system, but they also pointedly reject sanctions as an effective remedy against it.

In South Africa not only must the present system disappear but above all a structure of state must come into existence that can lay the basis for a stable and pluralist form of society. It will be important to prevent one form of authoritarian system from being replaced by another. This problem cannot be solved by an emotional approach or by efforts to bring about reform that can only result in general impoverishment. Only a rational approach will have any chance of success.

**Van der Waal**

Buthelezi has realized as much. As chairman of an interracial committee bearing his name, he drew up a report in 1982 in which he appealed to white people's fears for their lives to advocate a federal or cantonal form of state. That is a balanced conception that should be acceptable to black and white alike. So has Mrs Suzman. She does not deny that sanctions would hurt South Africa badly, but she is nevertheless convinced that they would be enormously counter-productive in achieving the main objective: abolishing the apartheid system by peaceful means. Both politicians advocate a continuing critical dialogue, diplomatic pressure on the South African Government, pressure to bring about dialogue with the other population groups, etc.

Madam President, let us listen to these and other constructive voices and shape our policy accordingly.

**Mr Saby (S).** — (FR) Madam President, colleagues, there are some silences which become deafening, impossible and intolerable.

It was high time for the Council of Foreign Ministers to take concrete measures to introduce sanctions against the Pretoria government and the apartheid regime which is endangering the stability of a large part of the African continent, a State governed by a minority which is oppressing the multitude of men and women in that country, oppressing them because their skins are black or not quite white. This racial inequality brings back terrible memories. The racist ideology of apartheid is a profound contradiction of the humane values of the European democracies. In fact, colleagues, how can we accept the fact that a government which prides itself on having the same values as us, the values of Christianity, for example, and of democracy, nevertheless perpetuates a system like apartheid? It is a contradiction which we cannot accept or tolerate under any circumstances. Over the years practical inequality has become associated with seriously inhumane aspects. It is not enough to put the anti-apartheid militants behind bars: today it is young schoolchildren who are being imprisoned.

I should like to use this debate as an opportunity to salute the fight of the writer, Breytenbach, who has joined forces with that great leader of the African National Congress, Nelson Mandela, to salute also the difficult battle being fought within a very narrow legal framework by Bishop Tutu, whose son is behind bars, and finally to salute the underground culture of the South African Blacks who publicize the difficult living conditions of the Bantustan ghettos through artistic talents like Frangosine or Myriam Makeba.

The pictures from South Africa which we have seen on our television screens this summer have been just as unbearable as those we saw of the famine, that other aspect of the African continent, a rich continent, but one in which the people's right of existence is seriously

affected, and in South Africa, their right to freedom and equality, as well.

All that, ladies and gentlemen, demonstrates that it is not possible for the Community not to follow developments in that part of the globe vigilantly. And, I repeat, we have values to defend and we should lose credibility in the world if the democracies here in Europe accepted the continued existence of this system. Dialogue, certainly, but that has its limits and we must do everything possible to ensure that those who are defending alleged democratic values first put them into application. Our honour is at stake, because how can we, the Community of Ten, and soon of Twelve, talk in this House about the rights of man, if we allow this part of the globe to continue the development of apartheid?

I believe that undertakings have been given. We must show great firmness and clear-mindedness and ensure that the system of apartheid rapidly disappears from the globe.

**Mr Penders (PPE).** — (NL) Madam President, this is yet another difficult debate about the situation in South Africa — difficult because mutually incompatible opinions are being expressed, sometimes with great sincerity, often with great emotion.

There are those who say: What hypocrisy to pick on South Africa when you know only too well that human rights are being violated elsewhere in the world, not least in black Africa itself. That, of course, is true, and I have no difficulty in acknowledging it as such. But it is nauseating to have to observe how white people in South Africa put themselves forward as the defenders of Western values and Western culture, while at the same time they structure their reforms in such a way that the white minority ultimately pulls all the strings. There is no other country in the world where official, constitutional and structural inequality on the basis of race is consolidated in such a way that a minority dominates the majority. That is apartheid, and that is what we are fighting.

You often hear it said that the blacks are not really so unhappy with their subordinate situation. They are, after all, economically better off than people of the same race elsewhere in Africa. What a naive view, Madam President. There have recently been a number of television series giving a reappraisal of the decolonization movement directly after the Second World War. There were many at that time, not least in my own country, who thought, in all sincerity — and in all innocence — that economic well-being and tranquility and order would weigh more heavily with the colonized peoples than independence and self-determination. What was it that so many of us failed to understand? And how many are making the same mistake now? It sometimes seems that people have very short memories.



## Penders

We must clearly realize that the present unrest points to a qualitative deterioration of the situation. The boycott of white shops in the Eastern Cape Province is holding. The police in South Africa are scarcely able any longer to maintain law and order; police reserves have had to be brought in. White national service conscripts are resentful at being used to maintain law and order in the so-called 'townships'. Recruitment of black police officers is steadily becoming more difficult. The national business community is extremely anxious, the international bankers are backpedalling. All this calls out for action.

The joint motion for a resolution by several political groups in this Parliament states the main problems clearly and concisely. Concrete measures are called for in what is basically a good document. But on the subject of restrictive measures and sanctions the text becomes imprecise and vague. I refer to paragraph 5. It does not state clearly what we as a Parliament are asking the Community to do. It must say more clearly who wants what and why, specifically against the background of the measures announced by President Reagan and the steps that nine of the ten Member States drew up yesterday in Luxembourg, in which we hope London will also shortly join. Simply in the interests of greater pointedness and clarity therefore, the Netherlands Christian-Democrats have tabled an amendment to that paragraph. Time is running out, the situation is rapidly becoming radicalized, with what might well be international consequences. Let us therefore keep our cool and act swiftly and positively.

**Mr Møller (ED).** — (DA) Madam President, the good state, the state based on justice and the rule of law, is a state which treats all its citizens as equals and protects all citizens without regard to skin colour, sex, occupation or political views. All are born equal and have equal claim to the protection of the state. The evil state is one which subjects people to different legal principles geared not to factual criteria but to birth, skin colour, sex etc.

What we see in South Africa is an evil state, which holds on to power in the face of an international community which has a culture based on justice and holds views and convictions conditioned by justice. The policy of apartheid is an evil policy, one which we really rejected here in Europe at the time of the Second World War. Hitler's great crime was not that he was a National Socialist, it was his crimes against the Jewish people in Germany, people of a different faith, of different origins, of a different race. That was his great crime against humanity.

For the past 25 years we have been witnessing the same thing in South Africa. The situation is now coming to a head, which is why the voice of Europe must be heard loud and clear. There is no institution more entitled to articulate that voice than the democratically elected European Parliament. We must speak out and

we must say to the South Africans: our patience is now at an end. This is your last chance to create orderly conditions, conditions of fairness and justice, otherwise we must resort to other means, to economic sanctions. Not because I believe very strongly in sanctions, for I have seen all too many examples which have been allowed to hurt a country's poor people while the rich remain unaffected. Enough resources have always remained to enable the rich to hold on without giving anything up. But we must give a warning now, and that is what Mr Price, Mr Welsh and I seek to do in the amendments we have tabled to Mr Prag's motion for a resolution. This is the last call; South Africa must now try to establish a just society instead of a police state, a society which distinguishes according to principles of justice, not according to criteria based on birth, skin colour, sex or other entirely irrelevant and inconsequential criteria. I therefore urge those honourable Members who are still present to vote for these amendments.

**Mr Ephremidis (COM).** — (GR) Madam President, both the representative of the Council and the representative of the Commission stressed that the next development in South Africa will be revolution and a bloodbath for both the black and white populations. I now wish to add that this revolution would have far wide repercussions affecting other groups too. The problem is that we cannot have change and avoid undesirable developments while we keep in line with the wishes of the powers that be in South Africa and those who support them simply because excessive profits are to be gained from apartheid in the form of investments or because governments have strategic and political interests there. A different response is required, a different approach to the problem involving the adoption of concrete and urgent measures combining economic, political and diplomatic sanctions, not only on a Community level but from each individual government, made compulsory with the backing of domestic legislation. Such measures, Madam President, are not of the type recommended by the *troika* which made that unfortunate visit to Pretoria. Even less do they resemble those which the Council of Ministers appears to have decided on yesterday. Those measures, in one way or another, once again leave matters in the hands of the Pretoria regime, protecting it and giving it more time to continue with its barbarous actions. The measures which we heard proposed by certain of our colleagues here were similarly lacking in effect. Some of these colleagues spoke quite openly and provocatively as racists. Others spoke as crypto-racists, since although they condemn the apartheid regime with their words, they fail to propose measures capable of damaging the basis on which this system rests, capable of liberating that country, enabling it to progress freely towards real prosperity based on its wealth.

Lastly, Madam President, this Parliament, the groups which make it up and each of us individually is faced

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with a challenge. The very values which you proclaim at every opportunity are, right now, being trampled on in South Africa. The challenge is whether you will have the courage to confront this situation with specific measures which would strike at the foundations of this shameful system.

**IN THE CHAIR: MR MØLLER***Vice-President*

**Mr Christensen (ARC).** — (DA) Mr President, I am one of those who condemn the oppression of people irrespective of where it happens or what the reasons are for it. To oppress people on the sole ground of their race is the most bestial form of oppression imaginable. Apartheid is one such form of oppression.

We think that the UN is the correct forum for the discussion and adoption of the sanctions which are now clearly necessary to avert a bloodbath without parallel. Efforts must be deployed to ensure that the sanctions against the government of South Africa adopted by the UN General Assembly are also adopted by the Security Council, so that they become binding.

As you know, we do not think that the European Community has the competence to take these decisions on behalf of the Member States. If we look at the sanctions which the Foreign Ministers meeting in European Political Cooperation have agreed on, we see that they fall far short of those adopted by the UN General Assembly. They come years after the sanctions agreed by the Foreign Ministers of the Nordic countries, and they are not as broad in scope as those which the Foreign Ministers of the Nordic countries will be discussing next month, including a boycott of agricultural produce from South Africa.

I should like to ask the President-in-Office of the Council whether the decision taken in EPC will, directly or indirectly, prevent Denmark from agreeing with the other Nordic countries more far-reaching sanctions against South Africa than those in question here. If the union plans now on the table are implemented, our country will be prevented by the European Community from pursuing a foreign and security policy which is in conformity with Denmark's interests and views.

**Mr Ulburghs (NI).** — (NL) Mr President, I should like to take this opportunity to draw attention to the situation of Nelson Mandela. On 14 February 1985 my motion for a resolution calling for the unconditional release of Nelson Mandela was adopted by Parliament by a large majority. Regrettably, the South African Government has refused to discuss this, not even during the visit by the European Parliament dele-

gation. This has resulted in a waste of precious time and seriously heightened the present tensions in South Africa. If he is not released soon, it could easily be too late. When we think we are at five minutes to midnight, it could well be five minutes past midnight. If the South African Government will not release Nelson Mandela, I want to urge an effective economic and financial boycott, one that will do a lot more than send feeble signals but will really bite deep into the flesh of the South African Government and the South African economy. In the short term a direct financial impact can be expected to result from this action, if the financial beggary the South African regime is now reduced to in the West is any indication.

Mr President, I am afraid that the South African Government will be driven by panic and its fanatical apartheid policy to implement its current land redistribution plan for a fundamental reallocation of the territory of South Africa, with the result that a white minority of 4 million will appropriate 50% of the best land for itself, while a majority of 25 million will have to rest content with the remaining poorest 50%.

I again appeal to this Assembly to call for the unconditional release of Nelson Mandela as a signal to South Africa. If that does not happen, then I call for an economic and financial boycott. And finally, let us tell South Africa in no uncertain terms to drop its plan for a completely unjustified reallocation of its territory.

**Mr C. Jackson (ED).** — Mr President, we are all opposed to apartheid, and the issue which divides this House and exercises the Council is one of means. How do we encourage a faster pace of reform? I too have been to South Africa to see for myself. I have spoken to banned people and to many opponents of the government. There can be no doubt that the greatest and most effective weapon against apartheid is economic growth. Economic growth puts greater spending power in the hands of the majority of the population, the blacks. It integrates them in management, in administration and in society, and that is a key reason why business out there supports reform. So whatever pressure we apply on top of the arms embargo and the restrictions on sporting contacts must not damage economic growth. That is my first point.

My second is to commend to the House my proposal — included in the joint resolution — to encourage wide-ranging reform of the South African police. Police activities in any country are, of course, vital. However, the South African police, doubtless through the activities of a minority of its officers, has an unenviable reputation for brutality and violence. It has been at the focus of several recent events which have shocked the world.

Reform is long overdue. The South African Government is looking over the edge of the precipice. For them, Mr President, the time to act is now, and that is the message that must go forth from this House.

**Mr Iversen (COM).** — *(DA)* Mr President, it is deeply deplorable that the 10 Community countries have not been able to agree on real sanctions against the regime in South Africa. The 10 Community countries have so far produced a number of tough and fine-sounding resolutions condemning the bestial apartheid regime in South Africa. As long as it is a question of repudiation in words, they are willing to go a long way — obviously, it does not cost anything. We have seen this again in the action of Britain in blocking Community agreement on sanctions against the Pretoria government. The reason is clear: selfishness on the part of Britain, and the Federal Republic of Germany too, since over 25% of South Africa's total imports are supplied by Britain and FR of Germany. These two countries are the most important trading partners of the apartheid regime. The British attitude on this question, moreover, also demonstrates the hollowness of the call, particularly from Britain, for further formalization of European Political Cooperation. The British refusal to go along with real Community sanctions against South Africa merely postpones the fall of the apartheid regime, a postponement which will only mean yet more victims in the just struggle of the black people for democratic rights in South Africa.

**Mr Ciccimessere (NI).** — *(IT)* Mr President, I do not think it is worth using the little time at my disposal to condemn yet again the South African racist regime, since almost everyone has done this. Anyway, my resolution contains ample condemnation of it.

To condemn is, however, easy; what is difficult is to put forward solutions. But, as a democratic, non-violent, radical Socialist, there are some other points I want to make.

We cannot accept, Mr President, that the elimination of apartheid, which is what we all hope for and want, should of necessity once again involve the violent crushing of one ethnic element by the other.

Once again, faced with prevailing racism and intolerance, the democratic Left, Mr President, cannot continue with the errors of the past, giving uncritical support to every freedom movement, regardless of the aims of these movements. I wonder, and I ask you, whether intolerance and racial hatred can be the answer and alternative to the violence and racial hatred of the Pretoria regime, the South African regime.

As we firmly and definitely condemn apartheid, we must also condemn those who advocate the elimination of the white ethnic element.

We are all sure, Mr President, that not every citizen is racist and that there is therefore room for dialogue. For this reason I believe, Mr President, that it is necessary to avoid being demagogic and avoid useless fiery

words and, instead, to conceive — even though I realize how difficult this is — and above all sustain a new political aspect, probably on federal lines and founded on the full implementation of the principles of freedom, justice and tolerance and, above all, on mutual respect between the different ethnic elements — the blacks, the whites, those of mixed blood and the Indians.

All of this is realistic. We must not, instead, resign ourselves — as it seems to me that everyone in this Assembly is doing — to the dynamic of events, to violence or the maintenance of the status quo. This, Mr President, is the challenge of democracy. If we wish to represent it in a concrete way, we must play our part to the hilt; otherwise, we shall be defeated yet again.

**Mr Poos, President-in-Office of the Council.** — *(FR)* Mr President, I should like to speak briefly in your debate once more to supply some additional information and to reply to the important new questions raised by various speakers.

Firstly, Mr President, let me stress that the views of the ministerial *troika* and of the Commission are identical as regards the situation in South Africa and the conclusions to be drawn from it.

I fully agree with the Commissioner, Mr De Clercq, when he says that apartheid is violence in every form, and this also makes it possible for me to give a very definite reply to the various speakers who have represented the violence in South Africa as something from outside, fermented by international Communism or international terrorism. The violence in South Africa does not have any external cause. The cause of the difficult situation which exists at the political level in South Africa and in southern Africa in general is to be found solely in the existence of the absurd system of apartheid. The violence inherent in that system produces other acts of violence and encourages extremism among the inhabitants of South Africa. Only with the abolition of apartheid will it be possible to return to a situation of peace and the creation of a just, new and democratic South Africa.

I also share the view of the Commissioner, Mr De Clercq, that we drew a blank at the negotiating table. There has to be some significant act on the part of the present South African Government before any process of negotiation can start. During our time in South Africa we did not for one moment cease to exert pressure in that direction, to call for immediate positive action on the part of the South African Government.

Mention has been made of the group of measures adopted yesterday in political cooperation with the support of the Twelve, and of the Nine where some of the measures are concerned. Some deemed them unsatisfactory. Like the representative of the Commission, I also think that immediate concrete measures,

## Poos

adopted within the framework of European political cooperation, are a step in the right direction.

For the first time there are harmonized European measures which are a signal to the South African Government and to world opinion. In yesterday's resolution we declared that there would be no let-up of pressure and that the question of other measures, including sanctions, will continue to be on the agenda as long as the situation in South Africa does not improve.

Some speakers have again doubted the advisability of the European mission to South Africa. For their benefit I repeat once again that right from the beginning the visit was unequivocally anti-apartheid. In my view the details which I have just given you are clear and precise and faithfully reproduce what we said in South Africa. Anyone who maintains the contrary is mistaken.

Some speakers have claimed that the *troika's* mission was a failure. That is another question. Anyone who expected apartheid to be abolished the minute the *troika* got on the plane home was deluding himself. The *troika* itself never indulged in such vain hopes. The ambitions of the three Ministers and the Member of the European Commission were more realistic: to say very directly to the South African Government that apartheid must be abolished as quickly as possible, to call upon the government of South Africa to take significant steps. That message was, in fact, delivered. It was then a question of obtaining the opinions of the official and unofficial opposition and of telling them that Europe is behind them. That also was done.

The desired aim was therefore, in my view, achieved. As their subsequent communiqué shows, it was the South African authorities who were afraid of this journey. They very nearly refused us entry to their territory, because they were well aware that we were not going to Africa to give them a warning but to carry the debate into their country, which we did.

The South African authorities will no longer be able to say that Europe has not made its opinions known clearly enough. They will no longer be able to maintain that Europe gave them no warning as to the dramatic consequences which the continuation of their present policies would have.

I should like to thank the President for arranging this topical debate on an important problem, one to which the citizens of Europe are extremely sensitive. I also hope that the representatives of the Council and of the Commission will have been able to shed some useful light on your discussions.

**President.** — The debate is closed.

The vote will be taken at the next voting time.

## 5. Community initiative within the United Nations

**President.** — The next item is the oral questions with debate by the Committee on Development and Cooperation to the Commission (Doc. B2-727/85) and the Council (Doc. B2-728/85) on the Community initiative in the United Nations.

**Mrs Focke (S), chairman of the Committee on Development and Cooperation.** — (DE) Mr President, ladies and gentlemen, the Committee on Development and Cooperation has two reasons for putting to the Council and the Commission its oral question concerning the role of the Community in the United Nations, that is to say, the role the Community will play towards achieving progress in the deadlocked North-South dialogue.

Firstly, this 40th anniversary, of the founding of the United Nations, also merits our political attention.

Secondly, we in the EC lack a coherent overall North-South policy. With inadequate coordination we restrict ourselves to Lomé, food aid, some aspects of external trade relations, regional foreign policy questions. Our oral question takes up anew a number of initiatives and resolutions taken by the European Parliament during its previous term. They were ignored by the Council and the Commission's reaction to them was also inadequate. To name but a few, there are the 1980 resolution on combating world hunger, the resolution on the Cancun North-South summit and a number of resolutions on, for example, the UN trade conference or the UN Paris conference on the least developed countries.

What we have been demanding for five years has by no means become redundant. On the contrary, the dramatic escalation of events has made it even more imperative for the Community to act. Let nobody tell me I exaggerate when I say that events have dramatically escalated. Or is the description inappropriate when applied to the famine disaster in Africa following decades of development cooperation? Or has the excessive foreign debt of many Third World countries in Africa, or more especially in Latin America, not reached a dramatic dimension, especially when we think of the dangers of destabilization this entails for the world economy but also in the countries concerned, countries which — like Latin America — are now trying to some extent to introduce and maintain democratic processes and are being strangled by economic costs and impasses?

There is also defence, which swallows up more and more money which we need for development cooperation. Or the fact that government development aid is decreasing instead of increasing. We are further than ever from the famous 0.75% or even the 0.15% which we promised in Paris at the time to the poorest developing countries.

## Focke

Disarray in the international currency system and on world finance markets further disrupts the world economy; high US interest rates siphon off funds so urgently needed for investment in the Third World but also in Europe to combat unemployment; increasing protectionism hampers world trade; commodity prices fall and the result is a familiar deterioration in the terms of trade.

I will leave it at that. I hope my list is enough to underline the fact that a European Community which takes itself, its responsibilities and its powers seriously has an enormous obligation to act, particularly within the context of overall North-South relations. The United Nations and its numerous specialized agencies, despite all the criticisms levelled at it here and there, is still an indispensable forum within which to discharge this obligation.

We, the Members of the European Parliament, see no signs that the Council also recognizes this fact and we do not know what the new Commission intends to do, although we are happy to note that this new Commission includes a Commissioner for North-South affairs. The old Commission had given up on the whole problem anyway! So what does the Community propose to do? What does the Commission have in mind? What united front will the governments present in the Council or if necessary in political cooperation situations where no Community powers can be invoked? What will their approach be in the coming weeks and months before the UN General Assembly at, among other things, the Paris conference and at meetings of the IMF and other bodies, when the European Community needs to be present and making meaningful proposals?

What will the Commission and the Council do to get new or improved commodity agreements concluded or ratified so that the common fund works at last? How do they propose to add to IFAD, the International Fund for Agricultural Development, or IDA, the World Bank's fund for the poorest developing countries? How do they propose to get themselves actively involved in the debate on easing or rescheduling Third World debts; to propose interest reductions as long as interest rates continue high; promote concrete trade and development measures which need to accompany debt rescheduling if they are not to strangle the economies of the countries concerned but help them to develop? Will they not only press for early talks with GATT but also start by helping to get the possibilities for liberalization which already exist in the current GATT provisions actually put into operation? Or will the next proposals now to be prepared by the Community for the system of generalized tariff preferences really constitute a further advance towards the liberalization of trade? To add just one more question — what about the extending of Stabex to all the poorest developing countries, something we have really been expecting to see on the table as a concrete proposal since 1981?

So how would it be if the next European summit were at last to give a pledge, with a concrete time schedule, of more government development aid and if at the same time an attempt were made — a concrete attempt — to launch a Community initiative on North-South negotiations which would cover the priority aspects of North-South relations, i.e. agricultural development, security of food supplies, commodities, currency and finance problems, trade and industrialization and energy supplies? The motion for a resolution tabled at the end of this debate by members of the Committee on Development and Cooperation from many of the groups and by myself attempts to put a bit of backbone into a political initiative by the Council and Commission. Unfortunately, there is nothing new in that. We have called for all these things already on many occasions, and so I hope that this time there will be a broad majority in support of this motion for a resolution.

One last thing, ladies and gentlemen. The situation has become more dire. And so I say to the Council and the Commission, please — no excuses! Lomé is no excuse for doing nothing. Budgetary discipline must not mean misplaced thrift. Insufficient Community powers in certain areas can be offset by better, coordinated and coherent grouping of powers which we do have, and by coordinating measures with the Member States. The failure of others to act is a challenge to us. The developing countries think so too. We should not disappoint them.

**Mr Poos, President-in-Office of the Council. —** (FR) Mr President, the Community has very often, and at the highest level, expressed its political desire to help improve North-South relations, which it considers to be essential to the maintenance of peace in the world. The Community also sees this as a primary objective of international economic cooperation.

Because of the increasing interdependence of the economies of North and South, it does in fact regard the prosperity of the developed countries as increasingly bound to that of the developing countries and considers that the renewal of the process of development and the consolidation of our economic recovery are two complementary processes which are indissolubly bound up with each other.

The Community is endeavouring to translate this theoretical approach into fact by adopting an open and constructive approach wherever questions of North and South are discussed, especially in the United Nations, but also at regional and sectoral level, so as to encourage the search for solutions which take account of the very wide divergence in the initial positions.

Let me give a few examples which I find particularly convincing. The Lomé Convention which was signed last December was a striking demonstration of solidarity with our ACP partners and of our desire to main-

**Poos**

tain and improve the cooperation and the dialogue instituted within the framework of the two previous Conventions.

The Community was unstinting in its efforts to come to the aid of the people suffering from drought and famine in Africa. It supports the initiatives taken in this sphere at the international level, particularly in the United Nations. In this connection it has taken several measures, such as the adoption of an emergency plan by the European Council in Dublin, whose objectives have been attained.

Let me remind you that the European Council in Milan advocated the establishment of a coordinated global strategy for dealing with drought. The Community is in fact supporting the search for longer term solutions and in this context welcomes the establishment of the special fund for Africa within the framework of the World Bank.

The Community also considers that the fight against protectionism in the context of an open multilateral trading system is essential for general prosperity. It was in this spirit that the Council advocated the start of a new round of multilateral trade negotiations within GATT. The Community expects that a large number of developing countries will take an active part in these negotiations.

At the same time the Community is trying to promote determined concerted action to improve the functioning of the international monetary system and to increase the resources earmarked for the developing countries. The Community particularly deplores the difficulties encountered by multilateral development agencies, especially in the United Nations, in mobilizing sufficient resources to enable them to carry out their tasks successfully.

We are continuing our efforts to reach agreement on reconstructing IFAD resources on a satisfactory scale. Naturally the Community will play a full part in the negotiations over the eighth reconstruction of IDA resources.

The Community attaches particular importance to the problems of the poorest developing countries. The mid-term review of application of the programme of action for the less-developed nations, which will take place in the autumn, will make it possible to evaluate the work done by the Community and its Member States in implementing this programme, to which they have contributed so much.

Finally may I add that the Community is playing an active part in the Unctad discussions aimed at improving the operation of that organization, which plays a unique role, particularly on questions concerning commodities. As regards the problems of the developing countries' indebtedness, which threatens the stability of the international financial system just as much as

the political and social stability of the countries concerned, the Community is supporting action taken by the international financial institutions and the clubs of creditors.

This multi-faceted approach, which goes hand in hand with the remarkable efforts of adjustment undertaken by the debtor countries, has had undeniable results. The Community and its Member States are resolved to pursue this policy, while at the same time trying to convince their industrialized partners of the need for durable solutions to this problem, notably the establishment of a more favourable economic environment and an adequate transfer of resources in favour of these countries. They are very pleased that discussion of these questions has begun in the IMF and at the World Bank.

**Mr Cheysson, Member of the Commission.** — (FR) Mr President, the question which has been put to the Council and the Commission sets out, in terms which we find very apposite, the present weaknesses at international level, while decrying the reduction in public aid to the developing countries, the lack of organization in world markets and the breakdown of North-South dialogue.

The President-in-Office of the Council, speaking just now on behalf of the Community, pointed out how the latter has tried to integrate its action with that of the United Nations Organization and the whole wide family of the United Nations. He also pointed out that our action, the implementation of certain principles, made it possible to demonstrate the efficacy of certain methods which we do not, unfortunately, find elsewhere.

Undeniably the Community can serve as an example in some spheres, ranging from the implementation of the European Monetary System to the Lomé Convention, which, as Mrs Focke so rightly said, must be not an excuse, but a way of demonstrating the possibility of an economic approach — one which is not tied to political problems and considerations, not used as a means of applying political pressure — and of a multi-annual approach, providing our partners with long-term guarantees so that they can plan their development. It has thus been possible to apply and to demonstrate certain original systems, and I should like to echo the chairman of the Committee for Development and Cooperation by mentioning the extension of some of these systems, I am thinking particularly of Stabex, to the international level. The Community is thus, as it must do, playing a leading role in a more efficient international order. And it is in its own interest.

But all these matters have already been mentioned, Mr President. I ask you therefore to allow me, on behalf of the Commission, to draw Parliament's attention to a particular aspect of the relationship between North and South, one which seems to me particularly impor-

## Cheysson

tant at present and which should receive our full attention.

I am thinking of what seems to me to be the most serious problem at the present time: the great economic disorder and the fundamental threats of destabilization, not just economic but also political, which afflict part of the world. Everything is in fact combining so that this disorder makes growth and development impossible and, together with stagnation, provides the optimum opportunity, if I can use that expression, for destabilization. You listed several factors when you asked the question. Let me add a reference, like Mrs Focke, to the present interest rates, it is the Americans who determine the interest rates in force everywhere in the world, and those interest rates, let us admit it, are a disincentive to most new investment. Let me point out also that the world financial network has changed significantly in recent years, bypassing those countries which nevertheless need to develop. That holds good from Latin America to Western Europe itself, since financial surpluses no longer make their appearance in the countries of the Third World or the oil-producing countries but in Japan, since excess finances, and even part of world savings, are used principally to cover the American budget deficit. Finally, the international monetary system has become singularly different from what we knew immediately after the war, inasmuch as the part of the volume of world liquidity used for transactions represents barely one-tenth of the total money in circulation.

Under these circumstances the situation of the most heavily indebted countries is singularly disquieting. They became indebted at a time when there was world growth, when interest rates were low and when, in consequence, their indebtedness was a kind of wager on development. 400 000 million dollars were borrowed in that way. It is a lot, admittedly, but the explanation for it has just been given. Those 400 000 million dollars are now an intolerable burden for these countries. They also pose a singularly grave threat to the world economic order. Let me remind you that the nine main international banks have lendings to the six most heavily indebted Latin American countries representing two and a half times the registered capital of the banks. We should not be surprised therefore when, even after rescheduling, we now find ourselves in the shocking and paradoxical situation that the developing countries transfer finance to the industrialized countries every year. Last year, 1984, we, the industrialized nations, received 27 000 million dollars in financial transfers from Latin America, and the counterpart of these considerable efforts on the part of the countries of Latin America was no improvement in their economic situation, no improvement in development prospects. Do we really believe that this can last, that popular forces in those countries are going to put up with it for much longer? For my part, I think not. This is what I see as the most urgent problem at present at world economic level, and therefore at North-South level.

What is to be done? For the time being the immediate problem has been solved, we averted the disaster which loomed. At this level, the Latin American countries which I mentioned just now have been more responsible than we. They have formed what has become known as the Group of Cartagena and announced that they would take over responsibility for the debts contracted previously. We have to give them that opportunity in the longer term and not just in the immediate future.

What are we doing about it? It is essential, Mr President, and the summits of industrialized nations have been far too timid in saying this, for the chance of development and growth to be given to those countries whose economies are well-managed and have potential for growth. The finance must therefore be available. These countries should be able to generate, to produce, the finance themselves, and this raises the whole problem of trade liberalization, which the President of the Council so rightly mentioned a moment ago. It also has to be possible to mobilize the finance, the factors which are disincentives to investment and growth must be eliminated. Initially it must at least be possible to neutralize these factors. Mrs Focke was right when she said just now that the international community must use reasonable methods to administer the interest rates for new development projects correctly, suitably, under the supervision of international organizations, so that these new development projects find capital, the rest being covered in other ways.

The role of the international financial organizations must be pre-eminent here: the World Bank which has made many proposals to increase its capital, to alter the ratio of authorized borrowings, and therefore lendings, to registered capital; the International Monetary Fund in association with the World Bank, the regional banks. I hope that one day the European Investment Bank will have an external role as a development bank, which seems to me highly desirable. These problems must, of course, be examined in association with the other economic problems which affect growth capacity.

This, Mr President, concerns us directly. Firstly, because the stability of one part of the world is at risk — and peace as well, perhaps. Secondly, because the countries which have returned to democracy could be plunged into particularly grave crises if their people can see no hope of development. Finally, because these necessary measures, which are desirable at the international level — in the North-South dialogue which is the subject of the question from Mrs Focke and Parliament — would be singularly useful for us too, faced as we are with the need for renewed growth. We also have to convince the principal partner in the world market economy, the United States. There also has to be convergent action by the various countries of the Community, if they could adopt convergent policies among themselves, as well as a number of Third World countries, especially those most closely linked

**Cheysson**

to the Americans or likely to interest our American friends.

The Cartagena Group is asking us for an exchange of views. There is, of course, no question of deciding anything within the very narrow framework of a dialogue between the Community and the countries of Latin America. Exchanges of views might nevertheless be of particular interest, preparing the way for very constructive participation by the Member States of the Community, and by the Community itself, in the various international discussions which take place under the aegis of the Bretton Woods organizations, or of the United Nations on a more general scale.

It urgently needs discussion. I was very pleased yesterday to hear the person presiding over political cooperation — the President-in-Office of the Council of Ministers — raise the possibility of an early meeting of the General Affairs Council in which the Finance Ministers would take part. This would allow the Community countries to agree on common lines to be followed in the North-South organizations which have just been mentioned and would also allow the Community to have a positive and constructive dialogue with the countries of the Cartagena Group and others. It is a matter of urgency.

It will in any case be difficult to express our ideas, given that one deficiency has been apparent for some time, namely, the absence of the Community as such from meetings called by the World Bank and the International Monetary Fund within the framework of the Development Committee and the Interim Committee. It is an anomaly which had to be raised before the end of this speech.

At all these levels let the European Parliament help us, let the political forces represented here stress the importance of the discussions which I have just mentioned for the countries which are our partners, and also for our own economies!

*(Applause)*

**President.** — Pursuant to Rule 42(5), I have received two motions for resolutions from Mr de la Malène and others (Doc. B 2-804/85) and from Mrs Focke and others (Doc. B 2-811/85) with a request for an early vote to wind up the debate on the oral questions.

The vote on these motions will be taken at the end of the debate.

**Mr Cohen (S).** — (NL) Mr President, on behalf of the Socialist Group I should like to declare my full agreement with the motion for a resolution tabled to wind up this debate on an oral question arising out of concern at a particular situation, but which must also be seen as a sign of hope. For we are after all celebrat-

ing an anniversary — the 40th anniversary of the United Nations. And we deliberately couched our motion for a resolution to reflect the fact that anniversaries are something to celebrate. We welcome the fact that world organizations actually exist that can concern themselves with world issues. But pessimism has the upper hand. The Unctad Conference in Paris on the least-developed countries, where a verbal agreement was secured on figures of 0.15% and 0.7%, is still only a conference in words and has not been put into action. The sixth Unctad Conference in Belgrade was a failure, Cancun did not even get off the ground and the North-South dialogue is not happening.

All these developments make it clear that the Community cannot afford to wait but must take the initiative itself. It has, in fact, done so in a very limited area by establishing the Stabex scheme. There is a proposal that Stabex should be extended to include the least-developed countries. I must make it clear that this is not a proposal in any formal sense. The Commission has once again forwarded a recommendation to the Council on this matter and has still not had the courage to submit a formal proposal, but I assume that it will take immediate steps to do so after this debate.

In stating his reactions to Mrs Focke's opening statement, the Commission representative, Mr Cheysson, referred specifically to the debt problem. I too wish to do so. We are inclined to look for the debt problem principally in Latin America, and it is true that a bad debt problem exists there. But that is only true in the sense that if I owe my bank a thousand dollars, I am in trouble, but if I owe the bank a million dollars, the bank is in trouble. Latin America is just as big a problem for us as it is for the Latin Americans. We have a tendency to forget Africa and Asia, but in Africa too debt exists to the extent that it now accounts for impossible percentages of gross national product. African and Asian countries — I am thinking particularly of Indonesia and the Philippines — no longer have the capability to earn enough from exports to pay their debts.

It was for that reason that President Garcia of Peru made the proposal that debt repayments and interest payments should be limited to a fixed percentage of earnings. Now it is possible — for a lot of different reasons — to take a sympathetic view of that proposal, but it is also something of a proposal dictated by desperate circumstances. To take the kind of action it proposes would seriously affect the credit ratings of the countries concerned, and there is no escaping the fact that the developing countries will have to go on living with their debts for a long time to come. It is not debt as such that is the problem but the scale of the debt. The scale of the debt stands in a direct relationship to trade, stands in a direct relationship to export capability, stands in a direct relationship to protectionism. I therefore wonder if it might not gradually become necessary for the Community to enter into a system of trade pledges with the Third World, under



**Cohen**

which it would give a clear commitment that whenever the export capabilities and export opportunities of those countries displayed a falling trend over a greater or lesser period of time, it would then be prepared to adopt certain measures under a scheme of trade pledges such as the industrialized countries have with each other.

In addition, various small-scale actions by the Community are of course both necessary and possible, such as Stabex. One possibility might, for example, be the diversification of the generalized tariff preferences so as to ensure that countries with a high debt burden would benefit more than others. This would mean not merely looking to see whether the beneficiaries belonged to the poorest countries or to the so-called 'newly industrializing countries', but would make the debt burden as such a basic parameter of the whole system. I can imagine something of the kind working in the case of the Multifibre Arrangement, where quotas could be at least partly determined as a function of the debt burden.

I have made a point of referring to things that we can do ourselves, because the international world seems at present to be less willing to act. As to whether or not it is all the fault of the Americans, as Mr Cheysson seems to think, I have my doubts. There is no doubt that we could be doing more ourselves. Mr Poos seems to think that everything is for the best in the best of all possible worlds. I think myself that the truth is probably somewhere in between. The Community can certainly do better than it is now doing, individually as a Community, and that is what it must do. Yet the fact still remains that all the things that are stated in the oral question and the motion for a resolution will have to be done too.

That is what we are trying to achieve with this oral question and the motion for a resolution that will shortly be adopted. I hope — and I am counting on this, Madam President, — that following this debate the Commission and the Council will do their duty.

## IN THE CHAIR: LADY ELLES

*Vice-President*

**Sir James Scott-Hopkins (ED).** — Madam President, I take it that the debate on the United Nations has now finished, since your predecessor in the Chair announced that the vote on it could be taken at 7 p.m. and since Question Time is presumably about to start now. This means that the debate on Mr Adamou's oral question on Cyprus cannot now take place. This important debate should not be crammed into about 10 minutes after tomorrow's debates, which are also important. In addition, the President-in-Office of the

Council will obviously not be able to be present tomorrow for the debate. In these circumstances I would request, under Rule 87, that we postpone the matter until the first October part-session when we can have a proper debate on Cyprus.

**President.** — I am very grateful to you, Sir James, for having told me that you would be raising this point. It has enabled me to look into the matter before you raised the question.

The situation is as follows. The debate that we have just been having on the United Nations is not yet terminated. There are still two speakers on the list, and this debate will have to be continued tomorrow afternoon at 4 p.m. after the topical and urgent items under Rule 48. Therefore, strictly in accordance with the Rules, the point you raise can only be raised after that item is terminated and the Adamou oral question is called. I would, however, inform you that the Council has very kindly agreed to be here tomorrow to reply to the debate. If, on the other hand, you definitely want this item postponed for other reasons, would you kindly raise this matter again with the Chair at 7 p.m. this evening? I am not in a position as of now, in accordance with the Rules, to propose to Parliament that we vote on a change in the agenda when the item concerned is not before the House at the moment.

If you would care to have a word with the staff and put the matter to the President, then this item could be discussed at 7 p.m. when we are all here to vote or, if you prefer, it could be taken tomorrow.

**Sir James Scott-Hopkins (ED).** — Madam President, if I understood you rightly, it looks as though, after the finish of the debate which is going on now, at 4 p.m. tomorrow, the first item will be the Adamou report before we go on to drugs and so on.

**President.** — Exactly!

**Sir James Scott-Hopkins (ED).** — Then I have no objections.

**President.** — As long as you have no objection, then that is fine. Thank you very much, Sir James. As I say, the Council has undertaken to be there and I think that meets your major objection.

## 6. Question Time

**President.** — The next item is the second part of Question Time.

We shall begin with questions to the Council.

**President**

Question No 76, by Mrs Lenz (H-377/85):<sup>1</sup>

Subject: Results, for women, of the meeting of the Council for Ministers for Social Affairs held on 13 June 1985

At the abovementioned meeting the Council of Ministers for Social Affairs considered the following proposals for directives:

- on parental leave and leave for family reasons;
- on equal treatment for men and women in occupational social security schemes;
- on equal treatment for men and women in self-employed occupations, including agriculture;
- on part-time work.

Since the Council did not adopt these proposals for directives, will it:

1. Tell Parliament why these proposals were not adopted when the European Parliament has urged it to do so in several resolutions;
2. Give Parliament an assurance that it will resume consideration of these proposals in the near future, with a view to their adoption, and at the latest at the meeting of the Council of Ministers for Social Affairs at the end of 1985?

**Mr Poos, President-in-Office of the Council.** — (FR) The Council is aware of the importance which Parliament attaches to the various proposals detailed by the honourable Member. It has discussed them on various occasions, the last being during the Italian Presidency, on 13 June 1985.

The various points under discussion are technically complex and also have important repercussions in the economic, social, financial and legal spheres. For that reason several delegations made reservations of substance concerning them. The Council nevertheless expressed a wish that the work continue as soon as possible and asked for a report to be given on the state of the files at its next meeting under the Luxembourg Presidency.

The honourable Member must also be aware that several of these problems were raised in Nairobi during the recent Conference on the Decade for Women, but I hope she will allow me to speak on this aspect of the matter later, when I reply to Mrs Chouraqui's question, which is specifically on that point.

**Mrs Lenz (PPE).** — (DE) The Council President is right when he says that our proposals were addressed

to the Italian Presidency, but his last sentence is proof of the urgency of the matter. The report delivered by the Council in Nairobi, which I myself heard, made so much of these proposals that it seems a matter of urgency not only to ourselves but to world opinion that these matters should actually be implemented. I thus call on the Council Presidency to take them up as soon as possible.

**Mr Poos.** — (FR) I fully share the honourable Member's opinion of the urgency of the problem. The Presidency has therefore firmly resolved to tackle the file. I may also inform you that my colleague Mr Junker, who has responsibility for social affairs, will appear before Parliament's Committee on Social Affairs on 20 September and will be able to answer your questions.

**President.** — Question No 77, by Mrs Schleicher (H-297/85):

Subject: Directive on beaches

Recently the following report appeared in a German newspaper: 'only the day after a new law on the cleanness of bathing water came into force, the Italian Government has reduced the stricter limit values laid down in it. According to the Italian press, the levels have been lowered in order to avoid having to close long stretches of beach on the Northern Adriatic coast, which would have had a disastrous effect on the tourist trade in the area. If the original values had been adhered to, it would have been necessary to close miles of beaches which are polluted with seaweed, including the area around Rimini, which is especially popular with German holiday-makers'.

Is the Council aware of this fact and, if so, what steps does it intend to take in order to safeguard the health of people going on holiday to such areas this year?

**Mr Poos, President-in-Office of the Council.** — (FR) As a general rule the Council does not comment on press articles and it is not aware of the reports which the honourable Member has mentioned concerning bathing water in Italy. In this connection it would like to point out that a directive on the quality of bathing water was adopted in 1975. *Inter alia* the directive requires the Member States to comply with many microbiological and chemical parameters within specified periods. The Commission is responsible for monitoring the application of that directive in the Member States.

**Mrs Schleicher (PPE).** — (DE) Is the Council aware that Italy accepted and implemented this directive on 3 May 1985? I would thus ask it whether or not it is concerned to identify contractual infringements by

<sup>1</sup> Former oral question with debate (0-70/85) converted into a question for Question Time.

**Schleicher**

Member States, especially in matters of public health. If it is, what means are used by the Council to identify such infringements, and if it is not, how can the Council justify such irresponsibility?

**Mr Poos.** — (FR) It is the Commission, and not the Council, which is responsible for enforcing the directives adopted by our Community.

I think the question should be put to the Commission's representative.

**Ms Quin (S).** — Is the Council, none the less, aware of the fact that the directive on beaches and bathing water is not being implemented seriously by some countries? For example, the United Kingdom Government has cleared up very few of its beaches in order to meet the required standards and has interpreted the directive in such a way that the majority of the most popular British beaches are not included.

Obviously it is up to the Commission to see that these things are implemented, but none the less I think many of us would like an assurance from the Council that the different members are going to undertake to respect the commitments they have entered into by taking this directive seriously in future, in order to protect Community citizens who are using our popular beaches.

**Mr Poos.** — (FR) I think that the Members who have spoken in the debate are quite right to draw attention to breaches of the legislation on bathing water which has been adopted at European level. The breaches to which they have drawn attention were not brought explicitly to the notice of the Council.

Nevertheless I think that these breaches will have to be forwarded to the Commission, which has to consider them and to ensure that current directives are respected by the Member States.

**President.** — Question No 78, by Mr Marck, which has been taken over by Mrs Lenz (H-298/85):

Subject: Armaments in Central America

Reports are regularly published concerning the arms race in Central America and all its destabilizing effects.

Can the Council provide a survey of force levels in El Salvador, Nicaragua, Honduras, Guatemala and Costa Rica, indicating the number of troops, aircraft, armoured units and any heavier weapons?

Does the Council consider that Community development aid can only be granted to countries that do not spend excessively on arms?

**Mr Poos, President-in-Office of the Council.** — (FR) It is not for the Council to do as the honourable Member has asked and to give a survey of force levels in various countries of Central America. I can nevertheless assure the honourable Member that the Community does ensure that any aid which it gives to the development of some countries is, in fact, used for that purpose. The Community cannot, however, make that aid conditional on the way in which these countries allocate their other resources.

**Mrs Lenz (PPE).** — (DE) Mr President, the subject of arms supplies arises again and again in our debates on human rights, and also in connection with European political cooperation. Conditions in these countries are not exactly peaceful, and we hear for example that the daughter of the President of El Salvador was kidnapped yesterday and her bodyguard killed. I would thus ask whether the Council and European political cooperation should not give greater attention to these aspects in future.

**Mr Poos.** — (FR) Two conflicting principles are involved: on the one hand non-interference by the Community in the internal affairs of the developing countries with which we maintain relations and to which we offer aid — and on this point you will recall that when the Lomé Conventions were renewed, the ACP countries were against any kind of Community political involvement in their internal affairs — and on the other hand respect for human rights.

Personally — and I am not speaking for the Council — I think that in granting economic and humanitarian aid, the Community should, in a general way, take into account the beneficiary countries' arms spending.

**Sir James Scott-Hopkins (ED).** — In the light of the circumstances in Central America, would it not be much easier if the Council decided to ban all arms exports to that region? Would the President-in-Office put that to his colleagues?

**Mr Poos.** — (FR) As you well know, the Council is unable to discuss security problems and the question which you have asked has no direct bearing on the Community's humanitarian and economic aid.

**President.** — As the author is not present, Question No 79 will be answered in writing.<sup>1</sup>

Question No 80, by Mr Ephremidis, which has been taken over by Mr Alavanos (H-305/85):

Subject: The militarization of space

<sup>1</sup> See Annex 'Question Time'.

**President**

Would the Council state what decisions it has taken recently in respect of the common policy for space research, the Eureka project, etc., and, if developments are underway, how will it ensure that this policy does not contribute to the militarization of space and to promoting the USA's 'Strategic Defence Initiative', also known as 'Star Wars'?

**Mr Poos, President-in-Office of the Council.** — (FR) The European Council in Milan approved and adopted the Commission report on strengthening technological cooperation in Europe and gave its support to the French Eureka project to create a technological Europe.

One of the areas which the Commission in its report identified as suitable for priority research in the technological Europe of the future is that of utilization of space. The technologies, which, in the Commission's view, a research programme on the utilization of space would help to develop, are not at all military in nature and involve eminently civil applications such as observation of the earth, telecommunications, radio astronomy and manufacturing in space. The conference on European technology in which 17 European countries and the Commission took part in Paris on 17 July was the first opportunity on which it has been possible to go into the subjects for and scope of the Eureka project. As regards the projects which may be launched within this framework, the final communiqué of the Paris meeting indicates that the programme will involve a range of civil projects selected from various areas of advanced technology.

It is expected that more detailed examination of the projects which might be adopted will be carried out at the second meeting of the Ministers for Research and Technology of the 17 countries committed to the Eureka project, which will be held in Hannover on 5 and 6 November 1985.

**Mr Alavanos (COM).** — (GR) I thank the President-in-Office for his reply, even if it is somewhat different to the answer Mr Andreotti gave to a similar question, in which he said that it is really difficult for anyone to ensure that space research and technological development are not used for military purposes.

The supplementary question I would like to put refers partially to the question by Mr Ephremidis concerning the participation of the EEC countries in the American Strategic Defence Initiative, generally known as 'Star Wars'. More specifically, I would like the Council to tell us why it does not react in any way to the fact that, despite the existence of Eureka and the publicity surrounding it, we read every day in the press that the participation of the biggest European companies is being built up via bilateral agreements with the USA within the 'Star Wars' programme — this involves Sie-

mens, Dornier and scores of other companies. How does the Council respond to the fact that Eureka — with which we also disagree — remains on paper while the EEC becomes a subcontractor in the United States' dangerous 'Star Wars' programme?

**Mr Poos.** — (FR) I can assure the honourable Member that the Eureka project does in fact pose far less risk of militarization of space than some of the projects of non-European powers. The fact that there are 17 countries taking part in the Eureka project, including a number of neutral countries like Switzerland, Austria and Sweden, should provide reliable assurances for anyone who is afraid that the Eureka project will pursue military aims.

**President.** — Question No 81 by Mr Alavanos (H-307/85):

Subject: VAT in Greece

Would the Council state to what extent it is prepared to consider at least postponing the introduction of value-added tax in Greece, which is scheduled for 1 January 1986, in view of the fact that this will lead to a sharp increase in indirect taxation and the volume of imports and constitute a heavy financial burden for small and medium-sized undertakings, etc.?

**Mr Poos, President-in-Office of the Council.** — (FR) I should like to point out that the Council has already accepted that VAT will not be applied in Greece until 1 January 1986, whereas the date set in the Treaty of Accession was 1 January 1984. This delay was allowed in order to overcome the technical difficulties raised by the Greek Government. The Council and the Commission put on record that this was a quite exceptional measure. At the present time the Council has not received any proposal from the Commission asking for Greece to be given a further extension of the time limit set for the introduction of VAT.

I should like to observe, however, that in the report which the Commission submitted to the Council and to the European Parliament on 10 April, the Commission considered that the measures taken at the administrative level in Greece with a view to the forthcoming implementation of the common VAT system should now make it possible for the necessary bill to be presented.

**Mr Alavanos (COM).** — (GR) I should simply like to mention that a few days ago the Deputy Minister for the National Economy declared that one of the four major problems facing Greece in the area of the EEC is the imposition of value-added tax and that the Greek Government had requested a further postponement of such imposition from the relevant EEC bodies. Taking this statement from the Greek Government

**Alavanos**

into account, I would like to ask the President-in-Office how the Council will deal with this request.

**Mr Poos.** — (*FR*) I repeat that as of now neither the Council nor the Commission has received any communication from Greece requesting further postponement of the implementation of VAT in that country.

**President.** — As the author is not present, Question No 82 will be answered in writing.<sup>1</sup>

Question No 83 by Mr J. Elles (H-330/85):

Subject: Proposals still pending before the Council

In its document SEC (85) 263 final, the Commission lists the proposals on which the European Parliament has delivered an opinion, but which are still pending before the Council. Many of these proposals are well known, one or two of them even dating back to 1968.

Would the Council please give its view whether it considers that the Commission is entitled to withdraw proposals unilaterally? Or does the Council consider that a decision should be taken with the Community institutions concerned?

and Question No 97, by Mr Anastassopoulos (H-360/85):

Subject: Proposal for a regulation on social legislation relating to road transport

Is it true that the Council challenged the Commission's right to withdraw its proposal for a regulation on social legislation relating to road transport (COM(84) 147 fin./2), on which the European Parliament had given an opinion, when it became apparent that the Council wished to make substantial amendments to the proposal? If the answer to this question is affirmative how, having regard to Article 149 of the Treaty establishing the European Communities, does the Council justify its stand?

**Mr Poos, President-in-Office of the Council.** — (*FR*) As regards the general aspects of these two questions, I must emphasize that it is up to the Commission to decide whether or not to withdraw proposals which have been before the Council for some time and which have become lapsed because they are no longer under consideration by the Council. That does not mean that the Council considers that the Commission is entitled to withdraw its proposals under any circumstances. In particular, it considers that the Commission does not have the right when the Council is preparing to amend a proposal unanimously pursuant to Article 149(1) of the Treaty of the European Communities.

In the specific case raised by the honourable Member concerning social measures in the road transport sector, the Council has not had to give a decision on the possibility that the Commission will withdraw its proposal for a regulation in order to prevent the Council from making substantial amendments to it.

**Mr J. Elles (ED).** — I would like to thank the President-in-Office for his clear reply regarding the Commission's right of withdrawal. My supplementary question bears on the position of those proposals which lie on the Council table today, of which there are more than 400. Would the Luxembourg Presidency and the President-in-Office in particular be prepared to apply the existing Treaties — notwithstanding the fact that you are thrusting towards a new Treaty in the intergovernmental conference — to those proposals where the Treaty provides for a vote so that we could clear half the problem at a stroke?

**Mr Poos.** — (*FR*) The honourable Member must be aware that on taking office the Member State which is presiding over the Council draws up an action programme for the six months of its presidency. That programme takes into account Commission proposals on which the Council's discussions are so far advanced that a decision can be expected in the next few months.

A fair number of these decisions also require unanimity within the Council.

Although it is true that the pressure which this generates is not sufficient to resolve all the outstanding questions, experience has shown that this practice does ease decision-making in various fields and so periodically results in a reduction in the number of proposals in suspense before the Council.

I thus support the honourable Member's wish that the number be reduced still further, very drastically, in future.

**Mr Herman (PPE).** — (*FR*) I should like to add a further detail of relations between the Commission and the Council to what my colleague said in his speech just now. I heard very recently that not only does the Council not approve and not discuss Commission proposals but that it was also considering overthrowing a decision which the Commission took on 8 July 1985 on the basis of Article 118 of the Treaty referring matters to the Court of Justice. That is something indeed! I should like to know whether the President himself is *au fait* with this development, because it is very recent. I should like to know what his attitude might be and ask him to tell Parliament.

**Mr Poos.** — (*FR*) I cannot accept the general way in which the honourable Member has phrased his ques-

<sup>1</sup> See Annex 'Question Time'.

**Poos**

tion. It is not correct to say that the Council does not discuss or approve the Commission's proposals. Practical experience of the Community proves the contrary.

Secondly, as regards the taking of action in the Court by one of the authorities instituted by the Treaty against another authority, that is perfectly in accordance with the Treaty and I believe that every citizen and every institution has the right to take a matter before the Court if it considers that one of the rules of the Treaty has been broken. Hitherto, however, the Council is not aware that any action has been brought.

**President.** — The matter raised by Mr Herman was not strictly connected with the question put to the President-in-Office, and possibly he might like to table another question next time, which would be fairer for the President-in-Office and enable him to answer more fully.

**Mr Hutton (ED).** — Following the supplementary question by my honourable colleague, Mr Elles, could the President-in-Office say what consideration has been given this week at the initial meeting of the inter-governmental conference to speedier decision-making and whether he feels that the results of those discussions will strengthen his government in applying voting procedures more rigorously?

**Mr Poos.** — (FR) We have not yet resolved the question of greater efficiency and speed in Community decision-making, as the intergovernmental conference has only just begun, but the Presidency will do everything in its power to achieve results.

**President.** — As the authors are not present, Questions Nos 84 and 85 will be answered in writing.<sup>1</sup>

Question No 86, by Mr MacSharry (H-73/85):

Subject: Premium for young farmers

Will the Council outline its intentions concerning the UKL 11 500 premium to young farmers starting in farming and does it not agree that in view of the importance of agriculture in the Community, particularly Ireland, the level of existing grants should be increased?

**Mr Poos, President-in-Office of the Council.** — (FR) Last March the Council carried out a major revision of the common policy on agricultural structures. Among the measures taken were the important new provisions in favour of young farmers, which the honourable Member has mentioned, and in particular aid

to help them get started. A single premium of 7 500 ECU maximum can now be awarded to young farmers starting in farming. The farmer also qualifies for aid towards interest payments to a capitalized value of up to 7 500 ECU, including loans contracted to cover costs incurred in starting up. The Council considered that this amount was sufficient to assist young farmers making a start.

The Council also decided to grant additional aid, again to young farmers, to facilitate investment effected within the framework of an improvement plan, up to a maximum of 25% of the aid normally granted.

**Mr MacSharry (RDE).** — I should like to ask the President-in-Office for his views and if he would promote them in Council.

Bearing in mind the age structure of the farming population of the Community, and the fact that many young farmers setting up are still responsible for their parents or other members of their families, does he not think that this UKL 11 500 grant is not sufficient and that it should be increased? It is very difficult for young farmers to set up in modern times with the costs involved.

Could he also tell me whether a Member State can opt out of this scheme or not? If so, has any Member State done so?

**Mr Poos.** — (FR) The Council regulation on the improvement of the efficiency of agricultural structures was adopted on 15 March 1985. It is therefore much too soon to draw a final balance and to conclude that the amount of 7 500 ECU specified in the Regulation is not sufficient.

I think we have to wait for a while before deciding whether the amount specified in the Regulation has to be increased.

**Mr Maher (L).** — May I ask the President-in-Office of the Council when we are likely to see agreement on the proposed cessation scheme for farmers engaged in milk production, which, of course, is very important for a high proportion of farmers in the European Community?

This cessation scheme would enable younger farmers to move into dairying when older farmers were moving out, but the possibilities for young farmers to start up in milk production at the moment are almost nil. When are we likely to see the introduction of the milk cessation scheme, which, if you understand me, means that older farmers will be paid to get out of milk production so as to leave an opportunity for young farmers to start production?

<sup>1</sup> See Annex 'Question Time'.

**Mr Poos.** — (FR) As far as I am aware, there is as yet no Commission proposal on this subject. I am therefore unable to give you the precise date.

**Mr Maher (L).** — I would just like to inform the Minister that there is a Commission proposal.

**President.** — Well, perhaps, Mr Maher, you would be kind enough to speak to him afterwards and give him the information after the sitting.

**Mr MacSharry (RDE).** — Madam President, on a point of order, I asked two questions that were not replied to. The one I would like an answer to is: Can a Member State opt out of the terms of the Regulation or not and, if so, have any done so? The President-in-Office did not reply to that.

**Mr Poos.** — (FR) I will only say in a general way that no Member State can opt not to apply a regulation unless the regulation expressly provides that option.

**President.** — Question No 87, by Mr Hutton (H-116/85):

Subject: Delays in Council decision-making

How many proposals by the Commission to which Parliament had proposed amendments in giving its opinion were awaiting a Council decision, at the latest convenient date? And what new measures does the Council propose to eliminate the backlog of decisions, which is largely responsible for the lack of interest shown by the citizens of Europe in the activities of the Community?

**Mr Poos, President-in-Office of the Council.** — (FR) As the Council has said in the past, it is not possible for it to draw up a list of the texts which it has adopted which have taken account of the opinions of Parliament, in whole or in part. In fact, in many cases the Council not only uses the actual wording of the amendments contained in the opinions of Parliament but also, as far as the general arrangement of the instruments it has to adopt is concerned, takes note of the reasons why Parliament has adopted the amendments.

The Council did inform Parliament in a letter dated 6 April 1982 of the procedures which it follows in considering resolutions, including those concerning opinions which it adopts, and I think there is no need for me to draw the contents of that letter to the attention of the honourable Member again.

As regards the rate of interinstitutional work, I am able to tell you that in the last six years the Commis-

sion has forwarded to the Council 3 481 proposals, of which the latter has adopted 3 235.

**Mr Hutton (ED).** — By my arithmetic that still leaves something between 200 and 300 proposals on which an opinion has been given but which have not yet been agreed by the Council. In view of the fact that the completion of the internal market is accepted by all as a top priority, does the President-in-Office agree with the Commission and with the leaders of the Community who said that such an achievement is impossible without the amendment of Articles 57, 99 and 100 of the Treaty to replace unanimous decisions of the Council by majority voting?

**Mr Poos.** — (FR) The fact that a number of the proposals which the Commission has forwarded to the Council have not yet been adopted can be attributed in part, to the unanimity rule.

You will be aware that the intergovernmental conference will examine ways of improving the efficiency and speed of decision-making so as to reduce to an absolute minimum the number of proposals forwarded to the Council by the Commission, on which the Assembly has given an opinion but which have not yet been adopted by Council.

**Mr J. Elles (ED).** — There is a Commission document of 19 February 1985 which lists all the Commission proposals on which the European Parliament has delivered an opinion and which are now pending before the Council, and the number is over 400. Could the President-in-Office tell me whether he intends actually to apply the existing Treaties — we are not talking about the intergovernmental conference so that we can have a vote and clear these proposals off the table? When you replied a little earlier, Mr President, you spoke of a 'reduction to an absolute minimum' — so please get on with it quickly!

**Mr Poos.** — (FR) If an honourable Member invites the Council to apply the existing treaties, the answer must be yes, but I should like to draw the honourable Member's attention to the fact that examination of the number of texts adopted by the Council does show that there is a balance between the number of proposals submitted by the Commission and the number of regulations, directives and decisions adopted by the Council. It is correct, however, that some proposals are still pending before the Council, and have been for some time. Some of them are extremely technical and complex proposals which require thorough, detailed examination. Other proposals are periodically withdrawn by the Commission because they are obsolete.

**Mr Poos.** — (FR) I can tell the honourable Member that he has understood me correctly. The Council Presidency will try to do that.

**Mr Tomlinson (S).** — Would not the President-in-Office of the Council agree with me that if he gave the kind of answer that has been given to the House this afternoon, in any of the national parliaments of the Community, he would be condemned for complacency in his answers? Some of the outstanding things on which this Parliament has given its opinion and which are before the Council include the proposals for the Community Crimes Treaty, which relate to white-collar frauds perpetrated against the Community — something that brings the Community into disrepute with Community citizens — and which have been before the Council since 1977. Does he not think that there has been enough delay now and that the time has come for action?

**Mr Poos.** — (FR) The President-in-Office of the Council cannot be charged with all the accumulated sins of past decades. Nevertheless I accept responsibility for the next six months. I shall do my best to advance discussions, to get the Council to adopt all the drafts which are ready and on which a decision can be taken by the Council, whether unanimously or by a qualified majority.

**President.** — As the authors are not present, Questions Nos 88 and 89 will be answered in writing.<sup>1</sup>

Question No 90, by Mr Marshall (H-235/85):

Subject: The impact of enlargement upon our traditional suppliers of Mediterranean products

What proposals has the Council to ensure that enlargement does not have an adverse effect upon our traditional suppliers of Mediterranean products?

**Mr Poos, President-in-Office of the Council.** — (FR) I think that this question received a fairly exhaustive reply during this morning's debate on the Community, especially as regards the financial consequences of enlargement for the associated Mediterranean countries. Because of that I propose not to answer it again, which I think is in accordance with the Rules of Procedure.

**Mr Marshall (ED).** — I regard that answer as wholly inadequate and unsatisfactory. Our traditional suppliers of Mediterranean produce rely very heavily upon this Community as a market and are still dissatisfied with the proposals which have been put forward to alleviate the impact on them of Spanish and Portuguese accession. Can I just point out to the President-in-Office of the Council that this question was, in fact, submitted on 29 May so that it did pre-date anything that was put down for this morning's

debate and, therefore, might have been given a slightly fuller answer than he condescended to give this afternoon.

**President.** — There was a very full debate on enlargement this morning. The President-in-Office was there the whole time and gave a very full reply. Mr Marshall's question has been down for some time and he is, of course, entitled to a reply. Nevertheless, I think the way in which he attacked the President-in-Office was rather unjust in the light of the circumstances of today's debate.

**Mr Poos.** — (FR) I bow before the wisdom of the President of this Assembly. I thought I had answered the question this morning, but at the President's request I can summarize what I said this morning.

**President.** — Could I ask Mr Marshall if he wishes to press his question now in the light of the President's reply, or would he agree to read this morning's debate? I must ask Mr Marshall because it is not for me to decide.

**Mr Marshall (ED).** — I think that Question Time exists as a means of allowing us to put questions to the President-in-Office of the Council. When he is making a speech to this House, we do not have the same right to cross-question him. I think that as this matter was down quite properly on the agenda for Question Time, we should have a proper question and answer session.

**Mr Patterson (ED).** — On a point of order, Madam President, I did notice that the President-in-Office made reference to our Rules of Procedure and I assume that he means Annex II:

Question shall not be accepted for Question Time at any part-session if the agenda already provides for the subject to be discussed with the participation of the institution concerned.

So I think the mistake that was made was to have the question proceeded with if it was already on our agenda. As it has been proceeded with, and we have had similar incidents, perhaps the President-in-Office should now answer.

**President.** — I would like to decide on this issue. I think it is very unfortunate that this question has been put. Nevertheless, since it is legitimately there now before the House, and there may be others who wish to put supplementaries, I would request the President-in-Office, out of courtesy to the other Members of this House, to be kind enough to give a very short summary of his reply this morning.

<sup>1</sup> See Annex 'Question Time'.



**Mr Poos.** — (*FR*) In the declaration which it made at the end of March on the enlarged Community's Mediterranean policy and in the declaration which I had the honour of making on behalf of the Council this morning, the Council confirmed the importance of existing relations between the Community and Mediterranean third countries and expressed its desire to strengthen them further in the context of a global policy for the Mediterranean. This declaration relates to the search for mutually satisfactory solutions to the concern expressed by Mediterranean third countries over the possible consequences of enlargement for their traditional exports. It also relates to continuing financial and technical cooperation with a view to making an adequate contribution to the economic and social development of those countries. In July the Commission communicated to the Council proposals for a directive on negotiation with a view to adapting the system of trade under the cooperation and association agreements with the Mediterranean countries after enlargement. The Council was quick to start the examination of these proposals, which is still in progress.

**President.** — I am very grateful to you, Mr President, for the way in which you have replied to this question.

**Mr Marshall (ED).** — Can I now put a quick supplementary question to the Minister. First of all, will he accept that our traditional suppliers are not happy with the proposals which have been made and will he confirm that a definite decision will be reached before Spain and Portugal join the Community, as the presence of 12 States rather than 10 would, of course, make the decision-making process more difficult rather than easier?

**Mr Poos.** — (*FR*) I do not know to which supplier the honourable Member is referring, but my answer to the second part of the question is that the Council intends to speed up implementation of the global policy for the Mediterranean and to take the necessary decisions before 1 January next.

**President.** — Question No 91, by Mrs Bloch von Blottnitz (H-248/85):

Subject: Adoption of Commission proposals

The following Commission proposals have been pending before the Council for some considerable time:

— Proposal for a Council decision adopting a research programme on reactor safety (COM(83) 299 final) submitted to the Council on 17 June 1983

— Proposal for a Council decision adopting a multiannual research and training programme for

the European Atomic Energy Community in the field of radiation protection (COM(83) 301 final) submitted to the Council on 6 June 1983

— Proposal for a Council decision adopting a research and development programme in the field of non-nuclear energy (1983-87) (COM(83) 311 final) submitted to the Council on 23 June 1983

— Proposal for a Council regulation establishing a Community consultation procedure for power stations likely to have an impact on the territory of other Member States (COM(76) 576 final) submitted to the Council on 13 December 1976.

Does the Council intend ever to adopt these proposals?

**Mr De Vries (L).** — (*NL*) Have I correctly understood the President-in-Office of the Council to mean that in all cases where the Treaty provides for majority decision-making he will, in fact, seek to secure majority decision-making in the Council? And may I also ask him if he is prepared, in cases where the Treaty provides for unanimity, to fix deadlines within which the Council must reach agreement, so that the situation cannot arise where the Council endlessly postpones decisions that must be taken unanimously? Will deadlines be fixed within which they must be brought to a conclusion?

**Mr Poos, President-in-Office of the Council.** — (*FR*) At its meetings on 19 December 1984 the Council adopted a whole series of decisions relating to the first three areas mentioned by the honourable Member. This included the decision concerning the radiation protection programme and the research and development programme in the field of non-nuclear energy. Likewise other decisions on the R&D programme in the field of biotechnology, the R&D programme in the sphere of new technologies—for example, the Brite programme for stimulating scientific and technical exchanges and cooperation, the R&D programme on the management and storage of radioactive waste and controlled thermonuclear fusion. These decisions were published in the Official Journal on 25 March this year.

At the meeting which the Council held last December the Ministers also decided to make the JRC responsible for administering the programme on reactor safety and to incorporate it in the programme on the safety of the JRC reactors. The Council adopted the relevant decision in December 1983 for the period 84/87. Since this decision dealt only with procedure, it was not published in the Official Journal.

As regards the final proposal mentioned in the question, the honourable Member will be aware that in November 1978 the Council adopted a resolution on the reciprocal exchange of information at Community

**Poos**

level on the establishment of power stations. Since that time the Council has considered the possibility of adopting a regulation establishing a Community consultation procedure for power stations likely to have an impact on the territory of an adjacent Member State, but has not yet succeeded in achieving consensus on the subject.

**Mrs Bloch von Blottnitz (ARC).** — (DE) I would ask the Council President why it is, which country's fault is it, that this proposal for a regulation — I refer to the last of my four points — has not yet been adopted? It must be the fault of some country or other!

Does he agree with me that if such proposals for regulations stay with the Council for nearly nine years, many of the problems will be technically long out of date? This could create the impression that if we drag our feet over unpopular measures they will solve themselves.

**Mr Poos.** — (FR) Obviously I can speak here only for the Council, I do not have the right to reveal what has been said in Council or to give an opinion on the attitude or motives of any of the countries represented in our Community. You must know that the difficulties over the adoption of this regulation are primarily political and are due to the fact that all through the work which has been done, one delegation has had general reservations on the establishment of a Community consultation procedure for power stations likely to have an impact on the territory of another Member State. That delegation considers that the introduction of such a procedure is unnecessary and inopportune and that, if need be, there can be contact between the Member States directly involved. Hence, bilateral contacts rather than a Community procedure.

**President.** — As the authors are not present, Questions Nos 92 and 93 will be answered in writing.<sup>1</sup>

Question No 94, by Ms Tongue (H-334/85):

Subject: Differences between salaries paid to EEC officials

There are enormous differences, ranging from one to sixfold, between the lowest and highest salaries paid to EEC officials. This disparity is further increased by percentage adjustments, particularly the expatriation allowance and salary indexing.

Does the Council not feel that these differences between the lowest and highest salaries paid to EEC officials are too large? If so, does it not feel that the introduction of a flat-rate expatriation allowance and the adjustment of index-linked

salaries to assist those earning the lowest salaries could help remedy this situation?

**Mr Poos, President-in-Office of the Council.** — (FR) The salary levels of officials of the European Communities is subject to annual review under Article 65(1) of the staff regulations.

The recent discussions in the Council, which were also about the choice between a linear and a non-linear adjustment, did not give rise to any particular comment like that made by the honourable Member.

**Ms Tongue (S).** — Thank you, President-in-Office, for your answer, brief though it was. I would have liked a little bit more detail.

Could you tell me whether, during the discussions you just mentioned, there was any suggestion from the staff and the trade unions of any of the EEC institutions along the lines of what I have suggested in my question?

**Mr Poos.** — (FR) Trade union proposals are regularly brought to the attention of the Council. When the Council holds discussions pursuant to the regulations which I mentioned just now, such documents are included in the Council's working papers.

**President.** — We now come to the questions to the Foreign Ministers.

Question No 112, by Mr Ford (H-196/85):

Subject: Issue of refugee status for Cypriots from the occupied zone of Northern Cyprus

What steps have been taken to deal with the issue of refugee status for Cypriots from the occupied zone of Northern Cyprus who fled to the Community following a delay in Cyprus? Are the Foreign Ministers aware of the case of Katerina and Vessita Nicola who are currently in sanctuary in England and who have been issued with deportation orders after fleeing to England in January 1976? They have no home to return to as it is in the occupied zone of Cyprus. In how many Community countries or applicant countries would such a couple be under threat of deportation?

**Mr Poos, President-in-Office of the Foreign Ministers.** — (FR) My reply will be very brief. The question raised by the honourable Member has nothing to do with European political cooperation.

**Mr Ford (S).** — Obviously it is rather difficult to reply to that, since the Ministers meeting in political cooperation have washed their hands of the problem.

<sup>1</sup> See Annex 'Question Time'.

**Ford**

Nevertheless, I would ask them if they are prepared to make representations to the United Kingdom Government, now that the two individuals in question have voluntarily returned to Cyprus, to actually ask the UK Government if they are prepared to lift the outstanding deportation order against these two individuals, who have spent a considerable amount of time in the United Kingdom, to allow them, firstly, to visit friends in the United Kingdom which they have in large numbers and secondly to apply under current UK legislation to return to the United Kingdom in the appropriate way, and equally make representations in general on behalf of people in similar situations in the United Kingdom and elsewhere in the Community.

**Mr Poos.** — (*FR*) I suppose that all the members of the Council, as well as their officials, have to read carefully the questions put and the answers given in the European Parliament and that is the most suitable way of drawing this problem to the attention of the country to which you referred in our question.

**Mr Lomas (S).** — Have the Foreign Ministers considered not just the refugees from Northern Cyprus who have come to the Community but the ones who have been forced to move to Southern Cyprus and who now see their homes occupied not only by Turkish Cypriots but actually by settlers from Turkey? Have the Foreign Ministers considered any kind of action which might end this occupation and allow refugees to return to their own homes?

**Mr Poos.** — (*FR*) Clearly one regrets that so little progress has been made so far towards a solution to the Cyprus question, which evidently produces painful human problems. For their part, the Ten, as they have declared on many occasions, wholeheartedly support the initiative taken by the Secretary-General of the United Nations to find a fair and lasting solution to the problem of Cyprus.

**Mr Patterson (ED).** — On a point of order, Madam President, and I regret it is almost identical to the last one. This is the second time we have had questions on the agenda dealing with an identical subject which is being debated on another occasion. In this case we have oral questions on the subject. As this is the second time it has occurred during this Question Time, in future could the questions not be vetted so that the same subject does not appear on the agenda twice, which is a contravention of the Rules of Procedure?

**President.** — Mr Patterson, I have been looking at this question, I do not think that this particular question is on the agenda for this week in any other form. On the other hand, Question 113 is practically identical with an oral question with debate which is being taken

tomorrow and to which the Council will be replying. Therefore, when I come to Question No 113 I shall rule it out of order pursuant to the Rules of Procedure, on which you are an expert. However, I hope you will accept that Question No 112 put by Mr Ford is relevant today and that it is not concerned with tomorrow's oral question.

**Mr Marshall (ED).** — I thank the President-in-Office for his very positive reaction to the initiative by the UN Secretary-General, which offers the major hope for the future of peace in Cyprus and for the ending of the troubles of the past 11 or 12 years.

**Mr Ford (S).** — On a point of order, Madam President, I agree with Mr Patterson. I think there should be some vetting of the questions. Clearly I am wasting my time and the time of the Foreign Ministers meeting in political cooperation if they consider it a totally inappropriate question and can give me no answer. Therefore, I suggest that you do consider the vetting proposal so that when we do put questions at least we can expect some kind of answer.

**President.** — Mr Ford, in view of the previous question that arose, I have this afternoon made enquiries through officials of the Parliament to see if we can ensure that this vetting be carried out more carefully, not only to save the time of Parliament but also to save the time and the work of the Council and Foreign Ministers in preparing the answers to the questions put to them by Members. This will certainly be looked into as a result of today's sitting, and I hope that we shall be able to produce a better Question Time paper for both Members and the Council in the future.

**Mr Filinis (COM).** — (*GR*) Since this question refers to the fate of the two Cypruses, part of which is the fact that 200 000 Cypriots have become refugees as a result of the occupation of 40% of Cypriot territory, and since this situation has continued for 11 long years, what general steps are the Foreign Ministers considering taking towards the eventual solution of this grave problem?

**Mr Poos.** — (*FR*) I can only repeat the reply which I gave just now. As Ministers for European political cooperation, we wholeheartedly support the efforts of the Secretary-General of the United Nations, but the Community has no special powers to deal with the important matter which the honourable Member has raised.

**Mr Boutos (RDE).** — (*GR*) I would like to ask the Presidency of the Council whether the Foreign Ministers' efforts to promote moves to solve the Cyprus problem, via the Secretary-General of the United

**Boutos**

Nations, Mr de Cuellar, are limited to offering him advice and moral support for his initiative which is directed towards the concerned parties and particularly that party which at this moment, in violation of every moral and international principle, is in military occupation of part of Cyprus?

**Mr Poos.** — (FR) In some ways the supplementary question which has just been asked anticipates the debate on the Cyprus problem which will be held tomorrow morning, but assure the honourable Member that within the framework of European political cooperation direct approaches have already been made to all the parties concerned with a view to finding a humanly acceptable solution to certain special problems.

**President.** — Question No 113 by Mr Adamou is ruled inadmissible for this afternoon's sitting because it comes up in Item No 161 on tomorrow afternoon's agenda.

**Mr Alavanos (COM).** — (GR) There is a point here that I wish to correct. The question by Mr Adamou cannot be considered inadmissible because he has requested it to be postponed until the next part-session. I say this not because I want to correct you, or for any other reason, except that I do not think Mr Adamou should lose the right to put his question during the next part-session.

**President.** — Mr Alavanos, I have received no request for postponement of Mr Adamou's question. However, at the beginning of Question Time this afternoon, at which, I think, you were present, Sir James Scott-Hopkins raised the matter on a point of order. I informed him that the question would be taken tomorrow at the end of the debate on the United Nations and that the Council had promised that it would be there to reply. Nobody objected to that and Sir James Scott-Hopkins accepted it. I am afraid therefore that I cannot accept your statement.

Question No 114, by Mr Alavanos (H-309/85):

Subject: New legislation enacted by the Turkish Government restricting the freedom of the Turkish people

What specific measures do the Foreign Ministers intend taking in respect of the decision by the Turkish Government to enact a law strengthening the powers of the police authorities which, in effect, puts an official seal on the abolition of fundamental individual freedoms in that country and, in view of these developments, to what extent are they considering revising their decision regarding the third and fourth financial protocols and special aid for Turkey in line with amendments on this matter tabled by the European Parliament with regard to the 1985 budget?

**Mr Poos, President-in-Office of the Foreign Ministers.** — (FR) The question raised by the honourable Member has not been discussed specifically in the context of European political cooperation. Nevertheless the Ten pay particular attention to the question of human rights in Turkey, and in their contacts with Turkey the Ten do not hesitate to express their concern whenever violations of human rights are brought to their notice.

Questions concerning the Association Agreement with Turkey, including special aid to that country, are dealt with by the competent bodies within the Community and have not therefore been discussed by the Foreign Ministers in the context of European political cooperation.

**Mr Alavanos (COM).** — (GR) The reply by the President-in-Office of the Foreign Ministers is quite unsatisfactory. I would not like to call him a hypocrite, but this description fits the Council's position regarding Turkey. Among other things, the Council has gone against the wishes of the European Parliament in favour of freezing the 3rd and 4th financial protocols and the special aid for Turkey covered by the 1985 budget.

I would like to ask the Minister why he has not yet involved the Council in this most serious matter — a matter about which European public opinion is aware — although three or four months have already passed since the new measures were announced by the Turkish Government.

A further question I would like to ask is why such scandalous events are allowed to happen within the EEC, events such as that denounced by my colleague Mr Fich: namely, that without any special legal arrangements being made 30 million ECU were given to Turkey in 1983 through the financial protocol, as opposed to the 5 million ECU provided for in the budget.

**Mr Poos.** — (FR) The honourable Member has said that he is not satisfied with my main reply. I hope therefore that he will be satisfied with my supplementary reply, which concerns financial aid to Turkey, as asked for in the supplementary question.

As regards financial cooperation with Turkey, I should like to stress that the Council's position on this remains unchanged. May I point out that all the funds provided for in the third EEC-Turkey financial protocol were committed before the end of 1981, that the fourth financial protocol, negotiated in 1980/1981, has not yet been signed and that, where the special aid of 75 million ECU decided in 1980 is concerned, no decision has been taken so far on the possible release of the balance of 29 million ECU still available by way of this special aid.

**President.** — As they deal with related subjects, the following questions will be taken together.

Question No 115, by Mr Hutton (H-318/85):

Subject: Air piracy

What measures have the Foreign Ministers meeting in political cooperation discussed in the wake of the hijacking of the TWA airliner by Arab extremists, the destruction of the Air India flight over the Atlantic on 23 June and other acts of air piracy and terrorism?

Question No 121, by Mr Cottrell (H-347/85):

Subject: Further terrorist attacks on airports and airlines offices

Within days of the Heads of State agreeing at the Milan Summit on the necessity for urgent measures to combat terrorist attacks on aviation targets, Rome and Madrid witnessed further explosions and a machine gun attack. It is abundantly clear that despite effective measures taken in certain countries, the very strictest regime must now be introduced to combat terrorism before more innocent people are killed and maimed.

Bearing in mind the other earlier incidents, including the seizure of the TWA jet at Athens and the explosion at Frankfurt, will the Ministers now describe the actions they propose to take?

**Mr Poos, President-in-Office of the Foreign Ministers.** — (FR) The governments of the Member States of the Community fully share the concern expressed by the honourable Member over the new wave of terrorism and air piracy and are agreed on the need to adopt appropriate measures to counter it.

On 20 and 21 June the Ministers for the Interior and the Ministers for Justice met in Rome and decided to step up cooperation in the fight against terrorism and organized crime.

The Ministers for Transport of the Ten met in Luxembourg during the Council session of 24 July and emphasized the Member States' determination to implement the necessary measures in the competent organizations in order to provide maximum security in air transport.

Finally, in the declaration of 22 July the Foreign Ministers expressed their deep concern over the resurgence of terrorism and hijackings, which violate all the rules of civilized behaviour, especially in the threat they pose to the lives of innocent people. They decided, within the framework of political cooperation and in cooperation with the other ministers with responsibilities in this field, to give urgent consideration to the possibility of establishing and maintaining increased international standards of security in air transport and

at airports, with a view to the preparation of concrete recommendations, including concerted action by the Ten to achieve this objective within ICAO. Moreover, the Ten hope to continue their action in third countries which are not parties to the existing international conventions with a view to encouraging them to join.

**Mr Hutton (ED).** — May I thank the President-in-Office very much for his detailed and very helpful answer.

Could I ask him if he is able at this stage to give any estimate of how urgently a result will flow from the scrutiny which the Foreign Ministers agreed to on 22 July and does he believe that the implementation of these measures will be made easier by the creation of a European judicial area?

**Mr Poos.** — (FR) The Council and the Ministers meeting in political cooperation are fully aware of the urgency of the problem. However, because of the recent nature of the political decisions taken, I am not in a position to tell you the results at the present part-session. Work is continuing in political cooperation and within ICAO.

**President.** — Question No 116, by Mr Marshall (H-264/85):

Subject: Emigration of Jewish community in Russia to Israel

Will the Foreign Ministers meeting in political cooperation raise with the Russians the plight of those members of the Jewish community who wish to emigrate to Israel?

**Mr Poos, President-in-Office of the Foreign Ministers.** — (FR) The Ten follow the human rights situation in the Soviet Union very closely, and especially the situation of members of the Jewish community who wish to emigrate to Israel. Of paramount importance is the 1948 Universal Declaration of Human Rights, which expressly states, in Article 13, paragraph 2, that every person has the right to leave any country, including his own, and to return to his own country.

The Final Act of the Conference on Security and Cooperation in Europe states in the seventh premise that the participating States shall act in accordance with the aims and principles of the United Nations Charter and of the Universal Declaration of Human Rights. The provisions on human contact, which are contained in this Act and in the final document of the Madrid Conference, also concern the right to emigrate, and the Ten have reminded the Soviet authorities of these provisions on many occasions in connection with the members of the Jewish community who wish to emigrate.

**Poos**

The Ten have also raised this question at meetings of experts on human rights and fundamental freedoms in Ottawa.

**Mr Marshall (ED).** — Can I thank the President-in-Office for the answer to that question. Is he aware that in August of this year only 29 members of the Jewish community were allowed to leave Russia? That is less than one a day and compares with a peak monthly rate of emigration of over 4 000.

Is he aware that when the Russians say that no one of the Jewish community really wants to leave Russia, there is, for example, the case of Mr and Mrs Sakharov who asked to leave Russia in 1979 and have merely suffered economic hardship for so doing? Can we have an assurance from the Foreign Minister that it will be brought home to the Russians very strongly that if they wish to have less tension between East and West, then they must honour the civic and human rights of their own people?

**Mr Poos.** — (FR) Although the figures which have been drawn to our attention show a significant increase in the emigration of Soviet Jews to Israel, we are not entirely satisfied with the present state of affairs. We are constantly taking action in international circles to obtain an improvement in the situation and thorough observance of the international acts signed by the Soviet Union.

**Mrs Tongue (S).** — I would like to thank the President-in-Office for his answer and his assurance that he and the Council of Ministers will indeed all be vigilant on this issue which is covered by the Helsinki Declaration. But I also trust that they will be equally vigilant concerning all other aspects of the Helsinki Agreement, such as the neutral monitoring of defence exercises such as we have just seen recently carried out in the United Kingdom by what I must describe as our Dad's Army.

**President.** — President-in-Office, you are not obliged to answer that question because it had nothing to do with the previous question. So unless you wish to answer it, I would rule that supplementary question inadmissible.

**Mr Poos.** — (FR) No, it was material information but not a question. I may repeat that in the speech which I made on behalf of the Ten during the commemoration of the Final Act of the Helsinki Conference some months ago, I particularly emphasized the problems mentioned by the honourable Member.

**Mr Alavanos (COM).** — (GR) I must admit that the answer of the President-in-Office of the Foreign Min-

isters to Mr Marshall's question was very interesting, particularly if we compare it with the answer he gave to Mr Ford's question concerning Cypriot political refugees in the United Kingdom. What is revealed is that while the Ministers show concern for human rights in the Soviet Union, they do not display quite the same sensitivity regarding human rights within an actual EEC country. I should like to ask the President-in-Office on what criteria the Foreign Ministers meeting in Political Cooperation base their concern in the field of human rights, since we are unable to understand their position.

**Mr Poos.** — (FR) I believe it is wrong to conclude that the Council uses two weights, two standards. The rights of man are indivisible. All the violations of human rights which are notified to us are dealt with in identical ways.

**Mr Alavanos (COM).** — (GR) I would like to clear up what is probably a misunderstanding. When I said that Mr Adamou had withdrawn his question concerning Cyprus, I meant Question No 113 by Mr Adamou and not the oral question with debate on behalf of the Communist Group which Mr Scott-Hopkins referred to and which remains on the agenda.

**President.** — Mr Alavanos, that matter has been dealt with. We were dealing with Question No 113, the question put by Mr Adamou. I think there was no misunderstanding on the part either of myself or of the Council or of anybody else — possibly yourself, I don't know.

As the author is not present, Question No 117 will be answered in writing.<sup>1</sup>

Question No 118, by Mr Tzounis (H-325/85):

Subject: Saving the Orthodox Church of Aghiou Georgiou Makrochoriou in Istanbul

Would the Foreign Ministers state whether, within the framework of political cooperation, they have discussed the danger threatening the Orthodox Church of Aghiou Georgiou Makrochoriou in Istanbul, and if so, what steps have they taken — or do they intend taking — to save this church?

**Mr Poos, President-in-Office of the Foreign Ministers.** — (FR) The question to which the honourable Member refers has been discussed within the framework of European political cooperation. In the eyes of the Ten respect for the religious and cultural values of all minorities is an essential element in the wider context of respect for the universally recognized rights of man.

<sup>1</sup> See Annex 'Question Time'.

**Mr Tzounis (PPE).** — (GR) It is really most encouraging that the Ten should interest themselves in cultural monuments around the world. In view of this interest, I should like to ask the President-in-Office of the Foreign Ministers what decision was reached by the Foreign Ministers meeting in Political Cooperation concerning the demolition of the Church of Aghiou Georgiou Makrochoriou in Constantinople?

**Mr Poos.** — (FR) The Ministers of the Ten regretted the partial demolition of the Orthodox church of Saint George Makrochoriou in Istanbul. But in this case they were faced with a *fait accompli* which they could do nothing to avert.

**Mr Boutos (RDE).** — (GR) When the President-in-Office of the Foreign Ministers says that he can do nothing, of course he cannot restore the church. The Foreign Ministers can, however, condemn the act and guard against the government involved repeating such acts in the future.

**Mr Poos.** — (FR) I thought I had explained that we are faced with a *fait accompli* and that it is no longer possible for the Foreign Ministers to take any action in this matter.

**President.** — I think, Foreign Minister, the question put by Mr Boutos concerned preventing further action of a similar kind being taken in the future. I do not think he was referring to the past. Could you answer the question?

**Mr Poos.** — (FR) We must be very watchful in future and the Foreign Ministers will have to react to any attack on religious freedom, wherever it may be.

**President.** — Question Time is closed.<sup>1</sup>

IN THE CHAIR: MR ALBER

*Vice-President*

## 7. Votes

**Lord Douro (ED).** — Mr President, I should like to propose — and I hope you will put it to the House — that we change slightly the order of vote this evening. We have a number of things to vote on, but one matter which will be very quick is the vote on the Hänsch

report. There is only one amendment to the Hänsch report. I think it will be very quick. If we left it to the end, we might not get to it. I think it is important that we do get to it and I would like to propose that we take the Hänsch report first and then pass on rapidly to the other matters to be voted on.

(Parliament agreed to this request)

**Report (Doc. A 2-81/85) by Mr Hänsch, on behalf of the Political Affairs Committee, on the enlargement of the Community to include Spain and Portugal**

## *Explanations of vote*

**Mr van Aerssen (PPE).** — (DE) I should like to express my thanks on behalf of the 270 colleagues who gave such spontaneous support at the time to the idea of a Euro-Arab University. The Spanish Government has since approved this university and has made a first approach to Parliament for a joint delegation of Members of this House and the Spanish Government to work out the details. On behalf of my colleagues I should like to thank the Spanish Government most warmly for this gesture.

**Mr Alavanos (COM).** — (GR) If I, like almost all the other speakers — with the possible exception of Mr Piquet and certain others — were also intending to make a short speech in favour of the enlargement of the EEC with the entry of Spain and Portugal, then I would explain my vote in writing. I am, however, going to do no such thing. The party I represent is opposed to this enlargement, and so, under the banner of pluralism and dialogue, which you also espouse, I believe that an alternative point of view should be heard.

The first and most important reason for our view is our country's experience during its four years of membership of the EEC. Ours is a country with a foreign debt which is today out of control — 13 000 million dollars — a country where imports have risen while exports have fallen, although all other Member States of the EEC have experienced a continuous rise in exports; a country where the per capita gross national product before joining the Community reached 44% of the Community average, whereas after four years of EEC membership this figure has fallen to 42%. A country where grave problems arise daily, caused by the expiry of the transitional period, entailing the release of blocked accounts, the opening up of the oil market, the full abolition of import duties, etc.

So, in view of our country's experience and the political and economic nature of the enlargement, the Members representing the Communist Party of Greece will vote against the Hänsch report.

<sup>1</sup> See Annex 'Question Time'.

**Mr Christiansen (S).** — (DA) Mr President, I will gladly comply with your request for a written explanation of vote, but I am obliged to say very briefly that my explanation of vote refers to the reasons why the three Danish Social Democrats are voting against the motion. We are doing so because we cannot accept that a majority should seek to challenge the principle that the right of ratification rests with the national parliaments alone and not with the European Parliament.

*In writing.* — The Danish Social Democrats entirely share the majority's support for and satisfaction with the enlargement of the Community to include Spain and Portugal and also hope that the Member States ratify the accession basis agreed in good time before the Accession Treaty. It is a clear and unequivocal *yes* therefore to enlargement, for which we also voted at the Council of Ministers' hearing of Parliament last May. And, even though Mr Hänsch in his oral statement today affirmed that Parliament 'is on the side of ratification', we must nevertheless vote against the present so-called ratification report. By this we wish to show that the European Parliament, in accordance with the Stuttgart Declaration of 1983, does not have any powers of ratification.

We cannot accept that the majority in this Chamber should seek to contest the principle that powers of ratification under the Treaty are considered to be the sovereign prerogative of the Member States. That was how many words there were to be said!

**Mr Christensen (ARC), in writing.** — (DA) I have already stated the position of the People's Movement against Danish Membership of the European Community on enlargement to include Spain and Portugal. On this occasion I will only point out that Parliament is acting illegally in this instance too. According to the Treaty of Rome, this Parliament has no right to be heard in connection with the accession of new Member States to the European Community. Nevertheless it is taking it upon itself to ratify the Accession Treaties. We reject this in the strongest terms.

**Mr Mallet (PPE), in writing.** — (FR) The EPP Group approves the findings of Mr Klaus Hänsch's report.

We say *yes* to the accession of Spain and Portugal, because we recognize it as a political necessity and a chance for a better balance between northern and southern Europe, a wider sphere of influence for Europe. We are very pleased that we shall soon have representatives from the young democracies of the Iberian Peninsula alongside us. We are confident of their European spirit.

Having said that, we are aware of the difficulties of enlargement. It is not enough to want it, it has to be made to succeed. Realism makes us add 'yes, if' and 'yes, but' to our 'yes, because'.

Whatever the precautions and guarantees laid down in the Treaties of 12 June 1985 — if they are correctly applied — our Mediterranean areas will get a severe shock from Spanish competition. The consequences of enlargement for the other Mediterranean countries have not been taken sufficiently into account. There have been no accurate estimates of the cost of it. There is a risk that enlargement will aggravate the trend towards the weakening of the European Community.

But the main reason for our disquiet lies in the present state of the Community. Its agricultural policy is threatened. Its finances are niggardly, and very uncertain after the end of next year, its management is faulty. Enlargement will not create difficulties. It will multiply them.

In other words, we shall only make enlargement succeed and come up to the expectations of Spain and Portugal by strengthening the Community's internal structures, its economy, its political unity and its institutions. With the present decision-making procedures the Ten get bogged down. Twelve will mean paralysis.

Complete, widen, enlarge. You remember the 1969 triptych. You know what has happened. The completion was the financial regulations for the Community. That has been challenged. We are still waiting for the widening...

But we place our hopes in confidence. None of those difficulties is insurmountable if our countries have the will to resolve them and to provide the means. For our part we shall support and urge the action needed to make a success of enlargement.

**Mrs Pery (S), in writing.** — (FR) The ratification of the Treaties of Accession with Spain and Portugal will find a very broad consensus in our Assembly.

The European Parliament has often complained that the negotiations which preceded the Act of Accession were so protracted; it must be admitted today that they have resulted in balanced treaties which protect the essential interests of both member and candidate countries.

Nevertheless there is some disquiet in the occupations most affected, especially among farmers and fishermen: will the decisions taken really be respected?

I have no desire to make a case against Spain purely on the basis of assumptions, and it is in the interest of us all to do the same if we want the EEC to maintain its credibility among our peoples.

We now have to take on the costs of it. One cannot have taken the political responsibility of deciding on the accession of these two countries without providing oneself with the means of making the enlargement of our Community succeed, particularly in the southern areas of the EEC.



**Pery**

I shall say clearly once more that there must be solidarity between northern Europe and southern Europe.

The Community as a whole must also be mindful of the repercussions of enlargement on the developing countries of the Mediterranean basin, as our agreements are often essential to the economic life and peace of those regions.

I should like to end on a positive note. Tomorrow, the Spanish and Portuguese deputies will be bringing a beneficial breath of fresh air to our Parliament. Europeans, determined to reinforce the Community approach, they will also make it possible for us to deepen our contacts with Latin America and the Muslim world.

The entry of Spain and Portugal is a political and cultural overture which is certain to have positive effects.

*(Parliament adopted the resolution)<sup>1</sup>*

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**President.** — We shall now vote on the setting up of the Committee of Inquiry on Drugs. We shall vote later on the committee members nominated by the other groups. The Group of the European Democratic Alliance has submitted its nomination by means of an amendment, upon which we shall first have to vote.

**Mr Arndt (S).** — *(DE)* I am sorry, Mr President, but there is no question of an amendment here, because the committee's membership was decided by the enlarged Bureau. The Group has thus filled the place allocated to it by the enlarged Bureau. All we have to do is endorse the membership proposal made by the Bureau.

**President.** — Mr Arndt, that is not quite correct, because this nomination was not made in the Bureau. For this reason this name could not have appeared in the Bureau proposal and was put forward subsequently.

This place on the committee is allocated to Mrs Lemass, so please therefore just vote yes.

**Mr de la Malène (RDE).** — *(FR)* Mr President, I should just like to take up what Mr Arndt said. The Bureau made a proposal containing a certain number of names. It was understood that, as far as that proposal was concerned, every Member had the right of amendment. We tabled an amendment to add a name, as is our right and as the rules say. Consequently there

should not be any kind of problem. The Bureau has made proposals, we have the right to supplement them.

**Mr Arndt (S).** — *(DE)* Mr President, let me remind you here of the formation of committees which follows the same pattern: if a group fills a place allocated to it by nominating a member, that is deemed to be accepted, for this membership was proposed by the Bureau. Thus neither a roll-call vote nor a secret ballot is necessary.

**President.** — Mr Arndt, you are not quite right there. Rule 92, which also applies to committees of inquiry, says: 'Committee members shall be elected . . .' However, committee members can only be elected if there is a vote. You cannot simply say that because they have been proposed, they are therefore elected.

In any case this Group has been allocated one seat on the Committee of Inquiry into Drugs. An amendment is needed therefore only because the name of Mrs Lemass is not contained in the Bureau proposal.

*(In successive votes Parliament adopted the proposal from the enlarged Bureau for the setting up of a Committee of Inquiry on the drugs problem in the countries of the European Communities and rejected the proposal from the enlarged Bureau for the setting up of a Committee of Inquiry on acts of repression against trade unions in dispute)*

**Mr Huckfield (S).** — Mr President, I rise on a point of order which has to be dealt with by you. According to the Minutes of Proceedings for yesterday's sitting, which record the basis of the decision which we have just taken, and the agenda for today's sitting, both of them parliamentary documents which we have before us, the vote on the second committee of inquiry — which we have just taken — ought to have been taken first. I want to know, Mr President, why you allowed the vote on the Committee of Inquiry on Drugs first and did not move immediately to vote on the Trade Unions Committee of Inquiry. I am going to suggest, Mr President, that you did every single thing in your power to allow those benches to fill up before you allowed the vote on the second committee of inquiry.

*(Mixed reactions)*

**President.** — Both proposals come under one and the same item on the agenda. Within that item there is no fixed order laid down. We have voted, and that takes care of the matter.

**Mr Arndt (S).** — *(DE)* Mr President, Parliament has the right to decide on the membership of a committee of inquiry, but not the right to block the appointment

<sup>1</sup> The rapporteur was AGAINST Amendment No 1.

**Arndt**

of this committee by rejecting its membership without putting forward amendments.

*(Applause from the left)*

I am surprised that the President did not point this out immediately. The Rules of Procedure are being abused here.

*(Applause from the left)*

This Parliament must ensure that its Rules of Procedure are strictly adhered to. There has been an attempt here to block, by means of this vote, the committee of inquiry appointed under the Rules of Procedure. If the House rejects the proposed membership, it must put forward other proposals. It should state this quite clearly so that at the next meeting of the enlarged Bureau we can make a proposal on membership which cannot then be rejected. We would be prepared to vote in favour of any amendment regarding the committee's membership.

*(Applause from the left)*

**President.** — Yes, Mr Arndt, that is correct. When we from a committee, there are stages that have to be gone through: the setting up, the composition and the constitution. The committee is set up by means of signatures and the President's approval. For the composition of a committee we need names. Formerly we never voted on this because all the groups were agreed. It was, in a sense, done by acclamation. In this instance, however, that was not the case.

Rule 92 provides that committee members must be elected and Rule 95 (2) provides for Parliament to determine the composition of a committee. Since there was no agreement on the composition of this Committee of Inquiry, I was obliged to put it to the vote.

The three members proposed were not accepted. It is now a matter for the various groups to nominate members for this Committee of Inquiry, which has already been set up.

**Mr Griffiths (S).** — Mr President, I will not hold the business of the House up any longer except to say that I shall be challenging, in writing, the way in which the Rules of Procedure have been interpreted on the particular point.

**President.** — I would ask all those who are not satisfied with the way I have conducted the proceedings to put their case in writing so that the matter can be taken up either by the Bureau or by the Committee on the Rules of Procedure and Petitions. I am not having any more speakers now, and you can go on complaining about that too if you like.

We come now to the motion for a resolution on South Africa tabled by the Socialist Group.

**Mr Arndt (S).** — *(DE)* On a point of order, the matter is quite simple: whether or not I vote in favour of this or that resolution depends on which amendments have been approved and which have not. In other words I cannot give an explanation of vote until the amendments have been voted on. So you must first put the amendments to the vote, then you can have the explanations of vote and then comes the vote on the motion for a resolution.

*(Applause from the left)*

**President.** — We can proceed in this manner, because I am assuming that this will cut the number of explanations of vote in half.

**Motion for a resolution (Doc. B 2-819/85) by Mr Lomas and others, on behalf of the Socialist Group, on the situation in South Africa: rejected.**

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**Motion for a resolution (Doc. B 2-820/85) by Mr d'Ormesson, on behalf of the Group of the European Right, on Southern Africa: rejected.**

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**Motion for a resolution (Doc. B 2-821/85) by Mr Stirbois and others on South Africa: rejected.**

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**Motion for a resolution (Doc. B 2-824/85) by Mrs Heinrich and others, on behalf of the Rainbow Group, on South Africa.**

#### *Explanation of vote*

**Mr Verbeek (ARC).** — *(NL)* It is already clear from the first results of the vote that the majority in this Parliament is no friend to black people in South Africa. It has yet again become apparent that the majority here do not vote out of solidarity with the black people, but only out of self-interest. That is further proof that the European Parliament stand, in its majority, for a European market in which black people are a saleable commodity, and that it has again proved too costly for the majority in this Parliament, as it did

**Verbeek**

also in the time of the slave trade, to make any real commitment to help black people.

*(Parliament rejected the motion for a resolution)*

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**Motion for a resolution (Doc. B 2-836/85) by Mr Wurtz and others, on behalf of the Communist and Allies Group, on the visit to South Africa by European Foreign Ministers.**

*Explanations of vote*

**Mr de Courcy Ling (ED).** — I shall vote against the Communist Group's resolution and I would like to warn the Council against the danger of treating Community diplomats, ambassadors and military attachés not as channels of communication but as tokens of approval or disapproval. This is the Communist wish, the Communist ploy. Let us not posture over sanctions or about diplomats to salve our consciences as, for example, Mr Harold Wilson did over Rhodesia in 1967 and 1968. Posturing over sanctions in Strasbourg will not help black people in Johannesburg.

Our greatest power is the power of persuasion. Let us at every level, every day, say to the South African Government that the best defence that they have against Soviet and Cuban intervention in Southern Africa is a timeable for the dismantling of apartheid. For that we need our ambassadors and our military attachés in South Africa.

The Soviet Union seeks instability in Southern Africa. Apartheid provides it. That is the Communist interest. Mr Wurtz is the voice of Moscow, and I shall vote against his motion.

*(Applause from the European Democratic Group)*

**Mr Antony (DR).** — (FR) I shall vote against, because, as you can imagine, there are many other cases of apartheid in the world. There is apartheid against black students at Moscow University. It was President Houphouët-Boigny who pointed this out when he said, 'When I send students to Moscow University, where they are treated worse than they are in the Cape, they come back happy anti-communists'. There is apartheid in Cuba, I know, because I have never seen crowds of blacks and coloureds round Fidel Castro. There is apartheid in Tibet. The newspaper *Le Figaro* has an article today telling how 1 800 000 Tibetans have been exterminated. The Tibetans do not have the same right to life as Chinese citizens.

In every country of eastern Europe there is apartheid against Catholics, who are treated as second-grade

citizens. There is apartheid in the Communist world, all the time and everywhere, between the apparatchiks who give themselves every right, who in the *nomenklatura* give themselves everything they want, while other citizens are treated as no slave was ever treated before. It is indecent to denounce apartheid only in South Africa. That is why we have to vote against this attempt to destabilize the West. We say no to cutting the West's strategic supply routes. We say no to the apartheid which exists in Afghanistan today, because it is worse than in South Africa. In Afghanistan there are refugees in their millions, the lost, the forgotten, the tortured, and the Red Army on the other side. That is why, Mr President, when I heard certain people declare just now that Communism is equally opposed to the violation of human rights in any form, I did not agree. This Parliament dishonours itself by saying nothing for the Christians in the Lebanon, doing nothing for the massacred Afghans. And so, we say no to all apartheid.

*(Cries of 'Time, time')*

And those over there, accomplices of the Red Army...

*(Loud protests from the left — Applause from the right)*

**President.** — Mr Antony, you have exceeded your speaking time.

**Mr Antony (DR).** — (FR) It is, in fact, they who give apartheid its power. Against them we say: you shall not overcome!

*(Applause from the right)*

**Mr Filinis (COM), in writing.** — (GR) Speaking for the KKE (internal) I shall, without any reservations, be voting in favour of the motion for a resolution by Mr Wurtz, which is tabled on behalf of the Communist Group to which we also belong.

We express the hope that the Council of Ministers will overcome any hesitations it may have, come forward with concrete, rigorous and resolute sanctions and exercise its political, economic, commercial, military and moral pressure in response to the vigorous demands of European public opinion.

This demand from European and world public opinion is based on the fact that no one can any longer believe the promises of the South African Government, when they have been shown up as lies by the inhuman and criminal measures directed by the apartheid regime against the great majority of the South African people.

*(Parliament rejected the motion for a resolution)*

**Mrs Squarcialupi (COM).** — *(IT)* Mr President, I wanted initially to make a point of order, but I would say that, more than a point of order, we ought to draw attention to the position in which we find ourselves.

I shouted and made signs, and no one from the Presidency saw me.

It is impossible for Members to be obliged to go to such extremes in order to get a hearing.

It is now the third, the fourth time that this has occurred recently, and I think that at this point the Bureau ought to take steps. But, Mr President, I was waving the Rules of Procedure amongst other things in order to point out to you how, first of all, you prevented Mr Alavanos from speaking by citing Rule 80 on explanations of vote, even though this rule, in fact, makes no reference to the content of the explanation of vote, whereas you made no such intervention when the last speaker was speaking, and he got quite off the point and went on like a river in flood. Well, Mr President, you can't have two sets of rules! Some of the Rules of Procedure concern the behaviour of the President and the maintenance of order in the Chamber! If you use two sets of rules within minutes of one another, Mr President — and I say this with all respect and, if you will allow me, with all the regard that I have for you after so many years working together — that is not the way to keep order.

For this reason, Mr President, I would ask you to conform to the provisions of the Rules of Procedure, and I would add that the Members who are seated in these seats cannot go on never being heard nor seen — just second or third-class Members.

*(Applause)*

**President.** — Thank you very much, Mrs Squarcialupi. Because of the great regard you for me, I shall now look more often towards your corner. I promise you that.

It is certainly true that three-quarters of all explanations of vote are not really genuine explanations at all. What I said in the case of Mr Alavanos should really be said also to three-quarters of all my colleagues.

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**Motion for a resolution (Doc. B 2-838/85) by Mr Cicomessere and others on the situation in South Africa: rejected.**

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**Motion for a resolution (Doc. B 2-856/85) by Mr Prag, on behalf of the European Democratic Group,**

**Mr Habsburg, on behalf of the Group of the European People's Party, Mr de Vries, on behalf of the Liberal and Allies Group, and Mr Costé-Floret, on behalf of the Group of the European Democratic Alliance, on winding up the debate on the situation in South Africa.**

*Compromise amendment No 9<sup>1</sup>*

### *Explanations of vote*

**Mr Arndt (S).** — *(DE)* My Group will vote against this motion for a resolution for the following reason: Parliament had a chance today, in line with its traditions, to act clearly in defence of human rights. I am not so arrogant as to demand that the majority of this House should accept all the points in our motion for a resolution, but it has voted against a whole series of points which it would once have fully approved. This proves that there will be a retreat behind earlier positions. To all those who approve this amendment I would say this: you are really taking the line of least resistance because you have not the courage or the will to conduct an all-out war against apartheid.

*(Applause from the left)*

This makes you yesterday's men, because even the US Congress, even the US President are basically going further than you have dared to today.

*(Applause from the left)*

I know that a lot of you are embarrassed that such an amendment should have been tabled at all. The Foreign Ministers decided yesterday the way they did because a small number of them were not prepared to along with the majority of them on a stronger stance against apartheid. And so, because the veto might otherwise have been exercised, the Foreign Ministers settled for the lowest common denominator. But it is a scandal to see this House doing the same thing.

*(Applause from the left)*

Those who have so far supported us in the fight against apartheid should assert themselves once and for all against those members of their groups to whom exports, trade with South Africa and the profits to be made are apparently more important than the battle for human rights.

*(Applause from the left)*

<sup>1</sup> This was the compromise amendment tabled by Mr Klepsch, on behalf of the Group of the European People's Party, Mr Prag, on behalf of the European Democratic Group, Mrs Veil and Mr de Vries, on behalf of the Liberal and Allies Group, Mr de la Malène, on behalf of the Group of the European Democratic Alliance, as well as Mr Price, Mr Møller and Mr Welsh, seeking to replace the text of the motion for a resolution by a new text.

**Arndt**

What you are seeking to achieve today is in any case merely a brief episode and will be swiftly overtaken by events. Because the Socialist Group wishes to make the point that it refuses to go along with such timidity and — I am sorry to have to say it — such hypocrisy, we shall vote against the resolution.

*(Applause from the left)*

**Mr Klepsch (PPE).** — *(DE)* We do not propose to reopen the debate, as it has already taken up the whole day.

On behalf of my Group I would say the following: we have tried to find a joint text — and we would have liked all groups of the House to be involved. It became apparent at yesterday's coordinators' meeting that there was no way of reaching agreement with groups other than those which have tabled the compromise amendment.

I have two comments regarding this vote: we see it in connection with the overall statement made by the Foreign Ministers. As it is a compromise amendment, it is evident that there were some among us who wished to go further and some who wished not to go so far. That is the nature of a compromise! In our view this House should speak with one voice, precisely because we are prepared — as we say — to help in every way to get an end as soon as possible to the situation of apartheid in South Africa.

*(Applause from the centre and the right)*

**Mrs Simons (S).** — *(DE)* I should like to speak very briefly in order to correct what Mr Klepsch has just said. It is not true that the Socialist Group was unwilling to compromise. I myself went to this compromise meeting intending to take part. When I entered, Mr Prag told me there was no point in discussing things with the Socialists as the compromise text was already completed. That is the truth of the matter.

**Mr Trivelli (COM).** — *(IT)* We shall vote against this motion, because it is entirely inadequate to the dramatic events that are taking place in South Africa, and to the positions and proposals that are rapidly gaining ground in international political circles.

I do not know really whether, reading these two stunted paragraphs of the so-called compromise motion, there is anyone that is not ashamed of back-tracking of this kind.

The European Parliament needs to take up a strong position if the words about democracy, freedom and equality that originated here are to have any meaning. We must adopt a position condemning the Pretoria authorities and calling for adequate economic, military and political measures to isolate that country and help

the black people in their fight to win their own freedom.

**Mrs Flesch (L).** — *(FR)* There is one point on which absolutely everyone in this House is agreed — the most absolute condemnation of apartheid. During the debates we have seen how opinions can diverge on other points and on the way in which that condemnation should be shown. As Mr Klepsch pointed out, four groups in this Parliament have tried to find a compromise resolution. And I shall repeat what he said, because it was true of our Group as well. Some people wanted to go further, others not so far. That is typical of compromise resolutions. But that, Mr President, is why my Group will vote in favour of it.

**Mr Guermeur (RDE).** — *(FR)* My Group participated in the drafting of this joint motion for a resolution from the groups forming the liberal majority in the European Parliament. We wanted to express a detached rational attitude to a question which is quite clearly being used as a pretext for an ideological propaganda campaign by the Marxist and crypto-Marxist Groups in the Assembly.

The groups in question have given prominence to the situation in South Africa as a distraction, to advance the pawns of political subversion in Africa and to make public opinion forget the fate of the oppressed in Afghanistan, the Lebanon, everywhere where the Helsinki Agreements and the Universal Declaration of Human Rights are mocked.

Our position is clear. We challenge the hypocrisy which publicly anathematizes a country and at the same time covertly increases commercial transactions with the existing regime.

Let it be clearly understood: we condemn apartheid in South Africa, as we condemn any kind of racial, tribal, ethnic or religious discrimination whatsoever, without regard to the qualification of the regime which is guilty of it, whether East or West, left or right. We believe that economic sanctions to ruin the economy of a country are far more likely to result in poverty and violence, revolt and repression than to lead to the construction of a liberal regime, with freedom of expression for minorities.

In reality, if Parliament wants to assume the role of a guardian of human rights — which is entirely to its credit — it must abandon all partisan attitudes. All offences against justice have to be weighed in the same balance. There is no more need for our Assembly to immerse itself in soul-searching and false guilt over the nations of the world than there is for it to claim that its conscience is clear because it can indulge in demagoguery without any risk.

We Europeans are the leaders in helping the developing countries and we regard those countries as equal-

**Guermeur**

ranking partners. That gives us the right to be dispassionate and gives us objectivity in all relations between North and South. And we intend to keep to that.

**Mr Mattina (S).** — (IT) I agree with the statement by Comrade Arndt, and I confirm that we have achieved nothing — nothing as far as the Council is concerned and, unfortunately, nothing as far as Parliament is concerned. I do not believe, however, that that can be the end of the matter: there will be other victims in South Africa, we shall have further oppression, there will be further sackings of workers who go on strike, we shall still have so much poverty for so many workers and so much wealth for the few who are their oppressors. Well then, at this point I call on the enlarged Bureau at least to review its decision not to invite Bishop Tutu to give evidence in this Chamber of the tragedy in his country.

Let us at least offer an authoritative rostrum to an authoritative man, a man of peace. I believe that the Left is in agreement on this, and I ask the Christian Democrats to let themselves be guided by their Christian spirit and not the money-grabbing spirit of their countries or the capitalist groups in their countries.

**Ms Tongue (S).** — The black cause of liberation in South Africa will triumph. It must triumph because it is a just and righteous cause. The only questions facing us here today are how and when freedom will come to the black people of South Africa. Whites in South Africa and in our countries have to decide whether they want it to happen by negotiation or through violence and bloodshed. We have a moral responsibility to take whatever steps we can to apply pressure to the Botha Government. In the words of a South African lawyer I spoke to recently in Johannesburg, 'martial law now exists in South Africa'. Where are the voices of those who wanted to have sanctions against martial law in Poland but refused them against South Africa? Only a vote for progressive economic sanctions, such as outlined in the resolution of the Socialist Group, is a vote for a democratic non-racial South Africa without further bloodshed and human degradation.

**Mr Pearce (ED).** — I would like to explain why I am supporting with some reluctance the compromise resolution.

I want to see all people in South Africa enjoying the same economic and civil rights, which is not the case at this time. I want to see major and rapid change to the same standards that we expect in the Community for all the citizens of South Africa.

But I would have wished to see in this resolution some recognition of the not inconsiderable progress that has been made towards abolition of discrimination between races in South Africa. I would like to have seen some recognition of the fact that standards in

South Africa are good compared to standards of government and civil rights in, say, Uganda, Nigeria or other countries where government proceeds by *coup d'état*.

I would like to see recognition that sanctions would actually drive South Africa away from the western way of life and make them less susceptible to influence by us. I would like to see some recognition that the idea of one man one vote in one parliament is not necessarily appropriate in that country or elsewhere.

I therefore wish to reject sanctions and will support this motion with reluctance.

**Mr Maher (L).** — I want to say briefly that I support the compromise resolution. Not that I am entirely satisfied with it, but I believe that there is less risk of adding to the destabilization of that part of the world with a resolution of this kind than with any of the others.

**Mrs Dury (S).** — (FR) It is with a sense of shame and disappointment that I realize that the majority is going to vote in favour of a motion of this kind. Since we are told that there is unanimous condemnation of apartheid, I should like the entry which lists the Republic of South Africa among the diplomatic missions represented at plenary sessions of the European Parliament to be deleted from the telephone directory. It is an additional shame for our Parliament. I hope that next time we shall be spared it. It is proof that our condemnation of apartheid is no more real than that.

**Sir Peter Vanneck (ED).** — Mr President, on the allegation made against me in the Chamber this morning, I must refute it categorically despite the subsequent Socialist press release. The allegation made by the British Labour Member at the opening of business today, like most of his party's research and propaganda, was hopelessly — in this case six years — out of date. The same applies for the leader of my Group, Sir Henry Plumb.

I am against sanctions because sanctions, from those against Mussolini's Italy over Abyssinia to those against Russia over Afghanistan, just do not work. In fact, by strengthening the siege economy they can be counter-productive, aligning the *verlichte* elements with the *verkrampde* in a united front to resist all outside pressures. I am also against disinvestment, as are the most influential liberal progressive readers like Helen Suzman and Chief Buthelezi, who really know and understand the scene. We will only effectively influence South Africa to abolish *apartheid* — which we all abhor — by constructive involvement, not by a policy of ostracism based on emotion rather than experience and common sense. That concludes my explanation of vote.

**Peter Vanneck**

*Now*, in view of Mr David Martin's 'lies from the Lothians' and the fact that this press release has been sent to London for publication . . .

*(cries of, Time, time!)*

. . . I am advised that there are valid grounds for an action for libel. If Mr Martin does not here and now retract and apologize, I give him warning that I will pursue the matter . . .

**President.** — I am sorry, Sir Peter, but you have used up your speaking time.

**Sir Peter Vanneck (ED).** — The House has suffered enough from stupid Labour falsehoods. Mr Arndt should be ashamed to countenance these colleagues any longer. Labour lies discredit his Socialist party.

Mr President, Sir Henry and I wait to hear if Mr Martin now has the guts to stand up and admit he was wrong.

**Mr Sutra (S).** — *(FR)* When all the resolutions have been rejected and there is only one left, the way to face up to one's responsibilities is to vote against it and to want the European Parliament not to speak. That is what I shall do, because it is unthinkable for Europe to show today, by voting for the final resolution on the list, that it is more feeble than the United States of America in its condemnation of apartheid. It is unthinkable, as the Right told us this morning, for President Reagan to be regarded as opening the door to Communism in Africa. It is unthinkable for the American Senate to be thought irresponsible. If we want to be responsible, then, I say, let us reject this resolution! It is better not to speak than to speak under such conditions.

There is a rumour that the European Parliament yesterday morning refused to send an invitation to Desmond Tutu, merely because he is not a Head of State. But I recall that the same Bureau did invite Mr Lech Waleza and that he was greatly honoured that day. And I want the argument against Bishop Desmond Tutu dropped, since it was not used against Lech Waleza.

**Mr D. Martin (S).** — I take it from what Sir Peter Vanneck says that he is calling me a liar, because he spoke of 'lies from the Lothians'. I find that most offensive coming from another Member of this House.

My information sources were reputable sources. I checked the 1985 directory of directors, and the information I gave this morning to the House was contained in that directory. I also checked the latest edition of *Who Owns Whom* and confirmed my information. So my information is based on reliable sources.

Before we vote on this issue, I think the House is entitled to know that the Conservative Party opposite is financed to the tune of one million pounds a year by companies with holdings in South Africa. That is their motivation for voting today! That is the reason they are taking such a great effort to make sure that this House does not vote for sanctions, because their own party finance depends on trade with South Africa.

*(Applause from the left)*

**Mr Christiansen (S).** — *(DA)* The Danish Social Democrats, Mrs Gredal, Ove Fich and I, entirely agree with the statement made by Mr Arndt in the last motion for a resolution; it is in full accord with our previous voting policy. We have voted for three and we have voted against three. We also vote against this last one. We have chosen — albeit reluctantly — to vote for the three amendments which most closely reflect the views held by our party on the struggle against the apartheid system in South Africa. It is not least a question of demands for more far-reaching sanctions. The sanctions demanded by us include: a ban on oil exports and transport, a ban on imports of goods and raw materials, a ban on the transfer of technology, a ban on the sale of the South African Krugerrand by the banks, the phasing out of coal imports, aid for the victims of apartheid and direct support to the ANC. Finally, I would also demand the unconditional release of Nelson Mandela and other political prisoners. Now we must put the apartheid system under pressure and force it to liquidate itself as soon as possible.

*(Applause from the benches on the left)*

**Mrs Van den Heuvel (S).** — *(NL)* Despite all the fine words about the rights of the black population of South Africa, despite all the lip-service paid to the resistance to apartheid, of which we have again seen and heard more than our fill today in this Parliament, despite the defence of the rights of this Parliament, which, as the elected body representing the interests of the peoples of Europe, must urge ministers to adopt effective policies, the majority in this Parliament has nothing better to offer than a feeble declaration that serves only to prove that they are still tied to the apron-strings of the Foreign Ministers, who cannot even agree among themselves.

The one glimmer of hope that I must acknowledge is that the European Democrats have at least implicitly distanced themselves from the pernicious policy being pursued by the Thatcher Government on this point, and from the pernicious position that her government adopted yesterday in Luxembourg. But I cannot go home to my constituents with such a watered-down concoction. I shall therefore vote against the compromise motion.

**Mr Price (ED).** — I did make a request to the table before the first explanation of vote started to make an explanation of vote. I gather that it was not passed across to you, but I did make that request. As I was one of the parties to the compromise, I would like to give an oral explanation of vote briefly.

I shall be voting for this resolution in the basis of the compromise text submitted by four centre-right groups and certain individual Members, including myself. This resolution must be seen in conjunction with the measures announced by President Reagan this week. Together they represent a message to South Africa that the rest of the world, including the European Community, cannot stand back any longer from the situation there. These measures are not strong enough, but they could represent the first united measures against the present regime in South Africa. As such, their political significance is enormous. We must show that an increasingly anxious world is determined to ensure that the countdown to the end of apartheid has begun.

**Mr Aigner (PPE), in writing.** — (DE) I am voting in favour of this compromise only in order to prevent a Socialist-Communist front against South Africa. I am not myself in agreement with the compromise proposal, which is a clumsy attempt to help the South African Government in its efforts to eliminate aggression between the country's various racial groups and find a peaceful way towards a politically balanced system.

**Mr P. Beazley (ED), in writing.** — I need to explain my positive vote of support for the two packages of measures proposed on 10 September at the meeting of Foreign Ministers. I voted positively because I support the majority of these proposals, though I cannot support the recall of military attachés accredited to the RSA nor the refusal to grant accreditation to military attachés from the RSA.

Likewise I cannot agree to the discouragement of cultural and scientific agreements under the conditions proposed.

Furthermore, I cannot agree to the prohibition of all new collaboration in the peaceful nuclear sector for the production of electricity.

I do not agree to assist the front-line States in any military way, only in economic or cultural ways.

I believe that 'liberation out of the mouth of a gun' would be just as disastrous for the coloured, the Indian and the African races as for the white population.

I believe that the South African Government must immediately dismantle apartheid and make clear propositions without delay on the means and timing of a

programme for the granting of South African citizenship to all South African races with the necessary political, social, economic and cultural freedoms.

**Mr Blumenfeld (PPE), in writing.** — (DE) I shall vote for the motion, albeit with considerable reservations. For endorsement of the decisions taken in Luxembourg by the Foreign Ministers on 10 September 1985 means the adoption of economic, financial and trade sanctions. This was confirmed by Commissioner De Clercq when he spoke in the debate. I am against all forms of sanctions to push through political demands, against anyone and by any government. The South African Government can only be influenced by constructive political attitudes. As we are united in our condemnation of apartheid but not united as regards the way to express it, I consider the debate and the opinion of the European Parliament to be unrepresentative.

**Mr Habsburg (PPE), in writing.** — (DE) Our discussion in the last few days on the thorny subject of South Africa raises a fundamental question concerning Parliament's own view of its role, admittedly a question which is not new. Are we, like the UN, voices of a supposed world conscience or are we the representatives of those who sent us here? If the latter, it is our duty to defend the true interests of our electors and represent them to the best of our ability. I myself believe unconditionally that this is where our duty lies.

We must not forget that South Africa is vital to our electors. If it slides into chaos and anarchy, our people will suffer most. Within a short period of time we shall have many more millions unemployed. We would no longer be able to pursue an effective environmental policy. The blacks too would suffer because, as the example of Zimbabwe has shown, revolution leads to hunger, misery and death.

We do not want apartheid, but neither do we want bloodshed, one-party states or totalitarian dictatorship, and we do not want to sacrifice the interests of our peoples on the altar of an alien ideology.

**Mr Kolokotronis (S), in writing.** — (GR) I feel I must enlarge upon the vote which follows, against Mr Prag's motion for a resolution.

Apartheid is the clearest demonstration possible of the total abandonment of the principles of humanism and democracy. It is a real betrayal of the ideals confirmed by the great war against Fascism and popular struggles for peace, democracy and Socialism.

National Socialism/racism, which was totally defeated in 1945 and decisively condemned by all peoples, has become institutionalized in our time — for the second time in history — in South Africa.



### Kolokotronis

The oppression of the black majority population of South Africa must stop — an oppression which is backed up by racist institutions and laws employing fascist methods, and by a system of justice which is part of the fascist system itself. Condemnation of the regime has been universal. The European Parliament resolution of 18 April 1984 and the 1983 United Nations agreements, classifying apartheid as a crime against humanity, constitute the most representative examples of the disapproval in which the entire world holds this resurrected form of National Socialism. In spite of all this, the rule of terror in South Africa continues unchecked, entrenching itself even more deeply every day with its increasingly bloody deeds, as we all know. The European Parliament, more than any other institution, has a duty to stand beside the oppressed people of South Africa.

This solidarity must be expressed in clear-cut, effective terms. We should steer clear of evasiveness and vague generalities couched in high-sounding resolutions. We must stop posturing and abandon our policy of compromise with its ineffectual decisions. I propose that we adopt, as we should already have done today, a clear position urging the Member States of the EEC to take firm steps against South Africa. Sanctions are the only real way of supporting those who are oppressed, the only way of combating racism. Greece is one of the few countries which has a concrete policy against apartheid, having taken measures strict enough as to leave no margin for additional sanctions. It is also essential that we should work for the immediate release of Nelson Mandela and other political prisoners, the lifting of the existing state of emergency, and the organization of elections with equal rights of participation for all, regardless of colour. For these reasons I shall vote against the motion for a resolution by Mr Prag, while I voted in favour of Mr Lomas' motion, in the certain belief that the European Parliament is not limited to passing meaningless resolutions but that this Parliament will act swiftly to support the principles of democracy and humanity in South Africa with every means at its disposal.

**Mr Pirkl (PPE), in writing.** — (DE) On behalf of the seven MEPs from the CSU — my honourable friends Aigner, Bocklet, Friedrich, Habsburg, Schleicher, Stauffenberg and myself — I would stress that none of these resolutions on South Africa, including the compromise text in which our Group has played a part, are what we had hoped for. Although we strongly abhor apartheid, we think that sanctions against South Africa are wrong because in many cases the people clamouring for them in this instance are the same people who reject in principle the idea of sanctions against totalitarian regimes in, for example, Eastern and Central Europe. These are double standards, sacrificing true European interests on the altar of leftist ideologies and Soviet hegemony.

We shall not vote against this resolution, but only because we have managed to block even less satisfactory motions.

**Mr Seligman (ED), in writing.** — There is no reason why the EEC should impose sanctions or pursue disinvestment in South Africa just to show solidarity with the United States.

The reason for Congress's pressure for sanctions is the cynical pursuit of marginal votes from black electors. Europe, and Britain in particular, has a deeper knowledge and understanding of the South African problem than Americans have.

All sanctions are ineffective and counterproductive. Apartheid will only be removed by persuasion of the white population of South Africa. Sanctions will cause unemployment not only among the black city workers and the workers from neighbouring States, they will cause unemployment in Europe. And unemployment will bring violence nearer, and this will serve the purposes only of Soviet Russia, which supports any measures which damage the mineral supplies, the defence capacity and the stability of the West.

Disinvestment will merely mean selling assets in South Africa to Japanese and Far Eastern countries, which will have no interest in the EEC Code of Conduct.

No, the only correct course is to understand and help President Botha, who is introducing a programme of dismantling apartheid as quickly as is feasible, bearing in mind the reluctance of the 4.5 million whites whom he has to persuade. The sooner Botha's offer of a forum with representatives of the black majority, to find a practical programme towards their political representation, is put into action the better.

Threats of violence, unemployment and general chaos will only delay the start of this forum. Only economic recovery will speed it up.

*(Parliament rejected the compromise amendment — Loud and sustained applause from the left)*

**Mr Ford (S).** — Mr President, I would like to make a point of order under Rule 8 of the Rules of Procedure with regard to the Code of Conduct for Members of this Parliament. In doing so, I would like to refer to Rule 56(2), which deals with amendments to the agenda.

This says:

Once adopted, the agenda shall not be amended, except in application of Rules 57 and 84 to 88.

This afternoon, Mr President, you took the item on the drugs enquiry first, despite the fact that on the agenda the miner's enquiry was listed first. Yet no change was agreed by Parliament under either rule. Secondly, under Rule 83, a Member has the right to make a point of order and speak for up to three minutes, which, as the rule says, take precedence over other speakers. You deliberately ignored requests to make points of order from benches on the left while taking those from the right.

**President.** — Mr Ford, what you are saying is not quite correct!

**Mr Ford (S).** — (*Speaking simultaneously with the President*) Thirdly, with regard to Rule 80(1) on explanations of vote, we have the situation where you clearly discriminated against Mr Alavanos. I would like to say that your chairmanship today has been one of the most biased and partisan chairmanships I have had the misfortune to watch. Therefore I request under Rule 8 that your actions be reported to the Bureau as conduct unbecoming a Member of this Parliament.

**President.** — Rule 56(2) lays down that the agenda shall not be amended except on a proposal from the President. I did make this proposal. That is why we proceeded as we did.

We have already decided to close the sitting at 8 p.m. Now, of course, if you still want to get up and make 10 further points of order, it is all the same to me.

There is only one further thing that I would like to add. The vote on the reports that we have not got around to just now will be taken tomorrow at 6 p.m.

**Mr Klepsch (PPE).** — (*DE*) I should like to express my amazement over the joy shown by the left of the House at the fact that it has won the vote with the help of Mr Le Pen's extreme right-wingers. A strange alliance!

**Mrs Veil (L).** — (*FR*) Mr President, I should like to ask a question. It was a compromise amendment which was involved. Since the amendment was not voted, the initial motion for a resolution remains. Therefore we have to vote on the initial motion for a resolution.

(*Applause*)

**President.** — You are quite right, Mrs Veil. However, the House had decided to stop at 8 p.m. I must ask you formally therefore whether you are still prepared to go ahead with this vote.

(*Mixed reactions*)

According to the agenda we should stop at 8 p.m. Even if people are not in agreement with this, there is no way in which we can change the agenda. The vote must therefore be taken tomorrow.

**Sir Fred Catherwood (ED).** — We are in the middle of a vote. You have stopped in the middle of a vote! You cannot stop in the middle of a vote!

(*Applause*)

You don't take a vote on that. We continue the vote until the vote has finished. We start and we continue!

(*Applause*)

**Mr Arndt (S).** — (*DE*) But you cannot complete the voting tonight! If you adopt the amendments, there will then be explanations of vote. That will go on till 9 or 10 p.m. Be reasonable and say, all right, so we have lost for the moment and will see what to do about it tomorrow. You are right to say that voting has merely been interrupted. So let's continue the vote tomorrow.

**Mrs Veil (L).** — (*FR*) Mr President, we have already had situations where we have interrupted votes. But you cannot interrupt a vote where you have an amendment to a motion for a resolution.

The vote on a resolution has begun. We have voted on the amendment to a very clear-cut resolution. We cannot simply break off the vote now. We could have broken it off before this. You ought to have foreseen this situation, but we simply cannot break off the vote now.

(*Applause*)

**President.** — The House is sovereign. There was one time, for example, when we interrupted the vote on the Marinaro report. However, there is also another way of doing things! I shall therefore put it to the vote whether or not we want to push on now with this vote.

(*Mixed reactions*)

(*Parliament decided to continue with the vote*)

**Mr Chambeiron (COM).** — (*FR*) Mr President, I think the interpretation of the Rules of Procedure has to be clear. The groups which tabled a compromise amendment intended to replace their original resolution by the compromise amendment. If you will reread the text of the amendment, you will see that it replaces the resolution. In rejecting the amendment, we rejected everything. That is how the Rules should be interpreted.

(*Applause from the left*)

**President.** — We have only rejected the compromise amendment. We still have to vote on the motion for a resolution with all the amendments belonging to it.

(*Parliament rejected the motion for a resolution*)

(*The sitting was closed at 8.30 p.m.*)<sup>1</sup>

<sup>1</sup> Agenda for next sitting: see Minutes.

## ANNEX

I. *Questions to the Commission**Question No 1, by Mr Roux (H-641/84)*

Subject: Catalytic converters for lead-free petrol

Is the Commission aware that, according to experts, two grams of platinum will be needed for each exhaust-system fitted with a catalytic converter to cope satisfactorily with the harmful gases of motor vehicles, and that the increased demand for platinum arising from the implementation of Community rules will probably cause the already very high price of platinum to double? What measures does it propose to take to offset this side-effect, which will have unfortunate consequences for the Community, particularly as platinum is paid for in foreign currency?

*Answer*

The Commission has been advised that between 1 and 2 grams of platinum or rhodium are needed for the production of a three way catalytic converter for motor vehicles.

Research work suggests, however, that certain catalytic converters may require less precious metals. In addition, research on entirely different solutions not requiring precious metals has also been under way for some time centring on combustion technologies such as lean/fast burn techniques.

In Council discussions nine Member States have reached agreement on the values of lower permissible emissions of noxious fumes from motor car engines into the atmosphere over a period of years. This will allow industry to adapt to the new requirements and permit the development of alternative techniques, particularly for small and medium-sized cars.

It is not possible to establish the additional demand for platinum which would be generated, as it is impossible to say how many cars would in fact have to be fitted with catalytic converters. Total available supplies of platinum are estimated at between 70 and 80 tonnes a year. In relation to that figure the additional demand generated by catalytic converters would not be very great. Experience in the US did not suggest that the introduction of catalytic converters had had any very significant effect on prices.

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*Question No 11, by Mr Evrigenis (H-277/85)*

Subject: Utilization of Community credits by the private sector of the Greek economy

According to recent reports published in the Greek press, utilization by the private sector of the Greek economy of the credits made available by the EIB and other Community sources is particularly low. In banking circles, it is estimated that the amount of the credits actually taken up does not exceed 10% of the resources available.

If these facts are correct, can the Commission give its opinion as to the causes, at national or Community level, of this situation, and state whether it intends to propose or to take any measures to deal with this situation?

*Answer*

The Commission is not acquainted with the Greek press reports to which the honourable Member refers. Furthermore, it has no statistical data regarding Community loans and aid

to private enterprises, since the statistics are generally broken down according to the economic sector in question.

In 1981-1984 loans to Greece from the own resources of the European Investment Bank and from the resources of the New Community Instrument amounted to 106 260 million drachma, of which 26 180 million (25%) were allocated to industry, the service sector and farm holdings. The latter figure does not include loans for the Amynteon lignite mine of the Public Power Corporation. In the Community as a whole the proportion of EIB and NCI loans allocated to these sectors accounted for 29% during the same period. The figures for Greece are thus close to the Community average.

Between 1981 and 1984 ERDF aid to industry, craft trades and the service sector in Greece amounted to approximately 2 810 million drachma, or 3.4% of the total ERDF aid to Greece. This low figure stems from the fact that the Greek authorities made relatively few applications in this sector. Of the 105 Greek applications submitted during the period in question, 103 were granted ERDF aid.

A total of 2 000 million ECU in structural fund credits and in a specific budget heading is earmarked for Greece as part of the integrated programmes for the Mediterranean, and the volume of Community aid to the private sector in Greece should as a result increase considerably.

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*Question No 12, by Mr Mouchel (H-287/85)*

Subject: European refining industry

What steps does the Commission intend to propose to protect European refining and petrochemical capacity from unfair competition from rich exporting countries?

*Answer*

The Commission does not intend to propose any special measures to protect European refining and petrochemical capacity from unfair competition from exporting countries.

With regard to refining and petroleum products, the Council, acting on a proposal from the Commission, took the opportunity at a meeting in Luxembourg on 20 June to reaffirm its position of allowing petroleum product imports, particularly from new exporting refineries in the Middle East and North Africa. The Council especially recognized the need to continue urging the major industrialized partners, and Japan in particular, to cooperate in maintaining or creating conditions of access to their markets, thus enabling international trade in petroleum products to function in a balanced fashion.

It was agreed at the meeting that the guidelines adopted by the Council would be put forward by the Commission and the Member States concerned at the ministerial meeting of the International Energy Agency in Paris on 9 July, when the question of petroleum product imports from exporting countries was to be raised.

In the weeks preceding the meeting and during the meeting itself the Commission, with the active support of the Member States, maintained close contact with the American and Japanese delegations with a view to encouraging decisions in line with the Council's guidelines.

The communiqué issued at the end of the meeting clearly indicated that this aim was largely achieved, and both the United States and Japan pledged to pursue a policy of market access comparable with that of the Community. The Commission will observe the situation to see how far these pledges are maintained.

In the case of petrochemical products, as for petroleum products, there are no quantitative restrictions on imports to Community markets. The Commission maintains the non-discri-

minatory position which, in accordance with GATT rules and the system of generalized preferences, governs its policy with regard to petrochemical imports from developing countries.

It is the Commission's opinion that these developments with regard to refining and petrochemicals, in view of their comparable advantages, satisfy the legitimate aspirations of these countries. For its part, the Commission is following the trend in the pattern of imports and it will not fail to point out any unfair competition or practice which it detects.

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*Question No 16, by Mrs Lizin (H-328/85)*

Subject: Tihange III — Safety

Can the Commission say what the outcome was of the safety checks carried out in accordance with the Euratom Treaty before the commissioning of the III block at Tihange, and can it in particular provide information on the strength of this block to withstand earth tremors?

*Answer*

The analyses were carried out in accordance with Article 37 of the Euratom Treaty. The combined general data for Tihange II and Tihange III were received on 3 September 1981 by the Commission which issued its opinion on 14 December 1981 after duly consulting the group of experts referred to in Article 37. No particular hazard from seismic events was noted.

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*Question No 17, by Mr von Wogau (H-581/84)*

Subject: Belgian customs' refusal to allow transit of private stamp collections

On 31 August 1984 twelve citizens of the French town of Barentin sought to travel to Barentin's twin town of Warendorf, taking with them their private stamp collections, in response to an invitation from Warendorf to take part in an exhibition there. They had with them the necessary export documents from French customs. Belgian customs officers nevertheless refused to allow the group to cross the border. Eight members of the French party were able to continue their journey, but without their stamps. The other four had to turn back, taking all the stamps with them. Does the Commission consider the Belgian customs authorities' refusal to allow the transit of private stamp collections to be compatible with the EEC Treaty?

*Answer*

The Commission is not aware of the particular case to which the honourable Member refers. If he would care to provide me with the detailed information I should be happy to look into the matter and, if necessary, take it up with the Belgian authorities.

As the honourable Member will know, the Commission has put forward proposals in the white paper on the internal market for the removal of all the barriers which at present divide Europe. The adoption of these proposals would largely or wholly eliminate the kind of problems to which the honourable Member refers.

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*Question No 18, by Mr Van Miert (H-678/84)*

Subject: Members of the Commission

At the end of their period of office, or even earlier, a number of Members of the Commission immediately take up posts with banks or companies.

Does the Commission not consider that this practice is contrary to the letter and spirit of Article 157 of the EEC Treaty?

*Answer*

The honourable Member is referring to Article 157 of the EEC Treaty which was replaced, with regard to the matter raised, by Article 10(2) of the Treaty of 5 April 1967 establishing a single Council and a single Commission of the European Communities. This text contains no ban on accepting duties which involve the defence of interests other than the general interest of the Communities for which former Members of the Commission worked during their term of office. This would otherwise be a practical ban on all further employment in both the private and the public sectors. The basic aim of this provision is to safeguard the independence of the Members of the Commission during their term of office and to exclude the possibility that a former Member of the Commission might, in his new post, make use of the particular information he obtained during his term of office.

Taking up a post with a bank after the expiry of a Member's term of office cannot therefore be regarded as an infringement of Article 10 of the merger treaty.

The Commission has not found that any Member or former Member of the Commission has failed to comply with the provisions of the article.

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*Question No 21, by Mrs Thome-Patenôtre (H-22/85)*

Subject: Enlargement

On accession to the Community twelve years ago, Denmark, Ireland and the United Kingdom undertook to accede to the European judicial area as constituted by the EEC Convention of 27 September 1968 on the Recognition and Enforcement of Judgments in Civil and Commercial Matters between Member States. However, this obligation has not been fulfilled owing to the failure of Belgium and the 'Three' to ratify the Convention as extended on 9 October 1978. Now that the third enlargement is imminent, is it appropriate for the Community authorities to continue being patient with the four Member States in question? Is it right that the 'Three' should persist in refusing to accept the Community patrimony? Will not the European public, subject as they are to the law, grow weary of this situation, and what does the Commission intend to do to put an end to this anomaly which gives cause for ever greater concern as time passes?

*Answer*

The Commission has, on a number of occasions, recommended that the Member States mentioned by the honourable Member should ratify the 1968 Convention on Jurisdiction and Enforcement of Judgments in Civil and Commercial matters without delay. It is regrettable that they have not done so and I would like to use this occasion to make a further appeal to them to ratify it without delay.

Article 220 of the EEC Treaty, under which this Convention is based, does not give the Commission the power to take legal action against those States who do not ratify such conventions and the Commission can only use persuasion.

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Question No 26, by Mrs Crawley (H-241/85)

Subject: Problems in allocation of 1985 Social Fund

To what extent are the immense problems experienced by the allocation of the 1985 Social Fund due to the inadequate level of Commission staffing involved, and to what extent is this, itself, exacerbated by the 60% short-fall in the funds needed to meet the approximate 600% increase in applications to the SF in the last 2 years?

Answer

1. The European Social Fund's personnel comprises 60 persons. The Fund's tasks are as follows:
- processing of applications for assistance (4783 in 1985), preparation of the Commission's decisions for assistance
  - on-the-spot checks and audits of funded operations
  - evaluations and efficiency audits of given types of operations
  - accounting questions, budgetary and general management, amendments to existing regulations, decisions and guidelines
  - draft annual report.
2. In the circumstances of the workload described above, the lack of personnel has been severely felt. Its detrimental effects have increased as the Fund's scope has widened concerning in particular for the first time young people of 16 to 18 years.
3. As regards the actual size of the Fund's budget, the number of applications for assistance habitually increases by 30% each year while the budget does not increase at this rate. As a result, the Fund's available resources are constantly under strain and the Commission is compelled to carry out each year a sensitive and time-consuming selection among the many applications submitted.

The following tables give an indication of the increase in workload caused by:

- the increase in applications for assistance
- the lack of resources as compared with the demand for Fund support.

EUROPEAN SOCIAL FUND

NUMBER OF APPLICATIONS IN THE FINANCIAL YEARS 1979-1985

Financial year	Number of applications for Fund assistance	Increase in % (Index 1979 = 100%)
1979	251	100.0
1980	267	106.4
1981	355	141.4
1982	474	188.8
1983	752	299.6
1984	3 370	1 342.6
1985	4 783	1 906.4

*Question No 27, by Mr Jepsen (H-258/85)*

Subject: Veterinary hazards of importing meat from Hungary into the Community

Fresh meat is often imported into the Community, including Denmark, from Hungary. What information can the Commission supply on the veterinary hazards linked to such imports, including details of the spread of swine-fever and foot-and-mouth disease in Hungary and measures taken to combat these serious diseases, and what does the Commission propose to do to prevent disease spreading to the territories of the Member States?

*Answer*

According to the latest information available to the Commission as the result of a Community veterinary mission to Hungary during the last week of August 1985, the animal health situation in Hungary continues to be satisfactory.

Classical swine fever has not been recorded since 1972. No vaccination is practised.

Foot and mouth disease was last recorded in 1972. Vaccination is practised in a zone along the Romanian frontier.

African swine fever has never been recorded in Hungary.

Swine vesicular disease has never been recorded in Hungarian pigs. However in April 1983 serological positive results were obtained in imported pigs in quarantine. The virus of SVD was not recovered. All the imported pigs were destroyed.

Community rules on imports of meat from Hungary (and other third countries) lay down requirements for certification by the official veterinary services of freedom of animals from disease prior to slaughter. The Commission is of the opinion that adequate guarantees are therefore available to Member States.

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*Question No 28, by Mrs Wieczorek-Zeul (H-378/85)<sup>1</sup>*

Subject: Discrimination against women in category A posts

In its answer to Written Question No 765/84<sup>2</sup> by Mr Ford, the Commission provided figures for officials and temporary staff employed by the Commission broken down according to grade and sex. These figures clearly indicate definite discrimination against women holding posts in category A, particularly in grades A 2 and A 3.

In its answer to Written Question No 1615/84<sup>3</sup> by Mrs Chouraqui, the Commission stated that it was endeavouring to promote equal opportunities for men and women on recruitment. It noted that under Action 12 of the action programme to promote equal opportunities for women, measures were to be taken to achieve a fairer distribution of posts between the sexes in all sectors and occupations and at all levels of seniority.

1. What special measures can the Commission claim to have taken since the introduction of the action programme to achieve a fairer distribution between the sexes of grade A 2 posts within its own Administration?
2. Can it state how many appointments and promotions it made, broken down according to grade and sex, in 1982, 1983 and 1984?

<sup>1</sup> Former oral question without debate (0-54/85) converted into a question for Question Time.

<sup>2</sup> OJ C 19 of 21 January 1985, p. 14.

<sup>3</sup> OJ C 161 of 1 July 1985, p. 30.



3. Does it consider those figures satisfactory?

*Answer*

1. Parliament was notified of the special measures taken by the Commission in the letter of 7 May 1985 from Mr Christophersen to Mrs Lenz, chairman of the Committee on Women's Rights. The measures do not concern a specific category but are aimed at all departments in the Commission.

2. The data requested by the honourable Member will be forwarded in writing.

3. The Commission is not satisfied with the results and for this reason continues to promote equal opportunity within its departments by all possible means, including in particular a programme of positive action.

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*Question No 29, by Mr Lomas (H-281/85)*

Subject: Sugar quotas

Can the Commission assure me that there is no intention of increasing the level of beet sugar quotas and that the present cane sugar quotas will be maintained?

*Answer*

The Commission has just submitted proposals to the Council and Parliament, as set out in document COM(85) 433 final of 7 August 1985, extending for five years the system of sugar production quotas and strengthening the present financing system, so that the principle of self-financing in this sector can be effectively fulfilled. For this period the Commission is proposing to maintain the quotas at their 1985/1986 level, to increase the basic levy limit from 2% to 2,5%, and to increase the maximum permitted B levy that the Council may set from 37.5% to 47%.

Parliament will have the opportunity to deliver its opinion on this proposal in the near future.

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*Question No 30, by Mrs Squarcialupi (H-282/85)*

Subject: Disposal of dioxin from Seveso

Can the Commission state what present facilities exist in Member States for the disposal of highly toxic residues such as those containing dioxin and can it also assure the European Parliament that the waste material from Seveso will be properly disposed of in an incinerator in Switzerland?

*Answer*

Highly toxic wastes like those referred to by the honourable Member are disposed of either by storage or by incineration. The Commission considers that storage should be regarded as a temporary solution.

At present incineration is the most effective disposal method provided that it is done in the right conditions. The waste must be subjected in the combustion chamber to temperatures not falling below 1 200° C for at least 2 seconds with enhanced oxygen supply.

As the Commission stated in its reply to written question No 1915/84 by Mrs Dorothee Piermont, it has included in its research programme the investigation of alternative methods of elimination, in particular electro-chemical processes and pyrolysis.

PCBs and PCTs are among the commonest forms of waste, and there are approved incineration facilities for their construction in five Member States. Total incineration capacity may be put at about 10 000 to 15 000 tonnes per year at an average cost of 1 200 ECU per tonne; the actual cost can vary by as much as a factor of 2 depending on the waste content.

As regards the incineration of the dioxin waste from Seveso stored by Hoffmann-La-Roche at Basle, a first batch was destroyed in June in the Ciba-Geigy incinerator. The incineration took place without any problem as planned. The following materials have been incinerated: 29 drums containing the residue of the vat of the Icmesa plant, and 12 drums containing contaminated equipment and various slightly contaminated residues. Some slightly contaminated equipment kept on the Gevaudan premises at Dubendorf is still to be eliminated. The detailed report on the elimination plan is at Mrs Squarcialupi's disposal.

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*Question No 32, by Mr Christensen (H-311/85)*

Subject: Compulsory labelling of foodstuffs

The food industry has begun to use a concentrated product containing phenylalanine as a sweetener. This gives rise to problems in the dietetic treatment of children suffering from phenylketonuria (Folling's disease). In Denmark there are 5 000 such children. However, if it were compulsory to indicate on the label how many milligrams of phenylalanine a product contained, the parents could take appropriate action. There are reports in Denmark that the European Community is preventing the Danish authorities from resolving the problem themselves.

Does the Commission intend to prohibit Denmark from introducing compulsory labelling on foodstuffs to which sweeteners containing phenylalanine have been added?

*Answer*

Council Directive 79/112/EEC on the labelling of foodstuffs requires that if a Member State wishes to specify more precise labelling for certain foods than those provided for in the labelling directive, a request has to be made to the Commission; such requests are then discussed with representatives of all Member States and relevant experts.

The Commission has not received any requests from any of the Member States to introduce compulsory labelling on foodstuffs to which certain sweeteners have to be added; the allegation that the Commission is preventing the Danish authorities from taking action in this field is therefore unfounded.

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*Question No 33, by Mrs Oppenheim (H-319/85)*

Subject: VAT on gate money at sporting events

The Commission's proposal for an 18th Council directive harmonizing the legislation of the Member States on sales taxes includes a proposal to do away with the right not to levy VAT on gate money at sporting events. In view of the major social and cultural import-

ance to society of, in particular, amateur sport and the valuable work of unpaid voluntary sports coaches, will the Commission take the initiative in exempting amateur sport throughout the Member States from the proposed requirement to pay VAT, so that only more commercially oriented activities continue to be subject to a tax on added value?

*Answer*

The sixth Council directive of 17 May 1977 on the common system of value added tax provided for the possibility of continuing to exempt admission to sporting events from VAT, on a transitional basis only. This was to enable Member States which exempted such transactions at the time when the directive was adopted to adapt gradually to the normal tax scheme.

Value added tax is a general tax on consumption and its scope should therefore remain as wide as possible. In the interests of transparency, moreover, exemptions should be avoided which treat the same activity discriminatorily according to whether it is carried out by professionals or by amateurs.

The Council did however bear in mind the importance of sport in our society and the sixth directive makes provision for two exemptions on a permanent basis: the first in respect of certain services closely linked to sport or physical education supplied by non-profit-making organizations to persons taking part in sport and the second in respect of the supply of services and goods by such organizations in connection with fund-raising events.

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*Question No 34, by Mr Collins (H-322/85)*

Subject: Capacity reductions in the steel industry in the Member States

According to recently published figures capacity reductions in the steel industry in the Member States in the last few years since the acceptance of the 'Davignon Plan' by the Community have shown wide variations and clear failure by some Member States to conform to the requirements of the plan. Given that the Commission now appears to feel further capacity reductions may be necessary, will they indicate their support for the view that those countries who have achieved substantial capacity reductions in the past will be exempted from new cuts?

*Answer*

It is not the opinion of the Commission that the capacity reductions in the steel industry obtained or guaranteed before the end of 1985 in the framework of its monitoring of the anti-crisis measures can in any single Member State be characterized as a failure. It draws the attention of the honourable Member to the fact that the target as to reduction of hot-rolling capacity in the Community's steel industry by end 1985 was set by the meeting of the Ministers of Industry in Elsinore in November 1982 to be in the order of 30-35 million tonnes. In pursuance thereof the Commission, by the series of decisions it took on 29 June 1983 as to aid to the steel industry of the Community, imposed capacity reductions totalling 26.7 million tonnes, distributed on an equitable basis among the steel industries of the various Member States in accordance with the volume of aid planned and with due consideration to the socio-economic and regional criteria laid down in the Aid Code No 2320/81/ECSC of 7 August 1981.

The Commission's expectations that to these imposed capacity reductions would be added further cuts through the individual need of certain undertakings to strengthen their competitive position on the market, so that the minimum target set at Elsinore would be reached, have been met, as according to present state capacity reductions already accomplished or promised effective before end 1985 are exceeding 30 million tonnes.

Hereby an average utilization rate of 70% of Community production capacity will be attained. For certain products, such as heavy plate and profiles, the utilization rate remains well below this level, while hot-rolled coils and narrow strip represent a higher rate. In such a situation where excess capacities still exist — although to a different extent — it is clear that many undertakings, and especially those which have only just reached viability, will have to make further reductions in production capacity in order to safeguard their viability. This additional adaptation of offer to demand should be the result of a voluntary individual decision by the enterprises, enforced by the pressure of the market, and not the consequence of market dirigism exercised by the Commission.

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*Question No 35, by Mr Wedekind (H-379/85)<sup>1</sup>*

Subject: Bureaucratic obstacles to the free movement of goods by the Italian authorities in respect of imports of second-hand motor vehicles

Following on from the information in response to Question H-130/85<sup>2</sup> on this subject it is gratifying to note that action by the Commission under Article 169 of the EEC Treaty brought about a change of heart in the Italian Government.

Can the Commission confirm that the ministerial decree requiring a certificate of origin for imported second-hand cars has now been abrogated but that the Italian licensing authorities choose to ignore this fact and continue to seek to prevent quite unjustifiably the import of cars by requiring this certificate of origin, and does the Commission intend to pursue the procedure provided for in Article 169 of the EEC Treaty by bringing the matter before the Court of Justice?

*Answer*

This matter has, I hope, now been resolved satisfactorily.

When it became clear that, despite the decision of the Italian Administrative Court, the Italian authorities were not prepared to suspend the application of Decree 22/85 requiring a certificate of origin for every imported car to be registered, the Commission immediately brought the matter before the Court of Justice, under Article 169 of the EEC Treaty, and applied for interim measures to be taken.

By order of 7 June 1985, the President of the Court ruled that, pending the final decision of the Court, the Italian authorities should impose on parallel importers no stricter requirements than those in force before July 1984.

The Italian authorities have complied with this order, by adopting circular 105/85, and I understand that parallel imports of cars can now be made.

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*Question No 36, by Mr Roelants du Vivier (H-343/85)*

Subject: Action programme on waste disposal

Several months ago the Commission undertook to make proposals for a medium- and long-term action programme on waste disposal; could it state precisely when it intends to put this promise into effect?

<sup>1</sup> Former oral question without debate (0-64/85) converted into a question for Question Time.

<sup>2</sup> Debates of the European Parliament No 2-326.

*Answer*

The policy of the European Community as far as the management of waste is clearly set out in the Action Programmes of the Community on the Environment which have of course been extensively debated by the Parliament, before being approved by the Council. The Action Programme stresses the three-fold objective of:

- (i) reducing the volume of waste created;
- (ii) re-using and recycling wastes wherever possible and
- (iii) disposing safely of any residual waste.

It also lays down a series of concrete actions for the Community. The Commission has, for the last several years, closely followed the policies and programmes laid down in the Environment Action Programme and this will continue to serve as the main guideline for our work.

As the honourable Member notes in his question, the Commission has indicated its readiness to elaborate in more detail a 'waste management strategy' following, in particular, the results of the very valuable enquiry into waste management undertaken by the Parliament's special committee on this subject. A draft document has been prepared and is now being reviewed both inside the Commission and with national experts. When this process is finished, it will, of course, be sent to the Parliament. We would hope to do this by the end of the year.

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*Question No 37, by Mrs Boserup (H-345/85)*

Subject: Aerial photography of vineyards in the Community

In January 1975 the Council adopted Regulation 154/75, which required Italy and France to establish a register of their olive-growing areas. At the end of 1979 the Council adopted a new regulation, No 2276/79, which makes special provision for the use of aerial photography. Council Regulation 3453/80 brought Greece within the scope of the 1975 regulation. Final work in all three countries is expected to be completed by the end of the 1980s at the earliest.

The Commission is reported to be considering mapping all the vine-growing areas in the Community with the aid of aerial photography. Will the Commission state when this mapping is expected to be started and completed and give an estimate of the likely costs, including the cost of preparatory work and subsequent analytical work (counting the number of vines producing grapes) using aerial photographs?

*Answer*

When the Council adopted measures in March for the reform of the common organization of the market in wine, there was provision for the adoption before 1 October this year of general rules for the establishment of a vineyard register. The Commission will submit a relevant proposal in such time as to allow the Council to meet this deadline.

The Commission's proposal will state the aim of the project, the schedule to be followed in drawing up the register and the means of financing. The Commission will make no reference to the methods to be used as each Member State is free to use whatever methods it wishes, including aerial photography, to achieve the stated aims.

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*Question No 39, by Mr Romualdi (H-351/85)*

Subject: Imports of live frogs into France

Contrary to the information given on various occasions, the edible frogs entering France are imported live and the quantity is 750 tonnes. Health inspections are compulsory and the frogs are killed like any other animals, sheep, rabbits, etc., after their body temperature has been reduced to 6 degrees.

Can the Commission therefore give an assurance that it has no intention of considering a regulation banning imports of live frogs into France.

*Answer*

As the honourable Member may know, at the fifth annual meeting of the parties to the Convention on International Trade in Endangered Species of wild fauna and flora (CITES), which took place in Buenos Aires earlier this year, it was decided to place two species of bullfrog on appendix II, a list of plants and animals for which trade is strictly monitored by CITES member countries. The European Community has adopted its own Regulation (EEC 3626/82) under which the provisions of CITES are applied on a Community basis. In July the Commission<sup>1</sup> adopted a regulation containing the necessary modifications to this regulation which takes fully into account the decisions of the fifth annual meeting of CITES, including of course those relating to the inclusion of bullfrogs in appendix II. In the light of the information on the status of the species concerned (*rana tigerina* and *rana hexadactyla*) presented to the conference of the parties in April 1985, the Commission has no intention to propose stricter Community measures.

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*Question No 41, by Sir Peter Vannack (H-353/85)*

Subject: Discrimination on grounds of nationality: medical graduates

Under the so-called 'safety net' scheme operated by the United Kingdom Department of Health and Social Security (DHSS), regional health authorities are expressly forbidden to employ non-UK medical graduates to fill pre-registration house officer posts in hospitals. Thus medical graduates from other Member States are being refused places in British hospitals even when they are well-qualified, both medically and linguistically, to fill them.

Does the Commission consider that the DHSS instructions are contrary to the Treaty and especially Article 7 thereof and amount to a breach of the Community directive on doctors? If so, what action does the Commission intend to take to remedy the situation?

*Answer*

Before any newly trained doctor in the United Kingdom can be registered for practice as a doctor by the General Medical Council, he or she has to undertake a pre-registration year. The pre-registration house officer posts in the United Kingdom National Health Service (NHS) are provided specifically to meet this need. They also ensure that the requirements as to suitable clinical experience referred to in Article 1-1(d) of Directive 75/363/EEC are met. The freedom of movement for exercise of the profession provided for in the doctors directives relates to qualified doctors, not to those undergoing training. The directives harmonize the standard of training as a whole given in Member States, but not the individual national procedures whereby that agreed Community level is reached.

<sup>1</sup> OJ L 231 of 20 August 1985.

Furthermore, the NHS instructions referred to by the honourable Member do not distinguish on grounds of nationality in the way that he implies. The instructions define a 'UK graduate' as 'any doctor who has undertaken undergraduate clinical studies at a UK medical school'. This includes non-UK nationals.

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*Question No 42, by Mr Pearce (H-354/85)*

Subject: Speed limits on motorways

Does the Commission know when the Federal Republic of Germany will introduce speed limits on motorways to reduce pollution from vehicle exhausts consistent with its general view on pollution by cars?

*Answer*

The German Government has not yet informed the Commission of any intention to introduce speed limits on motorways.

However, the Commission is aware that the German Ministry of Transport is performing a large scale experiment which will provide data on emission variation resulting from a speed reduction of passenger cars on the German motorways. In doing so, other interesting results will also be acquired such as variations in fuel consumption and possible influences on road safety and travel time etc.

The report to the Minister is due by 21 November. To the Commission's knowledge, the effect of emission variations on forests is not part of the experiment.

As you are probably aware, during the last Environment Council, I announced the intention of the Commission to study the need for Community-wide speed limits and to submit proposals if appropriate.

The results of the German experience will no doubt constitute a valuable input to this complex matter.

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*Question No 44, by Mr Anastassopoulos (H-359/85)*

Subject: Proposal for a regulation on social legislation relating to road transport

Is it true that the Commission challenged the Commission's right to withdraw its proposal for a regulation on social legislation relating to road transport (COM(84) 147 fin./2), on which the European Parliament had given an opinion, when it became apparent that the Council wished to make substantial amendments to the proposal? If the answer to this question is affirmative how, having regard to Article 149 of the Treaty establishing the European Communities, does the Commission intend to react in defence of its right of initiative?

*Answer*

It is true that in the case mentioned by the honourable Member of Parliament, the Council was advised by its services that, independently of a general analysis of the balance of the relationship between the Commission and the Council in the field of the Community legislation, the final arbiter of which is the Court of Justice, the withdrawal by the Com-

mission of this proposal in circumstances where the Council was going to amend it unanimously would have been contrary to the text and general system of the Treaty.

For its part, the Commission sticks to its view that the right to withdraw a proposal is inherent in its right of initiative under the Treaty.

The Commission will make use of the right to withdraw a proposal in any case where it seems necessary.

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*Question No 45, by Mr Pranchère (H-362/85)*

Subject: Integrated development operations

In its new proposal for a regulation relating to integrated Mediterranean programmes the Commission makes provision for 2 500 million ECU to be financed over seven years from the structural funds. Can it give an assurance that this 'levy' will not prevent the implementation of integrated development operations for which preparatory studies have already been carried out?

*Answer*

The contribution of 2 500 million ECU over seven years from the structural funds to finance the integrated Mediterranean programmes represents only about 6% of the total funds available. Consequently, there are ample funds available to finance other actions or integrated programmes by the Community.

Furthermore, in the case of the Mediterranean regions which are the object of integrated programmes, the results which are already available from preliminary studies may be used to a large extent in the preparation of proposals for integrated programmes for the Mediterranean or in the implementation of possible short-term preliminary actions.

It appears that, both in areas which are the object of integrated programmes and in other areas, the contribution of structural funds to finance these programmes will in no way prevent the implementation of integrated development schemes.

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*Question No 47, by Mr Pitt (H-367/85)*

Subject: Harmonization of sale of used tyres

Is the Commission aware that, because of differences in regulations concerning the sale of used tyres, dangerous tyres are being exported from other EEC countries for sale in the UK? Will the Commission comment on the different controls exercised by Member States in regard to such trade, and indicate any intention of introducing measures to harmonize the sale of used tyres in all EEC countries?

*Answer*

The Commission is not aware that dangerous tyres are being exported to the UK from other EEC countries.

Under existing Community law, Member States are entitled to prohibit the importation and/or sale of used tyres if they believe that such articles could endanger road safety. It is



thus up to the UK authorities, in the first instance, to decide what action, if any, should be taken with regard to used tyres.

The Commission is not planning proposals concerning the harmonization of the conditions of sale for used tyres, though a proposal on new tyres has been before the Council since 1976. Regulations on the use of tyres, including the resale of used tyres, vary according to the particular safety needs or differing climatic and road conditions of the Member States; this makes it very difficult to envisage a beneficial regime applicable to all.

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*Question No 48, by Mr McCartin (H-368/85)*

Subject: Travellers between the two parts of Ireland

Does the Commission consider that the severe restrictions and impositions imposed by the British authorities, on the grounds of security, on travellers between the two parts of Ireland, are no longer justified within a 'Citizens Europe'? Does the Commission think that this practice is an infringement of the free movement of the people of Europe?

*Answer*

Under Community law, citizens of one Member State travelling to another Member State are simply required to produce a valid identity card or passport for entry into that Member State. However, Member States may introduce more intensive checks on persons crossing borders on grounds of public policy or public security.

As the honourable Member will know, the Commission has put forward proposals to further facilitate movement of Member States' nationals. These would provide that in general intra-Community border controls would be replaced by spot checks, except in circumstances where the domestic security of a Member State would be jeopardized.

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*Question No 49, by Mr Filinis (H-369/85)*

Subject: Common Organization of the Market in table olives

Under Article 70(1) of the Treaty of Accession of Greece to the European Communities, the Commission is required to establish a Common Organization of the Market in table olives by 31 December 1985. To date, however, the Commission has not formulated a proposal to the Council of Ministers for carrying out this obligation.

Could the Commission clarify when it intends to submit its proposal to the Council of Ministers, so that the procedure for establishing a common market is completed on time, in order to encompass the current growing season which begins at the end of the year?

*Answer*

The Treaty of Accession of Greece to the EEC makes provision for the Council to adopt, by 31 December 1985, the special measures which may be needed for table olives. The possible measures are to be adopted on the basis of a report which the Commission is going to submit to the Council. The Commission expects to submit the report shortly, and in any case in time enough for the Council to act before the end of 1985.

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*Question No 50, by Mr Iversen (H-371/85)*

Subject: Volume of sales of South African gold in the Ten Member States

In Denmark the major banks have stopped selling the South African gold coins known as 'krugerrands' in response to pressure from, inter alia, the Churches' Race Programme. It is widely known that the sale of krugerrands is a major source of foreign currency earnings for the racist apartheid régime in South Africa. Can the Commission in this connection give details of the total sales of krugerrands in the Ten Member States?

*Answer*

The Community, and in particular the Commission, have frequently expressed the belief that the apartheid policy, as expressed by the current South African Government, should be condemned and abandoned forthwith in its entirety. The Community is convinced that it should do all in its power to bring about its rapid end by peaceful means.

The political appreciation of appropriate measures which could bring the South African Government to reason is currently under careful examination by the Community. For its part, the Commission has made it clear on several occasions that it does not exclude any measures, including sanctions.

Any action, including against imports of krugerrands would, in the Commission's view, need to be concerted at Community level in order to make such a measure effective. At the present time, the Commission does not possess figures on the import of krugerrands in the ten Member States of the Community, however figures on the import of gold coins in general from South Africa are available and will be transmitted directly to the honourable Member.

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*Question No 51, by Mr Schinzel (H-373/85/rev.)*

Subject: Use of German company cars in Belgium by employees working in West Germany and resident in Belgium

The Belgian customs administration has recently authorized the use of German company cars in Belgium by employees working in West Germany and resident in Belgium only on condition, however, that the full amount of Belgian road tax is paid. The authorization entitles the person concerned to travel only between his place of work in West Germany and his residence in Belgium via a previously determined border crossing point. Furthermore, it is not permitted to convey passengers.

Does the Commission share the view that this kind of 'solution' seems extremely questionable at a time when the opening up of frontiers is being publicized everywhere and, in its opinion, does the fact that the person concerned may use only a few kilometres of the Belgian road network despite paying the full Belgian road tax and that a transit journey through Belgium to do business in France is still not allowed, not constitute an act of discrimination?

*Answer*

The Commission is aware of the problems which arise where a resident of one Member State uses within that State a company car registered in another Member State.

At present the restrictions mentioned by the honourable Member do not infringe Community law. The Court of Justice in its decision of 11 December 1984 in Case 134/83<sup>1</sup>

<sup>1</sup> OJ C 3 of 5 January 1985, p. 5.

ruled that: 'The provisions of the EEC Treaty on the free movement of goods do not preclude national legislation from making it an offence for persons resident within the territory of a Member State to use motor vehicles to which a temporary importation procedure has been applied and which are therefore exempt from payment of value-added tax, even if that legislation makes no exemption for cases where such use is made without any intention of evading that tax'.

The Commission does not consider this situation to be satisfactory and will be proposing an amending directive, on which work is in hand<sup>1</sup>.

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*Question No 53, by Mr Ciancaglini (H-380/85)*

Subject: EEC-USA dispute over pasta exports

Does not the Commission consider that the 'compromise' which it has reached with the representative of the United States Government, involving a drastic reduction in Community subsidies for the export of pasta to the United States, sets a dangerous precedent, which above all does serious damage to Italian pasta producers, more than 95% of whose exports are destined for the United States market? Does not the Commission consider that this 'compromise' disregards the guidelines set out by the European Parliament in its resolution of 11 July 1985, which advocates a balanced solution to the dispute at the bilateral and multilateral levels within the framework of GATT?

*Answer*

The Commission does not consider that the measures taken recently to reduce export refunds on pasta exports to the USA and Canada constitute a 'dangerous precedent'.

The Commission would remind the honourable Parliamentarian that the Community has acted on previous occasions to reduce, differentiate or even suppress refunds on certain agricultural products in order to take into account particular conditions on export markets. Exports refunds for pasta had for example already been reduced twice. Other examples of this policy are certain quality cheeses for which no refund is given and exports of cereals to certain extra-EEC European countries for which reduced refunds are fixed.

The Commission decision to reduce pasta refunds was consistent with the above practice, and does not, therefore, set a precedent.

It has preserved the possibility of continued exports of the Community products to the North American market. Moreover, the US indicated that it regarded the pasta case which it had raised in GATT as settled. In this way the principle of our refunds for processed products was safeguarded *de facto* without either side renouncing its own interpretation of Article 9 of the GATT subsidies code.

The Commission considers that such an approach is not in contradiction with the Parliament's resolution of 11 July 1985 in as much as it aims to maintain an even-handed approach to EC/US commercial relations so as to avoid damaging trade conflicts which could prejudice future trade negotiations.

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<sup>1</sup> OJ L 105 of 23 April 1983, p. 59.

*Question No 54, by Mrs van Hemeldonck (H-381/85)*

Subject: Antifreeze in wine

Can the Commission state whether the discovery of poisonous diethylene glycol in wines circulating in intra-Community trade and banned by several Member States has led to a rapid exchange of information between the Member States and the Commission in respect of consumer products, in accordance with the Community system, intended for just this sort of situation, that was provided for by the Council decision of 12 December 1983? Will the Commission put forward proposals to make such exchange of information compulsory so as to ensure better protection for the consumer?

*Answer*

Immediately the Commission was informed in mid-July of the existence of Austrian wines containing diethylene glycol on the Community market, Member States were informed and their control authorities took action. Within the framework of the bilateral EEC/Austria agreement on the control and protection of wines the Commission also required the Austrian Government to furnish information which would enable preventive measures to be taken. At a subsequent meeting, the Austrian authorities gave details of a number of consignments sent to Community dealers, many of which were in bulk and subsequently bottled in the Community.

This information was immediately relayed to the Member States, enabling the control authorities to act to ensure that stocks were withdrawn and consumers were informed. Subsequently, an extensive exchange of information took place, by means of the rapid alert system, enabling the investigation to be coordinated on a Community basis.

This information included the names, the degree of contamination and the origin of contaminated wines, methods of analysis used and other technical information. Investigations are still in hand and, when they are completed, the Commission will review the results with the Member States to see what lessons can be learned from this case and, in particular, to see whether any changes are required to existing procedures.

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*Question No 55, by Mr Alavanos (H-382/85)*

Subject: Protection of the Greek ouzo industry

The line laid down by the Commission for establishing neutral conditions of competition between similar products in its proposal for a directive harmonizing excise duties on fortified wine and similar products strikes a serious blow at the production of ouzo, a traditional Greek drink produced and consumed almost exclusively in Greece (only 6% of production is exported, mainly by small and medium-sized undertakings).

If these proposals are put into effect, these undertakings will be faced with major problems and employment will be seriously affected.

In view of all these problems, what measures does the Commission intend to take to give Greek ouzo in particular exemption from the above regulations, seeing that the Greek ouzo industry is not guaranteed protection by the implementation of the regulatory duty, which operates for a limited period only?

*Answer*

The Commission's proposal for a directive harmonizing excise duties on fortified wines does not directly concern Greek ouzo. According to our information, ouzo is to be classified as a spirit flavoured with aniseed which falls under the tariff heading 22.09 of the

Common Customs Tariff and whose alcoholic strength generally lies between 35 and 45% volume. The proposed directive covers only fortified wines and similar products whose alcoholic strength does not exceed 22% volume. Ouzo, being a spirit, therefore comes within the scope of the draft directive on excise duties on alcohol, which has been before the Council since 1972. The harmonized system proposed in that directive is based on the specific taxation of ethyl alcohol in its pure state or contained in spirituous beverages at a single rate per hectolitre of pure alcohol.

This approach is in line with the Court ruling in Case 168/78 (Commission v. French Republic) which stated that all spirits falling under tariff heading 22.09 CCT are to be considered either as similar products or as competing products, to which Article 95 of the Treaty applies. There is, therefore, no prospect of providing a special rate for ouzo within the framework of a harmonized alcoholic excise duty system.

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*Question No 56, by Mr Normanton (H-383/85)*

Subject: Associated Octel

To ask the Commission what further steps they have taken to deal with providing financial compensation to redundant employees of the two factories of Associated Octel (one in England and one in Germany) and in the light of their response of 11 December 1984?<sup>1</sup>

*Answer*

The Social Fund participates in the financing of operations concerning mainly vocational training and guidance, and recruitment and wage subsidies. The Council asked the Commission to examine the possibility of utilizing resources for the purpose of maintaining the earnings of workers affected by restructuring or conversion operations. This is presently being studied by the services of the Commission.

The effect of making expenditure on income support for workers affected by restructuring or conversion operations eligible for assistance from the European Social Fund would be to extend the Fund's tasks and hence increase the expenditure eligible for assistance. Even if the results of this study are negative, there are possibilities to subsidize retraining schemes for people who are threatened with unemployment. This is of particular interest for the Community if the retraining operations are carried out jointly by bodies in two or more Member States. Furthermore, in the Social Fund priority regions, such as the County of Cheshire, priority is given to vocational training linked to operations to restructure undertakings because of technological modernization or fundamental changes in demand in the sector concerned; the restructuring must substantially affect the number and skill requirements of the workforce. The training may relate to workers being retrained for continued employment in the undertaking, or those becoming redundant and needing jobs elsewhere. Fund assistance may be granted at the rate of 50% of eligible expenditure without, however, exceeding the amount of the financial contribution of the public authorities of the Member State concerned.

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*Question No 57, by Dame Shelagh Roberts (H-384/85)*

Subject: Transport of live animals

Would the Commission agree that in the light of the report of the Standing Committee for Agricultural Research there is ample evidence to justify a directive to limit the final journey to the abattoir of animals for immediate slaughter.

<sup>1</sup> Debates of the European Parliament No 2-320.

*Answer*

1. Having considered the conclusions and recommendations of the Standing Committee for Agricultural Research, I consider that it would be premature at the present time to make proposals to the Council for amendments to the existing Community directive in this sector.
2. However, it is clear that further improvements could be made to ensure the practical application of existing legislation. I consider that a useful role in this respect could be played by the development of the European Codes of Practice.
3. A Communication to the Council was made in March 1985 — on the basis of this work<sup>1</sup>.

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*Question No 59, by Mr Prag (H-388/85)*

Subject: Pollution of bathing water at beaches in the Member States

Further to my Written Question No 835/85<sup>2</sup> and answer No QXW0835/84EN given by Mr Narjes on behalf of the Commission (26 November 1984), I understand that the one Member State which has notified only a small number of bathing areas for monitoring under the terms of Directive No 76/160/EEC in respect of the quality of bathing water is the UK. I understand that the Department of the Environment reduced the number of beaches at which the bathing water was to be monitored from more than 600 to only 27 by declaring that the Directive need apply only to beaches where more than 500 people bathe at once.

Does the Commission agree that, as large numbers of holiday-makers prefer to bathe in water where fewer than 500 others bathe, this loophole is nonsensical, and that it is equally offensive to bathe in water containing totally untreated sewage regardless of whether there are 499 or more other people bathing in the same polluted water? Will the Commission now inform me of the results of its evaluation of the results of applying the Directive in question, and will it also inform me of the action it intends to take in order to ensure that the aims of its Directive are fully achieved?

*Answer*

The Commission is aware that the interpretation of the notion in Article 1 paragraph 2 second alternative of Directive 76/160/EEC, which qualifies a water as bathing water in which 'bathing is not prohibited and is traditionally practised by a large number of bathers' is not easily practicable. The Commission believes that in order to interpret this notion, the requirement of a specific number of bathers can only be one criterion among others. Indeed the number of bathers varies according to the season, the weather, school holidays, working days and so on. Thus the number of bathers counted on a specific day cannot in itself determine the bathing water quality for a specific water. Rather some objective criteria will also have to be taken into account. Such objective criteria are amongst others:

- (1) facilities of access to the beach
- (2) sanitary equipment
- (3) facilities for changing
- (4) parking space for cars

<sup>1</sup> COM(85) 70 final of 5 March 1985.

<sup>2</sup> OJ C 8 of 10 January 1985, p. 21.

- (5) life-guards on the beach
- (6) first-aid service
- (7) kiosks and shops (mobile shops)
- (8) availability of water sport facilities  
(boats, surfing, swimming lessons)

Indeed, such measures of infrastructure demonstrate action of local, regional or national administrations in order to promote bathing. Therefore the presence of such measures of infrastructure proves that the authorities felt induced by the great number of bathers to provide for measures to ensure safe bathing, safe access to the beach and to the waters and amenities to further increase the number of bathers.

Furthermore, it is not known why persons who are on a beach abstain from bathing; they might do so in some cases also because the water is too polluted. For these reasons the Commission is of the opinion that all circumstances regarding the individual water have to be taken into consideration when assessing whether a specific water qualifies as bathing water under the second alternative of Directive 76/160/EEC Article 1 paragraph 2.

The Commission is actively pursuing the action which it has started against two member countries by virtue of individual complaints. The Commission hopes that the discussions which were started with the member countries concerned will soon lead to satisfying results as regards the application of Directive 76/160/EEC.

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*Question No 60, by Mr Hoon (H-391/85)*

Subject: Research programme for transport

During 1983, the Commission, in collaboration with various research institutions in the Community, among which the Railway Technical Centre in Derby, did some preparatory work in view of formulating proposals for a research programme for transport.

Following this preparatory work, does the Commission intend to put forward formal proposals to the Council of Ministers for a research programme for transport? If yes, when? If not, why not?

*Answer*

The Commission confirms its intention to put forward a research programme for transport as part of its overall Community research programme. For the railway sector this will take into account the preparatory work done during 1983 to which the honourable Member has referred.

The delays in putting forward the programme are partly due to budgetary problems which have postponed the start of the overall multi-annual Community research programme to 1986. Moreover activities other than transport have been given priority treatment in view of recent decisions by the Council to support such programmes as Esprit, Brite, Stimulation, etc. Financial appropriations of 5 million ECU for the transport programme, proposed by the Commission to be incurred in the 1985 Budget have recently been changed by the Council to a 'p. m.' mention.

The Commission is currently reviewing the technical aspects of the programme so as to incorporate the latest ideas from the interested parties it has consulted, including the railways. As the responsible official is currently required to administer and complete a large number of concerted transport research activities in the framework of COST, including two symposia, the preparation of the new framework programme for transport has inevitably been delayed.

It is now hoped to present it to the Council mid-1986, so as to allow the programme to start effectively in 1986.

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*Question No 62, by Mr Maffre-Baugé (H-397/85)*

Subject: Wine growers' income

The inadequate scale of support for distillation and the increase in imports have prevented any sizeable recovery of the market, which has remained considerably below par in the final months of the 1984/85 marketing year. Taken over the year as a whole, it is now certain that French wine growers will not secure an average price of 82% of the guide price as provided for by the Community rules on wine.

In order to stem this decline in income from wine growing, has the Commission decided to implement the satisfactory-outcome guarantee for long term storage operations at the maximum rate provided for by the rules and to provide aid for restorage of the wine concerned?

*Answer*

The Commission would like to point out first of all that during the 1984/85 wine year the representative prices of table wines increased by about 12% for red wines, 25% for white wines and 100% for German and Luxembourg wines. Since these increases meant that in the case of certain types of wine it was not possible to achieve in a balanced manner 82% of the guide price, the Commission adopted on 31 July 1985 a regulation on the granting of re-storage aid for table wine for which a long-term storage contract was concluded during the 1984/85 wine-growing year. Furthermore, on 19 August 1985 the Commission adopted a regulation laying down for the 1984/85 wine year detailed rules for the application of the additional measures applicable to holders of long-term storage contracts for table wine (performance guarantee measures). Finally, on 3 September 1985 the Commission submitted to the Management Committee for Wine a draft regulation activating these measures and allowing holders of long-term storage contracts to send to distillation 15% of their table wine production for the year. This regulation is now being adopted and will be published before 16 September 1985.

The adoption of these measures is in line with the policy which the Commission, Council and Parliament outlined in the joint declaration after the conciliation meeting of 25 March 1985 on the reform of regulations on the organization of the market in wine, and considers the need for a balanced application of the various intervention measures provided for in the regulations, with the aim of rationalizing the market.

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*Question No 63, by Mr Wurtz (H-398/85)*

Subject: EEC/Central America cooperation Agreement

At its last meeting, the Council of Foreign Ministers of the Community refused to put a political dialogue between the Community and the six Central American countries concerned on a formal footing. Does the Commission not think that this attitude is likely to undermine the Community's efforts to find a political solution to the situation in Central America and, in particular, seriously to diminish the support of the Community's ten Member States for the constructive proposals of the Contadora Group? Accordingly, does the Commission not deem it necessary to propose new initiatives along these lines to the Council?



*Answer*

Contrary to the fears expressed by the honourable Member, the Ministers of the Ten have reaffirmed the San Jose decision of September 1984 to put a political dialogue between the Community and Central America on a formal footing. Although they have discarded the form proposed by the Commission, which hoped to incorporate formal political dialogue in the legal framework of an overall agreement, the Ministers have agreed on procedures which will allow a formal footing to be adopted from the next 'San Jose' ministerial meeting which is scheduled for Luxembourg on 11-12 November 1985. The Commission does not share the fears expressed in the honourable Member's question.

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*Question No 64, by Mr Hughes (H-401/85)*

Subject: Barriers to the free movement of young people

The Commission will be aware of recent changes in UK social security legislation affecting lodging allowances to young people. Is the Commission aware of the consequences of these changes and does it not consider that they represent a breach of the European Treaties in denying freedom of movement to young people in their search for work?

*Answer*

The Commission is aware of the recent amendments to the United Kingdom's social security legislation concerning the payment of lodging allowances to young unemployed people who move within the United Kingdom in search of work.

The Commission considers that the current application of this legislation affects an internal situation in a Member State. Therefore the Commission is of the opinion that the legislation does not constitute an infringement of the pertinent Community Law concerning free movement of workers within the Community. Community Law covers the right of free movement between Member States and does not apply to the movement of workers exclusively within the territory of a Member State.

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*Question No 65, by Mrs Jackson (H-405/85)*

Subject: European Road Safety Year

What plans does the Commission have to mark the fact that 1986 is being promoted as 'European Road Safety Year' and does it agree that special consideration should be given during this year to the need to promote the interests of cyclists.

*Answer*

The Commission's plans for 1986 Road Safety Year in the Community were set out in two Communications to the Council in December 1984 and May 1985. From these the honourable Member will be pleased to note that two of the five themes to be given special importance in Member States during 1986 at least partly deal with cyclists: these are child safety and two-wheelers. Moreover one of the themes for Community research to be started in 1986 is concerned with the safety of the more vulnerable road users and will therefore also include cyclists.

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*Question No 66, by Mr de Ferranti (H-406/85)*

Subject: Cellular Mobile Radio Telephones

With the growth of cellular mobile radio telephones throughout Europe and since it is desirable that users who have invested heavily in cellular mobile radio telephones should have the facility available to them across all national boundaries, what consideration is the Commission giving to the harmonization of short-term systems whilst awaiting the pan-European specifications?

*Answer*

1. In view of the uncoordinated development of first generation cellular mobile radio telephones in Europe over the last 15 years, the CEPT (European Conference of Postal and Telecommunications Administrations) and the Commission felt prompted to pay particular attention to this extremely important area of telecommunications technology in Europe.

2. The European aspect of mobile radio communications services in its widest sense, i. e. not only telephone communications but all services offered within a normal telecommunications system, demands that the equipment *functions on a trans-frontier basis*. To date only the Nordic Mobile Telephone System offers a real trans-frontier radio telephone system.

3. In view of the diversity of European systems, the Commission has considered whether it would be technically possible to adapt the various radio telephone systems so that an international radio communications system could be realized. The investigation revealed that this plan would be impossible to implement because of the technical constraints of the frequencies used by the individual systems.

However, even if it were technically possible to build up international communications using current systems, the cost of a mobile multistandard/multifrequency instrument would be prohibitive.

At present therefore it is not possible for the Commission to alter this situation, which derives from decisions taken long before the Community became active in the field of telecommunications technology.

4. With regard to the development of the second generation of mobile radio telephones, lessons should be learnt from the past and a comprehensive definition of all data relating to systems will be drawn up in cooperation between EEC representatives, under the aegis of the Commission, and with the active involvement of the CEPT by the end of 1986. Detailed technical specifications for installations should be available at the end of 1987, beginning of 1988. The preliminary phase for industry is set at about 2 years. The system could thus become operational by about 1990. The Commission has agreed with the Member States concerned that the old system will gradually be replaced by the new.

5. Given that the technical life of today's mobile instruments is about 7 years, the Commission's proposal has a technically realistic basis.

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*Question No 67, by Mr Simmonds (H-407/85)*

Subject: System-built housing

Recognizing that there have been serious problems associated with the construction of system-built housing, will the Commission investigate the scale of the problem in the Member States to determine whether it would be advantageous for the Community to coordinate research?

*Answer*

The Commission is aware of the problems associated with system-built houses. Certain aspects of the construction of prefabricated houses, such as safety and insulation, form part of the Commission's work on both regulations and research.

Eight Eurocodes are being prepared under the programme of harmonization of national regulations on the safety, stability and resistance of various types of structures and building materials. This covers system-built housing.

In the field of research, the Brite-Programme is aimed at the development of new test methods and new materials to improve the quality of industrial products including building materials.

Work at Community level is therefore already making its contribution to providing a framework for the improvement and maintenance of housing stock. The primary responsibility, however, must rest on the national authorities and on owners and tenants themselves.

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*Question No 68, by Mr Martin (H-408/85)*

Subject: EEC aid to Bangladesh

The Community has made available aid to the government of Bangladesh to assist in the modernization of tea production. Would the Commission state if Finlay's tea estates benefited from this aid?

*Answer*

The Community financed Bangladesh Tea Project involves loans to tea estates to purchase manufacturing equipment. The project was aimed at freeing estate investment for improvements to the standard of living of the estate workers.

While no loans have yet been finalized, a current tender under evaluation includes equipment destined for estates belonging to the Bangladesh subsidiaries of J. Finlay, plc.

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*Question No 69, by Mrs Castle (H-410/85)*

Subject: Famine in Africa

In view of the publicly expressed abhorrence of large intervention stocks of grain within the EEC and the incomprehension of the people of Europe as to the existence of these stocks in the face of world hunger, will the Commission give a clear explanation as to why it has not seen fit to draw from its massive intervention stocks of cereals and skimmed milk products to supply the food aid it has and is sending to the African famine victims, and exactly what percentage of intervention stocks have been used for food aid — from 1984 stocks and from 1985 stocks?

*Answer*

1. While the Commission does not intend to belittle the difficulties resulting from large surplus stocks of grain, it would consider 'publicly expressed abhorrence' with respect to such surplus stocks completely unjustified.

Carry over stocks at the beginning of the 1984/85 marketing year of 7,5 million tons of soft wheat (of which about 3,3 million tons were held in intervention) have to be considered a close to normal security and operating reserve. A normal 1984 harvest would have led to the complete disappearance of this reserve. As the 1984 harvest was however nearly 15 million tons higher than the average harvest in previous years, carry over stocks of soft wheat at the end of the 1984/85 marketing year amounted — despite increased commercial and food aid exports — to about 10,3 million tons in intervention. Over and above normal carry over levels the soft wheat surplus amounted therefore to about 7,5 million tons.

Everybody is well aware of the Commission's efforts in recent years to contain the increase in surplus production and new proposals for adjustments in the cereals support policy will be presented soon.

As regards skimmed milk powder, intervention stocks were about 617 000 tons at the end of 1984, 365 000 tons less than at the end of 1983 and intervention purchases in 1984 declined even more (389 729 tons in 1984 versus 930 353 tons in 1983). This development is largely the result of the milk delivery quotas introduced in 1984.

2. There are various limits to the utilization of surplus stocks as food aid:

(a) The budgetary limit is only the most obvious one. In its answer to oral question H-462/84, the Commission drew attention to the fact that the Community's agricultural budget can only provide for export refund payments while the remainder of the product value has to be borne by the Community's annual food aid budget which is approved in last instance by the European Parliament and in 1985 amounted to 508 million ECU.

(b) The type of food offered has to respond to recipient countries' requests, their eating habits and their possibilities for storage and processing. It may be noted for example that upon request by recipient countries 40% of all cereals shipped to Africa as food aid during the period from 1. 1. 1984 to 30. 9. 1985 were products other than wheat which had to be bought either on the EEC or even on the world market. As regards skimmed milk powder which is difficult to use in the recipient countries, a significant increase of food aid seems problematical.

(c) Deficient port and inland transportation systems in recipient countries cause major delays in the delivery of already available food aid. Additional food aid pledges make therefore only sense if and where such logistical problems can be overcome in parallel.

(d) In the short term, the utilization of food aid is invaluable in emergency situations, but in the long term the Community food aid policies aims to integrate food aid into the development process, for example the use of counterpart funds for increasing local food production etc. Food aid can not be considered solely as a means of disposing of Community surplus stocks.

3. The Commission's constant efforts to assist African countries is highlighted by recent Communications to the Council entitled 'The European Community and Africa' (COM(84) 310 final of 21. 5. 1984) and 'Famine in Africa' (COM(85) 308 final of 25. 6. 1985). In the latter, the Commission points out that the deliveries under the Dublin plan combined with deliveries from the 1984 programme arriving in 1985 will amount to 2.3 million tons of cereals to African countries in need.

Together with US commitments for an equivalent of 2.6 million tons and commitments from other countries for about 1 million tons it should be possible to cover the most urgent needs until October/November 1985, when the new local harvests come in.

4. In the Commission's view it does not make much sense to link food aid deliveries to its procurements from intervention stocks for purchase of food aid is often not feasible from intervention stocks or is cheaper when purchased on the open market. Furthermore, the overall surplus picture would not be changed by favouring intervention products over the purchases on the open market.

The following figures may however give an idea about the ratio between both ways of procurements.

During the period from 1. 1. 1984 to 30. 9. 1985 57% of Community food aid shipments of wheat and wheat flour to Africa came from intervention stocks.

As regards food aid in form of skimmed milk powder, 52% of all shipments came in calendar year 1984 from intervention. The remaining 48% had to be bought on the open market mainly because the powder had to be vitaminized, a process much too expensive if it were to be done with already bagged intervention ware.

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*Question No 70, by Mrs Hoffmann (H-416/85)*

Subject: Pollution of the River Semois

Pollution of the River Semois continues to worsen, with serious implications for riverside residents, fishing and drinking-water supplies. Is the Commission prepared to submit a special plan to combat this instance of pollution which would enable Community resources to be utilized and cooperation between the Member States concerned to be stepped up?

*Answer*

The Commission takes the view that plans to combat pollution of the River Semois should be drawn up by the Member States concerned, pursuant to Directive 76/464/EEC<sup>1</sup> in particular, which provides for such programmes.

The quality standards adopted should also take into account Community directives setting quality standards for water in accordance with its use; the provisions of these directives also apply to areas of water which cross frontiers.

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*Question No 72, by Mr Selva (H-425/85)*

Subject: A European cultural television channel

To what extent does the Commission intend to participate in the plan for a European cultural television channel, as proposed by Pierre Desgraupes?

*Answer*

The Commission is following with keen interest the project undertaken in France by Mr Pierre Desgraupes and known by the name of *Canal 1*. In its present format Mr Desgraupes' proposal may be developed in a number of ways with regard to its legal structure and financial backing. In his proposal to the French Government Mr Desgraupes has suggested that it seek the collaboration and support of other governments and other European television concerns, the Olympus consortium and, lastly, the Community institutions.

As part of its policy to encourage genuinely European television programmes which are plurinational and multilingual and aimed at the greatest number of European countries, the Commission is currently considering participation in a number of projects.

<sup>1</sup> OJ L 129 of 18 May 1976.

The *Canal 1* project, which is still in the form of a proposal by the French Government, is certainly of great interest to the Community, for the quality of its programmes, for the size of the reception area covered by its satellite and, above all, for the prospect that it may become a really European initiative.

The Commission is waiting for the structure of the project to be finalized, so that it may then decide on possible participation in the light of available resources and together with other initiatives which may be worthy of support.

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*Question No 73, by Mr Seefeld (H-428/85)*

**Subject:** Serious shortcomings in the provision of European development aid

I assume the Commission is aware of the criticism of its administration of Community development aid made by the Parliamentary State Secretary in the West German Ministry for Economic Cooperation.

Could the Commission therefore state whether it is true that there are 'serious shortcomings in the provision of European development aid', principally because 'the Community is being called upon to provide more development aid, but funds are not being released from the European Development Fund sufficiently quickly because of administrative failings'.<sup>1</sup>

*Answer*

The Commission attaches great importance to the rapid implementation of development aid and pays careful attention to the speed with which it is carried out. As part of the procedures of the European Development Fund, the ACP-EEC partners are even required to do so in accordance with Article 108 of Lomé II and Article 193 of Lomé III, and it was as a result of the work of the committee on Article 108 that improvements could be made to the text of Lomé III with regard to the procedures for implementing aid.

In addition, the supposed problem of the slow or reduced rhythm of distribution of Community aid has no basis in truth. Commission departments have just completed a comparative study of the performances of the European Development Fund and the World Bank. It was found that for interventions of a comparable kind the EDF made funds available at a slightly faster rate than the World Bank, which has never been accused of inefficiency by anyone.

This finding is all the more satisfactory when it is remembered that the procedure for the commitment and payment of aid depends on various factors such as the kind of intervention action and the level of development of the recipient countries. It is a well known fact that the majority of the Community's actions are concentrated in the rural development sector, an area where projects take time and where as a rule the level of a country's development is low.

There is also no need for further proof that the Community can act in record time when needed and when the type of action allows speedy payment. The speed of the Community's response to the Sahel famine is to be envied by numerous organizations for bilateral or multilateral aid.

These results have been achieved at a time when an increasing availability of funds over the years has not been matched by an increase in the Commission's administrative resources. In the debate in 1983 on the discharge of the EDF, Parliament itself acknowledged that staff numbers in the directorate-general for development were considerably lower than the administrative levels in international aid organizations of a similar type.

<sup>1</sup> *Frankfurter Allgemeine Zeitung* of 8 August 1985.

During this same debate Parliament asked the Commission to prepare a written report by 30 April 1986 on the rates of EDF payment. I suggest waiting for the submission of this report before tackling a more thorough debate on this topic.

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*Question No 74, by Mr Fich (H-429/85)*

Subject: British seine-fishing vessels

Does the Commission intend to investigate whether British seine-fishing vessels sell herring directly to Russian mother ships at sea, as claimed by Danish fishermen?

*Answer*

The Commission is aware of sales of herring by British seiners to Soviet and other processing vessels in certain designated waters. The United Kingdom authorities have instituted a licensing system for the processing vessels in order to monitor and control this activity. The Commission is familiar with the control system and its fishery inspectors follow its operation closely.

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II. *Questions to the Council*

*Question No 79, by Mr Moorhouse (H-299/85)*

Subject: Negligence by the Athens Airport authorities

In view of the extraordinary negligence by the Athens Airport authorities to take proper security measures before the TWA aircraft was hijacked, will the Council of Ministers undertake forthwith to require the Greek minister responsible personally to provide a full statement and explanation to the European Parliament.

*Answer*

It is not for the Council to give instructions to the government of a Member State to make a statement to the European Parliament.

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*Question No 82, by Mrs Lizin (H-329/85)*

Subject: Relations with Yugoslavia

Could the Council make a statement on current relations with Yugoslavia and their future political direction?

*Answer*

1. The honourable Member is referred to the communiqué issued after the meeting of the Cooperation Council held on 18 June 1985, which reviews current relations between the Community and Yugoslavia. That review shows, among other things, that:

- in the commercial sphere, there was a smooth flow of trade between the two parties in 1984, and in particular a further reduction in Yugoslavia's trade deficit with the Community (1024 million ECU in 1983 and 720 million ECU in 1984); however, there is some concern as regards the application of the trade provisions of the Agreement;
- the application of the first Financial Protocol was carried out satisfactorily and the Council agreed to the volume of the Community's financial aid for a second Financial Protocol which allows for the need to strengthen cooperation between the Community and Yugoslavia;
- in the sphere of cooperation, the results achieved were regarded as very satisfactory and a decision containing guidelines for the future in certain priority sectors was adopted.

In line with the Belgrade Declaration of 2 December 1976 and the aims of the Cooperation Agreement signed on 2 April 1980, both parties acknowledged at the last meeting of the Cooperation Council that it was politically and economically important to step up their cooperation in their mutual interest as a contribution to the balance and stability of Europe and the Mediterranean, while respecting the special position of Yugoslavia as a country which is Mediterranean, European, non-aligned and a member of the Group of 77 developing countries.

2. As to the future of these relations, it may be recalled that in the Council statement made at the end of March 1985 on the Mediterranean policy of the enlarged Community, there was confirmation of the importance of cooperation and association relations between the Community and the Mediterranean countries, including Yugoslavia, and of the desire to strengthen them still further when the Community was enlarged.

It may be noted here that the renegotiation of the trade provisions of the Cooperation Agreement, which expired on 30 June 1985 and have now been extended, will have to take place in the broader context of the adaptation of the Agreement following the new enlargement.

The Council will of course examine immediately the proposals for directives to be submitted by the Commission with a view to these negotiations.

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*Question No 84, by Mr von Wogau (H-331/85)*

Subject: Discrimination against private industry in Council Regulation (EEC) No 543/69 on the harmonization of certain social legislation relating to road transport of 25 March 1969

Under Article 4 of Regulation (EEC) No 543/69 vehicles belonging to private firms which carry out public services on the basis of long term contracts with public authorities such as drainage, street cleaning or waste collection are fully bound by the social rules set out in Regulation No 543/69 as regards driving periods, rest periods, and breaks whereas service vehicles of public authorities are exempt from this social legislation. This discrimination in favour of publicly owned services which distorts competition is unjustified simply by the fact that in many local authorities, the publicly owned undertakings are in direct competition with private firms. For example the Oschwald Company in Waldkirch-Kollnau collects the waste from 86 villages in six districts of South Baden. Its refuse collection vehicles are constantly being checked by the police, in some cases several times a day, whereas the service vehicles from the neighbouring town of Freiburg are not subject to these controls. I therefore approached the Commission asking them to eliminate this discrimination in the proposed amendment to Regulation (EEC) No 543/69. Commissioner Andriessen informs me by letter that government experts had misgivings against equating private firms carrying out public services such as refuse collection on the basis of long term contracts with the public authorities and publicly owned service companies.



Does the Council share my view that for reasons of competition the exemption granted in Article 4 of Regulation (EEC) No 543/69 for publicly owned service vehicles from the requirements of this regulation must also apply to private company vehicles carrying out public services such as drainage, road cleaning or refuse collection on the basis of long term contracts with public authorities?

*Answer*

I would assure the honourable Member that the Council takes the view that all vehicle crews should comply with the road transport social regulations. Certain exceptions are made in those regulations for reasons of practicability connected with the nature of the work. Crews employed by military and public authorities are also exempted in view of the direct control such authorities have over their staff.

With more specific reference to the refuse collection services the honourable Member cites, the vehicles may be exempted from the provisions of the Regulation under the terms of Article 4 thereof, as interpreted by the Court of Justice, insofar as they are under the control of a public authority. Vehicles used by private companies, on the other hand, remain subject to the regulations since the public authorities have no direct control over their crews' work.

I would add that the line taken by the Council at its meeting on 24 June 1985 concerning revision of the road transport social regulations allows for the possibility of exempting 'vehicles used by public authorities to provide services which are not in competition with professional road hauliers'. This will enable Member States to make certain exceptions for public service vehicles not automatically exempt from the regulations.

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*Question No 85, by Mrs Rabbethge (H-332/85)*

Subject: Council decision on the Rabbethge report drawn up on behalf of the Committee on Development (Doc. 1-1141/83)

On 16 January 1984, Parliament accepted a Council request for urgent procedure for the Rabbethge Report drawn up on behalf of the Committee on Development on an aid programme for scientific and technological research in developing countries (1-1141/83). Parliament therefore voted on the proposal for a Council decision and the motion for a resolution in January 1984.

Why has the Council, after itself requesting urgent procedure in Parliament, taken no decision over the last 17 months although it was apparent at the end of 1984 that appropriations would be available in the final 1985 budget?

*Answer*

The Council decided to consult the Parliament on the Commission's proposal on 24 June 1983. However, the Council did not ask for this consultation to be conducted under the urgency procedure. The urgency procedure had been asked by the Commission.

The Council is fully aware of the honourable Parliamentarian's report and the modifications to the Commission's original proposal indicated by the Parliament in its opinion of 16 December 1983. It is also aware of the financial provisions for the programme contained in the Community budget and the Parliament's Resolution of 13 December 1984 requesting the Council to take a decision on the proposal as quickly as possible.

A report on this subject was issued by the Commission on 24 May 1985 and was briefly discussed at the meeting of the Research Council on 4 June 1985. The Council took note of the Commission's re-examination of its proposal and agreed to discuss the substance of

the matter at the Research Council meeting scheduled during the Luxembourg Presidency.

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*Question No 88, by Mrs Thome-Patenôtre (H-132/85)*

Subject: Lack of a European school history manual

Why is there as yet no European school history manual that could be used in all the Member States, and what specific factors have prevented the production of such a text book?

*Answer*

It is not for the Council to say why there is as yet no European history textbook that could be used in all the Member States.

However, in their conclusions of 3 June 1985 on the enhanced treatment of the European dimension in education, the Council and the Ministers for Education meeting within the Council encouraged the competent authorities to lay more emphasis on the European dimension in education and in particular to support the development of appropriate teaching materials.

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*Question No 89, by Mr Pearce (H-213/85)*

Subject: Pressing political necessity for Japan to bring her import propensity into line with that of her partners

How does the Council intend to achieve a successful outcome to what it has described (in its press release on the Foreign Council of 17-21 March 1985) as the 'pressing political necessity for Japan to bring her import propensity into line with that of her partners'?

*Answer*

At its meeting on 19 June 1985 the Council, noting that Japan continued to remain out of step with her trading partners in terms of import propensity, requested Japan to commit herself to a significant, sustained increase in imports into Japan of manufactured and processed agricultural products.

The Community considers this matter to be of very great importance, as we brought out even more clearly by the fact that the European Council itself reaffirmed the demand at its meeting in Milan on 28 and 29 June.

The Council has invited the Commission to prepare a comprehensive review of Community/Japan relations with appropriate recommendations for action. The study will include an assessment of the three-year action programme adopted by the Japanese government just before the summer recess and will form a basis for the discussions to be held shortly within the Council and for the decisions to be taken.

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*Question No 92, by Mr Deprez (H-266/85)*

Subject: The need for all Member States of the European Community to join the European Monetary System and tighter EMS 'constraints' to guarantee development of the ECU

All Europeans have their hopes pinned on the prospect of a common European currency and in recent months the trend of the ECU has in fact been very positive.

However, progress towards monetary unity cannot continue without greater guarantee of ECU stability, which depends on stable exchange dealings within the European Monetary System.

At present, however, two currencies (the drachma and the pound sterling) are components of the ECU although Greece and the United Kingdom are not members of the EMS and thus not forced to comply with the official margins of fluctuation (2.25%).

Moreover, the Italian lira has been allowed a wider fluctuation margin (6%) ever since the EMS was set up.

Thus, in order to strengthen and develop the ECU, it is absolutely essential that Greece and the United Kingdom join the European Monetary System and that Italy comply with the fluctuation margins adopted by its European partners.

What does the Council think?

*Answer*

As the honourable Member is aware, the act setting up the European Monetary System, i. e. the European Council Resolution of 5 December 1978, provided that a Member State need not participate in the exchange rate and intervention mechanisms of the System, and that a Member State may opt for wider margins of fluctuation up to +6%. It will be for the Greek and United Kingdom Governments to request that their currencies be included in the exchange rate and intervention mechanisms, and for the Italian Government to reduce the wider fluctuation margin.

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*Question No 93, by Mrs De Backer-Van Ocken (H-333/85)*

Subject: Active involvement of the Commission in the bodies set up following the Bretton Wood Conference

Will the Finance Ministers of the Ten reach a decision in the Council to ensure that the Commission is again invited as an observer to take an active part in the debates of the Interim Committee of the IMF and the Committee on Development when matters falling within the EEC's terms of reference, particularly those concerning trade, are under debate?

*Answer*

The question of participation in the meetings of the Interim Committee and the Committee on Development to which the honourable Member refers is essentially one for the Chairmen of those Committees.

If necessary, the Council will consider suitable approaches to the authorities of the IMF and the World Bank to ensure that the Commission may take part, as an observer, in the meetings of the Interim Committee and the Committee on Development.

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*Question No 95, by Mr Prout (H-338/85)*

Subject: Consumer credit

Is the Council aware that France is in the process of preparing a law to give effect to the judgment of the Cour de Cassation in the case of *Visofi V Jakubowski* (1985), which will require grantors of credit to use the so-called proportional method in calculating the annual percentage rate of interest (APR)? In view of the advanced stage of the Commission's proposals on consumer credit and the recommendation made by the experts appointed by the Commission that there should be a uniform method of calculating the APR based on the exact or actuarial method, what is the Council's reaction to the French proposals?

*Answer*

The Council is not aware of the draft law to which the honourable Member refers. Furthermore, the proposal for a Directive concerning consumer credit which is currently before the Council contains no provisions concerning calculation of the overall effective cost of the credit (APR) but simply provides for a uniform method to be adopted subsequently by the Commission. The Council does not therefore have at its disposal the information necessary to enable it to reply to the honourable Member's question.

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*Question No 96, by Mrs Hoffmann (H-348/85)*

Subject: New Council regulation on driving hours for road haulage operators

How does the Council justify its decision to amend the regulation on driving hours and rest periods for road haulage drivers? This measure authorizes ten hours driving for two days per week and thus will permit 58 hours driving in six days, which means a total working week of 70 hours or more. Is the Council aware that the implementation of this measure will not only mean a serious deterioration in the working conditions of drivers but also threaten the safety of all road users?

*Answer*

The Council shares the honourable Member's concern that road safety must not be jeopardized. However, it cannot subscribe to her assessment of the approach to social regulations adopted by the Council on 24 June 1985 when she states that it 'will . . . mean a serious deterioration in the working conditions of drivers . . . (and) . . . threaten the safety of all road users'.

As regards working conditions, the Council agreed to reduce driving time from 92 to 90 hours per fortnight and to set a maximum of six consecutive driving days. Although, in certain exceptional circumstances, the number of hours' driving per week could reach the 58 hours quoted by the honourable Member, the figure would then be reduced to 32 hours the following week.

It should also be borne in mind that the Council agreed to increase the weekly rest period to an average of 45 hours per week, calculated over a period of 4 weeks. Hitherto, this rest period was fixed at 40 hours for drivers engaged in the carriage of goods, and 39 hours for those engaged in the carriage of passengers. There will therefore be definite social progress with regard to drivers' rest periods.

Moreover, that is why lengthening the daily driving period would not, in the Council's view, have any harmful effect on road safety.

With regard to the breaks which must be taken — and studies on driver fatigue have shown the importance of taking adequate breaks and rest periods — the Council is still examining the various options.

Finally, I should like to explain the Council's reasons for considering that the social regulations applying to road transport should be made more flexible. The aim of the Council's decision, adopted following the Commission's consultations with the employees' and employers' organizations responsible, is in fact twofold:

- to enable employers and owner-drivers to make a profit from the investment involved in the purchase of vehicles;
- to enable employees, who wish in certain cases to extend their weekly work-period, to complete a journey in progress and enjoy a longer rest-period at home.

In doing this, the Council is also taking into account the requirements of road safety, and feels that it has struck a balance in seeking a solution to satisfy the various desiderata.

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*Question No 102, by Mrs De March (H-394/85)*

Subject: Prevention of forest fires

Every year serious damage to forests is caused by fires, notably in the Mediterranean regions. The damage would be less widespread if the regulation proposed by the Commission in June 1983 were put into effect.

Will the Council finally adopt and apply this regulation which has been approved by both the European Parliament and the Economic and Social Council?

*Answer*

I would remind the honourable Member of the reply to her question No H-199/84 of 10 October 1984 on the same subject. The Council last discussed the proposal for a regulation at its meeting on 15 and 16 July. It will continue its work on both aspects of forest protection — against fires and against air pollution — in order to prepare for a further discussion at one of its forthcoming meetings.

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*Question No 103, by Mr Vergès (H-395/85)*

Subject: Revenue duty on the 'traditional' rum produced in the French Overseas Departments

The Council has yet to take a decision on the Commission's proposal of 25 March 1982 (COM(82) 153 final) authorizing the continued application, in derogation from Article 95 of the Treaty, of a reduced rate of the revenue duty on the 'traditional' rum produced in the French Overseas Departments. Since the Commission has stated its intention to review its position failing a Council decision within a reasonable time limit, will the Council extend the application of this derogation which constitutes a vital measure for the economic and social development of the Overseas Departments?

*Answer*

For some years now the Council has been making a substantial effort, in the framework of an overall compromise, to harmonize excise duty on alcoholic beverages. Amongst the

proposals the Commission has submitted to that end is one aimed at authorizing France to apply a reduced rate of revenue duty on 'traditional' rum produced in the FOD. In October 1981, however, the Council was forced to conclude that, as matters stood, agreement could not be reached and that the situation should be reviewed in the light of the Court's judgments in this area.

Since that date the Court of Justice's judgments seem to have helped throw more light on the questions still outstanding and on the possible solutions.

Early this year the Italian Presidency put before the Council a new suggestion for an overall compromise on the matter, including a solution to the problem of the fiscal status of 'traditional' rum from the FOD. This compromise suggestion is being examined, but it is too early to say what the Council's final decision will be.

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*Question No 104, by Mrs Jackson (H-404/85)*

Subject: Barriers to EEC nationals owning land in Greece

What action does the Council intend to take to ensure that the Greek Government brings its legislation into line with the Articles of the EEC Treaty which establish the right of Community citizens to settle in Greece in order to engage in business activities there and, for that purpose, to be able to rent or acquire property under the same conditions as Greek nationals — a right which is still being denied to EEC nationals in 'frontier areas', including the island of Crete?

*Answer*

Permit me to refer to the reply which the Council has had occasion to give to Written Question No 254/85 put by Mr Normanton.

In that reply, the Council pointed out that if a Member State failed to fulfil an obligation under the Treaty, it would be the responsibility of the Commission to ensure that the Treaty was complied with and, if necessary, to institute proceedings at the Court of Justice for that purpose.

I can only confirm this statement today, since under Articles 169 and 170 of the Treaty only the Commission and, under a procedure again involving the Commission, the Member States are able to refer to the Court in such cases.

If, therefore, the Commission were to consider that national legislation was contrary to the Treaty on the point we are discussing here, it would be for the Commission to take appropriate action.

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*Question No 105, by Mrs Castle (H-411/85)*

Subject: Famine in Africa

In view of continuing reports of starvation in the Ethiopian provinces of Eritrea and Tigray which are wracked by civil war, will the Council take stronger measures than hitherto to insist the Ethiopian Government agree to a negotiated safe passage of food convoys into its 'rebel' areas for the benefit of the people in those areas who are still receiving spasmodic and insufficient supplies of food?

*Answer*

I can only refer to the reply given by the then President-in-Office, my predecessor Mr Fracanzani, to Question No 0-11/85<sup>1</sup> put by Mr Christopher Jackson at the June 1985 part-session of the European Parliament.<sup>2</sup>

In that reply, the President of the Council said that at its meeting on 23 May 1985 the Council had made an appeal to the governments of the countries affected by the famine in Africa to make every effort to ensure that food aid and emergency aid could reach all the affected areas and benefit all the people concerned. The Ethiopian Government was of course one of those to which that appeal was addressed.

With specific reference to the situation in Ethiopia, the Council received from the Commission — which is responsible for the administration of food aid within the framework of the general guidelines laid down by the Council — a report produced by Vice-President Natali after his visit to Ethiopia in April 1985. As my predecessor said before the Parliament in June, Mr Natali was able, in the course of this visit, to observe that food aid which had already arrived there had been distributed in a manner which, in view of the logistic difficulties in Ethiopia, could be regarded as satisfactory.

Since then, the Commission has not told the Council of any deterioration in the situation observed by Mr Natali on his visit as regards the distribution of aid in Ethiopia.

More recently, the European Parliament itself sent a delegation to Ethiopia, Sudan and Chad from 29 June to 7 July and, on 11 July 1985, after a thorough debate adopted a Resolution on emergency measures to be taken to help African countries threatened by famine. The Resolution concluded that the means available for transport towards the interior were inadequate and asked for emergency aid to be more closely tied to medium-term development but did not point to the security aspect for food convoys.

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*Question No 108, by Mr Iversen (H-418/85)*

Subject: Conversion of surplus cereals into plastic

From reports in the 'Sunday Times' and the Danish daily newspaper 'Politiken', it would appear that in September the Council of Ministers will be considering whether a proportion of the Community's cereals surplus can be converted into plastic.

Can the Council confirm these reports and, furthermore, say what proportion of the 14 million tonnes of stocks would be converted? Does the Council believe it is morally responsible to use food for the production of plastic when thousands are dying of starvation in the developing countries?

*Answer*

1. The Council has no plans at all of the kind apparently attributed to it in the articles quoted by the honourable Member. However, the Ministers for Agriculture will next week be discussing the perspectives for the common agricultural policy on the basis of the green paper submitted by the Commission in July, with particular reference to adjustments to the common organization of the markets in cereals, including the problem of ensuring a market for Community production.

The European Parliament will also have to broach these questions in a debate on the green paper dealing with the question of outlets for agricultural, and in particular cereal products.

<sup>1</sup> OJ C 248 of 30 September 1985.

<sup>2</sup> Debates No 2-327.

The honourable Member will not be unaware in this connection of the industrial uses to which certain agricultural products are put. One example is the starch obtained from wheat, maize or rice, which is used in the paper and cardboard industry and in the pharmaceutical and organic chemistry industries. The Council has, moreover, received a Commission proposal intended to adjust the production refund arrangements for starches in order to ensure adequate support for the production of high technology starch products.

2. As for the fight against hunger in the world, the Council would point out that the Community is contributing to that fight to such an extent that the cereals it has supplied have far exceeded the commitments it has given. The Council will not be reducing its efforts in this area.

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*Question No 109, by Mr Seligman (H-423/85)*

Subject: Renewal of the ban on imports of seal products

Can the Council give an assurance that the ban on the importation into the EEC of seal products, which was introduced on 1 October 1983, will be renewed for an indefinite period from 1 October 1985, as called for by Parliament in a unanimous vote on 15 March 1985?

*Answer*

The Council is aware of the fact that this question is likely to arouse public opinion and it conducted an initial exchange of views in June on the renewal for an indefinite period of the ban on imports into the Community of seal pup skins and products.

The Council will deal with this question further in September and will take the necessary measures to enable a final decision to be taken on the Commission proposal before 1 October 1985, the date of expiry of the Directive referred to by the honourable Member.<sup>1</sup>

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*Question No 111, by Mr Selva (H-426/85)*

Subject: A European cultural television channel

To what extent does the Council intend to participate in the plan for a European cultural television channel, as proposed by Pierre Desgraupes?

*Answer*

No plan for a European cultural television channel proposed by Pierre Desgraupes has been referred to the Council.

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III. *Questions to the Foreign Ministers*

<sup>1</sup> OJ L 259 of 1 October 1985.



*Question No 117, by Mr Deprez (H-291/85)*

Subject: The 'European' combat aircraft of the 90s

On 17 May 1985, following lengthy talks, the Ministers of Defence of five present (or future) Member States of the European Community reached an agreement in Rome on certain technical features of the combat aircraft they intend to construct jointly for the 90s.

The five countries are the Federal Republic of Germany, France, Italy, the United Kingdom and Spain.

The programme provides for the construction of a total of 800 aircraft at a cost — including investment — currently estimated at \$ 30 billion to be shared on a pro rata basis as orders are received. It goes without saying that every European must be gratified by this cooperation between European countries which will obviate the need to buy non-European combat aircraft and encourage the development of future technologies in Europe.

However, I should like to know why not all the Member States of the European Community — at least those that are also members of NATO — are involved in this European combat aircraft of the 90s project. Would extension of this collaboration to include the other Member States not lead to further economies of scale and be a first step towards creating a genuine European pillar of the Atlantic Alliance?

*Answer*

The Foreign Ministers have not considered the matter since it concerns military aspects of security which are not discussed in the framework of political cooperation.

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*Question No 124, by Mr Wurtz (H-399/85)*

Subject: Agreements between the Community and Central America

Can the Ministers explain why they have refused to supplement the draft economic agreement between the Community and Central America with a regular political dialogue centring on support for the peace efforts of the Contadora Group? Is this refusal not likely to compromise the outcome of the forthcoming San Jose follow-up meeting in Luxembourg this autumn between the Foreign Ministers of the Ten and of the Central American countries?

*Answer*

The Foreign Ministers of the Ten, meeting in political cooperation, have stated their support for formal political dialogue on a regular basis between Europe and Central America. This was announced on 29 September 1984 with the publication of the communiqué at the end of the San Jose conference in Costa Rica.

The arrangements will be finalized within the framework of political cooperation, together with the Central American partners. The principle of political dialogue on a formal footing between the two regions will be ratified when it is incorporated in the Final Act of the conference scheduled for Luxembourg in autumn 1985.

As for support from the Ten for the efforts of the Contadora Group, the four member countries were assured of this in the framework of political cooperation from the outset of their peace initiatives, long before there was any prospect of concluding an outline agreement between Europe and Central America.

Since then, the Ten have constantly given their full support to the efforts of the Contadora Group in the belief that this initiative represents at the present time the only way towards a peaceful and negotiated settlement which is freely accepted by all the parties involved, which is the work of the region itself and which will put an end to the crisis in Central America.

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*Question No 126, by Mr Chanterie (H-415/85)*

Subject: Repression of the democratic opposition in Chile and arbitrary arrests

Can the Ministers specify what diplomatic representations were made recently towards the Chilean authorities with a view to ending the police-conducted repression and arbitrary arrests of activists and leading members of the democratic opposition, of trade unionists in particular (including Mr Manuel Bustos), of the participants in and organizers of the 'hunger march' and of the activists in and leaders of the Chilean Democratic Party in Punta Arenas, who were arrested in July 1985?

*Answer*

The Ten follow the situation in Chile with particular attention and have regularly expressed their concern over the domestic policy of the Pinochet government. In this connection the Ten have on a number of occasions made representations in the form of protests and statements to the Chilean authorities. Recent examples include:

- the protest of 8 August 1983 to the Chilean authorities after two MEPs had been refused entry to the country;
- the statement on Chile, condemning in particular the proclamation of the state of siege, by the Foreign Ministers of the Ten on 12 November 1983;
- the statement on Chile by the Ten on 9 April 1984, following the tragic events which marked the eighth day of protest organized by the movements of opposition;
- the representations by the Ten on 5 March 1985 in support of the three persons accused of the murder of General Urzua and urging that their rights of defence be safeguarded.

Also, it must be remembered that the representatives of the Ten did not attend the ceremonies marking the anniversary in 1984 of the 11 September coup d'état and that they will not be present at this year's ceremonies.

The Ten will be constant in their condemnation of repression and arbitrary arrest in Chile. Although they have taken no action in respect of the specific events to which the honourable Member refers, consultations are currently being conducted within the framework of European political cooperation with a view to considering new initiatives on the issue of human rights in Chile.

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*Question No 128, by Mr Lomas (H-424/85)*

Subject: Missing people in Cyprus

Will the Foreign Ministers tell me what action they have taken following the adoption by the European Parliament of the report by Lady Elles on missing people in Cyprus?

*Answer*

Since the emergence of the problem of missing people in Cyprus in the wake of the tragic events of July and August 1974, the Foreign Ministers of the EEC Member States have stated publicly their concern over the fate of the missing people and especially over the humanitarian aspect of the problem.

They have not been lacking in their support for UN efforts to solve this problem in the intervening years. In particular, they support the work of the UN committee of inquiry which was set up with the agreement of the two communities in Cyprus to investigate the problem of missing persons.

The Ten, upholding their humanitarian traditions, are ready to provide any support which may be needed as a contribution to the solution of this unhappy problem.

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# IN THE CHAIR: MR ALBER

## Vice-President

(The sitting was opened at 11 a.m.)

## 1. Approval of minutes

**President.** — The minutes of proceedings of yesterday's sitting have been distributed. Are there any comments?

**Sir James Scott-Hopkins (ED).** — On the question of the Minutes which had been distributed, Mr President, and indeed on the agenda for today, it will be noted that I raised the question before Question Time started yesterday evening as to when the Adamou report on Cyprus would be taken. I was assured by the

President in the Chair at the time, Lady Elles, that as indicated on today's agenda it would be taken as the first item at 4 o'clock, i.e. the continuation of yesterday's debate.

I now find to my annoyance that the Hahn report has been put in front of the continuation of both the United Nations debate and the debate on Cyprus. It appears that you, Sir, announced this last night at the end of the session. Maybe you did, Sir, but the hubbub and the noise was such that nobody could hear it. I am now also told that the reason for the change in the agenda, which quite frankly had no authorization from this House, is that the Ministers want to have three debates together — on the United Nations, Cyprus and drug abuse — and don't want to have the Hahn report debated in between.

May I suggest that we stick to what was originally said by the President in the Chair at the time. The continuation of the United Nations debate — which comprises two speakers and a vote — and the debate on Cyprus which is only going to be a short, but nevertheless important one, should be the first items taken at 4 o'clock this afternoon.

**President.** — Normally, because the Council is not present the next day, the matter would have been settled. However, the Council was kind enough to continue with Question Time. Nevertheless, we were informed that it would be better if there were to be no interruption. That explains my announcement. The two questions could actually be dealt with fairly quickly. On the other hand, the agenda has been printed as I announced it yesterday on the recommendation of the Council. I do not know how many Members are going by the agenda now. Since we assume as a rule that every Member attends every sitting, each Member will soon know if, as originally planned, we deal with the two questions earlier.

**Lady Elles (ED).** — Mr President, I would like to support what Sir James Scott-Hopkins has said because I happened to be in the Chair at the time and gave an undertaking that the UN debate would take place at 4 p.m. and that the oral question by Mr Adamou would then follow. The Council was present at the time and nodded in agreement.

As far as I can understand from the agenda before us, there is no reason why we should not take the drug question immediately after the Adamou oral question, so that the three would be taken together, and then take the Hahn debate after the three other matters were concluded. May I propose that formally? In fact, according to the Rules of Procedure of this House, where a debate is not concluded, it becomes the first item for debate at the following sitting. So it would be perfectly proper to complete the UN debate then. Naturally the Adamou report would follow, and after

**Elles**

it the drug question. That would mean that the three would be together and then, perhaps, the Hahn debate could be taken.

I would be grateful, Mr President, if that proposal could be accepted and I would then be able to keep my word which I gave yesterday to Sir James and to the House, as to the order in which business would be taken today.

**President.** — In order to avoid getting into a complete tangle, we should not bring the debate on drug abuse forward either, because we should then have to change the original agenda yet again.

*(Parliament agreed to the President's proposal and approved the Minutes)<sup>1</sup>*

**2. TOPICAL AND URGENT DEBATE***Arrest in Zaire*

**President.** — The next item is the motion for a resolution (Doc. B 2-818/85), tabled by Mr Glinne and others, Mr Van der Lek and Mr Vandemeulebroucke on behalf of the Rainbow Group and Mrs Veil, on the arrest and trial in Zaire of Mr Ronald van den Bogaert, a temporary staff member of the European Communities and an official of the European Parliament's Socialist Group.

*(Parliament adopted the resolution)*

*Non-proliferation treaty*

**President.** — The next item is the joint debate on two motions for resolutions on the Non-Proliferation Treaty:

— motion for a resolution (Doc. B 2-829/85), tabled by Mr Penders and others on behalf of the EPP Group, on measures to safeguard the non-proliferation treaty;

— motion for a resolution (Doc. B 2-845/85), tabled by Mrs Viehoff and others on behalf of the Socialist Group, Mr Van der Lek and Mrs Piermont on behalf of the Rainbow Group and Mr Cervetti and others on behalf of the Communist and Allies Group, on the importance of the Non-Proliferation Treaty review conference.

**Mr Penders (PPE).** — (NL) Mr President, at first sight the European Parliament and the Non-proliferation Treaty would not seem to have much in common. Here, however, appearances are deceptive. The European Parliament has taken great interest in security issues and the Non-Proliferation Treaty (NPT) is something that encourages security including that of Europe. France is not a party to the NPT and I find that regrettable. Fortunately, Paris does follow a non-proliferation policy. Spain, soon to be a new friend within the EEC, will also unfortunately not sign the NPT in spite of having a leftist government.

I know that the NPT has been criticised particularly in that it discriminates by dividing the world into nuclear 'haves' and 'have nots'. Nevertheless, the NPT has proved surprisingly successful in blocking horizontal proliferation — an expansion in the number of countries with atomic weapons.

Can you imagine the situation if Israel, South Africa, Argentina, Brazil, India and Pakistan, not to mention Libya, had atomic weapons of their own? The NPT is, however, in danger as has appeared during the current third review conference of the NPT in Geneva. The 'have nots', particularly in the Third World, are disappointed and bitter about the lack of success in controlling vertical proliferation — achieving a reduction of the arsenals held by the existing nuclear powers. The EPP resolution therefore calls on the United States and the Soviet Union to reach an accord through their own Geneva talks. Indirectly, this call also applies to the other nuclear powers whose nuclear weapons will also have to be included in arms control negotiations.

A major complaint from the 'have nots' is the lack of progress in achieving a definitive end to atomic tests. We all know the difficulties involved. France believes that it trails too far behind the superpowers. Unilateral moratoria are usually announced at times that favour one particular side and therefore have a taint of propaganda. Nevertheless, something must be done in this field, not least to save the Non-Proliferation Treaty. In order to gather maximum support, I did not include a complete halt to atomic tests in the resolution but I could not leave the matter undiscussed.

The resolution calls on the Ten to operate a joint non-proliferation policy. That must also be acceptable to the French. At the beginning of the year, the Ten issued a statement on joint policy concerning the consequences of the adoption by the Ten of the London 'Nuclear Suppliers Guidelines'. The French were also in agreement. It would be desirable for the Ten to also make a further statement on non-proliferation policy, to be prepared by an EPC working party, as a favourable signal to send to the review conference in Geneva, in the same way that adoption of this resolution will send a favourable signal to Geneva.

**Mrs Viehoff (S).** — (NL) Mr President, in 1946 Einstein expressed his concern for the future of humanity,

<sup>1</sup> *Membership of committees: See minutes.*

## Viehoff

afraid as he was that this same humanity would misuse the power of the atom. The proposers of this resolution share that anxiety.

In 1970, after years of negotiations, the Non-Proliferation Treaty to stop the spread of nuclear weapons came into force. The aim was to limit the number of countries possessing nuclear weapons and finally to achieve the complete abolition of such weapons. The Treaty came into being because it was recognized that the peaceful use of nuclear energy had much in common with its military applications and that the spread of nuclear know-how would give countries the theoretical capacity to build nuclear weapons.

Monitoring of the Treaty is carried out by the International Atomic Energy Agency (IAEA). This international organization was established in 1957 to promote the peaceful use of nuclear energy throughout the world and, at the same time, to ensure that there was no use of it whatever for military purposes. The IAEA therefore has a key role to play.

The structure of the Treaty is, however, inconsistent with one of the basic principles of international law — the sovereign equality of all states. The Treaty divides countries into those with nuclear weapons and those without, so as to allow the nuclear powers to continue with experiments while non-nuclear countries would be told 'hands off'. An attempt was made to temper this inequality by including in the Treaty an article to the effect that all countries must continue to make efforts to abolish all nuclear weapons — though we all know how successful that has been. Nevertheless, Article 6 is the key issue. The non-nuclear nations that are party to the Treaty therefore see the arms race between the United States and the Soviet Union as a serious undermining of the Treaty with the result that the Treaty's future is now hanging by a thread. There is full-scale development of nuclear weapons in those countries not party to the Treaty and while this is usually secret and the subject of denials, it is, however, known that Argentina is constructing a reprocessing plant which will be finished in 1986 and will be able to produce an estimated 200 kg of plutonium per year — enough for 20 bombs. It is believed that Brazil is capable of producing highly-enriched uranium and South African atomic tests were detected in both 1977 and 1979. Moreover, the country has been buying enriched uranium on the black market for a number of years. It is estimated that South Africa possesses between 15 and 25 atomic bombs. There are persistent rumours that Israel cooperates very closely with South Africa in the field of nuclear weapons. Some time ago, Israel bombed a nuclear power station being built in Iraq because it suspected Iraq of planning the secret production of weapons — grade plutonium. Since then, as announced by the Italian authorities, Iraq has attempted to buy 34 kg of plutonium on the Italian black market. Syria apparently has contacts with the same Italian syndicate. Furthermore, the Soviet Union has promised to supply Syria with nuclear weapons

should Israel use them. The Russians are negotiating with Libya about the supply of nuclear power stations. Pakistan possesses uranium-enrichment technology and Kahn, the head of the enrichment programme and a former spy at the Almelo ultracentrifuge project, has declared that his researchers would have little difficulty in producing nuclear weapons. The necessary know-how is available in India thanks to the cooperation and help of Canada and other countries. Canada assisted the construction of a reactor but when, to their amazement, they discovered that India had exploded an atomic bomb in 1974, using plutonium from the reactor, they ceased cooperation. Mr President, it will be a disaster if this third review conference were to end in failure. It is for this reason that we call on those to whom the resolution accords the greatest responsibility.

Let me say one more thing. We are very concerned about the kind of polarization appearing in this Parliament. While there are of course political differences, and these must be expressed, there should never be an automatic rejection of each other's standpoint without an examination of the issues. I would thus strongly urge all fellow members to judge this resolution on its content and to accept that it is motivated by a real and intense concern about world developments in the field of nuclear weapons control.

Fellow members, a bomb is ticking away under the Non-Proliferation Treaty, let us do all we can to prevent it exploding.

**Mr Smith (S).** — Mr President, during the recent anniversary of the bombing of Hiroshima and Nagasaki, we were reminded that in the central square mile of both of those cities nine people out of ten died. Now nine out of ten of those nine out of ten were not soldiers or politicians, they were mothers, children and grey-haired old men and women. I was recently reminded of the tragedy of that event when watching television I saw pictures of children making paper-chains as they waited to die from the after effects of that devastation. But unlike them, we have no reason to wait because to wait would merely condemn future generations to an even greater holocaust.

So what this Parliament must do is to respond to the message which came from that anniversary which was to step back and learn from it. We can start to do just that by passing that resolution today. But if we refuse to do that, in my opinion, we will have committed the greatest crime of all, which is the murder of the future. That is why today we must make our voices heard, we must tell these superpowers that it is hypocritical of them to tell others that they must not have nuclear weapons when they at the very same time increase their weapons of war.

There may be some people in this Parliament who are of the opinion that we must increase the number of

**Smith**

our nuclear weapons because of the so-called threat from the Soviet Union. Let me say that I am no supporter of that country, and when they invaded Czechoslovakia I demonstrated in the streets against that action, just as I demonstrated in the streets when America invaded Vietnam. But I still see no evidence that the Soviet Union wants to conduct a nuclear war against the West. I think we must never forget that they, probably more than any other nation on earth, know the tragedy of war, because we must never forget that they lost 20 million of their brothers and sisters in the fight against Nazism. So if we fail to take this message of peace to Geneva, and if nuclear war becomes a reality, then this Parliament will no longer have to discuss issues like the fate of our great industries because after such a nuclear war there will be no industries and no people to work them.

Finally, I am reminded of the words of the recently assassinated opposition leader in the Philippines, who like many other people in that country had devoted his life to bringing justice and dignity to its people: 'No life is worth a lie. To act, to resist, no matter how puny the resistance, still gives the hope that one day we may stand erect.'

This resolution is a part of that resistance. It is an opportunity for us as a Parliament to stand erect in the eyes of the world.

**Mr Habsburg (PPE).** — *(DE)* As the previous speaker began his speech, I almost felt that our views coincided but I was greatly surprised to hear all at once that we should not be in the least afraid of the Soviet Union, a country continually siting rockets targeted on Western Europe. Just what kind of a world are we living in? In a world where we no longer recognize the realities and where we refuse to see the constant aggression of the Soviet Union?

However, to come back to the resolutions, I am particularly pleased to see that point 2 of Mr Pender's resolution specifically refers to the superpowers. We should not forget that the responsibility lies quite clearly with the superpowers. After all, not only military questions are involved — however important these may be. The whole development of nuclear technology, as covered by the Non-Proliferation Treaty, has enormous economic consequences. Don't let's fool ourselves! The superpowers are only too keen to preserve their economic lead and to ensure that they benefit from all the economic advantages of their nuclear development programmes. It is therefore only too easy to understand that those described as nuclear 'have nots' are determined finally to achieve a non-proliferation treaty that enables them to share equally in the economic spin-offs from research and development.

France has been criticized in this context but I cannot agree with that criticism. We must, after all, recognize that France is one of the key elements in Europe and,

particularly in scientific and industrial fields, France has done work of enormous benefit to us all. We should not, therefore, stab the French in the back. Anyone who knows France as a freedom-loving and democratic country, will share our conviction that as soon as the superpowers fulfill their obligations, France will in turn fulfill hers. For this reason, we should not preach to the converted but rather to those whose attitude has meant that we are still confronted by this problem.

*(Applause from the centre and right)*

**Mr Prag (ED).** — Mr President, there is no doubt whatsoever, I am sure, in this House that everyone shares my group's awareness of the potential horrors of a nuclear war. After the Second World War we entered into an age where we live with the possibility of a nuclear conflict from which there would be no winners and everyone would be a terrible loser.

President Kennedy foresaw a world in which 15 or even 25 nations would by now have nuclear weapons. That this has not in fact happened is, we believe, largely due to the success of the Non-Proliferation Treaty. Since the treaty came into force in 1970 only India, among other countries, has demonstrated the capacity to detonate a nuclear explosive device. India is not a party to the Non-Proliferation Treaty.

The Treaty's continued vitality has been demonstrated by the accession of 17 new countries since the last review conference in 1980. There are now 130 signatories, that is, if my arithmetic is correct, some four-fifths of the membership of the United Nations. We, in my group, would like to see every member country of the United Nations adhere to that treaty.

We share the disappointment of other groups that previous negotiations on a comprehensive test-ban treaty have been unsuccessful. We believe that a properly verified treaty which met the security interests of all parties would make a major contribution to containing the proliferation of nuclear arms. Indeed the question of verification, which remains at the heart of the problem, must be solved.

One thing is certain: a comprehensive test-ban which allowed any cheating which was of military significance by its signatories, would not be in the interests of international stability or security. President Reagan's invitation to the Soviet Union at the end of July for Soviet experts to go to Nevada and observe and calibrate the United States nuclear tests goes to the heart of the test-ban issue by addressing the key aspect of verification. If we can solve that problem of verification, we will go a long way towards the reduction of the fearful danger from nuclear weapons.

The trouble is, Mr President, that the Soviet Union has shown no great recent inclination for serious dis-



**Prag**

cussion of these test-ban issues. Their declaration of 29 July on a moratorium follows a long tradition of declaratory gestures on arms control which call for unverifiable arms freezes or moratoria. These are no substitute for properly negotiated and balanced arms control measures.

Our first priority must remain agreement between the United States and the Soviet Union on major and genuinely balanced reductions in nuclear weapons. If we can get that and proper verification I believe we can go a long way towards reducing the fearful danger of a nuclear holocaust.

**Mr Cervetti (COM).** — *(IT)* Mr President, I am not speaking in this debate to outline our general stance on the nuclear issue, nor am I going to explain our view of the Non-Proliferation Treaty. Our ideas are in any case well known. As long ago as the 1950s the Italian Communists set out to express the need for all men to work together, over and above their political, ideological and religious beliefs, so that one of mankind's greatest scientific achievements — the discovery of nuclear energy — would not turn into a means of destroying our civilization.

As for the Treaty, we said right from the start that we were in favour and we have also in fact said that the Treaty could not avoid the issue of a more general strategy to rid the world of the weapons which could destroy our civilization.

We reaffirm these positions here today, and we do so in the overall conviction that all political attitudes, including those we have heard in this morning's debate, have to be abandoned in favour of joint interests, the interests of all mankind. But I am not going to dwell on our ideas about nuclear power and the Non-Proliferation Treaty. Instead, in this noble Chamber which represents the will of the people of Europe, I want to put forward a proposal.

The Non-Proliferation Treaty has been signed by more than 120 countries. Now, why do the Community countries which are signatories not put forward a suggestion for an assembly which brings together all these countries in a kind of movement in favour of non-proliferation and the limitation and control of nuclear weapons? By its very nature such an assembly would be absolutely new, because the Treaty has been signed by countries belonging to military pacts, by non-aligned countries and by neutral states.

It would be a unique assembly for consideration of the nuclear problem, and it could have a great aim. It could put forward other proposals to increase the number of Treaty signatories and to review what needs to be reviewed in the Treaty itself. The controls could be reinforced, for example, and there could be an appeal to the superpowers, urging the need for dialogue and for the prospects of dialogue. The super-

powers are presently engaged in an activity which is both confrontation and dialogue, and they should be encouraged so that dialogue predominates and negotiations are successful and so that other ways and means can be found to promote the idea of nuclear disarmament and the idea of peace.

Mr President, in putting forward this proposal we should like to have the opinion of other parties here in this Parliament and a broad agreement. We also intend to go forward with a more general initiative as regards this proposal, as part of our campaign for peace and détente.

*(Applause)*

**Mrs Flesch (L).** — *(FR)* Mr President, the Liberal and Democratic Group will be taking no part in this debate and will not be voting on any of the motions for resolutions on the non-proliferation treaties before us. We reached this decision unanimously this morning. The reason is not that we are uninterested in such matters or that we do not wish to discuss them — quite the contrary.

We consider it totally inappropriate to discuss by urgent procedure such a vast, complex and — in the literal sense — vital subject as the non-proliferation of nuclear weapons.

The sub-committee 'Disarmament and Security' of the Political Affairs Committee ought to have been consulted on this matter, which quite clearly falls within its sphere of competence. Also — and more importantly — I fear that Parliament's credibility will be ill served if it discusses such a serious, complex and difficult problem hastily and in a way which is certain to be superficial and inadequate.

**Mr Van der Lek (ARC).** — *(NL)* Mr President, I didn't think the intention was to hold a political debate at this time. The issue is abundantly clear, generally accepted and laid down as a principle in a number of treaties. Its topicality and urgency is due solely to the current review conference on the Non-Proliferation Treaty. This is a matter of vital importance to the entire world as Mrs Viehoff has already so clearly pointed out.

I believe that we all agree on the terrifying nature of atomic weapons, on the imperative need to prevent their ever being used and that the balance of terror is a very unstable balance incapable of persisting right into the distant future. For this reason, as is stated in the Christian-Democrat resolution, we must at all costs prevent yet more countries obtaining nuclear weapons. This is what makes the Non-Proliferation Treaty so important and it is this, fellow members, that is at stake in the current Geneva review conference.

**Van der Lek**

It is clear that success at the conference will require steps being taken by the nuclear powers and I believe, Mr President, that it must be possible for all of us to support such a call. What is being asked from us here is only a very modest step and one already included in the 1963 Partial Test-ban Treaty. As stated in Article 6 of the Non-Proliferation Treaty, it is incumbent on all signatories and it is a step unanimously urged by all countries and all governments, including those on which we now call, during the special meeting on disarmament held at the 1978 General Assembly.

Mr President, it is of course true — and neither is nor has been denied by anyone in this Parliament — that the Soviet Union is also partly responsible for the arms race. That can, however, by no means justify our failure to address a clear call to all those states possessing nuclear weapons. I would like, therefore, to join Mrs Viehoff in addressing an urgent call to all members of this parliament to transcend their political differences in considering the greatest good that we share in common — security and the future of the world.

I would again stress, Mr President, that we are not dealing with a political debate and anyone who has read the resolution properly will indeed see that they are asked to make not a political statement but rather a moral one. With all my heart, I hope that this Parliament will not show itself so small-minded as to fail to issue this general call, clearly based as it is on international agreements, simply because we differ on many points of detail over how nuclear weapons should be abolished and over who bears the immediate and major responsibility for the current situation.

**Mr Chambeiron (COM).** — (FR) Mr President, public opinion is calling increasingly for every effort to be made to remove the threat which the stockpiling of nuclear weapons poses to mankind. There can be no denying that as more countries acquire the bomb, the greater will be the danger of instability and large-scale conflict. The signing in 1970 of a treaty on the non-proliferation of nuclear weapons, which was open to all countries — and let me point out in passing that the Treaty has regrettably not been signed by certain Community countries — created hopes for detente and better understanding between nations. Since only a few agreements have been concluded since 1970, and since nuclear testing is still going on in various places, we, as the Parliament elected by the people of the Community, should feel impelled to speak out in the name of reason.

At a time when the US Senate is calling on the administration to resume talks on the general ban on nuclear testing, and when the Soviet Government is deciding unilaterally on a moratorium, the people of Europe would be unable to understand it if the European Parliament did not clearly express its desire to see all the Community countries actively support such promising measures. But since the Non-Proliferation Treaty is

open to all countries, I fail to understand why the European People's Party called on the Community Member States to pursue a joint non-proliferation policy, unless it was intended — and I would favour this — as a request to those countries who are not yet signatories to sign the Treaty.

Finally, Mr President, I would add that a multilateral and mutually verifiable ban on nuclear testing, while respecting the right of each country to live in safety, would prevent dramatic incidents of the kind which recently occurred in New Zealand, incidents which have been condemned in my own country and which prompted our request for a national parliamentary committee of inquiry.

**Mr Alavanos (COM).** — (GR) Mr President, what I wanted to say has already been said by most of the previous speakers, but I should like, on behalf of the Members of the Greek Communist Party, to express our support for the motion for a resolution tabled by Mrs Viehoff and others. I think that this expression of Parliament's will is needed at a very difficult time, when we are making every effort to pick up the thread of the decade of detente and of the 1970 treaty on the non-proliferation of nuclear weapons. Paragraph 5 of the motion for a resolution, which deals with the Soviet Union's initiative on a unilateral nuclear test ban, is in my view particularly significant. I think that, whatever one thinks about the Soviet Union, we must not miss any opportunity which might lead to halting the proliferation of nuclear weapons and the spread of nuclear tests, when it is clear that the United States and France are not pursuing such a policy.

For these reasons I think that, if we adopt the resolution, Parliament will be taking a positive step in this direction.

**Mr Mosar (FR), Member of the Commission.** — Mr President, I would first like to thank you for allowing me to speak on this extremely delicate and sensitive issue, one which is of obvious concern to me in view of my responsibilities in the Commission, at least with regard to certain points in your motion for a resolution, and I would obviously like to concentrate on these.

As certain speakers have pointed out, the work of the conference set up to re-examine the Non-Proliferation Treaty in Geneva centres around the three underlying principles on which the Treaty is based, that is, disarmament and international security, the application of security checks and the promotion of the peaceful applications of nuclear energy.

However, Parliament's motion for a resolution is devoted almost entirely to the first of these three principles — disarmament and international security — the only one which lies outside the Community's sphere of competence.

**Mosar**

The items in your motion for a resolution which are within its sphere of competence are Nos 8 and 9. With regard to item 9, I would point out that in 1977, when a group of countries, including certain Community Member States, approved certain directives, known as the London Directives, on the export of nuclear materials, equipment and technology, the Commission, which was still anxious to preserve the unity of the nuclear market within the Community, stressed how important it was for all Member States to adhere to the Directives. The Directives were adopted in December 1984. At the same time, the Ten, acting within the context of political cooperation, agreed on a joint policy declaration concerning the consequences of the joint adoption of the directives.

The Commission sees this as a positive development from the point of view of both the non-proliferation policy and the unity of the Community market. It stresses, however, that the transfer terms laid down in the joint policy declaration should be made binding under Community law.

One of the terms laid down by the London Directives concerning exports to countries which have no nuclear weapons is the application of the IAEA verification procedure, according to which the IAEA has to be notified of any exports.

That is my position with regard to item 8 of the motion for a resolution. As for item 9, I would say quite simply that the Commission will do everything in its power to contribute actively towards the success of the conference to re-examine the Treaty.

**President.** — The debate is closed.

*(Parliament adopted both resolutions by successive votes)*

### *Situation in Chile*

**President.** — The next item is the joint debate on two motions for resolutions on Chile:

— motion for a resolution (Doc. B 2-826/85), tabled by Mrs Veil on behalf of the Liberal and Democratic Group, Mr Klepsch and others on behalf of the EPP Group, Mr Prag on behalf of the European Democratic Group and Mr Cot, on moves towards democracy in Chile;

— motion for a resolution (Doc. B 2-834/85), tabled by Mr Novelli and others on behalf of the Communist and Allies Group, on the anniversary of the military coup d'état in Chile on 11 September 1973.

**Mrs Veil (L).** — (FR) Mr President, ladies and gentlemen, appalled as we are by the spectacle of people

afflicted by disasters, wars and poverty — problems to which we want to devote our attention — we tend to forget those parts of the world where things are improving. This is now the case with Latin America, and we can only rejoice that that continent is returning little by little to democracy.

There are exceptions, however, and the most glaring is Chile. For 12 years that country has been under a reign of terror. The results are now obvious — the country is paralysed economically and civil rights have gone by the board.

Some of us in this House recently visited Chile and saw that for the first time for 12 years there was an alternative, a genuine and credible alternative which would involve most of that country's democratic forces. Only the extremists refuse to sign the national agreement which seeks to re-establish, through the institutions, a democratic government, and also to lay the foundations for the future. This would not be a government programme but a project to benefit the country as a whole.

Refusing violence and seeking a moderate position, all the Chileans have come together under the spiritual leadership of Cardinal Fresno to demonstrate that they are prepared to accept all responsibilities for the country.

Sadly, General Pinochet did not answer this call. On the contrary, the regime can be said to have responded with violence, since his answer to the workers and poor who demonstrated in the streets, saying that they could wait no longer for the national agreement, that they were afraid that their rights would be violated once again and that they wanted to declare their opposition to the regime, was to resort to violence.

What are the political forces which are party to the national agreement seeking to achieve? They are seeking an end to violence and are trying to convince the armed forces that it is now possible to evolve democratically. But they are waiting for the support of Europe, for only a very forceful European declaration of support for the national agreement and for the democratic political forces will persuade General Pinochet to take account of pressure from Europe, including economic pressure. I want to stress that all the democratic forces which we met, including the moderates, who only a short time ago supported the Pinochet regime, asked us to apply very firm political and economic pressure to persuade the military leaders and the few ministers who still support the regime to accept the national agreement and thus help their country out of the vicious circle of violence.

If we do not give them our support, and if progress in this direction is not swift, all those who are suffering so bitterly under the regime may once again be tempted to resort to violence. This would lead to further repression, terrorism and violence. But the possi-

**Veil**

bility of a rebirth of democracy in Chile is very close at hand, indeed it is within our reach. This goal must be achieved, ladies and gentlemen, and we must help Chile by voicing very clearly our solidarity and support for the agreement concluded between all democratic forces in Chile under the highest spiritual authority.

*(Applause)*

**Mr Novelli (COM).** — *(IT)* Mr President, the coup d'état in Chile happened twelve years ago, and they have been twelve long years of suffering, violence, abuse and illegality. For twelve years the people of Chile have borne the brunt. And during those twelve years those who in that unhappy September of 1973 greeted, innocently or knowingly, the downfall of the legitimate government of Salvador Allende, and who directly or indirectly cooperated in that violent event, had had cause to think again, and today they are part of the movement which is determined to bring democracy back to the nation.

Over the years this Parliament has not been slow in expressing its clear and unequivocal rejection of the Pinochet dictatorship. Today there can be no doubt about one fact. There is an alarming trend of discrimination towards a political group — and opposition communists — which more than any other has borne the brunt in terms of blood and imprisonment, and there is an attempt to drive a wedge between the popular forces. At a time when the Pinochet régime is shaky, there is a clear aim to prepare the way for an alternative which will shut out those who struggled more than any other against the régime. The motion by Mrs Veil, Mr Klepsch, Mr Prag and Mr Cot reflects this attempt and even ignores the new instances of violence and repression by the Pinochet government.

Our group will vote in favour of the amendments but will abstain from voting on the resolution. Naturally, we shall be voting for our own document.

**Mr Cot (S).** — *(FR)* Mr President, I have three comments to make on the situation in Chile. Firstly, fundamental human rights are constantly being violated in that country, despite appearances. Santiago is a quiet, pleasant city, but kidnapping, murder, torture, deportation and expulsion are the daily lot of the people of Chile. The crimes committed are sometimes particularly atrocious. I am thinking in particular of the slitting of the throats of three Communist leaders in spring.

It is violence not perpetrated by isolated groups but by the State. It is recognized by the Chilean authorities; and there was also the case of Judge Canovas, who indicted a number of top army officers, causing General Mendoza to resign from the junta. The disease goes deep and affects the armed forces themselves.

Secondly, the national agreement of 25 August at last provides a peaceful, democratic alternative. The agreement, which was signed with the authority of the Archbishop of Santiago and covers a broader political spectrum than the democratic alliance, has the backing mainly of the democratic political forces, the trade union movement, the professional organizations and the bishops. Only Chile's Communist Party — after hesitation, it must be stressed — refused to sign the agreement, though without questioning the principle and possibility of a non-violent alternative. I would remind you that the agreement is based on the ending of violence and provides for a democratic process to be set in motion without delay, that is, it calls for the repeal of the 1980 Constitution and the departure of General Pinochet, and also the legalization of all political forces, including those not party to the agreement. Lastly, it calls for the creation of a social and economic basis for the reconstruction of Chile, a nation torn apart by the 'Chicago boys'.

Thirdly, Chilean democrats are counting on Parliament's support. They particularly need political support to reinforce the support offered from elsewhere, in particular the support pledged by the US Department of State immediately after the agreement was signed. Economic and financial pressure is also needed, and has even been called for by moderate groups. Finally — and this is a point which will concern us more particularly when we come to discuss the budget — direct aid, which could be channelled through non-government organizations, is needed by Chilean society in all its diversity.

*(Applause)*

**Mr Klepsch (PPE).** — *(DE)* Mr President, ladies and gentlemen, within South America, Chilean democracy has a good reputation and a considerable tradition behind it, yet for many years we have seen a military dictatorship in power in the country. On 25 August, a very wide span of democratic opposition groups within the country, ranging from conservatives to socialists, united to offer a joint programme providing an alternative future for this country and published it at home and abroad — an alternative showing everyone in tangible form that the great majority of the Chilean people now has the opportunity to adopt this alternative as a replacement for the Pinochet regime.

We therefore believe it our duty to give all possible support to the alternative put forward by Chilean democrats and to place the greatest possible emphasis, including in public, on ensuring that everyone is aware that the Chilean situation features not just an escalation of violence and an incitement to civil war, with extremists of the left and right fighting each other for power, but rather that the vast majority of the Chilean people wishes a return to an orderly democracy such as that traditionally known in Chile. We therefore throw all our weight behind this extremely important

## Klepsch

initiative which has perhaps not met with the response in Europe that would be necessary to demonstrate how much we desire the return to full democracy in Chile.

It is proper that we in this House have often been concerned with the violation of human rights in Chile and it is right that we continue to do so. Nevertheless, what we consider vital is that we, as the representatives of Europe's citizens, make clear our support for the Chilean people in their struggle to rein democracy. My Group will therefore vote not only for the resolution but also for the amendments that we have included in order to ensure that the resolution reflects the most recent situation, since we want to make it clear that this House supports the Chilean people in their recovery of democracy.

*(Applause)*

**Mr Kuijpers (ARC).** — *(NL)* Mr President and fellow Members, the bloody coup d'état that brought General Pinochet to power in 1973 put an end to a long history of democracy in Chile. Since that time, the Chilean people have been deprived of their rights and freedom and this makes it our duty to apply all our influence on behalf of those forces in Chile now striving to achieve a non-violent return to democracy. For this context the agreement reached on 25 August between the democratic opposition parties can be interpreted as a hopeful sign but one that was immediately threatened by the violent actions of the Chilean army. I am very pleased, therefore, that we can vote for these resolutions.

Voting is, however, not enough. Europe must do more, firstly by continuing to exert pressure in the United Nations, secondly by coming to an agreement with Chile and other Latin American nations on stable prices for raw materials and, thirdly, by reducing Chile's foreign debt. A fourth step should be an agreement on cultural and social cooperation between Europe and Chile because Chilean students now receive very few scholarships abroad and Chile therefore remains largely dependent on the actions of its 'big brother', the United States.

**President.** — The debate is closed.

*(Parliament adopted both resolutions by successive votes)*

## Human rights

**President.** — The next item is the joint debate on six motions for resolutions on human rights:

— motion for a resolution (Doc. B 2-847/85), tabled by Mr Glinne and others on behalf of the Socialist

Group, on the situation of Yuri Badzyo, imprisoned in a Soviet labour camp:

— motion for a resolution (Doc. B 2-825/85), tabled by Mr Verbeek on behalf of the Rainbow Group, on the fate of political prisoners in Indonesia;

— motion for a resolution (Doc. B 2-840/85), tabled by Mr Wurtz and others on behalf of the Communist and Allies Group, on the execution of Indonesian political and trade union leaders;

— motion for a resolution (Doc. B 2-830/85), tabled by Mr Baudis and others on behalf of the EPP Group, on the fate of J.-P. Kaufmann and other hostages held in Lebanon;

— motion for a resolution (Doc. B 2-831/85), tabled by Mr O'Donnell and others on behalf of the EPP Group, on the abduction and disappearance of Father Rudi Romano;

— motion for a resolution (Doc. B 2-848/85), tabled by Mrs Lizin on behalf of the Socialist Group, on the situation of Miss Benazir Bhutto.

**Mrs Van den Heuvel (S).** — *(NL)* The Socialist Group will vote for most of the human rights resolutions tabled though, on behalf of my group, I would like to comment on some of them.

Our attitude to the violation of human rights in the Soviet Union is well known and we have cooperated wholeheartedly in a number of denunciations of that regime. As Socialists, our indignation is not selective; we denounce violations of human rights wherever they occur and for this reason we have submitted the resolution concerning Yuri Badzyo and urge our colleagues to support it.

I will now turn to Indonesia. Last June, the European Parliament adopted a number of resolutions condemning the execution of Mohammed Munir and urging that the death sentences on four other trade unionists not be carried out. Just then there was a meeting with the ASEAN delegation and I have been informed that the issue was repeatedly raised at these discussions. Nevertheless, the declarations of the European Parliament and many other declarations by Parliamentarians and human rights organizations throughout the world have obviously made no impression whatever on the Indonesian authorities.

We have recently been informed that four other political prisoners, who had already spent many years in prison, had been executed. This makes it all the more important that the European Parliament should again issue a forceful declaration, especially since these are not isolated instances. According to reliable sources, the human rights situation in Indonesia is becoming more serious every day. Political and social freedom

**Van den Heuvel**

does not exist, the press is muzzled and any resistance — for example the events in East Timor — is violently crushed. We must increase the pressure on the Indonesian government, by adopting the clear position that this Parliament will hopefully reach, since there have been many statements to the effect that the Indonesian government sets great store by maintaining good relations with the Community.

If anything, the situation in the Philippines is even more worrying. It is not that long ago, to be precise during the debate on the Israel report on the human rights situation in 1982, that a majority of this Parliament rejected a passage condemning the Filipino government. Obviously a wider range of opinion now recognizes that human rights are being violated in that country. The kidnapping of Father Rudi Romano is but one of many examples of the unacceptable behaviour of the country's security police. We consider that Parliament should at some stage devote an extensive debate to the situation in the Philippines. And in the meantime we, as the Socialist Group, will vote for the tabled resolution.

And now for some comments on Pakistan. We feel that one of the criteria for adopting a resolution in this Parliament is whether it will help us to stimulate a trend that we consider desirable. I can remember the debate on Pakistan during the July session where, especially from a particular group in this Parliament, it was stated that democracy was developing at full speed in Pakistan. I heard statements repeating almost word for word what Pakistani ambassadors in various European capitals had said to me: 'democracy is being restored and the rights of the opposition are being observed'. In my own discussions, I particularly asked whether it was possible for Mrs Benazir Bhutto to return to the country and take up political activity. I was assured that no obstacles would be placed in her way. But we now know just how accurate those assurances were. We count on our resolution demanding the immediate release of Mrs Bhutto, particularly from those who then placed such trust in the Pakistani government.

**Mr Verbeek (ARC).** — (NL) The regime in Indonesia is a military one and we know what that means — a steel fist rather than democracy, violence rather than human rights. Now it has claimed new victims in the form of the four political prisoners that have been executed.

Since 1965, more than 500 000 people have been arrested with only a few hundred actually being brought to trial — trials that have been unacceptable in judicial terms. According to Amnesty International, even the civilian courts that have replaced military tribunals since the 1970s do not offer justice to the accused. The generals in Indonesia say that this is an internal matter but that is never true of human rights. Those know no frontiers, they know only our deafness if we choose not to hear.

EEC countries have considerable interests in Indonesia, major trade interests. There we see elites negotiating with elites. The very poor do not benefit and political prisoners are not freed. That will only happen if the EEC finds the courage to confront the generals. The Suharto regime is associated with death squads, the execution of Mohammedans, massive deportations, refugees from Papua and the war on East Timor.

The EEC has a moral and political duty to exert economic pressure. The dead are dead, 17 political prisoners in their death cells await our protest. The generals will be laughing if we keep silent and inactive.

**Mrs Baudis (PPE).** — (FR) It is now more than a hundred days since Jean-Paul Kauffman, a journalist, and Michel Seurat, a researcher, were kidnapped in Beirut on the road to the airport.

They have since been held by the 'Hezbollahs', an armed Shiite militia inspired by Khomeini's Iran.

Kauffman and Seurat are not the only victims. Other French diplomats — Fontaine and Carton — one British and one Irish subject, as well as several Americans have also been kidnapped.

Since then a number of promises have been made by those in a position to order the release of the hostages. At the end of June Mr Nabih Berri, leader of the Amal Shiite movement, promised that the hostages would be released as soon as Israel released all the Lebanese prisoners held in the Atlit prison. Then, on 20 July, this promise was re-affirmed by the Syrian President, Mr Hafez el-Assad.

All the Atlit prisoners have now been released, but the hostages are still captive.

I feel there is no need to comment on their distress and that of their families, since we can all imagine what they must be going through. I shall of course refrain from expressing any opinions or making any statements which might in any way affect the hostages' chances of release.

Ladies and gentlemen, I therefore call upon you quite simply to vote in favour of the motion for a resolution and would also like to stress the importance of a unanimous vote.

(Applause)

**Mr O'Donnell (PPE).** — Mr President, two months ago on 11 July Father Rudi Romano, a Filipino priest attached to the Irish province of the Redemptorist Order, was abducted in the city of Cebu by armed men wearing civilian attire. The registration number of the motor vehicle used on that occasion was recorded

**O'Donnell**

by eye witnesses and was identified as having been the property of the Philippine Government. Since that date no information has been made available as to the whereabouts of Father Romano. No reasons have been given for his abduction and no charges have been made against him. Numerous requests and appeals for information on the position of Father Romano have been made to the President and Government of the Philippines. Efforts to obtain information have been made by his family, his religious superiors, the Papal Nuncio in Manila, the Irish Government and by the Governments of the United States and Australia and, indeed, by numerous agencies in many parts of the world.

A short time after the report of the abduction of Father Romano, a petition addressed to the Ambassador of the Philippines to the European Community was delivered to the Embassy in Brussels by Vice-President Lalor and by myself. No response whatsoever has been received to this petition.

Efforts to date have yielded no information whatsoever. We do not know where Father Romano is and we do not whether he is dead or alive. I am sure that you, Mr President, and every colleague in this Parliament, will agree that the case of Father Rudi Romano represents a frightening and outrageous violation of human rights which must be strongly condemned. The attitude and the conduct of the Philippine Government is indefensible and should be totally unacceptable to the freely-elected Members of this Parliament.

The position of Father Romano is a cause of grave concern, not only to his own family but also to a large number of missionaries from many member countries of this Community who are working in the Philippines.

The motion before the House asks the European Parliament, having regard to the need to protect human life, to call on the Foreign Ministers meeting in political cooperation to intervene with the Philippine authorities with a view to securing the return of Father Romano; calls on the Commission in the absence of any acceptable response from the Philippines to review the trading relations between the EEC and the Philippines and further calls on the Commission to halt all aid to the Philippine Government until such time as this outrageous breach of human rights is rectified by the Philippine authorities. I confidently appeal to all my colleagues to support this motion.

**Mrs Lizin (S).** — *(FR)* Ladies and gentlemen, we would like to draw Parliament's attention to the treatment by the Pakistan authorities of Miss Bhutto, the daughter of Ali Bhutto.

Miss Bhutto went to Pakistan to attend the funeral of her brother, who had been killed under distressing circumstances. Even though she made no political declar-

ations — as she had promised before going to Pakistan — she is now being kept under house arrest.

Many of you will have met her in Strasbourg in June of this year. We want to show the Pakistan authorities through this motion for a resolution, which we hope will be adopted unanimously, that Parliament wants the rights of the opposition in Pakistan to be respected and that it wants Miss Bhutto to be released.

**Mr Chambeiron (COM).** — *(FR)* Last June, Parliament, alarmed by the threats of execution hanging over the Indonesian trade union militants, launched an appeal to the Indonesian Government not to carry out the executions.

One month later, after the threat of execution had been repeated, my colleague Mr Wurtz called on Parliament to make an urgent appeal to the Indonesian Government and to the Community foreign affairs ministers. A majority of this House refused to support this appeal for clemency for the four militants — I seem to recall that this refusal followed a very vigorous intervention by Mr Prag. We were even told that the power-holders in Jakarta ought not to be provoked.

Since then, Mr President, Suharto has had three of these four men executed in defiance of international pressure. Only one, Ruslan Widjayastra, is still alive, and he may be executed any day now. At the same time there are seventeen others in the death cell. They were sentenced seventeen years ago and face the same threat. There has also been an increase in the number of political trials in the country. 1 700 000 former political detainees are now subject to checks backed by the army.

For these reasons, Mr President, we should take seriously the threats from the military regime in Jakarta. The seventeen men referred to in the motion for a resolution tabled by the Communist Group could be executed at any moment. Only international pressure will persuade the Indonesian Government to back down.

Not to support the motion would be tantamount to giving the Indonesian Government the go-ahead to execute these prisoners, as it did without hesitation in July after the regrettable silence from a majority of this House.

**Mrs Lenz (PPE).** — *(DE)* Mr President, once again Parliament's agenda includes two resolutions on human rights in the USSR. I think it is characteristic of the place this country holds in the sad catalogue of human rights violations that the resolutions have been tabled today by two completely opposed groups. Moreover, both can count on the support of all other groups since, after all, they concern the hundreds if

**Lenz**

not thousands of human rights violations repeatedly coming to the attention of this House. They concern cases where we cannot always name names, as we could for Sacharow whose fate has often been discussed here, and all those we hear of every day.

It is at once a sad and pleasing fact that this House always responds unanimously on this issue. It enables us to state — and this will apply to most groups in this House where what is at stake is the fate of individuals and the defence of their freedom, rights and freedom of expression — that we are unanimous on this point and do not defend human rights only when this is in accordance with advancing our own political views.

We in the Parliament must therefore repeatedly place the spotlight on human rights violations in the USSR since these have effects extending right into half of that Europe those of us here would so much like to represent together.

On behalf of my group, I would like to say that we will support both resolutions and hope that the Parliament will again take a clear stand.

**Mr Beyer de Ryke (L).** — (FR) I would like to make a small preliminary comment, Mr President: I am struck by the fact that even though we have adopted a theme, i.e. human rights, we have fragmented the individual issues involved. I think it would be more rational — and here I am addressing the Bureau — to group together the issues. My speech, for example, is a logical extension of that of Dominique Baudis a few minutes ago. That being the case, I believe it would be more logical and coherent to tackle the problem of human rights subject by subject. Could the Bureau examine this point?

On the theme we are discussing, Mr President, I will say very little because, Mr President and fellow colleagues, few words are necessary to condemn and denounce both the word 'hostage' and the concept it refers to. The taking of hostages involves the deliberate crushing of individuals not participating in the fighting, whether they are observers or the targets. And in the case of John Paul Kauffmann and the diplomats, we are dealing with observers in no way involved in the conflict. Their mission is to examine, analyse and inform. There are no guns in their hands, no triggers under their fingers and yet we see them held at gun point, kidnapped and kept prisoner. From Abouchar to Kauffmann, journalists are the victims of those that see their profession as unacceptably exposing unacceptable truth.

Mr President and fellow members, let the unanimity of our appeal, the unanimity urged by Dominique Baudis, encourage the kidnappers to consider the old adage 'crime doesn't pay': the taking of hostages is a crime.

(Applause)

**Mr Fitzgerald (RDE).** — Mr President, time compels me to be brief. I wish to support the motion on the abduction and disappearance of Father Rudi Romano. Two months have elapsed since this priest — a member of the Irish Province of the Redemptorist Order — disappeared. All efforts by his Order and by the Irish Government, through the various channels open to it and with wonderful international cooperation, have failed to ascertain his whereabouts. A regime that maintains so much silence and refuses to disclose information deserves to be condemned by this Parliament. The uncertainty for his family and his Order caused by the lack of information is causing extreme hardship and suffering. I support the call on the Foreign Ministers to intervene with the Philippine authorities and on the Commission, if necessary, to review trade relations between the EEC and the Philippines. During the period he spent serving his Order in Ireland he was highly respected and his disappearance without trace has caused serious concern and indignation. I re-echo the appeal of my Irish colleague to this House to support the resolution.

**Mr Antony (DR).** — (FR) Mr President, we shall be voting in favour of the motion for a resolution to free Mr Badzyo. But there is a danger: to imagine that the problem of human rights in the Soviet Union can be reduced to the defence of a few individuals would be to distort, in an irresponsible and radical way, reality in the Soviet Union and in the eastern bloc countries. That reality is totalitarianism based on Marxist-Leninist ideologies and applied in the constitutionally defined Leninist *praxis*. If we consider Article 6 of the Brezhnev constitution, which replaces Article 25 of the Stalin constitution and which states in substance that the Communist party of the Soviet Union is the governing nucleus of the State, as well as of all the mass social, trade union, civic and patriotic organizations, we are forced to conclude that this provides the basis for slavery. What is a slave, Mr President, ladies and gentlemen? According to the dictionary, it is someone who is completely and utterly dependent on another person, group or organization.

If we think about the Soviet constitution, we have to concede that the average Soviet worker's boss is the State. In our part of the world workers have trade unions to negotiate with their bosses or to defend their interests. But in the Soviet Union, the State leader, the 'boss's boss', is the Communist Party. And to deal with this boss, there are unions whose governing nucleus is governed by the Communist Party. This is the reality to which Solidarity and Lech Walesa were opposed in Poland: they did not advocate a self-governing society but self-governing trade unions, that is unions whose leaders would be their own bosses, a principle which has long been supported, and rightfully so, by our own workers' movement.

It is this basis of slavery in the USSR which, as Solzhenitsyn showed so clearly in *Gulag Archipelago*,



**Antony**

makes Soviet democracy totally conditioned by and geared towards the Party. That is why there are now 5 million detainees in the Gulag, in addition to the dramatic case of Mr Badzyo, 5 million citizens crushed by the Party, serving in most cases life sentences just for wanting a few basic rights.

In his *I Chose Freedom*, Kravchenko described this process in the communist system. That is why communists dislike methodical anti-communists who know, as we do, how to take apart bit by bit this perfect machinery for slavery set up by Marxism-Leninism.

Kravchenko was also able to answer his critics. It was Daix, Simone de Beauvoir and Yves Montand who spoke out against him. They have each recognized that they were wrong to put their faith in the Gulags, in communism and in the bottomless abyss of modern slavery in order not to upset the Renault workers.

*(Mixed reactions)*

**Mr Mosar (FR), Member of the Commission.** — Mr President, respect for basic human rights is the principle on which the Treaties establishing the Communities are based. The Commission, in its declaration of 5 April 1977, which was countersigned by Parliament and the Council, underlined the supreme importance of human rights and its commitment to respect them in the performance of its duties and in pursuing the objectives of the European Communities.

In applying and developing Community policy, especially in relations with third countries, Community measures are based on respect for basic human rights. This applies in particular to the kidnapping and disappearance of Father Rudi Romano. The Commission echoes those who condemn the kidnapping and shares Parliament's fears for his safety. The Commission will not omit to stress its concern for human rights in its future dealings with the authorities of the Philippines.

The Commission was distressed to hear of the execution of three political prisoners in Indonesia. It deeply regrets that the Indonesian authorities did not grant clemency to the prisoners, as called for by world public opinion, in particular by this House.

With regard to economic relations between the Community and Indonesia, the Commission is prepared to provide, through the appropriate channels, the information requested by Parliament.

**President.** — The debate is closed.

*(Parliament adopted all the resolutions by successive votes)*

*Attack on 'Greenpeace'*

**President.** — The next item is the joint debate on three motions for resolutions on Greenpeace:

— motion for a resolution (Doc. B 2-823/85), tabled by Mr de Camaret and others on behalf of the Group of the European Right, on Greenpeace and the Mururoa test centre;

— motion for a resolution (Doc. B 2-833/85), tabled by Mrs Piermont and others on behalf of the Rainbow Group, on the attack on Greenpeace and a worldwide ban on nuclear tests;

— motion for a resolution (Doc. B 2-851/85) by Mrs Weber and others on the attack on the Greenpeace ship *Rainbow Warrior*.

**Mr Antony (DR).** — (FR) Mr President, the Group of the European Right has adopted a responsible attitude to the Greenpeace affair. We derive no satisfaction from a matter in which France's interests are at stake, and we expect all the facts about the case to be brought to light, even though it cannot be denied that the affair has been mishandled.

But the Group of the European Right should not be expected to adopt cheap political attitudes which would be against the interests of our armed forces and the fundamental interests of our country!

The Group of the European Right therefore wants nothing to do with any political campaigns and expects the Government to defend France's fundamental interests in the Pacific, whether in New Caledonia or Tahiti.

**Mr Staes (ARC).** — (NL) Mr President, Greenpeace's actions over quite a number of years have highlighted our irresponsible exploitation of finite natural resources — in effect our complete lack of vision not only in an ecological sense but also in purely economic terms. Such action also emphasizes the financial interests of a number of commercial organizations motivated solely by profit and the indecisiveness of political leaders which leads them all too often to defend commercial interests rather than those of the Community.

The action taken by Greenpeace has always been non-violent and without any ideological prejudices: being aimed against interests in both the West and the East. The murderous attack in Auckland was primarily associated with the continuing tests of atomic weapons at Mururoa-Atoll — whereby this area and its inhabitants remains the victim of manifest colonialism in what is claimed to be the interests of the French state and its 'force de frappe' — interests totally irrelevant to the area.

## Staas

Secondly, it is related to the continuation of these atomic tests in general, an aspect receiving greater attention because of the topicality of the Non-Proliferation Treaty. In not signing this treaty, France emerges as a threat to peace and security. The fact that President Mitterrand is currently on his way to Mururoa, to support further French atomic tests in the area by his presence at the scene, is more than significant in this context.

The third aspect is the role of nations and their administrative organizations. After all, there is considerable reason to believe that the leaders of this democratic state, France, have used their security services in a way that makes them nothing more than criminal terrorists. This European Parliament has, quite correctly, given renewed attention to combatting terrorism by individuals and groups. This Parliament must therefore also be objective enough to extend the debate to include institutionalized state terrorism of which the attack on the Rainbow-Warrior is perhaps but one example.

Finally, Mr President, the murderers of the photographer Fernando Pereira must be identified and brought to trial, regardless of who they may be. This European Parliament must play an active role in this process. Our Group therefore considers this a much more serious matter than just a brutal act of murder — however horrible that may be in itself.

**Mr Weber (S).** — *(DE)* Mr President, ladies and gentlemen, it is surely accepted worldwide that atmospheric nuclear weapons tests have devastating consequences for the environment and for health. The tests in the Nevada desert, at Bikini Atoll and on the Tribiloff Islands in the Kamchatka Chain until 1963 have had very serious effects right up to the present day for the people involved and for the environment of the regions concerned.

Partly for these reasons, and because such testing was technically no longer necessary, the Test-ban Treaty was signed in 1963 obliging all signatories to cease nuclear weapons tests in the atmosphere, in space or underwater. Unfortunately not all the EEC nations are signatories to the Treaty. Both France and Portugal have failed to sign.

I do not believe that an urgent debate is the correct place to determine our overall stand on this very serious problem. In this Parliament, we would require a very intensive debate to reach an opinion on the EEC's overall attitude to the military use of nuclear energy.

That notwithstanding, it must nevertheless be obvious that non-violent protests against the behaviour of a nation and against such controversial tests, and therefore also the protest by the Greenpeace ship 'Rainbow Warrior', are a sign of democracy. Those criticizing authoritarian regimes for the use of violence to suppress legitimate grievances by citizens cannot just go

on with the agenda and do nothing when protest is suppressed with violence and even at the cost of a man's life. We therefore join Fernando Pereira's family and friends in mourning his death.

It is even more depressing that France declared, more than ten years ago, that it would use violence if necessary to keep protest ships away from the test zone and that a similar situation may now apply. The acceptance of non-violent protest, even when it proves awkward, and the refusal to use violence against it, should be a sign of strength and not of weakness.

The right of every people to self-determination is also a basic tenet of democracy. Whether it concerns preventing the dumping at sea of highly radioactive materials, as is currently being attempted in the Pacific near Kiribati and Nauru, or the sanctioning of nuclear weapons tests: there must remain an inalienable right to self-determination.

We must also accept it if the countries of the South Pacific decide to declare their region a nuclear weapons-free zone. Incidentally, you can imagine the unanimous reaction of the other side of the House if some of the East Block countries were to make such a decision but have it blocked by the USSR. This is all the more reason to support the stand taken by these countries since it is highly debatable whether international law permits a country unilaterally to carry out such tests, with extensive consequences for health not just immediately but also over long periods of time, and so extend its zone of influence. Quite apart from the Non-Proliferation Treaty, it is in fact quite doubtful that such atomic tests are permissible under international law since they require, for example, large areas of ocean to be closed to traffic and so form a violation of the freedom of the seas.

It is regrettable that the International Court of Justice in The Hague has not yet reached a verdict on damage to the environment and health. On an earlier occasion on which Australia and New Zealand instituted an action against the French Government and its nuclear weapons tests, the action was dropped only because France made persuasive promises that the tests would be discontinued. One can only hope that a new action will settle this issue once and for all in the interests of everyone.

I think it is unanimously agreed that the Tricot report is inadequate and this has been stated by the French Prime Minister Laurent Fabius who has announced a more thorough inquiry. It is vital that information soon be made public about the role, if any, played by governments and security services. We demand that this inquiry make use of the findings and evidence assembled by the New Zealand Government.

We reject the Camaret resolution which disparages people's legitimate interests and plays down the possible consequences of nuclear weapons tests as well as

**Weber**

hypocritically giving certain peoples a greater right to selfdetermination than others.

Mrs Piermont's resolution and others are supported by many members of my Group even though they make reference to some issues that, as I pointed out earlier, require earnest discussion at another time. An attack such as that on 10 July on the Greenpeace ship in Auckland harbour must never happen again.

*(Applause from the left)*

**Mr Huckfield (S).** — Mr President, many of us have difficulties with the Tricot report and I will be very brief in trying to say why.

The fact is that the French secret service has a long history of blowing up ships and being involved in occasions of this kind. They were involved in blowing up ships carrying arms to Algeria during the Algerian war. They have been involved in blowing up Corsican Nationalist radio transmitters and, of course, there are all the allegations of involvement in the Ben Barka affair.

No wonder, Mr President, that George Carver, of the Georgetown University Centre for Strategic Studies, a former CIA official himself, said that their philosophy is: 'What else is an intelligence service created for but to do things that are extralegal?' He then went on to say that their philosophy seems to be: 'What the State requires to survive, the State does to survive'. The trouble is that this State and this secret service apparently get it wrong. In 1984, for example, the French secret service told the French Government that Libyan troops had left Chad when American satellites proved that they were still there. In June of this year, the French intelligence service sent to New Zealand, allegedly to infiltrate Greenpeace, a spying mission, who did not speak proper English and were in fact underwater demolition and explosives experts.

That is why that report has been called too beautiful to be believed — in other words, too transparent to be a whitewash. Those are not my words. Those are the words of *Le Monde* and the Prime Minister of New Zealand, Mr David Lange.

Mr President, I will end by saying this. Why does the French Government not listen to the views of the South Pacific forum and the nation States such as New Zealand? If they will not listen to the nation States of that part of the Pacific Ocean, will they please listen to this Parliament, which is saying to them that we are against the possession and protection of all nuclear weapons and bases. We urge the full cooperation of the French Government with the New Zealand Government. We demand a nuclear-free Pacific, and we demand also that the activities and the aspirations of Greenpeace be supported.

*(Applause from the left)*

**Mr Christopher Beazley (ED).** — Mr President, this is a very complex and confused issue, but so far the debate in this House, I regret to say, from all the speakers who have so far spoken, has been a direct attack on a Member State of the European Community. It seems to me quite wrong, quite out of place. I want to refer later on specifically to Franco-British relations, but the sort of contribution that Mr Huckfield has just made, I am afraid, just adds to the rumours and the bad feeling which, no doubt, he would like to encourage, and it is quite out of place.

I agree with Mr Huckfield when he says that he hopes the French Government will listen to the European Parliament, because the European Parliament and its centre-right groups are going to vote on this particular issue to show that they reject Mr Huckfield's views and those of the Rainbow movement, and those of the far right. None of them represents the democratic centre and centreright views of the majority of Europeans on this subject. I think it is important to divide the two issues — the issue of the environmentalists, the ecologists, and the issue of nuclear defence. It is not true to say that Greenpeace is a pacific and non-political organization which is merely trying to protect ordinary civilians. It is quite determined to use its propaganda, not simply to attack the French Government, but to attack the British Government, and it is quite wrong to think that there is unanimity in the Green movement. The French Greens, to their great credit — Mr Brice Lalonde, for example, quite disassociates himself from the sort of virulent attack we heard from Mr Staes against the French Government, which was quite appalling.

I also wish to point out that those who have claimed that this affair shows that democracy is being undermined are, of course, quite right. It is Greenpeace who are trying to undermine democracy because they would wish to see France and Britain with no nuclear deterrent...

*(Mixed reactions)*

... They would wish to see democratic countries in Europe actually open to the anti-democratic forces who submerge not only Eastern Europe but also the Soviet Union. You cannot say that we attack the Soviet Union when the Soviet Union and their sympathizers — as everybody knows — are behind financing such propaganda attacks on our democratic defences.

*(Laughter from the Socialist benches)*

Mr President, I do not wish my contribution to be drowned by those who do not like listening to views which they cannot agree with and which they know are going to be in the majority today.

I wish to conclude on a very significant aspect, and that is that in this rumour and this speculation, many

**Beazley**

people have tried, as the Left always do, to divert attention from the real subject. They have tried to blame, they have tried to rekindle nationalistic outdated rivalries between France and Britain, and which I as an Englishman absolutely reject.

*(The speaker continued in French)*

We are against all efforts which seek to divide Great Britain, the English-speaking world from the French-speaking world. We stand beside our French colleagues. We say: yes, it is important for Britain and France to maintain their nuclear defence forces. We are against ecologists and any other kind of fringe group, including the Socialists! *Vive l'entente cordiale!*

*(Applause from the right)*

**Mr Trivelli (COM).** — *(IT)* Ladies and gentlemen, our group will vote in favour of the Piermont and Weber motions, particularly on account of the symbolic value of the Greenpeace movement.

However, there are a couple of things I particularly want to mention. We are critical of the nuclear policy of the French Socialist Government and we stand against their policy, but we do not go along with those who regard their actions as a kind of state terrorism. I should like to make our position clear on this point.

Secondly, I want to stress the value of actions such as those by Greenpeace. We should like to see a wider debate for the reason that in actions of this kind, albeit praiseworthy, there is always some risk and some limit, and indeed this has been borne out by the facts. Of course, there is a place for bold token action by individuals or fairly small groups, but if we are going to get anywhere there also has to be political action on the part of the forces of democracy.

I also want to draw attention to the importance of the stand by the Pacific countries and to the request by Mrs Weber for a general debate by Parliament on the nuclear issue.

By way of conclusion, let me say that we also need to arouse public opinion. Millions of people need to express their will and pressure their governments for an end to nuclear tests and the banning of nuclear weapons.

**Mr Ulburghs (NI).** — *(NL)* There is a growing and universal survival reaction as a response to the senseless arms race and leading this reaction are the environmental and peace movements. Worldwide, the public sees Greenpeace as the symbol of this movement for justice, peace and survival.

*(Applause from the left)*

Historically, social movements have often been upward-moving ones with their roots in a population conscious of being deprived of fundamental rights and dignity. So it was with the labour and socialist movements in the past and so it is now with the peace and environmental movements. It is essential that the movements unite, that the labour movement, the peace movement and the environmental movement join together as socialist movements to form a significant, united front for peace and justice.

We hope, Mr President, that the peace, environmental and socialist movements can evolve a joint strategy to achieve social justice. I am therefore saddened that a socialist government in France, supported by conservatives, feels it has to evoke 'la grandeur française' and the 'force de frappe' as a way of ducking opposition to nuclear weapons tests in the Pacific rather than supporting the action by Greenpeace.

In conclusion, Mr President, I would first like to suggest that the attempt by Greenpeace be encouraged and secondly that the French Government be exhorted to stop its participation in the arms race and instead to put the French tradition of liberty, equality and fraternity to good use in the cause of European nuclear disarmament and peace.

*(Applause from the left)*

**Mrs Fuillet (S).** — *(FR)* Mr President, ladies and gentlemen, the French Socialists have examined the motions for resolutions on the Greenpeace affair with the utmost care.

If all that was necessary was to combat certain uncontrolled outbreaks of State terrorism or outbreaks by special pressure groups, we would have supported this demand for democratic clarity.

Unfortunately, the motions on the Greenpeace affair appear to us to be lacking in objectivity and calm. Since we have to uncover the whole truth about this case, let me tell you that the French Government, on the initiative of the French President, ordered an inquiry and, following the Tricot report, set up a new commission of inquiry.

The fact that a debate by urgent procedure has been requested before the findings of the inquiry are known seems to us French people to be a provocative, indeed belligerent act on the part of certain so-called pacifists. What is even worse, only one country — my own — has been accused, even though the facts suggest that other countries, or at least their secret services, were also involved. The British press has put a number of questions to the British Government on this point, and in the interests of democracy we would like an answer. Worse still, the alarmingly large funds behind Greenpeace, whose boat was immediately replaced after its sinking, and the hostile declarations made by the

**Fuillet**

president of Greenpeace against France are not criticized in any of the motions for resolutions before us. Let us be quite clear about this. We shall counter any attempt to undermine France's defence policy by deliberate disruptive tactics, since France wants peace, and the pacifists cannot preach peace while at the same time acting in a way which is, to say the least, unfriendly.

*(Applause from the right)*

In conclusion, I am pleased to say that the French secret service will henceforth be under the control of representatives elected by the people and that an inquiry is now under way. We shall have to wait for the findings of this before jumping to any conclusions.

The French Socialists will therefore be voting against the three proposals.

*(Applause from the right)*

**Mr Zahorka (PPE).** — *(DE)* Mr President, ladies and gentlemen, coming as it did in the news-starved summer period, the bomb attack on the Greenpeace ship in New Zealand made headlines though it also brought a great deal of unconfirmed speculation as to who had carried out the attack, — an attack which unfortunately resulted in the loss of a person's life.

I have, read in otherwise quite serious dailies and weeklies, at least five different theories as to who ordered and carried out the attack. The New Zealand Government has still not come forward with its evidence or what it regards as evidence — and an investigation is still being carried out. The first legal proceedings in the case will not take place until 4 November so that the issue is sub-judice and any statement by the European Parliament would be a politically unfair and judicially unacceptable prejudging of the issue.

My Group intends to reject all three resolutions because the contradictory information made it impossible to reach any conclusion, because we do not want to prejudge the issue and because of the principle that statements on security policy are not fitting topics for an urgent debate. The basic issue of nuclear weapons testing or the strategic importance of the South Pacific could properly form the subject of a thorough report or an extended debate. It should, however, not be voted on in the form of an over-generalized, tacked-on sentence. In some of the resolutions, the attack on the Greenpeace ship is criticized only as a way of sniping at the policy followed by one of our fellow Member States in the EEC, the government of which enjoys widespread support in the country. In this way, Greenpeace and the unfortunate victim are misused for political ends. Those tabling the resolution are not in the least concerned about the ship and the victim but about pacifism. They want to help dismantle the security policies of Western Europe.

France can carry out atomic tests anywhere on its territory that it considers suitable and it is in the interests of the free part of Europe that France maintains a defensive capability. By doing so, France is also defending our ability to hold a pluralistic debate here today and not just concur as we would have to do in the Supreme Soviet. Once all judicial procedures have been duly completed, we would welcome the issuing of a report such as has been demanded but the European Parliament should not prejudge the issue.

*(Applause from the right)*

**Mr Ciccimessere (NI).** — *(IT)* Mr President, I believe that three questions need to be looked at and they are three questions that can be looked at and analysed separately. The first question concerns the responsibility of the French secret service in the sinking of the Greenpeace ship. Quite apart from the excuses we have heard from the person who investigated the affair, it seems to me that there is no doubt about the overall responsibility of the French Government or at least of its agents. What is worse, in my view, is that reasons of state have once again taken precedence over international rights and the basic rights of every individual. This cannot be tolerated.

It is depressing for me to see a socialist party endorsing actions by departments which it had denounced in the past. It may be, Mr President, that Mr Mitterrand's minister knew nothing about what was going on, but this happens everywhere, in France as well as in my country. It is the same old story of cover-ups and secret services which we on the Left have always criticized, and yet here we have the French Socialist Party endorsing what happened and covering it up.

The second question we have to take on its own concerns the danger of nuclear tests in the Pacific. If this were not the case, why prevent the Greenpeace ships from approaching the atoll? They are being kept 200 miles away. If no risk exists and if there is no risk of pollution, why is it not possible for the general public or Greenpeace or anyone else to go in and check that these tests are not dangerous? If you ask me, past experience indicates once again that this is not the case. It is no coincidence that earlier campaigns by Greenpeace have succeeded in putting a stop to tests in the atmosphere, and I believe that there is a need to look into this problem of pollution more deeply and that the assurances we are given are worthless.

The third question is more complex, Mr President, and it is one which cannot be solved by simplifying the issue and lining up on opposite sides of vague alliances. I am talking about France's nuclear deterrent and the issue of nuclear testing. It must be quite obvious to everyone here, on the Left and on the Right, that nuclear tests are essential for the technical maintenance and development of the nuclear arsenal. The debate hinges therefore not on the tests but on

**Cicciomessere**

strategic nuclear power, and it is a waste of time trotting out strange excuses. What we are talking about is strategic nuclear power, and I mean both tactical use and what is being tested at this moment — and this is what we are talking about here and what we should be discussing today — and what is being tested is the tactical use of nuclear weapons, especially the neutron bomb, and therefore we are not talking only about the strategic use of nuclear weapons.

The fact is that there are two questions we need to consider seriously. Is peace guaranteed by the nuclear deterrent? That is the first question. And the second question is: Is there any alternative to the pattern of military defence in the world? To my mind, the first question can be answered with a sufficient degree of certainty. Conflict is growing in the world. Millions of people are dying of war and hunger. It cannot be said that peace is guaranteed by the nuclear deterrent.

If on the other hand we adopt a racialist view of peace, thinking of peace from the European standpoint, we have to say that developments in technology and military thinking clearly show that the idea of strategic deterrence — that is, mutual assured destruction — is on the way out, to be replaced by the idea of a tactical nuclear war that can be fought. What we have to do then — alas, the time is up — is ask ourselves if there is no other solution.

In conclusion, Mr President — since there is not time to go any deeper into these points — let me say that once again it is sad to see some socialist parties' lack of understanding when it comes to the progress and updating of anti-war positions which even today can be developed along real lines on the basis of the risks of new technology.

**President.** — The debate is closed.

*(Parliament rejected motions for resolutions Nos B 2-823/85 and B 2-833/85 and adopted resolution No B 2-851/85 by successive votes)*

*(The Sitting was suspended at 1.15 p.m. and resumed at 3.15 p.m.)*

**IN THE CHAIR: MR GRIFFITHS****Vice-President****Airline safety**

**President.** — The next item is the joint debate on four motions for resolutions on airline safety:

— motion for a resolution (Doc. B 2-835/85) by Mr Carossino and others on airline safety measures;

— motion for a resolution (Doc. B 2-837/85), tabled by Mr Moorhouse and Mr Prag on behalf of the European Democratic Group, on airline safety;

— motion for a resolution (Doc. B 2-850/85), tabled by Mr Newman on behalf of the Socialist Group, on the Manchester air disaster of 22 August 1985;

— motion for a resolution (Doc. B 2-854/85), tabled by Mr Lalor and others on behalf of the Group of the European Democratic Alliance, on the tragic loss of lives following the recent air disasters worldwide and train crashes in France.

**Mr Carossino (COM).** — *(IT)* Mr President, 1985 will probably be remembered as a black year for air transport and unfortunately, from what we heard in this morning's news, also for rail transport, on account of the alarming series of accidents which have occurred and the large number of victims which they have caused.

The general public is getting more and more anxious and concerned and they are beginning to wonder if flying is now a risky business. These legitimate fears cannot be answered as we have done in the past, by quoting statistics that indicate that flying is one of the safest means of transport. That is a thing of the past. The circumstances now are different and travellers need to get from the Community, the governments and the airlines precise assurances on compliance with air safety regulations and on the servicing which has to be carried out regularly on aircraft. We need to clear up the doubt in people's minds that the financial difficulties of some airlines and the fare-cutting competition on some routes, especially charter routes, have led to a relaxation of safety rules. It has been pointed out, I know, that the causes of these accidents have been various, but it is also true that the first indications point to definite responsibility for non-compliance with and infringement of safety rules. The safety of air transport depends, we all know, on various technical, regulatory and human factors.

We feel that all these aspects should be considered by the Commission, and we are asking the Commission to submit new proposals for a better organization and management of air traffic, for the use of equipment and crew and for infrastructure. We note the Commissioner's statement of last Tuesday, when he indicated that the Commission was aware of the problem. We echo his words and we hope that we shall soon have some definite and concrete proposals from the Commission on this matter.

**Mr Moorhouse (ED).** — Mr President, as Mr Carossino has said, 1985 is becoming a black year for air transport. No fewer than 1 600 people have been killed in 24 aircraft accidents, a serious setback for aviation, which has been regarded as relatively safe in

**Moorhouse**

recent years. What appears to make this year very different from previous bad years is that in several cases aircraft and engine failures were to blame rather than pilot error and bad weather.

I refer particularly to the tragic accident at Manchester Airport when a Boeing 737 with Pratt and Whitney engines crashed on take-off killing 55 passengers, but also to the loss of two Boeing 747 flights in Japan and over the Atlantic with but four survivors. One of these losses has yet to be explained.

What is to be done? First, quite clearly, public confidence needs to be restored. That depends, first of all, on a much better safety record, but also, I believe, on a much more open attitude by the airlines, by the civil aviation authorities and by member governments. Why is it, for instance, that within the EEC not all civil aviation authorities thought it necessary to ground and then inspect Boeing 737s, Boeing 727s and DC9s with the suspect Pratt and Whitney engines? Surely other national authorities must be faced with the same problem, and what are they doing about it? I find it disturbing and disquieting that only four out of ten national organizations within the EEC have responded to our requests for specific information on this subject. Is it not also disturbing that 22 Pratt and Whitney engines in one fleet were found to be defective *after* the Manchester crash? Could there have been negligence on the maintenance side? People are asking these questions and many more

Safety in air travel in Europe is, in my submission, no longer just a national matter. It is of European concern. This is why many of us in this all-party resolution feel that the European Community is obliged to play a role in helping to shape a safer air policy for its citizens.

**Mr Newman (S).** — Mr President, every day practically it seems we are hearing of a new disaster involving public transport, and, as has been mentioned, we are reeling from the news of the terrible train crash in the last 24 hours in Portugal with another terrible toll of people killed and injured. We have seen three major train crashes in France with over 80 dead and the main subject in these resolutions — and in the combined resolution — is the incidence of major civil air disasters: as has been said, 24 major civil aircraft accidents with a death toll so far this year of about 1 600.

We have had a major air accident in Spain, the Air India disaster off the coast of Ireland which may have been a bomb, but which may not have been that and may have been a conventional accident, and, of course, the Manchester Boeing 737 disaster in my own constituency at Manchester Airport on 22 August with the loss of 55 lives and many injured.

These examples happened in countries which are Member States of the EEC, or soon to be so, and that

is why it is particularly important that this particular Assembly and the European Economic Community takes these matters seriously. Naturally we send our sympathies to the bereaved and to the injured and also we commend the personnel from the emergency services who have often behaved heroically to assist the victims of these disasters. I know that was the case in Manchester.

But, specifically on the air disasters, questions need to be posed and answered. Is the general level of safety of engines on the various aircraft such as the Boeing 737 and 747 and the Pratt and Whitney engines, for instance, adequate? Have there been earlier warnings of possible defects in these engines which have been ignored? Is there sufficient room in aircraft aisles, particularly on charter flights? We are in the luxurious position here of not normally having to use charter flights, but many ordinary people going on their holiday have saved up over a period of time, they go on a charter flight and are packed in like sardines and that cannot be safe.

Should airlines, therefore, be allowed to have more seats in place on charter flights than on scheduled flights? Could safer upholstery be used for aircraft seats, for instance, with less inflammability and less toxic coverings? Can aircraft fuel be made less inflammable through the use of additives or alternative fuel? Are the usual aircraft evacuation procedures the most suitable in cases of fire and what extent of preventable safety hazard remains because airlines deem it not commercially viable to invest in additional safety measures?

These and many other questions, as has been said, have to be answered and have to be answered urgently because we are hearing of these disasters on a regular basis. They are not God-given, they are not something that cannot be prevented. It is in the power of humanity to prevent this kind of thing from happening. There is no balance between profitability and safety. What needs to be done, even if it costs a lot of money, should be done.

We are hearing all kinds of reports. The questions I have posed are being asked at the moment and people are saying various things. So it is important that the civil airlines, the European and the international organizations concerned with civil air passenger transport, the EEC Commission and Member State governments to take these issues seriously and recognize there is enormous public demand for a response.

I will finish off by saying that we are not just talking about air and rail transport. We are talking about all public transport and the need for people to be able to know that when they travel they are travelling in safety.

*(Applause from the Socialist Group)*

**Mr Lalor (RDE).** — Mr President, I simply want to join with my co-signatories to this amalgamated resolution in exhorting the Council to rouse itself from inaction, as it says in the resolution, and to adopt appropriate measures in connection with the tragedies we have suffered, as well as to ask the Commission to take positive action in this regard.

As a member of the Committee on Transport, I will be endeavouring to encourage that committee to set up two separate inquiries with expert advice on how best to guard against further air and rail disasters.

This year has been a desperately bad year and I join with my colleagues in extending the sympathies of the House to our new partners from Portugal who were shattered this morning and last night by the dreadful tragedy which took place there. We must accept that there is something wrong, that carelessness or some other factor has crept in and we will have to be more alert in future. As I have said maybe twice already this week, human life is too important to be treated casually. I simply want to join in asking the House unanimously to call on both Council and Commission to take positive action towards solving the problem and to direct our own Committee on Transport to assist in this task.

*(Applause from the right)*

**Mr Klinkenborg (S).** — *(DE)* Mr President, ladies and gentlemen. We must begin today by expressing our deep sympathy for the families of victims of this dreadful disaster. Both the victims and their families have a right to expect that this urgent debate will stimulate us to continual discussion of traffic safety issues in the appropriate committees and to the tabling in Parliament of appropriate resolutions so that traffic safety remains a live issue.

The question still to be answered is what else are we going to sacrifice in the name of speed. Are we not demanding too much of people by always wanting to cover great distances in less and less time? Shouldn't we take into account the bodily limitations of people who may not always be able to cope with these stress situations? We must examine how technology can be employed to more effectively alleviate deficiencies. What can never be eliminated is human error!

In many fields, technology must be employed to compensate for this so that it is excluded to the greatest possible extent although, in air transport, for example, this is virtually not an option. Against this background, the immediate demand of the Socialist Group is that the lessons from the dreadful air disasters we have experienced this year be applied in the form of extensions to the Carlo Ripa di Meana report put before this House and adopted a number of years ago.

We must attempt to more closely match the technical standards now applying in the various countries so as

to achieve in the future a uniform technical standard throughout our Community. We have to consider how harmonization of social legislation can be achieved to allow transport within the Community to develop under uniform conditions. We must question whether it would not be best to attach a second committee, specifically concerned with safety issues, to the Joint Committee and here too it is quite obvious that bringing the Joint Committee into the discussion was not merely a trivial and superficial demand on the part of the Socialists or of the majority of this House. This committee is more important than ever before since cooperation between companies and their workers is the only guarantee that proper attention will be paid to the safety requirements of modern transport.

We must ensure that companies themselves get together to introduce specific and uniform technical standards, measures and investigative techniques throughout the Community. This is a task demanding great stamina and persistence as is reflected in our resolution which will hopefully be supported by many in this House.

Finally, allow me to express my pleasure at the rapidity with which this House absorbed the lessons of the very controversial debate on Tuesday. It is with great pleasure that I quote the third recital named in Mr Moorhouse's resolution, which has been included in the compromise amendment as recital E

... aware of the tight budgets and highly competitive fares on which certain scheduled and chartered flight companies operate, and of the possibility that safety might be sacrificed in order to obtain lower fares . . .

This was the central issue on Tuesday!

**Mr Hoffmann (PPE).** — *(DE)* Mr President, yesterday's dreadful railway accident again highlights how much we have neglected safety in rail, road and air transport. Unfortunately, train and air accidents have not been the only ones. In the first half of this year, hundreds of people in the European Community have lost their lives in truck and bus accidents and these must also be covered in this debate.

Higher speeds, more traffic, use of equipment over longer periods of time — safety cannot keep up with these changes. Consequently, my Group supports amendment No 1 and simultaneously urges Parliament to re-examine the recommendations in the Ripa di Meana report on safety in air transport and to draw up additional safety reports for road and rail transport.

Mr Klinkenborg has just referred to the air-transport debate on Tuesday. It was fellow member Mr Newton Dunn who accused the majority of this House of acting in the interests of monopolies by artificially maintaining high fares since, in his view, low fares presented no threat to safety. Now he is one of those



**Hoffmann**

tabling the resolution quoted just now by Mr Klinkenborg. I am not suggesting that Mr Newton Dunn believes 'the silly things I said yesterday are of no concern to me'. I understand it to mean that my friend Bill is a quick learner. He has drawn the correct conclusions from the debate, namely that competition must not be allowed to be at the expense of safety and that competition must both be intrinsically associated with safety and form a basic element of our Community policy. If we base our air-transport or traffic policies on these principles, and in fact stress the safety aspects, the Commission will not be able to go ahead and urge driving times for truck drivers that are simply inhuman and specifically designed to produce accidents.

**Mr Wijsenbeek (L).** — (NL) Mr President, this issue should not in fact have had to be addressed in the form of an urgent resolution since it really concerns accidents that have already happened. The sad fact is that the resolution is more urgent than we could have imagined when it was tabled. Nevertheless, it remains an issue that should be discussed in detail rather than in the framework of an urgent debate. Indeed, Mr President, rail and air accidents should not be a subject at all for debate in this Parliament since one should be able to take it for granted that rail and air traffic is properly run.

Why do we always focus on train and air accidents? Not because they kill more people but because there are more deaths at once. That is quite sad enough. That notwithstanding, air and rail transport in the Community is safe. Unfortunately, Mr President, it will never be possible to eradicate human error.

**Mr Clinton Davis, Member of the Commission.** — Mr President, this is an important, timely and concerned debate. May I, at the outset, associate the Commission with the expressions of sympathy contained in the resolutions under debate for all those families who have so recently become bereaved and those people who have suffered injuries in the recent air and railway disasters, most particularly, of course, the one in the last twenty-four hours in Portugal. If the Portuguese authorities feel that the Commission can assist in any way, we shall be only too happy to address ourselves to any such request.

Two resolutions specifically mention the disaster which took place at Manchester Airport in the United Kingdom in August when 54 lives were tragically lost. The Commission endorses the tributes paid in Mr Newman's resolution to the emergency services in Manchester which responded so effectively and courageously to that appalling accident.

In the debate on the Klinkenborg report last Tuesday, against the backdrop of the worst year in aviation history, I underlined two essential factors. First, there

must be no cutting of corners when it comes to safety. Secondly, recent events have emphasized the need for even greater vigilance. I informed the House that I had taken what is an unusual step for the Commission of writing to Community Transport Ministers listing a number of areas where, as the Commissioner responsible, I considered that urgent action was needed, while, at the same time, strongly reaffirming the Commission's unhesitating support for measures to maintain and improve passenger safety.

I think it might be appropriate if I were to go into that letter in a little more detail than I did during that debate. It is extremely relevant to this debate. All the points made in it have been covered by the resolutions which we are now debating. I said in writing to the Ministers that it was not my intention to refer to individual accidents or incidents which are the subject of rigorous enquiry. It is not for me to do that. But I put the following points to them.

First, there have to be tighter and more efficient security checks at airports. These are an essential safeguard against terrorist activities. Then I went on to say that the relevant aviation authorities should urgently consider afresh proposals — which have been approved — to shut off two of the ten emergency exits on the Boeing 747 as well as proposals for conditional approval of large twinengine planes to fly the Atlantic. I am making no judgments about these proposals, but I am saying that there are questions which ought to make the aviation authorities look again to satisfy themselves that these points have been properly attended to. Then I went on to say that the configuration of seats on aircraft, emergency evacuation procedures, hand baggage regulations and their enforcement and the use of flame-retardant materials in the construction of passenger seats must be urgently studied and reviewed. Further research into the use of fuel additives like Avgard should be encouraged.

The final point I made was that any barriers to the exchange at international level of vital safety information must be removed. The need for this has been thrown into sharp focus by the suggestion that the Federal Aviation Authority — and I underline the word 'suggestion' — in the United States may have failed to communicate to other national authorities, including those within the Community, either that inquiries had been undertaken into the Pratt and Whitney JT8D engines used on Boeing 737s or the results of such inquiries. Transparency in these matters, as Mr Moorhouse said, is absolutely essential.

Aviation is an international industry of great significance and magnitude. Increasingly large numbers of people enjoy its benefits. For that reason, our concerns cannot be restricted to the Community, even if the Commission's own jurisdiction is necessarily confined. The prime responsibility for air transport safety has to rest with the national regulatory authorities, which base their regulations on norms prescribed by the

**Davis**

International Civil Aviation Organization — a United Nations agency of great importance. I do not wish to convey any impression that these organizations undertake their work in anything but the most conscientious and painstaking way. However, in any field of human activity there must be room for improvement, and that is what these resolutions and my letter seek to stress.

As to some of the more specific points, I can mention that the International Civil Aviation Organization does recommend certain aisle widths as a function of the number of passenger seats and also an evacuation time of at most 90 seconds. Naturally, such an evacuation time can only be realized in practice if hand baggage, one or more pieces, is stowed away and does not block the evacuation routes. As to flammability and toxicity of cabin materials, we have defined this as a subject for research which should benefit from Community support.

A Community directive already exists on cooperation and exchange of information concerning aircraft accidents. This is important, because, as I indicated before, it is only through exchange of information that we can learn from past tragedies and avert future accidents. We have also written to the European Civil Aviation Conference urging a joint consideration of the subject of flight time limitation. Safety can be at risk when flight crews suffer from excess fatigue. A recent study carried out for us shows very large differences in national regulations. That is neither good nor sensible news.

Let me conclude by stressing that however much we pursue the aim of more flexibility and competition in air transport, safety is paramount. It must not be reduced. I therefore pledge the support of the Commission to do whatever it can to help to maintain and enhance safety in the air.

As far as railways are concerned, serious accidents are comparatively rare as far as the whole network is concerned. This is due to effective security measures. However, recent events have shown that, despite the precautions taken, tragic rail accidents can still occur, the last within the last few hours. The Commission is convinced that the railway companies in the Community will, wherever necessary, take urgent steps to reinforce their security systems so as to guard against the human failures which seem to have led, at least in large measure, to these disasters.

I am pleased that Parliament has had the opportunity to debate these important matters and I join with it in the views that have been expressed.

**President.** — The debate is closed.

*(Parliament adopted Amendment No 1 seeking to replace the four motions for resolutions with a new text)<sup>1</sup>*

*Bad weather in Ireland*

**President.** — The next item is the joint debate on:

— the motion for resolution (Doc. B 2-809/85) by Mr Maher, on behalf of the Liberal and Democratic Group, on the summer weather disaster for Irish farmers

— the motion for resolution (Doc. B 2-810/85) by Mr MacSharry and others, on behalf of the RDE Group, on the disaster in Irish farming resulting from the worst spring and summer on record

— the motion for resolution (Doc. B 2-828/85) by Mr McCartin and others, on behalf of the PPE Group, on emergency aid for Ireland

— the motion for resolution (Doc. B 2-852/85) by Mr Hume and others, on behalf of the Socialist Group, on the crises in agriculture in Ireland caused by the disastrous summer.

**Mr Maher (L).** — Mr President, we are speaking here about a natural disaster over which only the Lord has control. In the case of my country — and here I am speaking both about the Irish Republic and the six counties of Northern Ireland because the weather does not respect any man-made boundary — there has been continuous rain for a period of more than three months. The result has been extremely heavy losses of winter feed for stock — and I do not have to tell you that Ireland as a whole is largely dependent on livestock insofar as its agricultural industry is concerned, and that agricultural industry in the main accounts for about 18% of the GNP and gives employment, certainly in the Irish Republic, to about 45% of the workforce directly and indirectly. So I can tell you in the most telegraphic way that anything that affects agriculture in Ireland affects the entire economy.

Perhaps the most serious situation exists where small farmers are concerned, because a high proportion of these small farmers do not have the more modern means that are available to the larger farmer to save winter feed through making silage. They are still largely dependent on the hay crop and the hay crop is

<sup>1</sup> Amendment No 1 tabled by Mr Visser and Newman, on behalf of the Socialist Group, Mr Hoffman, on behalf of the Group of the European People's Party, Mr Newton Dunn and Mr Moorhouse, on behalf of the European Democratic Group, Mr Carossino, on behalf of the Communist and Allies Group and Mr Lalor, on behalf of the Group of the European Democratic Alliance.

**Maher**

virtually a write-off. So they are going to have to find some ways of feeding their stock during the winter.

I must allude to some rather freak weather conditions, apart from the heavy rain, and that is we have had some severe electrical storms that caused severe losses in livestock — cattle and sheep were actually killed in the fields as a result of these very severe storms. Not only that, but in part of the country, in a belt stretching from the south-east virtually to the north-east, about two to three miles wide, there was a freak ice storm when ice particles actually fell on the countryside. I saw some of them myself because some people had actually preserved them in deepfreezes. Some of them are half the size of a man's fist. These ice particles almost ruined 90% of the grain crop, damaged fruit and vegetables. The result of all this has been that these farmers have been left without income. I ask the Commission to give us assistance to look at the question of extending intervention buying for cattle in Ireland which would greatly help farmers who have to sell off stock at sacrifice prices because they cannot afford to feed them.

*(Applause from the centre and from the right)*

**Mr MacSharry (RDE).** — Mr President, I want first of all to thank the group leaders and the House for their agreement to discuss this very important problem affecting our country. This crisis following the disastrous summer weather of unprecedented rainfalls and storms in Ireland is unique. I want to say also that for this week and on this issue, Ireland is united. The cost of the losses and damage cannot yet be fully assessed and it may take at least one year before we can know the real cost.

Agriculture — as I think everybody in this House knows now — is the most important industry in Ireland. The Irish economy is more dependent on this industry than that of any other Member State. Devastation in many parts of the country has hit tillage crops, animals have been killed in freak thunder and lightning storms, there has been wholesale destruction of vital winter feed, which cannot now be retrieved. There has been a drastic fall in the price of livestock because the market is glutted. Young cattle have fallen in price by as much as £150 a head. Beef cattle are down by £50 a head. For many tens of thousands of small farmers with a few cattle to sell each year, whether stall cattle or beef cattle, this may mean — and has already meant — a drastic cut in their income. Help is therefore urgently needed. As Mr Maher says, the Commission's and the Beef Management Committee's decisions so far on intervention are not sufficient to halt this serious decline. We appeal urgently — and I hope this House will support the Irish appeal — to the Commission and to the Beef Management Committee to have something done immediately to correct this serious decline in what is a major part of the agricultural sector, the beef market.

There are disastrous losses in the cereal harvest, and the potato crop has been drastically affected by very severe blight. One could go on here, if one had the time, and list for hours the damage that has been caused. Most farmers are experiencing difficulty, and this will have a major impact on our economy.

We must — and I hope this House will support us unanimously — ask the Commission and the Council to recognize the seriousness of this crisis in Ireland. We must ask all Member States to support special measures. We know how difficult it is to get support for special measures when other Member States may have specific problems in certain parts of their territory but this is a unique situation affecting the whole island of Ireland. Emergency aid is needed: all Community instruments must be used, and must be used now, to restore confidence to the farming community, quite apart from the economic damage that has been caused up to now. As I said earlier, we shall not be able to assess that damage fully until another year or 18 months have passed. The agricultural director from the Commission has been in Ireland in the last few days and has witnessed some of the damage. It would be impossible for him to travel to all the 32 counties and inspect all of the damage or meet the many thousands of farmers that have been affected.

It will be said — maybe not in this debate but in other places — that the EEC has no money. We know that the Irish Government has not sufficient money to make any impact on this problem, but money must be found. Agriculture is the most important industry in Ireland. It affects the economy as a whole. Therefore we must look at all Community instruments to see what can be done. I could list many ways, but I do not have the time here. However, I would suggest one mechanism, already proposed by the Commission, that could put money into the Irish Exchequer, and that is the continuation of the EMS interest subsidies that were available for five years up until last year. The Commission has proposed that they be extended for two years more. This would provide £90 million — £45 million for last year, £45 million this year — for the Irish Exchequer to direct towards the problem facing agriculture. I do hope that this can be agreed by the Council. The Commission, in all fairness, have proposed it. This should be done — I want to leave a few minutes for other Members from Ireland — and I appeal to the House to pass this resolution from all the representatives from all parts of Ireland unanimously here today.

*(Applause from the centre and from the right)*

**Mr McCartin (PPE).** — Mr President, we talk a lot about the weather in Ireland, and giving two minutes to an Irish farmer to talk about the weather is like giving half an hour to a Frenchman to eat his dinner. It is a bit of a rush.

**McCartin**

Mr President, first of all I want to thank Parliament for allowing us to bring up this subject of the disastrous weather conditions in Ireland. I was a little disappointed this morning that we did not agree to take it higher up on the agenda, because we have been discussing things which of course are important but for which we have neither direct competence nor responsibility.

In this field, the European institutions have a responsibility. The Community has a responsibility for farmers' incomes and the Community can, in this case, help the Irish Government to resolve what is really a disaster. I think those were the words of Mr Legrand when he visited Ireland yesterday. He said: 'This is really a disaster'. It is not a spectacular disaster like the whirlwinds, or the landslides, or the earthquakes. Irish rain falls softly but persistently: but at a certain stage it can become a disaster — which it is now.

I want to thank Commissioner Andriessen for having met myself and Mr Clinton and Mr Raftery when we visited Brussels a week ago, during the holiday period. It was very kind of Mr Andriessen and his cabinet to sit down and discuss with us the problem and listen to the solutions we proposed.

I want to make this constructive remark. There are quite a number of schemes that have already been passed and money provided by the European Communities for schemes in Ireland. The money has not all been taken up in the Western Development Package and in the Disadvantaged Area Scheme — and I think there are one or two others. There is European money unspent which we can devote to this. In addition, if we had increased or even maintained agricultural production, we should have had to finance the selling of it at low prices. I therefore do not think that we have to increase our budget dramatically to provide useful assistance.

*(Applause from the centre and from the right)*

**Mr Hume (S).** — I rise to support the resolution that is before the House in the name of four groups in a display of unanimity on a matter which affects both parts of Ireland. However, not only has there been unanimity among groups in this House: it is the first time I remember all Irish Members being agreed about something. When you get that rare degree of unanimity in Ireland — and all 18 Members in this House are unanimous on this issue today — then something serious has happened. Something very serious has happened in Northern and Southern Ireland over the summer to our most fundamental and most important industry, agriculture.

We have had daily rainfall for more than two months. We have had the wettest summer since 1918. We have had up to three times the normal rainfall and little sunshine. Most of Ireland is waterlogged and many of our

river basins are flooded. The net effect of that, of course, has been a disaster for the winter fodder situation with consequential disaster in every sector of the agricultural industry. Already, many farmers involved in the beef industry have sought to sell their cattle rapidly because of the shortage of fodder, and this has led to a 40% drop in beef prices. Disaster looms for the suckler men who sell their calves in the autumn, for, of course, there will be a serious drop in demand. Disease arising from the weather conditions has struck the sheep sector — liver-fluke disease.

There has been a drop in milk yields and in the North of Ireland alone 50% of the potato crop has been lost — 25% from blight and 25% rotted. We do not think we are exaggerating, Mr President, when we call on the Commission to designate all of Ireland, both North and South, as a special assistance area because of weather damage. In particular, we would like them — as a matter of urgency — to get into discussion with the governments concerned with a view to developing a package of measures for both parts of Ireland which will help farmers to survive this crisis.

There are three questions I would draw their attention to for this package. I have already mentioned special measures for beef. I would support Mr Maher's call for sufficient quantities of intervention grain to supply the shortfall in feedstuffs for the winter. Finally, of course, the provision of headage payments to offset what is happening in the beef and sheep sectors at the moment.

I am pleased that all four groups have given their support. I am very pleased to see the unanimity in the island of Ireland itself on this issue, and I hope that unanimity will be reflected in the vote at the end of this debate.

*(Applause)*

**Mr Provan (ED).** — Mr President, on behalf of my group and also personally as a Scottish farmer, I would like to express our sympathy and concern to all the Irish producers who are caught in such difficult circumstances at the moment. I think it is important for them to realize at home that we have had some very impassioned pleas and some very eloquent speeches from their Members here this afternoon.

Nothing can concern a farmer more than the worry of not knowing how he is to feed his animals through the winter. It affects not only his animals but his bank balance as well. It is a continuing situation that these producers are going to have to face. Of course, agriculture is a risk business. We have to appreciate that. Of course, the CAP has altered some of the traditional patterns of production. Ireland has a very serious problem. Let us try and resolve that situation.

Mr President, I would like this Parliament to realize that other parts of northern Europe are also facing dif-

**Provan**

ficulties. Holland, for instance, has a specific problem on potatoes. My own country, Scotland, is experiencing some difficulties which are very similar to what the Irish are facing. Our milk production is now 10% below the quota level. Cows have been housed inside since 12 August, which is supposed to be the middle of summer. Soft fruit is down by 30% Hay as a winter fodder is practically non-existent and we are currently importing it from Canada — if you can believe that! That is the sort of situation that is affecting vast parts of Northern Europe, and I hope that the Commission will do something seriously to try and alleviate the situation.

I hope that we shall be able to have a further debate on this, Mr President, as the situation becomes clearer, for it is not really quantifiable at the present time, as somebody has already said.

**Mr Mosar (FR), Member of the Commission.** — Mr President, let me begin by saying that the Commission is very concerned by the reports submitted to it concerning the damage caused to crops and winter fodder in Ireland, both in the north and south. May I remind you that as far back as August my fellow Commissioner, Vice-President Andriessen, met the Irish Agriculture Minister and his assistants to discuss this problem. At the meeting he requested the Irish authorities to prepare a file on the extent of the disaster.

Information on the situation in Northern Ireland has been received by the Commission. The Director-General for Agriculture is now in Ireland examining the extent of the damage and will be reporting to the Commission. The latter will be deciding on its position with regard to possible measures to be taken on the basis of all the information submitted to it.

The motions for resolutions call on the Commission to take special measures to help the regions affected out of this very difficult situation. Although we are very concerned about this problem, I have to say that the Commission is ill equipped to deal with this type of crisis.

Budgetary problems also make it difficult to take measures involving substantial Community aid.

The motions for resolutions before us refer to the disaster fund provided for by Article 690 of the Budget. However, I feel it ought to be made clear that the allocation provided for under Article 690 was reduced from 4 million ECU in 1984 to 2 750 000 ECU in 1985. Such an amount would only allow a symbolic contribution to be made as a token of Community solidarity in the event of unforeseeable natural disasters in a geographically restricted area and involving, in particular, loss of human life.

One of the problems which Irish agriculture must face arises from the fact that the lack of winter fodder will

make farmers tempted to sell their livestock. This would result in a drop in prices and, because of the importance of livestock to Ireland, would damage the country's entire economy.

One of the measures which could be considered would be to provide support to maintain beef prices. It has already been decided to accept whole carcass for intervention from 30 September. However, it is important for the future that farmers should not sell off their young animals or their breeding herds. We also know that the Irish Government is making a serious effort on its side. To conclude, Mr President, let me add that the Commission remains concerned by the scale of the problems at present facing Irish farmers. The usual Community instruments have already been set in motion to help the Irish farmers out of this situation, but I am unable at this stage to commit the Commission to special emergency measures under the disaster fund.

**President.** — The joint debate is closed.

*(Parliament adopted Amendment No 1 seeking to replace the four motions for resolutions with a new text)<sup>1</sup>*

*Forest fires and collapse of dams*

**President.** — The next item is the joint debate on:

— the motion for resolution (Doc. B 2-815/85) by Mrs Flesch and Mrs Veil, on behalf of the Liberal and Democratic Group, on forest fires in the Community

— the motion for resolution (Doc. B 2-842/85) by Mr Musso and others, on behalf of the Group of the European Democratic Alliance, on forest fires in the Community

— the motion for resolution (Doc. B 2-846/85/rev.) by Mr Romeos, on behalf of the Socialist Group, on the destruction of forests by fires in the Mediterranean regions of the Community

— the motion for resolution (Doc. B 2-849/85) by Mrs Squarcialupi and others, on behalf of the Communist and Allies Group, on forest fires in the Member States of the European Community

— the motion for resolution (Doc. B 2-808/85) by Mr Ferruccio Pisoni and others, on the disaster which hit Stava di Tesero in the Val di Fiemme (Trentino).

<sup>1</sup> Amendment No 1 tabled by Mr Maher, on behalf of the Liberal and Democratic Group, Mr MacSharry, Mr Lalor, Mr Fitzgerald, Mr Andrews, Mr Barrett, Mr Fitzsimons, Mr Flanagan and Mrs Lemass, on behalf of the European Democratic Alliance, Mr McCartin, Mr Clinton, Mrs Banotti, Mr O'Donnell, Mr Raftery and Mr Ryan, on behalf of the Group of the European People's Party, Mr Hume, on behalf of the Socialist Group, Mr Taylor and Mr Paisley.

**President**

If I take all the speakers, I will not be able to complete the vote. Could I ask all the speakers to give up their speaking time so that I can put this particular set of resolutions to the vote?

**Mr Plaskovitis (S).** — (GR) Mr President, on behalf of the Socialist Group, which tabled one of these motions, I would like to inform you that the speakers of our group are prepared to renounce their speaking time to allow us to vote immediately on these resolutions and, I hope, adopt them.

**Mrs Squarcialupi (COM).** — (IT) I too shall withdraw. However, I should like my protest to be recorded in the minutes. It is quite wrong for the speakers on the earlier topics to have prolonged their speaking time with the result that there is no time to debate an event which is just as bad as what we heard happened in Ireland and in which 300 people lost their lives. I do not think that this Parliament gets any credit for putting this item at the bottom of the agenda.

**Mr Musso (RDE).** — (FR) Mr President, I endorse what Mrs Squarcialupi has just said. I am going to withdraw and I entirely agree with her concern over speaking time which should have been reserved for equally serious disasters.

**Mr Ferruccio Pisoni (PPE).** — (IT) Mr President, I too am forced to withdraw because I want this motion to be voted on. Echoing what Mrs Squarcialupi said, I too feel that it is ridiculous to reduce the speaking time on such important subjects to the extent that they cannot be discussed. I should also like to be allowed to submit a very short written introduction to be inserted at the start of the resolution.

**President.** — Mr Pisoni, that is not possible.

*(Parliament adopted the five resolutions by successive votes)*

**Mrs Squarcialupi (COM).** — (IT) I wish my abstention to be noted, because I do not feel that the Pisoni resolution matches the gravity of the problem and I also feel that in describing the events it gives the impression that it was a natural disaster. There is in fact a great deal of human responsibility.

**3. Welcome**

**President.** — I am delighted to be able to welcome the members of the delegation from the Moroccan Cham-

ber of Representatives led by President Ahmed Osman who have taken their seats in the official gallery.

*(Applause)*

We are honoured by this visit and we are aware of the concern felt by our partners in the Kingdom of Morocco at the forthcoming enlargement of the Community. We sincerely hope that this second meeting between the delegations representing our respective Assemblies will serve to further the solidarity and friendship which unite us at what is a difficult time for the peoples of Europe and Morocco.

I should like to wish you success in your work with the European Parliament delegation. We are delighted to welcome you to Strasbourg and we urge you to convey our friendship and good wishes to your people.

*(Applause)*

**IN THE CHAIR: MR SEEFELD****Vice-President****4. Community initiative within the United Nations**

*(continuation)*

**President.** — The next item is the continuation of the debate on the Community initiative within the United Nations (Docs. B 2-727/85 and B 2-728/85)<sup>1</sup>

**Mr Guermeur (RDE).** — (FR) In less than a month we will be celebrating the 10th anniversary of UN General Assembly Resolution No 2626 which set the industrialized countries the aim of devoting a minimum of 0.7% of their GNP to development aid and the combating of famine in the poor countries. It will be quite a sad anniversary because little progress has been made in these ten years.

The Community can congratulate itself on spearheading this fight against world poverty, yet even so the aid provided by the ten Member States amounts to no more than about 0.5% of their GNP on average.

But what can one say about the world's most powerful countries, which disregard — or neglect — their elementary duty of solidarity *vis-à-vis* young nations in distress and give them only a few scraps of their prosperity: 0.27% in the case of the United States, and less than 0.2% in the case of the Soviet Union.

<sup>1</sup> See debate of 11 September 1985.

**Guermeur**

On the other hand, it is true that some of these powers more than compensate for their development aid shortcomings through their generosity in supplying weapons to fuel ideological warfare and subversion in the Third World. This makes the duty of our Community all the more clear.

Luckily, the Lomé Convention gives us a direct opportunity for dialogue and cooperation with the developing countries, and this should be intensified. First and foremost, the Community must continue to insist on respect for human rights in all countries, without discrimination or leniency towards any of them. This is a matter of mutual trust, and on this basis we must look the future bravely in the face, by which I mean we must take into account the fact that the economic situation in the Third World is getting worse. Indeed, we are witnessing three disasters: indebtedness, which is passing the point of no-return; desertification, which is becoming more serious each year; and the population explosion which is getting completely out of hand.

Thus, it is up to the UN, and Europe as well of course, to set up a genuine Security Council for development to keep a permanent watch on the balance of resources and development in the world, and to draw up a strategy for combating poverty and see that it is adopted.

Finally, Mr President, we must wage a determined battle — spread over decades — to win back and restore land which will sustain life. It might already be too late, but even if it were it would still be our duty to keep on fighting.

**President.** — The debate is closed.

The next item is the vote on the request for an early vote on the two motions for resolutions seeking to wind up the debate on oral questions Docs. B 2-804/85 and B 2-811/85.

*(Parliament agreed to the request)*

The vote on these motions for resolutions will be taken at 9 o'clock tomorrow morning.

##### 5. *Elections in the would-be State of Mr Denktash in Cyprus*

**President.** — The next item is the oral question with debate (Doc. B 2-731/85), tabled by Mr Adamou on behalf of the Communist and Allies Group to the Foreign Ministers meeting in political cooperation, on the elections in the would-be State of Mr Denktash in Cyprus.

**Mr Adamou (COM).** — (GR) Mr President, ladies and gentlemen, eleven years ago, on 20 July 1974, the

Republic of Cyprus, an independent state, member of the United Nations and signatory to an association agreement with the EEC, suffered an unprovoked armed attack by Turkish forces, which illegally occupied — and has continued to do so ever since — 37% of Cypriot territory.

The consequences of this invasion and occupation are tragic: 200 000 Cypriots have been forced to leave their homes and possessions and to live like refugees in their own country. Furthermore, another 2 000 Cypriots have been missing since the first days of the invasion, and their families have suffered, for more than eleven years, the anguish of waiting for news of their fate.

We would remind you that on 11 January 1983 the European Parliament adopted, after the report by Lady Elles, a resolution calling for a solution to this tragedy. At the same time it stressed both the human aspect of the problem of the missing persons and the positive effect which a solution to it would have on the search for a peaceful solution to the Cyprus problem.

We would point out that the missing persons were taken to Turkey, most of them were registered by the International Red Cross in camps and prisons, and they had sent messages to their families. Unfortunately no progress has been made on this question since the Turkish Government not only refuses to give any information but also hampers the work of the three-man peace committee set up by the UN for this purpose.

We would also remind you that so far many efforts have been made and resolutions and decisions adopted by the General Assembly and the Security Council of the UN with a view to bringing about a peaceful, just and viable solution to the Cyprus problem which would bring to an end the tragedy of the Cypriot people. Not even these efforts have borne fruit since yet again they have come up against the intransigence of the Turkish authorities.

Similar initiatives have also been taken personally by the UN Secretary-General. Unfortunately they too have so far come to nothing because of the intransigence of the Turkish authorities. And even worse, the Turkish Government does not hide its intentions to annex the occupied part of Cyprus. To this end it has sent tens of thousands of Turkish citizens to settle there. It has also induced and encouraged the representative of the Turkish Cypriot community, Mr Denktash, to commit a number of illegal and provocative acts.

Firstly, on 14 November 1984 he proclaimed Northern Cyprus an 'independent Turkish Cypriot state', and Turkey is the only country which lost no time in recognizing it.

**Adamou**

Secondly, on 5 May 1985, ignoring the efforts of Mr Perez de Cuellar, Mr Denktash held a 'referendum' on the Constitution in this so-called state of his.

Thirdly, on 9 June 1985 he held 'presidential elections' and proclaimed himself 'President'.

Fourthly, on 23 June 1985 he held 'parliamentary elections'.

It is obvious that these acts undermine all the efforts to bring about a just and peaceful solution to the Cyprus problem and to achieve a unified, independent, sovereign and non-aligned Cyprus.

We would point out that all these acts have been condemned both by the UN member countries, except for Turkey, and by the Member States of the EEC.

In its resolution of 17 November 1983 the European Parliament condemned the proclamation of the Turkish Cypriot state in Northern Cyprus. In their statement of 10 June 1985 in Stresa, the Foreign Ministers of the ten Member States of the EEC stressed that they did not recognize the 'Turkish Republic in Northern Cyprus' and that consequently they did not recognize any so-called 'constitutional development' in that part of the island. They also stated that the Ten hoped that a just and viable solution to the Cyprus problem would be achieved with the good offices of the UN Secretary-General and on the basis of UN decisions.

In these circumstances it is particularly important for the European Parliament to take a stance by adopting the motion for a resolution we have tabled. All the more so since Mr Perez de Cuellar has begun a fresh initiative to solve the Cyprus problem.

Lastly, we should like to add the following points.

Firstly, the reason for the tragedy of the Cypriot people is the invasion and illegal occupation by Turkish forces of 37% of the island.

Secondly, the tragic situation has lasted for more than eleven years because the Turkish authorities have undermined any move and rejected any solution which does not serve their plans of conquest.

Thirdly, the European Community can make a decisive contribution to a just and viable solution to the Cypriot problem by exerting its influence on the Turkish Government, which has considerable economic links both with the Community as a whole and with the individual Member States such as the United Kingdom and West Germany.

We would therefore ask all the Members of the European Parliament to vote for our motion and to do what they can to put an end to the tragedy of the

entire Cypriot people which has lasted for so many years.

**Mr Berg (FR), President-in-Office of the Council.** — Mr President, ever since the Cyprus crisis first broke out the Member States of the European Community have paid special attention to this problem and have commented upon it on numerous occasions.

The ten Member States of the European Community recently rejected the declaration aimed at establishing a Turkish Republic of Northern Cyprus and appealed to all parties concerned not to recognize this act, which creates a very serious situation in the region. Moreover, the Ten have reiterated their unconditional support for the independence, sovereignty, territorial integrity and unity of the Republic of Cyprus. The Ten continue to recognize the government of the Republic of Cyprus as the sole legitimate representative on Cyprus. They have also pledged their unconditional support to the UN Secretary-General in his good offices mission.

Following the failure of the meeting in New York between President Kyprianou and Mr Denktash, the Ten expressed their regret and requested the interested parties to resume negotiations under the aegis of the UN Secretary-General. In addition, they again requested all the parties to refrain from any action which could jeopardize such a dialogue.

At the time of the so-called presidential elections recently held in the northern part of the island, the Ministers issued a public declaration — on 10 June 1985 — reaffirming that they did not recognize the Turkish Republic of Northern Cyprus and, consequently, would not recognize any kind of so-called constitutional development in the northern part of Cyprus. The Ten again reaffirmed their support for a just and viable solution to the Cyprus question through the good offices of the UN Secretary-General and on the basis of the UN resolutions.

Finally, they appealed to the various parties to respond favourably to the UN Secretary-General's initiative, which the Ten continue to support strongly, and to refrain from any action which might hamper dialogue.

**Mr Plaskovitis (S).** — (GR) Mr President, a few months ago I withdrew my oral question with debate dealing with a humanitarian issue — that of the missing persons in Cyprus — solely to avoid causing even the least difficulty for the series of consultations which the UN Secretary-General, Mr Perez de Cuellar, had embarked upon at the time with a view to reaching agreement between the Republic of Cyprus and the representative of the Turkish Cypriot community. I stated clearly at the time that for this reason I was temporarily withdrawing my question, and this demonstrates to what extent we were and still are keen



**Plaskovitis**

to see the consultations being conducted without the situation being aggravated and without any new *faits accomplis*.

The UN Secretary-General also appealed to the two parties involved to prevent any new *faits accomplis*, and a similar appeal was contained in the repeated resolutions of the Security Council and the General Assembly of the United Nations, the resolutions of the European Parliament, the repeated joint declarations by the Foreign Ministers of the Ten and, most recently, the declaration of 21 June 1985 by the Political Affairs Committee of the European Parliament.

With a view to preventing any such *faits accomplis* and to demonstrate their disapproval, all the international organizations and this Parliament — in its resolution of 17 November 1983 — condemned from the outset the action of the Turkish Cypriot side in proclaiming in Cyprus an allegedly independent Turkish Cypriot state, which has ultimately not been recognized by anyone but Turkey and which is upheld solely by the illegal occupation of part of the Republic of Cyprus by the Turkish forces which invaded it in 1974.

Despite this and despite the appeals, despite the international condemnation of Mr Denktash's arbitrary actions, and despite the fact that the UN Secretary-General has not relinquished his efforts to achieve an agreement which would bring about a just and viable solution to the Cyprus problem, Mr Denktash does not stop provoking and disregarding everyone and everything by continually inventing new ways of hampering any attempt to achieve peace.

Thus he carries out 'referendums' in his illegal state, draws up 'constitutions', holds 'presidential' and 'parliamentary' elections, and states in advance that there is no question of allowing the thousands of Greek Cypriot refugees to move freely and return to their homes — refugees whose property has been confiscated and given to Turkish immigrants who are constantly being brought into the occupied territory from the depths of Asia Minor.

So who undermines any attempt to achieve consultation and a peaceful solution to a tragedy which has lasted for more than ten years, Mr President? Who dares — and with whose support — to show such indifference to international law and the protests of the civilized world? Why, and with what objectives?

It is obvious, Mr President. Talks and consultation between two sides, one armed — not to say armed to the teeth — and the other with nothing but its good faith, cannot possibly succeed. Mr Denktash is being blatantly backed by the threat posed by the tens of thousands of Turkish soldiers and the Turkish armoured cars and military equipment which have been in the occupied 37% of the Republic of Cyprus for over ten years; by the fact that no decisive pressure is being brought to bear on the Turkish side by those

on whom Turkey's economy and the social and political stability of its present regime depend, and everyone knows, Mr President, to whom the Turks might well be prepared to listen; and by the fact that in the Levkoniko region an enormous airfield is being built with American funds to form a 'rapid intervention base' in the Eastern Mediterranean.

This is why I think, Mr President, that we must adopt this resolution, the sole aim of which is that the European Parliament should once again condemn these arbitrary acts.

**President.** — Ladies and gentlemen, I should like to inform you that Mr Adamou has tabled, on behalf of the Communist and Allied Group, a motion for a resolution with request for an early vote to wind up the debate on the oral question. It will be put to the vote at the end of this debate.

**Sir James Scott-Hopkins (ED).** — Mr President, I think that the debate taken today is an unfortunate one to have at this particular time. As the House will know, I am the chairman of Parliament's delegation for relations with Cyprus, and I think the debate is particularly untimely for the resolution of this very difficult and awkward problem when Mr Denktash is at this moment in New York negotiating with the Secretary-General. Indeed I understand a telex was sent this morning by Mr De Cuellar to the Ambassadors here saying that the breakthrough and agreement has never been nearer than it is at this moment.

I must say to the House, Mr President, that the speech of the mover of this motion, Mr Adamou, has done nothing, but nothing, to help agreement which I gather is what he wants — a negotiated agreement.

Of course there are hard feelings. There have been dreadful things done in the past in Cyprus. And, of course, the present situation is totally unsatisfactory. All the historical facts that were brought forward cannot be refuted. They are so. But what is the good of constantly going over and over what has happened in the past? What this House should be doing — and what I hope the President-in-Office will be doing — is looking to the present and to the future. What everybody wants is an agreement between the two parties in Cyprus for a peaceful settlement, a negotiated agreement on a federation of both parts of Cyprus.

Of course it is difficult to let go of the past when you feel excessively hard done by — that is rather a feeble way of putting it — but it has happened to both sides. There has been harshness on both sides. Both sides are suffering. But this is not the time, Mr President, to go into those details yet again. As the Socialist speaker has just said, it is important that the world should understand the problems of Cyprus, that it should not forget the Cypriot people, that it should not forget

**Scott-Hopkins**

what the United Nations and this House have said about the problems there. But basically what he wants — and what I want, I think — is an agreement between the two leaders. As I understand it — I was talking to His Excellency the Ambassador a little earlier — Mr Kyprianou is going to New York within the next few weeks to take on the negotiations. What must then follow is an agreement. We were very nearly there in March. It was only prevented by a last-minute hitch. And, of course, from that moment onwards each side has tried to strengthen its position — wrongly perhaps but understandably.

But now the game is open once more — though game, once again, is the wrong word. There is a possibility today for an agreement between the two sides in Cyprus. Let us in this House, Mr President, do nothing to prejudice that. What we want, all of us, and what the President-in-Office wants, I am sure, is the agreement of everyone. The speeches of Mr Adamou will do nothing to help that.

I shall ask my friends to abstain on this motion and I hope the House will follow that suggestion.

**Mr Filinis (COM).** — (GR) Mr President, on behalf of the Greek Communist Party of the Interior, I also should like to make an urgent appeal to Parliament to give tangible proof of its interest in and feeling for the sorely tried Cypriot people by voting for the motion for a resolution before us.

Some Members, despite all their good will and despite all their undoubted sympathy for freedom and democracy, have perhaps not realized the full seriousness of the Cyprus problem. Perhaps the fact that recently there have been no striking events reported from Cyprus, such as those we hear about from other countries where human rights are being violated and where there are human victims, makes it more difficult for some Members to realize their seriousness of the situation in Cyprus. But, Mr President, let us never forget the 200 000 refugees and the thousands of people who have been missing for eleven whole years because of the invasion of Cyprus by Turkish troops. Furthermore, let us not forget that, when we as a Parliament express our solidarity — and it is very right that we should do so — with the peoples of other continents, we must also refuse to tolerate a situation in which, on the very doorstep of Europe, the Helsinki Agreement and human rights are being blatantly violated.

If we, as the European Community, do not demand strict compliance with these principles in the European countries themselves, we lose our credibility when we state that we want our Community to be a centre of freedom, peaceful cooperation and democracy. For this very reason the Community will have to give practical and tangible support the de Cuellar initiative for a peaceful solution to the Cyprus problem and not just pay lip service to it. This House should do nothing at

all to damage this effort but should, on the contrary, support it by voting for the motion for a resolution under discussion.

**Mr Boutos (RDE).** — (GR) Mr President, the previous speakers have given a brief but accurate description of the events and consequences of the invasion of Cyprus by Turkish forces on 20 July 1974.

At that time, availing itself of its rights as a guarantor power with the hypocritical excuse that it was restoring legality on the island, Turkey landed troops and has continued to keep them there in defiance of the decisions and resolutions of the UN General Assembly and Security Council, the proposals and approaches of the European Parliament, and the appeal of the Foreign Ministers of the ten EC Member States for a just and viable solution to the Cyprus problem.

Maintaining foreign troops on the territory of an independent member country of the UN which has a special association agreement with the EEC, apart from the fact that it is a blatant violation of international order and ethics, has led to the well-known exaggerated claims made by Mr Denktash, claims which he seeks to support by illegal and unconstitutional acts such as proclaiming an independent State', holding a 'referendum' and 'presidential' and 'parliamentary' elections.

Ever since 1974 Cyprus has seen international law and human rights being systematically and cruelly violated on a wide scale. The hundreds of thousands of refugees in their own country, the thousands of missing persons, the destruction of the fields, homes and property of the inhabitants, the plundering of historical and religious treasures — all this bears undeniable witness to the tragedy which the tortured island has suffered for ten years.

This tragedy, Mr President, ladies and gentlemen, is not confined solely to the ethnic Greek population of the island. The living conditions of the Turkish minority are tragic in every respect. Despite the fact that Denktash's so-called state occupies 37% of the island's area and exploits approximately 60% of the agricultural, mining and tourist wealth of the country, it has been unable to provide elementary conditions of order and prosperity for the Turkish Cypriot section of the population, which makes up barely 18% of the island's total population.

But the Cyprus problem goes beyond the bounds of Cyprus itself and does not concern only the population of the island. It is wider-ranging and affects the more general problems of the region. It causes undesirable friction and creates feelings of mutual distrust between the countries directly concerned, with the result that relations between Greece and Turkey are constantly getting worse and the defence capability of the Western Alliance in the Aegean and the South-

**Boutos**

Eastern Mediterranean is being weakened, while according to the pessimists the problem is paving the way for a future threat to peace and stability in the region. In the light of these facts, it is obvious that the aim of the initiative taken some time ago by the UN Secretary-General is to settle a problem which is not confined to the maintenance and protection of the sovereign right of an independent state and a free people but extends beyond this to safeguarding the peace and normality of the entire region. This is the very reason why the governments of the ten Member States of the EEC, the European Parliament and the Council of Ministers have supported in the past and continue to support the efforts of the UN Secretary-General to find, on the basis of the UN decisions, a just and viable solution to the Cyprus problem, a solution which will guarantee the right to the majority of the island's inhabitants to live in a unified, sovereign and independent homeland, where the rights of the minority will also be guaranteed within generally accepted constitutional and territorial arrangements.

Mr Adamou's motion for a resolution, realistically and moderately worded as it is, cannot but meet with our approval. The Group of the European Democratic Alliance, on behalf of which I am speaking, has decided to support this motion.

It is not up to me at the moment to judge and analyse the reasons which have led Mr Adamou and his party to draw up these proposals on the Cyprus problem. For us it is sufficient that the motion protects the right of the Cypriot people to freedom and democracy, serves the interests of the countries directly concerned, and backs up the efforts of the free world to achieve peace and normality in the region.

It is with this in mind, Mr President, ladies and gentlemen, that the political group to which I belong will vote for Mr Adamou's motion.

(Applause)

**Mr Dimitriadis (DR).** — (GR) Mr President, a provocative and long-term tactic used by the Turkish-Cypriot leadership is that of *faits accomplis*, and it is a tactic which is carried out with the approval of whatever Turkish Government happens to be in power. After every arbitrary act against Cyprus there are protests, debates and condemnations from the international community, there are statements by political leaders, resolutions are adopted in parliaments, but the *faits accomplis* remain, and we do not really know to whom all this is addressed. Is it addressed to the Cypriot people as a consolation, or to the invader of Cyprus, who has for eleven years ignored the three UN resolutions and continues its illegal occupation of 37% of Cypriot soil?

Apart from the UN resolutions, neither the European Parliament resolution of 17 November 1983 nor the

statement by the Foreign Ministers of the Community of June 1985 nor the recent statement by the Political Affairs Committee have prevented the Turkish-Cypriot leadership and the Turkish Government which supports it from continuing, by means of unilateral and arbitrary actions, the process of so-called 'constitutional development' in Northern Cyprus, which is torpedoing the mediating efforts of the UN Secretary-General.

Thus I do not share the anxieties of the British Member who spoke a moment ago since, whatever happens, no account is taken of our resolution by the other side. The joint appeal by the European Parliament, the Commission and the Council of Ministers of the Community on 5 April 1977 on the respect of human rights, which is a milestone in the history of European civilization, will remain a dead letter, Mr President, if the Community institutions fail to realize that it is their duty to see to it that human rights are respected wherever they are being violated, beginning first of all with the countries of the Community itself and with those countries which are in any way linked with it.

If we do not stop closing our eyes when politics dictate hypocritical neutrality, particularly when it comes to violations of human rights, and if we do not stop putting off these matters indefinitely, we — at least in this Parliament — will have patently betrayed the mandate entrusted to us by the peoples who elected us.

Lastly, Mr President, I think that unless the Foreign Ministers of the Community do something immediately in direct support of the efforts of the UN General-Secretary to find a just and viable solution to the Cyprus problem on the basis of the UN decisions, Cyprus will, against any motion of justice, be partitioned, and the international community will once again be an unfortunate witness to the tragic events.

**Mr Lomas (S).** — Mr President, whatever might be said today, the fact is that we have now had eleven years of brutal occupation of Northern Cyprus by Turkey, an occupation which should never have been allowed to happen. If the guarantor States, particularly Britain, had intervened at the time they could have stopped Turkey. It is to the eternal shame of everybody involved that nobody came to the assistance of Cyprus eleven years ago. Turkey has now arrogantly declared that an independent State and called for elections. Turkey is responsible for the fact that hundreds of thousands of refugees have been uprooted from their homes and now have Turkish settlers living in them. Sir James, that is not yesterday, that is happening today. Two thousand people have disappeared, families are suffering the misery of not knowing where they are — that is not yesterday, that is today, Sir James! The misery of a divided Cyprus, its capital cut in two and occupied by Turkish troops — and that is not yesterday, that is today, and we have to insist that ends!

**Lomas**

The UN Secretary General has made proposals which are not exactly what the Greek Cypriots would want, but to which they have agreed. I was in Cyprus in August. I had discussions with President Kyprianou and the leaders of all the parties there and everybody is unanimous now that however poor the deal may be there is no other solution than to accept the proposals of the UN Secretary General. These call for a federated Cyprus with two regions — a Turkish part and a Greek Cypriot part. It gives the Turkish population far more than they are really entitled to on the basis of the strength of the population — more territory, more seats in parliament and government. Yet Turkey is not even prepared to accept — or has not been so far — even this compromise by the UN Secretary General. I would say this: this Community, the whole international community, ought to say to Turkey there will be no cooperation with you, there will be no relations with you, there will be no trade, there will be no links until you end the occupation of Cyprus and until you agree to these very modest proposals being made by the UN Secretary General. Mr Adamou and Mr Plaskovitis are quite right to make this demand today. I hope this resolution is carried overwhelmingly when we vote later.

*(Applause from the left)*

**Mr Wedekind (PPE).** — (DE) Mr President, ladies and gentlemen. Today we have been given another lesson in primitive Greek nationalism. For this reason, I want to correct one point. The history of the republic of Cyprus did not begin with the occupation in 1974 but in 1960! In that year, a treaty was signed and a constitution was agreed to by both Greek and Turkish Cypriots.

In 1963, this constitution was violated by the Greek Cypriots and the troubles began. Turkish villages were burnt down, gangs led by Grivas and Samson murdered Turks and there was general insecurity. Turkish officials were either dismissed or no longer paid, Turkish villages were cordoned off and Turks were no longer able to move freely about the island. This continued for eleven years, from 1963 to 1974. For eleven years, the Turks suffered but even this was not enough for the Greeks on the island. What they wanted, in fact, was to drive out and eradicate the remaining Turkish population as had already been done in Crete. The result was the Akritas Plan and the putsch, led by the criminal Samson and his accomplices in Greece, against the comparatively moderate Mr Makarios.

On Cyprus a time of misery dawned with pogroms against the Turks. The three signatory powers should have felt themselves obliged to act to ensure the safety of the population. During this period, those murdered included not only Turks but also Greeks not in favour of Enosis or the 'idea megalí'. Turkey was quite simply obliged to act to save the Turkish population from extinction and murder. Britain's failure to act was a

mistake. For this reason, the presence of Turkish soldiers there is legitimate and demanding their departure is tantamount to recommencing the murder and manslaughter that occurred between 1963 and 1974.

At that time, the dead were counted in thousands yet there have been no more deaths since 1974. There is peace and if the intention is to find a solution to the Cyprus issue, the Turks must be given equal rights and the Greeks a constitution similar to the one they had. It must be recognized that the Turks have reason to be afraid of the Greeks. One cannot say that Turkey is not involved. Turkey will have to remain one of the guarantor powers — if it is not, there can be no agreement whatever.

**Mr Alavanos (COM).** — (GR) Mr President, I thought that the debate on the motion for a resolution by Mr Adamou would be a debate without differences of opinion between logically minded Members, among whom I do not, of course, include the previous speaker and one or two others.

Unfortunately, however, we were surprised by the speech by the Chairman of the Inter-Parliamentary Delegation for relations with Cyprus, Mr Scott-Hopkins, who asked the House to abstain from the vote on the motion for a resolution and who yesterday asked for the debate on the Cyprus problem to be deleted from the agenda with the excuse that the Council of Ministers would not be present. Mr Scott-Hopkins' speech makes a sad impression on us, but fortunately there was one British speaker from whom we heard a positive, logical, militant and honest voice — that of Mr Lomas — which set the record straight. I should like to ask Mr Scott-Hopkins, particularly with regard to his main argument, whether the illegal referendum held by Denktash, the 'presidential' elections and the 'parliamentary' elections have made the task of the UN Secretary-General any easier. Since they have not made it any easier, why should it not be made any easier if the European Parliament condemns these acts following the condemnation by the Council and, more generally, if there is international pressure concerning these unilateral actions which amount to a *coup d'état*, and if there are the *faits accomplis* which constitute one of the main obstacles to progress on the Cyprus question?

I therefore think that Members will not abstain and that this motion for a resolution will be adopted almost unanimously.

**Mr Boutos (RDE).** — (GR) Mr President, Mr Wedekind stated that today's speeches by the Greek Members are dictated by pure chauvinism. I think that this remark is an insult to all Members and considerably inhibits the work of Parliament. So I should like to see the Presidency intervening so that in future such judgements are avoided. I would not go so far, Mr

**Boutos**

President, as to say that I support what Lady Elles said about Parliament's proceedings, namely that when someone is speaking on a particular subject, we ought ultimately to know what interests he is representing.

*(Applause)*

**President.** — I note your remarks.

**Mr Tzounis (PPE).** — (GR) Mr President, the Group of the European People's Party and, of course, the Members of the New Democracy Party will vote for the motion for a resolution before us, which in many respects is identical to the motions for resolutions which they themselves tabled in accordance with the procedure under Rule 47.

Many of the speakers have referred to the historical background to the affair, some with objectivity and others with passion and prejudice which seemed to me to be not very christian and not in the least democratic and which are certainly not examples worth following.

For my part, I should like to dwell on one of the views of the matter which, even if not obvious, is generally not emphasized enough. The Cyprus problem has been in the forefront of international news for 32 years in succession. The lesson of these 32 years of international and intercommunity strife and bloodshed is without doubt that the problem is above all a political and human one and that political problems are not amenable either to military or to other unthinkable solutions.

Basically the Cyprus problem is the problem of how two different national communities can live together peacefully and constructively within a single independent state. However, this is of course inconceivable unless each side respects the other's rights and, above all, its human rights. The way in which these rights are to be guaranteed is a matter for negotiation and agreement between the two communities. This entails dialogue on the basis of the objective facts and does not mean the imposition of the will of one community on the other.

Many years' experience both of the Cyprus problem and of other similar international problems has shown clearly that ignoring reality and imposing the views of one side on the other by means of blackmail and with the help of foreign troops does not provide solutions. It simply transposes the problem, aggravates the feeling of injustice, inflames passions and paves the way for future explosions more violent than those to which we are seeking to put an end once and for all. An example of this is the Arab-Israeli conflict, which for 40 years has changed the Middle East into a powder keg, and another example is the explosive situation in South Africa.

The motion for a resolution recognizes these fundamental and important truths. It condemns the Turkish Cypriot community's actions which, with Turkey's cooperation and by trying to consolidate a state of affairs which is illegal in international law, seek the all-out imposition of unthinkable solutions based on blackmail and involving the division of the island. Lastly, it lends moral support to the UN Secretary-General in his difficult task of finding honestly agreed solutions, which are the only way of guaranteeing a peaceful future for the island's two communities and which at the same time, by helping to improve the climate of Greek-Turkish relations, take on a broader international dimension.

Parliament must not fail to respond to this call and must lose no time in fulfilling its obligation towards peace and common sense in international relations.

*(Applause from the centre and from the right)*

**Mr Berg (FR), President-in-Office of the Council.** — Mr President, I would like to thank all those who have taken part in this debate. To some extent they appreciate the problem involved. I can only repeat that the Foreign Ministers of the Ten are well aware of the situation, and as I have already said, the Ten have given constant attention to this matter.

On the other hand, it must be recognized that the scope for action by the Ten is very limited. Basically, all we can do is lend our unconditional support to the initiatives of the UN Secretary-General. If, as Sir James Scott-Hopkins has said, a breakthrough seems near in New York, the Foreign Ministers of the Ten will be the first to welcome it.

As for Community treatment of its imports from Cyprus, it is the Commission's duty to ensure that the provisions of the agreement are correctly applied, including those under Article 5. On this subject I would ask the honourable Member to refer to the statement made to the European Parliament in May 1984 by Mr Richard, Member of the Commission.

**President.** — The debate is closed.

The next item is the vote on the request for an early vote on motion for a resolution Doc. B 2-800/85.

*(Parliament agreed to the request for an early vote)*

The vote on the motion for a resolution will be taken at 9 o'clock tomorrow morning.

## 6. European media policy

**President.** — The next item is the report (Doc. A 2-75/85), drawn up by Mr Hahn on behalf of the Com-

## President

mittee on Youth, Culture, Education, Information and Sport, on a framework regulation for a European media policy based on the Commission's Green Paper on the establishment of the common market for broadcasting, especially by satellite and cable (Com(84) 300 final).

**Mr Hahn (PPE), rapporteur.** — (DE) Mr President, ladies and gentlemen, if the European Parliament today debates the Green Paper 'Television without Frontiers' and the motion for a resolution now before us, and then approves in October the report drawn up by Mr de Vries on behalf of the Committee on Economic and Monetary Affairs and Industrial Policy, and if the Commission submits a directive before the end of this year and the Council adopts it, then the European Community will be one new policy better off.

The introduction of a European media policy will be an important step towards European union, and we will have seized an important opportunity. This is because with the advent of the new media — cable television and, in particular, direct-broadcasting satellites — the European Community has only two options: to let the developments unleashed by the new media pass it by, or to harness them in a common media policy.

The new media mean that there is no longer a shortage of television frequencies. We have more frequencies than we can use and cable will take as many programmes as we feed in. However, the new media also put an end to the era of nationally and territorially limited television zones as they evolved in Europe in the Fifties. Television is becoming international, and direct-broadcast satellites no know frontiers.

We must ask ourselves what we will achieve for European Union by using the new media. First, we will be setting up a Common Market by dismantling the frontiers and obstacles which have existed between the Member States hitherto as regards the broadcasting and reception of television programmes. Secondly, we will be implementing the basic principle of freedom of information, which is vital for democracy, as laid down in Article 10 of the European Convention on Human Rights and in Basket III of Helsinki. And finally, we will be exploiting the most important means of communication of our time, i.e. television, to forge a European consciousness.

Ladies and gentlemen, there is no getting away from it: something that is not in the media does not exist politically in a democracy. And as for European Union — Europe will only be united if the people of Europe want it to be, and they will only want it to be if they are provided with appropriate information. Thus, media policy is as important as institutional policy. Media policy is the main prerequisite for imbuing the people of Europe with the idea of European union.

The European Parliament realized at an early stage how important the new media were for European Union. In 1980 I tabled the first motion concerning a European media policy. In 1982 the European Parliament asked the Commission for a comprehensive report on the media to elucidate two things: the possibility of using satellites to set up a European television channel, receivable throughout Europe, transmitting the same pictures but broadcasting in the various national languages, and the possibility of a European framework for television giving rise to a common European television environment with media legislation founded on common principles and incorporating framework regulations governing advertizing, the protection of minors and copyright.

The Commission complied with the European Parliament's request in two stages. In 1983 it submitted the Interim Report, followed in 1984 by the 'Television without Frontiers' Green Paper, with which we are dealing today.

These documents were produced by two different Directorates-General: the Interim Report by Directorate-General X under its Director-General, Mr Froschmeyer, and the Green Paper by Directorate-General III; originally Commissioner Narjes was responsible for it, but now it is the responsibility of Lord Cockfield, Dr Ivo Schwartz and Dr Brühahn. This I mention because these are two very important documents which will become milestones in European media policy.

The Interim Report deals with the question of a common European television channel, concluding that this would not only be possible but would also be a challenge which we must take up if we want to shape a European consciousness and complete the European market. For this reason, we in the European Parliament demand that the Community provide all possible support in setting up such a channel. The Green Paper 'Television without Frontiers', settles — on the basis of the Treaty — the question of Community competence in the field of radio and television. This is very important since it is often claimed that the Community can derive no powers in this field from the European Treaties. There are also governments and television companies which claim that television is culture, and that culture is not a matter for the Community but for the Member States.

Well, the Green Paper in no way claims that the Community's powers cover the entire field of culture. However, basing itself on the findings of the European Court of Justice in the Debaue case, it points out that cross-frontier television constitutes 'services provided for remuneration' within the meaning of Articles 59 to 63 of the EC Treaty. This is true regardless of whether commercial television is involved or cultural, political or light entertainment broadcasts. Television companies are also undertakings, many of which have turnovers running into thousands of millions. Business and

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culture are inextricably linked in television. The Treaty even calls on the Community to harmonize media legislation. While it is true that it permits national derogations in certain areas, such as public policy, this is only until the Community has established a common television environment through the adoption of common norms.

Nowadays this interpretation of the Treaty is hardly contested any more. All the European Parliament's committees which have dealt with and commented on this matter, especially the Legal Affairs Committee, have agreed with it. It can also be pointed out that during the summit conferences of recent years — at Stuttgart, Fontainebleau and Milan — both the media and certain areas of culture and education were designated areas of activity for the Community, particularly as part of the 'People's Europe' programme. However, it has to be said in this connection that no-one is thinking in terms of a standardized European culture. Neither is it the aim to standardize television programmes. Just as European culture is unity in diversity, so we must maintain the variety of European television programmes.

Owing to lack of time I cannot go into the Green Paper's individual proposals for the directive. Those pertaining to advertizing will probably be discussed a great deal more, but I think that agreement will be reached. The protection of minors presents no great difficulties: it is on the question of copyright that opinions are most divided. It is claimed that introducing statutory licensing — as the Green Paper proposes — is tantamount to expropriation of authors and would be damaging to culture. These objections should be taken very seriously, and for this reason we are tabling an amendment to change radically the Green Paper's proposals on this score. We propose that collective agreements already concluded between authors, marketing undertakings and broadcasting companies on the one hand and cable operators on the other remain in force, or must be concluded in each Member State by a certain deadline to be fixed. Only countries in which agreement had not been reached by that time would have to settle this question through statutory licensing.

In addition, the motion for a resolution contains a large number of requests which taken together form the basis for a European media policy, in which — as I have already said — the creation of a European satellite channel forms a very urgent element. It proposes establishing a common editorial board, consisting of the broadcasting companies involved, to organize programmes, and calls on the governments to make satellite channels available, and on the Community to provide initial assistance from its budget. Instead of limiting the satellite lobe to national territory, as demanded by the World Administrative Radio Conference in 1977, a European coverage area and common technical standards should be created. C. MacBecket is, in actual fact, still the best system, and not that agreed

between France and Germany, i.e. D 2 Mac, because only C. MacBecket has enough channels to accommodate all European languages. This would render the best service to European Union. Finally, a Community fund should be set up to encourage the production of European television programmes.

It will not be easy to achieve acceptance of all these requests. We should bring all our political and moral weight to bear to get the governments to implement this European media policy. We ourselves should show the way by providing — as an initial stimulus — a suitable amount for the European television channel from the Community budget. I believe it would be a great asset if we could point out during the third direct elections that the second directly-elected European Parliament had pushed for and obtained a European media policy.

(Applause)

**IN THE CHAIR: MR PLASKOVITIS***Vice-President*

**Mr Barzanti (COM)**, *draftsman of the opinion of the Committee on Legal Affairs and Citizens' Rights.* — (IT) Mr President, ladies and gentlemen, the EEC Treaty provides an adequate legal basis for an initiative which seeks to define the European dimension, methods and forms of a television service regarded as providing a special type of service for remuneration. Furthermore, the very principles laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms and in other texts such as the Helsinki Final Act lead us to consider the problem and all its economic, legal and cultural implications with a heightened and mutual awareness of the citizens of Europe.

In the view of the Legal Affairs Committee, the satellite challenge must be met with prompt moves so that the groundwork is laid for a unified set of standards which alone can ensure that the new world of televised information will be functional and beneficial. A policy of watchful wait-and-see or piqued national resistance would produce only confusion and intolerable delay. The far-sighted response to the challenge — or at least one of the responses — is a realistic and flexible Community directive aimed at the harmonization and standardization of what can and must be done, albeit of course over a period of time.

What we call 'television without frontiers' must in fact encourage the specific cultural differences which make up Europe and it must not be envisaged as something which is grafted on in the form of a sameness which is empty of history and meaning. This means that there is

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a need — which has been noted for some time in fact — for proper, careful and democratic control of management bodies. Another point to be encouraged is the valuable 'mixed' nature of national broadcasting systems, by which the statutory authorities seek to promote pluralism, quality and a genuine public service.

Mr Hahn mentioned the reservations which the Member States can raise and which are indeed provided for in Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms and in Article 56 of the EEC Treaty. The committee believes that the work of interpreting these reservations must be carried out in an open and forward-thinking manner.

There are two last points I want to mention. With regard to advertising, there has to be set aside a fixed proportion of time which will allow limited commercial breaks, avoid deplorable interruptions to programmes and encourage a well-thought-out system of sponsorship. On the question of copyright, we are treading new ground, far from the current system of territorial limits, and we have to move towards the idea of agencies or collecting societies which can enter into proper contractual relationships, secure authors' rights and, among other things, safeguard the cinema industry which is currently having a very hard time.

We have to review and develop existing facilities. It is not advisable to start from scratch with clever new ideas. What we have to do is to take a European approach, one which is careful, cautious yet timely. This is the only way and we have to act now to prevent the awful situation whereby simple market forces mean that the strongest swamps our rich diversity, our new freedoms and the great prospect of a genuine and fruitful integration of the citizens of Europe.

**Mr Collins (S)**, *draftsman of an opinion for the Committee on the Environment, Public Health and Consumer Protection*. — First of all can I congratulate the Commission, and in particular the two officials responsible for producing the Green Paper, Mr Brühmann and Mr Schwartz. In producing this particular Green Paper, whatever else they have done, they have stimulated discussion in the European Community and right across Europe in a way that would not have been possible before. The existing institutions certainly did not do that, and they are to be congratulated on their work. That is not to say that I agree with everything they have said or, indeed that the Committee on the Environment, Public Health and Consumer Protection agrees with everything they have said, but nevertheless they are to be congratulated.

The position so far as this committee is concerned is that there are new developments in technology which mean that broadcasters can reach parts of the Community, parts of Europe and parts of the cultural consciousness that previous technology could not reach. There may, therefore, be a problem for consumers.

I must say that we tackled this from the point of view of consumer protection. We were not concerned with technological developments, we were not concerned particularly with the economics of television finance, we were not concerned with the cultural area because that is an area that we felt was best dealt with by other committees. So we looked at it from the point of view of consumers.

Having said that technological developments have grown enormously and that they have implications for consumers, at the same time there is a need to maintain and improve the quality of European television at a time when production costs are very high and when advertising revenue is limited. There must be no doubt at all about that. Although some people have seemed to suggest that advertising revenue is limitless, this, on the evidence available to us, is just not true. Advertising revenue is strictly limited. Foreign imports by contrast are very cheap. They may not be of a very high quality but nonetheless they are cheap and they do fill up the time. Institutions I may say, such as the BBC, are under attack from doctrinally blind and prejudiced governments. Nonetheless we understand all of these problems and we also understand that in order to be responsive to the needs of consumers and viewers, we cannot really countenance the idea of a European-wide control of either broadcasting or, come to that, of advertising.

The committee is therefore convinced of the need to regulate the market inside the Community, but is worried that the key word has appeared to be 'opportunity' rather than 'responsibility'. We would emphasize that opportunities do carry by implication responsibilities. So the directive we would envisage — and we envisage a directive on television advertising — would be a framework with detailed control left to national level because we do not believe that at European level it would be either responsive or quick enough to deal with the day-to-day complaints and the day-to-day cultural differences that exist in the Community. We would like the limits on advertising time to be left to consumers on the one hand and viewers on the other. But I must say personally that I would not be against a limit of about 10% on advertising time. We would like to see a clear separation of advertising and programme material. We would like to see a total ban on the advertising of tobacco and strict limits on alcohol advertising. We would like to see efforts made to protect children and we would like to see the licensing of all television companies . . .

*(The President urged the speaker to conclude)*

The final conclusion we would like to make is that we do see a need for a directive on television advertising. We would like to see it encompass these particular areas. But we would not like to see the Commission propose an overall European control on advertising or on programme material because we think that would be inflexible and it would be culturally the wrong res-



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ponse to the variety that exists in the Community at the moment. But we do insist nonetheless that if we are to have satellite and cable television, then there must be very strict controls on . . .

**Mr Schinzel (S).** — (FR) Mr President, ladies and gentlemen, the Socialist Group is all in favour of developing a European media policy, since we believe that broadcasting not only serves to provide information, education, advice and entertainment, but is also a major factor in developing people's consciousness and hence in shaping public opinion.

Not least, we view broadcasting as an important vehicle for culture and at the same time as a basis for promoting modern culture.

The media structures now existing in the European Community countries result from past cultural developments in these countries. We Socialists base our European policy on the premise that cultural diversity and identity must be preserved. At the same time we wish to create and maintain more room for the imagination and creativity of those active in the cultural sphere.

From this angle alone it is wrong to view this issue primarily in economic terms. A brief look back into the past reveals that the decisive course for satellite technology was set in the Sixties and Seventies. This was done, without the involvement of broad sectors of the public, exclusively by the relevant administrative bodies, technical experts and economists. Therefore, it comes as no surprise that to large sections of the public nowadays it seems as if media policy is no longer able to cope with the way things have gone. This is true at both national and European level.

The introduction of television by direct-broadcasting satellite inevitably leads to internationalization of television programmes and the television market with far-reaching implications. At the moment we are solely concerned by the question of how this development can be controlled democratically. To put it in a nutshell, the countries of Europe run the risk of seeing national media structures destroyed by cross-border commercialization of television. Chasing after advertising, partly by the widespread broadcasting of cheap American productions, is a threat to European television culture, and will eventually mean that we all end up with the same diet of unrelieved pap — and that is something we do not want!

We want to preserve a European identity or create one where none has so far come about, and for this reason we must expect serious repercussions on European culture and the film industry if we do not take action. We must therefore lose no time and use whatever scope remains for us to devise an effective European media policy.

To put it simply: Europe's cultural diversity is in danger of being flattened by an international commercial steamroller and degenerating into standardized cultural pap. A future European television channel should be created with or by Europeans. Seen in this context media questions are also power questions.

For this reason we welcome a European media policy and say what we think its major features should be. We want to have a European television environment with the following principle features:

Firstly, everyone should be able to receive national programmes from all Member States. Secondly, we want to see a multilingual European television channel run by a European broadcasting company with an independent editorial board. However, this editorial board needs a shield, as it were, to safeguard its independence. Parliament, the Council, the Commission and the major social groups should have a part to play in ensuring independency of editorial activities in connection with this European broadcasting company.

We want to see promotion of the European programme-making industry. So far the Council has only managed to show itself up on this matter. The proposals submitted by the Commission and supported by Parliament have not yet found majority support within the Council. This is pathetic when you think how much effort we and the Commission put into this matter! It's time the Council did something!

Finally, we want to safeguard the quality of public broadcasting which has so far been a major element in Europe's cultural development. We do not want to see it perish in the international struggle to grab markets or prime advertising time.

We also want to maintain cultural variety and freedom of information by making sure that no media monopolies or monopolies of opinion emerge in the European Community. Not least of all, we are in favour of general principles for programmes — for example, no glorification of violence, which should go without saying — as well as harmonization of technical standards and legal regulations as part of a European media convention.

There should also be a regulation stipulating that at least 50% of European television programmes must be native European productions, because if we simply leave European productions to compete with cheap American productions long since written off in the USA, then they will not be able to develop and maintain a European culture. They will just go under!

(Applause)

We believe that these aims can be achieved through a European media convention, and the various party groups in our Parliament can quickly reach agreement on this. What we mean by a media convention is one

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backed up by Community directives with the appropriate legal force. By this I mean such things as technical standards for the transmission systems, i.e. C-MAC, D2-MAC, C-MAC, on which a decision is still pending.

As for advertising, we believe that 10% of total air time is quite sufficient, and viewers should not be expected to put up with more. Other catchwords are protection of minors, the right to reply and copyright — a contentious area, and Mr Hahn was right to make specific mention of it once more. However, I do not think that the last word has been said on this subject. We also want to regulate channel operators' access to satellites. We cannot just have a free-for-all. We must have universally applicable rules!

We want to reach an agreement with the other broadcasting companies which would make it possible to have an independent editorial board for the European radio and television channel, without — I want to be quite clear on this — setting up a gigantic bureaucracy! The infrastructure and capacities of the existing broadcasting companies should be harnessed to allow this editorial board to produce a sensible European channel, but this should, of course, all be done as part of the European broadcasting company I mentioned earlier.

Certainly, we agree with the Commission that radio and television are services and that for this reason their freedom to cross borders must therefore be guaranteed. However, we should not forget the cultural factor, which I believe has had a raw deal from the Commission.

Mr Hahn's report has met with our approval in broad terms. He has included many of our ideas. We will still table some more motions on it though, and try to come to some arrangement. We find a lot of things in the report somewhat half-hearted, particularly the attention given to the great cultural role for our own European television channel. I hope we can reach agreement on this and next time support it with a correspondingly large majority.

*(Applause)*

**Mr Beumer (PPE).** — *(NL)* Mr President, on 12 March 1982 when Parliament requested the Commission in the Hahn resolution to create the conditions for a European media policy, this put a large cat among many media pigeons. And the Commission's response in the form of its Green Paper has caused a particular flutter. It has come late rather than early, though.

As a result of technological developments, national frontiers are becoming increasingly unsuitable for defining the limits of television broadcasts, for example.

Internationalization has arrived, and regulation is required. What is the starting point of the Green Paper? The creation of a single programme market via the establishment of a common market to promote European integration and cultural exchange and also to stimulate of creativity, taking account of basic political rights such as freedom of information and freedom of expression. An objective with which we agree, but where some comments are called for as regards its implementation.

It is noteworthy that the Commission regards the introduction of a common market for broadcasting not just as a useful means of fostering the creation of a European television broadcasting service — it also derives an obligation to do so from the Treaty and rulings on this subject by the Court of Justice and argues its case exhaustively. An essential part of its argument is the definition of TV broadcasts with the EEC as remunerated services. In view of the objections to this reasoning, my Group considers it essential to obtain a judgement as quickly as possible at the highest level as to whether this argument is sound overall and in all its implications. It does after all form the cornerstone of the Green Paper.

With a view to establishing the scope for national policies, it is likewise important to lay down in black and white the scope for possible derogations.

Both the EEC Treaty and the European Convention on Human Rights expressly cite the following grounds for derogations: public policy, public security and public health.

As regards advertising broadcast from abroad, there is a ruling by the Court of Justice to the effect that restrictions are possible as long as no distinction is made between domestic and foreign advertising. In the light of this ruling, it is questionable, for example, whether the restrictions in the Netherlands can be upheld.

We consider that the Commission, if only by presenting a well-argued position on the application of the Treaty to the internationalization of the media, has turned the publication of the Green Paper into an extremely interesting event, also with regard to the Treaty. The Commission discusses in detail the legal obstacles currently hindering transfrontier broadcasting. It says that it intends to submit directives relating to advertising, protection of minors, copyright and similar matters. Here, we endorse the comments in the Hahn report on this point, and also the report's positive assessment in general.

However, the Commission is cautious about the issue of programme content, saying that in order to maintain European diversity the regulation of national programme-making should be left to the individual countries. Obstacles should not be placed in the way of broadcasts from outside, however. Accordingly, broadcasts from abroad do not have to comply with

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national programming legislation. What does this mean? The Commission says that this approach dispenses with complex political harmonization and furthermore avoids artificial, uniform European programmes. However, the issue also has another side to it.

For caution on this cultural policy aspect could, where a purely legal approach is coupled with a situation in which foreign programmes are not subject to national programming legislation, result precisely in an impoverishment of the range of programmes offered in Europe. Professor Wedell refers here to the creation of an American model. The diversity of cultural expression spoken of by the Commission would then indeed be at risk. In our view, this point is given insufficient attention in the Green Paper, and we endorse what Professor Hahn says on this point in his resolution.

In our view, here is a task for the Council of Culture Ministers, which should not just give its opinion of the far-reaching interpretation of the Treaty by the Commission, but also investigate whether a common cultural policy basis can be found, for example under Article 239, to protect the public service sector, for example by establishing minimum programme formulas and perhaps special financial structures.

Unlike, for example, the European Broadcasting Union and a number of broadcasting organizations, we agree with Professor Hahn that both the inevitable internationalization of the media and the EEC Treaty require a European framework, and energetic action is called for on this point. We also share the rapporteur's conclusion that the need for a cultural policy approach is greater than is indicated in the Green Paper. Waiting or standing on the sidelines would undermine precisely what we wish to preserve. The Commission's vigorous interpretation of the Treaty, which has our admiration, must now first be examined by the Council. My Group finds the Commission's reasoning thorough and impressive, but cannot yet give a final opinion. We do agree with the Commission that economic aspects play a more important role than the many reactions, in particular from the broadcasting sector, would seem to indicate. Broadcasting is becoming a factor of great economic importance.

To conclude, Mr President, I would like to say that we are in principle in favour of preserving the diversity expressed by the national media structures and cultures, but in addition also see positive opportunities for a media policy at European level, the aim being to ensure that this policy is not made without our participation. This can also contribute to the creation of a European consciousness without which the EEC and also Europe would lack a perspective for the future.

**Mr Howell (ED).** — Mr President, our group welcomes this report and congratulates the rapporteur on

his comprehensive contribution to the future of television. Television broadcasting in Europe has long been a major interest of my group, one result of which was the Hutton report which, as the rapporteur will know, was adopted on 13 April 1984.

While we accept that the EEC Treaty provisions relating to the free movement of services form the basis for establishing the exciting concept of a common market for radio and television, we feel that nevertheless the Community should ensure in addition a minimum legislative framework for a comprehensive European media policy. We cannot afford to delay. If we miss this opportunity to make a real leap forward in technical television standards, it will be even more difficult for us to do so at a future date — the new technology itself will overtake us.

We are under continuing pressure from the United States to keep pace with technological developments in this field. We must not only meet this pressure, we must overtake it and in doing so create a European identity for this service.

We welcome the opportunity presented by direct broadcasting via satellite. However, we emphasize that this must be accompanied by a common technical standard. We urge the Commission to submit a proposal outlining such a standard at the earliest opportunity. Rules governing advertising require immediate attention, and these should be modelled on the IBA and the ICC codes of practice. We believe that observance of the common code is perhaps best left to a national controlling authority. The protection of minors must be adequately provided for by ensuring the maintenance of general programme standards having special regard to the susceptibility of young viewers and listeners.

Finally, protection of copyright is essential and has not yet been absolutely resolved. We believe that the fundamental issue is that the exclusive rights of copyright and related rights with respect to broadcasts across frontiers should be respected. Statutory licensing does not seem an appropriate solution. An alternative might be to encourage licensing systems based on voluntary contractual licences to be agreed collectively between representative organizations of rights' owners and cable network operators.

Some of my colleagues, it has to be said, are against these proposals. They wish to see a free-for-all so as to seek the open airways of Europe and see any legislation as a restriction on this aim. I do not. I see the Hahn document and the Green Paper not as a restricting factor but rather as an enabling factor leading to the breakdown of diverse national practices that today hinder transfrontier broadcasting from all nations to all nations. We look forward to receiving from the Commission the proposed directive which will deal with these points, in particular the regulation of advertising and the regulation of copyright as applied to

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television. We urge all concerned to maintain the impetus in guaranteeing the freedom to broadcast in both radio and television. With one or two minor reservations, my group lends its full support to this important document and report by Professor Hahn.

**Mr Papapietro (COM).** — *(IT)* Ladies and gentlemen, the European Community must be happy with this fact, which is that the new methods of broadcasting — cable distribution, made possible by optical fibres, and satellites — are marking the end of the kind of broadcasting that has been developing in Europe since the 1940s.

If we add to this technological advance the political and cultural boost of a European awareness, it is not difficult to understand that within a few years the idea of a national system, which has been with us since the 1920s, will be a thing of the past. What we have to talk about, therefore, is what kind of model to propose for the continent-wide development of broadcasting, and so we have to think about the type of technology that will be most suitable for a Community scheme. This will then allow us to define the whole set-up of standards and regulations for the sector. A major step forward in the ideas on this subject is today's report by Mr Hahn on the Commission's Green Paper, which Parliament had asked for in an earlier report by Mr Hahn and which provides a genuine basis for a European policy in this area. We should be grateful to the authors of the Green Paper and to Professor Hahn, who brought to this subject his insight, a political fairness and a considerable gift for initiative.

There are a number of points to which I wish to draw the House's attention. Firstly, faced with the crisis in the traditional domestic and industrial markets, we need to go for heavy investment at every stage of the cycle: production, distribution and consumption. Secondly, a united Europe offers the richest advertising market in the world, with a higher turnover even than the United States. There is a potential for untapped advertising which is pushing for a place on the television screens. Some people in fact regard European television as simply a sector of the advertising market. Thirdly, there is a growing gulf between these pressures and the lack of real power on the part of Community bodies to control the system, and for this reason we welcome a proposal for a directive which to our mind is much needed. Consideration of these points leads to the need for a number of urgent decisions which I should like to summarize.

1. We need to review the institutional rules governing the system, and here I mean both the transnational distribution of the product and the question of copyright — and on this point I share Mr Bazzanti's views — and also the definition and aims of a rationale for TV programming which has tremendous political and cultural implications. Just think of the flood of American programmes on our screens, which Mr Schinzel mentioned. This is

a real cultural invasion which goes far beyond offering a useful and necessary window on the cultural riches of North America and which instead represents the threat of cultural colonization, a stab at the heart of the European cultural identity which we are working on. This can be avoided by creating new financial sources for the large-scale production of European programmes and by adopting a balanced and temporary protectionist policy based on a quota system for American programmes while the market among Community countries is left free.

2. In the new development model for broadcasting we have to find a balance between the private and public sectors. This balance is needed because it is in the private networks that dependence on the American system is most noticeable. Direct broadcasting by private companies via satellite must be controlled from the start, and they need to satisfy a certain number of requirements such as those met by the British stations controlled by the IBA. These requirements tend to reinforce the public control of broadcasting. Institutionalized deregulation of broadcasting in Europe would lead to a situation as in Italy, where the system is marked both by anarchy and by a duopoly of RAI's public service and a major private channel.

We need to waste no time in coming up with a proper code, because commercial stations are spreading fast and if we wait much longer for a Community directive it is going to appear in a chaotic situation where it will be too late to do anything.

3. We need a common plan for the development of new technologies, and on this point I am sorry that there has not been a joint debate on the de Vries report as well.

And lastly we come to a central problem, the problem of a European channel run by an independent body. On this point I want to refer solely to the report, and let me add that here too a delay could be serious. Look at initiatives such as the Desgraupes project in France. Consider, too, that 65% of the world's information comes from the United States and you can see that they have almost secured a beachhead here as well. Consequently, we feel that there should be speedier financing with the setting-up of a European television channel linked to the Olympus project with a complete schedule of programmes — 14 hours a day — which can guarantee independence, pluralism and objectivity.

In conclusion, let me repeat what President Mitterrand said in this Chamber last year, and I hope that everyone, including our French colleagues, will remember those words:

Failing to unite would be condemning ourselves to being borne along on the tide of words and images from outside. . . each of your countries takes a pride in

**Papapietro**

its enviable successes, but none of them has a big enough market. Europe is there. It must put its mind to it and get organized!

*(Applause from the left)*

**Mr De Vries (L).** — *(NL)* Mr President, the Commission's document on television without frontiers, which is the central topic in today's debate, is a good example of what the European Parliament can achieve. For it was Parliament that took the initiative on the development of a European media policy. Three years ago, in 1982, Parliament called on the Commission to prepare legislation on this subject. In 1983, the Commission responded with an interim report summarizing the technical and legal position in the Member States. In early 1984, Parliament again called on the Commission to put forward concrete proposals for bringing about transfrontier television and creating a European television channel.

The Green Paper we are now discussing contains proposals to this effect. The Commission has had the courage to follow in Parliament's footsteps and propose measures that will bring about far-reaching changes in the European media. At the end of the year, the Commission is to publish a directive. I am convinced that it too will clearly reflect Parliament's views. Today we are holding an initial discussion on the Green Paper. We shall come back to this subject at the next part-session to discuss the economic aspects of a common market for broadcasting, and I shall submit a report on this topic to this House. Amongst other things, it will discuss the importance of a European television policy for the cable, satellite and film industries. In today's debate, I shall therefore confine myself to the cultural aspects of an open market for broadcasting, as discussed in the Hahn report.

Freedom of expression is one of the most fundamental rights of man. Freedom to disseminate and receive information is one of the cornerstones of our Western democracies. It is enshrined in the Universal Declaration of Human Rights, the International Convention on Civil and Political Rights, the Helsinki Final Act and the European Convention on Human Rights and Fundamental Freedoms. The Universal Declaration and the European Convention even state in so many words that this freedom may not be restricted by national frontiers.

In our European Community the free flow of information is of vital importance. The democracy we are attempting to build at Community level cannot come about without the active support of the electorate, and if there is a lack of adequate information this support will not be forthcoming. The European elections of 1984 unfortunately demonstrated this only too clearly. As yet too few citizens in Europe feel themselves to be citizens of Europe. This is not surprising. When reading newspapers, these citizens often find the European

news only on the foreign news pages instead of with the other domestic news. In television news broadcasts, European subjects, if they come up at all, are frequently given the same sort of treatment as other exotic items such as the birth of a test-tube baby or the umpteenth tour by the Pope. No wonder that our citizens do not realize how much the European Community governs their daily lives. A European programme such as produced by Olympus television can help to improve this situation. Such a project would then have to have the financial resources to get off to a good start. Together with a number of colleagues from nearly all the Groups I have therefore asked the Commission today to provide a subsidy for Olympus. 1 million ECU in 1985 and 2 million ECU in 1986. You cannot get something for nothing.

However, transfrontier television, Mr President, is of course even more important. We therefore should make use of the opportunities offered by the Treaty of Rome and the European Convention on Human Rights. Radio and television broadcasts are services within the meaning of the Treaty. All restrictions on the freedom to offer programmes across the frontiers of the Member States are hence as a rule in breach of the Treaty. Exceptions to this rule are only possible in very limited circumstances. In any event, they should not go beyond those allowed under Article 10 of the European Convention on the Protection of Human Rights, which states that they must be necessary in order to protect European democratic society. It is difficult to see national discriminatory advertising rules meeting this requirement. Mr President, broadcasting organizations and television broadcasts are thus governed by the Treaty of Rome. European law also applies to them, whatever some broadcasting bosses might say. For them, the wish is evidently father to an incorrect thought. It is indeed remarkable how skittish the reactions of some national ministries of culture have been to the media plans of the Parliament and the Commission. Recently, Simone Veil and I brought up on the European forum a number of discriminatory provisions in the French media system. The ink on our original questions was hardly dry when we received a worried letter from the French minister, Jack Lang. Mr Lang's Dutch colleague uses every opportunity to create the impression that European law does not apply in the Netherlands, at least for the time being, before the elections have taken place. We in the European Parliament will have to watch closely and carefully that the Commission does not back down in the face of this sabre-rattling from national capitals. Mr President, the plans proposed by Parliament and the Commission for the creation of a single European television environment represent the only hope for the European film industry if it is to stand up to the deluge of cheap American productions flooding our markets. It already happens that when a European enters a cinema, he or she will be going to see an American film in 50% of all cases. If he or she switches on the television to watch an entertainment programme, at least two-thirds of the time he or she will be seeing an

**De Vries**

American film. In not one Member State is the market share of American audio-visual productions less than a third, and in some cases it is even 80%. What an enormous boost it would be for the European film industry if it could produce for a free European market, thereby cutting the price advantage of American productions.

Mr President, I now come to my conclusion. The Commission's proposals relating to copyright and advertising can be criticized. I do not think a compulsory license is the most appropriate solution for the problem of copyright. I am equally unconvinced as to the need of a number of the provisions proposed by the Commission for television advertising. Next month, I shall therefore propose a somewhat more modest approach to Parliament. However, one fact is indisputable: the only future for our cultural industry, our film industry and television, including the public broadcasting services, lies with a European approach. National cultural protectionism would be just as fatal as economic protectionism, perhaps even more so. Technological changes compel a European approach. If this fails to materialize as a result of the conservatism of national bureaucrats, the only productions seen throughout Europe in ten years' time could well be American rather than European productions.

*(Applause)*

**Mr Baudouin (RDE).** — *(FR)* Mr President, ladies and gentlemen, I think we should be very aware of the fact that in the years to come we will witness a real revolution in the field of television, firstly as a result of cable television, which is already available in a number of countries and will continue to spread, and secondly — and particularly — with the advent of television satellites.

We have not yet fully grasped how radically the large number of channels transmitted by various satellites will transform the lives of the peoples in Europe. What we must realize is that these satellites will change a lot of things, that they will be expensive, that creating a television channel is not the same as setting up a radio station, and that — consequently — we must not ignore the financial side.

On this point, I would like to thank Mr Hahn, who, in his report, which is based on the Commission's very exhaustive Green Paper, and constitutes the most up-to-date and comprehensive survey of the situation in television today and in the next few years, concludes that the European authorities and European governments should encourage European productions and more European programmes. I am convinced that if the governments of Europe join forces to set up a European channel — not to focus on the European institutions, because although our work is very important, the public sometimes find it a bit tedious, but nevertheless to make Europeans aware of the fact that

they belong together — there will be Europeans interested in knowing what is the latest fashion in other European countries, or the latest concert to be held at this or that venue, or what is in the hit parade in other countries.

All this will make our fellow citizens aware in their daily lives of the importance of the world in which they live and reminded them — and I believe this to be a main consideration — that they are part of a common culture.

The Hahn Report devotes much attention to this point and I fully support all it says. I would just like to voice one important reservation concerning copyright and statutory licensing, because we cannot stand by and watch the cinematographic industry die in the name of over-generous liberalism.

We have not been swayed by pressure groups but by the facts we have observed. It is obvious that Italy — which to a certain extent led the field in the European film industry for many years — saw its unprotected cinematographic industry decline and almost disappear due to the growth of television. We must make quite sure that the protection and legal provisions for this sector are better and more precise than those set out in the Green Paper, and more restrictive than Mr Hahn proposes in his report.

In general, though, I can only endorse this wish for a maximum effort to ensure that the Commission and the governments waste no time in setting up the necessary machinery for joint productions and a European channel.

#### IN THE CHAIR: MR PFLIMLIN

##### *President*

**President.** — Since we have now reached voting time, we shall suspend the debate which will be resumed after the votes.

#### 7. Votes

**Report (Doc. A 2-84/85), drawn up by Mr Anastassopoulos on behalf of the Committee on Transport, on the judgment of the Court of Justice on the common transport policy and the guidelines for that policy**

**Mr Anastassopoulos (PPE), rapporteur.** — *(GR)* I wanted to express my deep dismay and make a very firm protest at the fact that it is not until today, three days after the debate, that we are voting on my report.

**Anastassopoulos**

We know that for a number of years Parliament has been struggling to have the Council of Ministers condemned for its inaction — for the first time in the Community's history — and yet the vote on the report on a judgment by the Court, which in my view was rightly considered historical, was put off from one evening to the next in a way which I would not like to qualify. Is that a serious approach? Is it acceptable? And would I be going too far if I asked for rather more respect for the rights and dignity of the Members of the House, who for their part generally fulfill their obligations?

I was given the explanation that the order of votes was changed because it was felt that my report would be adopted without any problems. I have not yet recovered from my amazement at this novel theory. Does it mean that those who draw up a text on which there is broad agreement are to be penalized for it? However, I shall leave the matter there.

I should like, if I may, to thank the Members both for their kind words and because they maintained a very high level of debate. Of course certain objections were raised by those Members who usually do not agree with Community policies. We know their opinion, but those of us at least who believe in Europe and are in the overwhelming majority in this House do not share it. Reservations were also expressed by a Member who was afraid that the harmonization which would have to accompany the liberalization would provide the Council with an excuse for not implementing the Court's judgment. Some time ago I had the same worries and warned the Council not to look for an alibi and excuses for continuing to do nothing. We are willing and able to make sure that they are not allowed to do so. I should also like to insist that we, at least we in Parliament, should not return to the artificial dilemma between liberalization and harmonization, which for thirty years has prevented us from achieving anything but minimum progress in developing a common transport policy.

It is time for us to get away from this vicious circle. By joining forces and with the backing of the Court's judgment, which provides Parliament with a new power, let us make even more intensive efforts to achieve a grand European policy which will change the map of Europe, improve the transport systems for its citizens, and contribute to the building of Europe, to its economic development and to the fight against unemployment.

I ask you, ladies and gentlemen, to set out along this road together by voting for my report.

*(Applause)*

**President.** — We naturally take note of what you have said.

**Mr Cryer (S).** — There are two aspects of this report which I find of very great concern. The first is paragraph 16 where there is an explicit provision to remove all administrative barriers and all frontiers. I have in front of me a report from the Society of Civil and Public Servants in which they make specific reference to one area of great concern to the CPSA and the Society, namely, the massive increase in drug smuggling. The indications are that between 1979 and 1985 the smuggling of drugs has increased as follows: heroin, 680%; cocaine, 210%; cannabis, 25%. The results of successful drug smuggling are graphically illustrated by the 335% increase in heroin addiction over the same period. The removal of those controls is going to allow a much greater increase in drug smuggling and an increase in the sort of heroin addiction that this authoritative report sets out.

My second point is that the report also allows an increase in lorry weights. An increase in lorry weights is already in train. A directive is being prepared at the moment. Norman Fowler, when he was Secretary of State for Transport, made a solemn undertaking to the House of Commons that the United Kingdom weight of 38 tonnes would be kept. That pledge is in the process of being broken and Linda Chalker is in the process of breaking it. If we accept this report, then there are going to be 40- and 44-tonne lorries thundering along the United Kingdom's roads. Every Tory MP in the shires should tell that to his constituents and tell them about the broken pledges of Norman Fowler and Linda Chalker. That is why I am going to vote against this report.

*(Applause from the left)*

**Mr Wijsenbeek (L).** — *(FR)* Mr President, I am here but once again you fail to see me. Our group will of course be voting in favour of this report, Mr President, although we regret the fact that everyone is voting for this report today since there was a vote yesterday in favour of the Klinkenborg report, which says just the opposite.

**Mrs Boserup (COM), in writing.** — *(DA)* On behalf of the Socialist People's Party, I would like to state in the strongest possible terms that we will be voting against Mr Anastassopoulos's report.

This has nothing to do with the implementation of a common transport policy. It is important here to stress that we are on the eve of European integration now that underhand attempts are being made — in other words via the European Court of Justice — to:

1. increase the power of the European Parliament and
2. decrease that of the Council of Ministers

**Boserup**

by invoking a Court that strongly politicizes issues. This is an attack on the Treaty of Rome and on Denmark's jealously guarded right of veto.

Under item 33 of the explanatory statement to Mr Anastassopoulos's report, we read the following: 'Council has been found guilty of failure to act and infringement of the Treaty' and then further on 'the Court has defined the limits to the discretionary powers of the Council'. Can the Court properly determine what Danish politicians in Council may or may not do? Not according to Danish legal practice.

The whole affair still seems an attack on the common view, at least in Denmark where it was established by referendum, that the veto is inviolable and that this is no place for salami tactics aimed at the slice by slice elimination of the right of veto. The Luxembourg Compromise of 29 January 1966 must not, as would appear from this report, be curtailed in scope by a pro-integration Court of Justice.

*(Parliament adopted the resolution)<sup>1</sup>*

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**Report (Doc. A 2-83/85), drawn up by Mr van der Waal on behalf of the Committee on Transport, on the proposal from the Commission to the Council (Doc. 2-1746/84 — COM(85) 10 final) for a regulation laying down the conditions for access to the arrangements under the Revised Convention for the Navigation of the Rhine relating to vessels belonging to the Rhine Navigation**

*Explanation of vote*

**Mr Habsburg (PPE), in writing. — (DE)** It is to be welcomed that the Community is considering this report with the question of the trade practices of Eastern Europe. Although this is only a fairly small sector of our economy, the long-term implications of our decision are considerable.

It shows that the fears that were expressed at the time about the completion of the Rhine-Main-Danube canal were unjustified. We know that those who at that time welcomed this important step were right. For tomorrow, when the Danube is again open, this Europe waterway will contribute much to the reintegration of old European nations such as Hungary or Slovakia.

It is also important for us to become aware from now on of the Communist countries' dumping tactics. We

should take this as a precedent. It has to be realized at last that there are many worthwhile middle-sized firms which are being driven to the edge of ruin by the knockdown prices which are made possible by the slave economies of the Communist dictators. This is not least true in the case of furniture, toy and textile manufacturers. They have just as much right to have their interests protected as shipping on the Rhine.

Having said that, I welcome the excellent report by Mr Van der Waal while hoping that further action will follow without delay.

*(Parliament adopted the resolution)*

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**Report (Doc. A 2-87/85), drawn up by Mr Prout on behalf of the Committee on Legal Affairs and Citizens' Rights, on certain legal problems relating to the consultation of the European Parliament on the granting of VAT relief to German farmers to compensate for the dismantling of MCAs**

*Explanation of vote*

**Mr Prout, in writing. —** To complete the story, I should add that Parliament, unlike the Commission, is not named as one of the institutions entitled to bring an action under Article 173. It may, however, be argued that such a right now exists and would be implied into Article 173, at least in relation to budgetary matters, as a result of the increased powers acquired by Parliament in the early 1970s. This, at any rate, seems to have been the view of the Council in its submissions in Case 72/82, Council v European Parliament, concerning the draft budget for 1982. In the outcome, this case was withdrawn. But the point is again before the Court in *Les Verts v Parliament*.

*(Parliament adopted the resolution)*

**8. European media policy (continuation)**

**President. —** The next item is the continuation of the debate on the Hahn report (Doc. A2-75/85).

**Mr Bøgh (ARC). — (DA)** Mr President, Denmark is currently experiencing the climax of an absorbing cultural policy debate for and against advertising on television. This will culminate on Saturday, when the party which has the final say, the Radikale Venstre (radical left party) is to hold its national conference. I believe that the various factions would be extremely surprised if they were to be present here this afternoon

<sup>1</sup> The rapporteur was:  
— AGAINST all the amendments.



## Bøgh

to learn that the question they are arguing about has in fact long been decided by the Commission in its Green Paper. I believe they would be very surprised, and as for myself my view in this debate is that the world will not be happier, more profound or more real when the electronic revolution multiplies the number of signals that can come into our living rooms from outside.

In particular, I am not one of those who are overjoyed at the prospect of the cloying, treacly flood of advertising, which we in Belgium and Denmark have fortunately so far been spared, being allowed to come into our country via cable and satellite as decreed by the Court of Justice.

We have rightly emphasized the correctness of the standpoint of the Council of Europe and the EBU that this is a question of cultural policy and therefore totally outside the Community's competence. The Treaty of Rome does not refer to cultural policy. In other countries with television advertising, one can on the other hand claim that remunerated services are involved, i.e. that the Community can require these countries to comply with the Community's rules relating to free access for the provision of services across all borders. Denmark and Belgium are of necessity in a different situation.

We have therefore heard a new argument to the effect that television should be an expression of culture without ulterior propaganda motives. Yet another argument is put forward when we read in the report that there should be free access not just for advertising of consumer goods but also for political advertising. For the underlying aim of the Community's new media policy is to bring about European union, not just in political terms but also in the minds of the people. A common Community programme in all the languages will broadcast Community propaganda throughout the day, so that the broadcasting media will play their part in implementing the words of the preamble to the Treaty concerning an ever-closer union among the peoples of Europe. I would like to express my congratulations on the absorbing and sophisticated material contained in this report: it is altogether extremely interesting to read, but I shall wholeheartedly oppose its conclusions. We maintain that television is a matter of cultural policy not the provision of a service.

**Mr Van der Waal (NI).** — (NL) The Commission document setting out the main points of the Green Paper states that this paper is not the final word on European media policy but is intended rather to stimulate discussion. We would like to contribute to this discussion by making a few comments.

Firstly, some remarks on the legal basis taken as the starting point in the Green Paper and Mr Hahn's extremely thorough report. We were struck by the fact that in both documents the EEC Treaty is interpreted in such a way that media policy is turned into a Euro-

pean matter on the grounds that a service is being provided. This assumes that the licence fee paid by the public in most countries must be regarded as a remuneration for services provided: Article 60 (2) of the EEC Treaty would hence apply. In our view, such a fee can, however, be regarded with equal justification as a contribution from the public to maintain the public broadcasting system. This does not involve a service within the meaning of the Treaty, so Article 60 would not apply. We thus have some reservations as to this liberal interpretation of the concept of remuneration for services, which extends the authority of the Commission. In this connection, we refer to the declaration of 15 July 1983 by the European Broadcasting Union stating that if advertising is specifically aimed at the public of other countries, compliance with the laws of the receiving countries is of great importance. This interpretation of the Treaty by the Commission and the rapporteur also leads to the adoption of a 'single service today'. Again the EEC Treaty does not fully support this in our view.

Our second remark is that the above-mentioned Treaty interpretation gives the proposed media policy a strong economic and European character, to which we fear the national broadcasting systems will be subordinated. In this connection, we wonder why the motion for a resolution does not devote more attention to what is already happening in Europe in the field of transfrontier television. An example would be the European Broadcasting Union, mentioned earlier. As we know, this organization aims for close cooperation between the various national broadcasting systems and the European broadcasting network. We can use this to work towards crossfrontier television within the framework of European cooperation, while at the same time preserving the cultural identities of the diverse Member States.

Finally, some question still remain as to the problem of copyright. Others have already spoken on this point. In our opinion, this complicated question requires further study.

**Mr Elliott (S).** — Mr President, I believe this report is very timely. We need to respond to these new technologies, which, I think, in a few years' time will transform the traditional pattern of national broadcasting systems to which we have become accustomed.

I believe, like those who have spoken before, that we need a European dimension and involvement, but we must at all costs avoid bureaucracy in the administration of our broadcasting services. I think we should retain a national administrative control. I ask you, colleagues, to imagine what a broadcasting corporation run by the Commission, for example, would be like — with the greatest of respect to the Commissioners, of course. The recent events in Britain concerning the attitude of the Board of Governors of the BBC, and the way they capitulated to government-applied cen-

**Elliott**

sorship and refused the showing of a vital news programme on Northern Ireland are an example of what can happen if you do not get your administrative control of broadcasting properly designed.

We need to respond rapidly, because cabling is moving on apace. I understand that much of Belgium is now cabled; the town of Swindon in the West country of the United Kingdom is not cabled; a considerable area in my own constituency of West London is shortly to be put onto a cable programme.

Some of the channels offered by these cable companies, frankly, are very poor. One of them that will be offered is a thing called Sky, owned, I believe, by Rupert Murdoch, of whom you may have heard. It is a mish-mash of the lowest-common-denominator broadcasting material, which I find very uninspiring. I had the misfortune of having to watch some of it on television at an hotel in Luxembourg when we were there in July.

I agree with those who have said on programme content that we must avoid the domination of our media by cheap imported American and Australian programmes. We need to assist native European programmes to develop.

In Britain, we have recently had a new serial programme on our screens called 'The Eastenders'. It has, within a matter of a few weeks, become one of the most popular programmes on television. Perhaps I should explain that it refers to the lives of the citizens not of Eastern Europe but of East London, and it is a programme which reflects the multi-cultural character of the area. It deals with the real problems facing the great majority of working people who live there. It is, I believe, more interesting and more relevant to the lives of ordinary people than the posturings of dissolute millionaires in 'Dallas' and is the kind of thing we should encourage.

There is the interesting suggestion of a 24-hour pan-European multi-language news programme, which I believe to be a very worthwhile idea. It may indeed only attract a modest public but nevertheless an important one.

I agree with the proposal in the report that we should strictly control advertising. I support the ban on advertising tobacco products and the strict control on drink advertising, and I believe that advertising must be controlled to ensure that programme content and material are not in any way interfered with. We must control the showing of violence on television. It has been instanced that over 100 deaths a day occur in programmes on some television networks. We cannot really tolerate this.

In conclusion, may I say that in supporting the advertising ban I do not support unnecessary censorship. I believe, for example, that the censorship which exists

in Britain at the moment on birth-control items is no longer socially necessary. I believe the public would accept the dropping of that ban, and this is one of the things that we ought to consider. I also think that we should encourage minority-language broadcasting in the kind of European programmes that we hope to develop.

With those reservations — and when it comes to the vote I shall support certain of the amendments that strengthen the controls on advertising — I believe that this report, which represents a very extensive and thorough study of the problem, should be supported.

**IN THE CHAIR: MRS PERY***Vice-President*

**Mr Brok (PPE).** — (DE) Mrs President, ladies and gentlemen, I would like to start by thanking the rapporteur, Mr Hahn, for lending such weight to this topic, not only in his report but throughout his many years in the European Parliament — so much so that we can rightly call him the Father of European Television.

When Mr de Vries says we should deal only with cultural matters here and look at the important economic aspects later on the basis of his report, I can only reply that it is very regrettable that the Committee on Economic and Monetary Affairs and Industrial Policy was unable to submit its report in time for today's debate, since this would have enabled us to adopt a joint resolution.

I think we have some catching-up to do here. Of course European television will have important repercussions, and there must also be economic reasons for going ahead with it, but our real objective is a cultural one, and we should not lose sight of this.

If we want to create a people's Europe then we must create a European level for the media. Just as we already have local, regional and national media levels, we must also have a European level in order to forge a European consciousness, both by producing Community programmes — as the report proposes — and also by making the cross-border exchange of national programmes possible.

In order to guarantee that this really happens it is vitally urgent — as the report and the Commission's Green Paper suggest — that we devise a European framework of regulations for radio and television concerning protection of minors, advertising and the contentious issue of copyright — what I mean by copyright is not so much the rights of producers with a lot of money to hand out, but the rights of those who are the intellectual authors of cultural products.

## Brok

In a number of Member States, including the Federal Republic of Germany and a number of the Länder such as North Rhine Westphalia, which have the relevant powers, the current legislation on the media cannot — regardless of the party in power — in any way be reconciled with the rights of the European Community as defined in the Green Paper.

For this reason I ask the Commission to examine this media legislation in the light of the guidelines contained in its own Green Paper, and not to shrink from going to the European Court of Justice if need be, since in this area attempts are often made for petty, and in many cases party-political, reasons to deprive people of a wide choice and to stop the free flow of information across borders.

Now that our countries have signed the Helsinki Final Act — regardless of the political leanings of the various governments — and thus supported the principle of freedom of movement for people and information, we must not commit the new error of erecting frontier in the airways. On the contrary, we must be able to devise an effective structure for the free flow of information and opinions when new electronic facilities exist.

This, I believe, is an important prerequisite for lasting peace in the world, because people who are informed about one another, and can inform one another about themselves, can no longer be manipulated by one-sided national interests. I think this is a fitting path for a rational, forward-looking peace policy.

**Mr Toksvig (ED).** — (DA) Madam President, I am in something of an awkward situation, in that Professor Hahn has just been called the father of European television. After having spent 30 years without knowing this fact, I have to say that sons and daughters often do not grow up with their father's good qualities, because I am forced to say to him this evening — however much respect I have for him — that this report is unnecessary, extraordinary and full of contradiction. Its actual conclusion is contained in paragraph 8, but you have to go to paragraph 7 to get an idea of what is meant. The latter states that 'freedom of reception and retransmission and the public's freedom of reception are an indispensable basis for cultural life and democracy'. Paragraph 8 then says that these interests — i.e. free television — can best be protected if all broadcasting companies are licensed by national broadcasting authorities. Put into clear language, this means that the normal, traditional monopolies will be maintained.

In Denmark, paragraph 8 would mean that the PTT and Denmark's monopoly broadcasting service would have a veto on the setting up of new stations. The situation would then be similar to the one we found ourselves in when we discussed the Klinkenberg or IATA report, which was extremely liberal and enthusiastic

about liberalization, only then to close off all the opportunities, leaving the power and influence where they were all along. If it comes to a vote, I would have no choice but to vote against paragraph 8 in the report.

The report also contains a number of fine-sounding words about a separate European television company which would broadcast to the European people's via satellite. This is a good idea, which I personally can support after 30 years in the business. But the snag then comes in paragraph 12 and later in Amendment No 24, which state that supervision would be in the hands of representatives of the most important social-interest groups together with representatives of the European Broadcasting Union and others. I would point out that the EBU is a cartel comprising solely the existing broadcasting organizations, an exclusive club closed to new forces, with the result that the European satellite channel would be placed in the hands of the existing monopolies.

In other words, with all due respect to Professor Hahn, the aim does not seem to be to liberalize, but to lock us into a setup we know only too well. In my country, there is no competition in television broadcasting. There are many people in my home district who have no opportunity for comparison with television in other countries. They can only watch one channel: the Danish broadcasting service. In other areas, people can watch East or West German programmes or Swedish channels, but we in Jutland have no way of comparing the quality of Danish programmes with others. The biggest danger in such a situation is naturally that one can gradually get used to thinking, for example, that Danish television news is unbiased and provides full coverage. In my view, this is a shocking state of affairs, which Mr Hahn's report could help to cure, but which it will probably only manage to prolong. To be sure, it says that people should have access to foreign television, but this will be controlled by those authorities who over the decades have withheld from the Danish population the opportunity of watching such foreign television.

There is a paragraph on advertising again calling for regulation to prevent harm to people's minds. These are the same people as those who have been reading newspapers containing advertisements all their lives, and who are permitted to listen to radio broadcasts from all over the world, even the Soviet Union, without coming to any harm. Why do Professor Hahn and his supporters believe that regulating advertising can save people's souls?

I started by saying that this report is in my view totally unnecessary. Individuals can regulate their television requirements themselves; we do not need regulation of this type. The problem is what we are to do with it now. Fortunately, we are not going to be voting this evening, so there is time to think again. I had thought of perhaps asking the Committee to withdraw the

**Toksvig**

report and introduce a bit more liberalization. This is scarcely feasible. So under these circumstances I have no other choice but to recommend to my colleagues, when the time comes, to vote against, in particular against paragraph 8 and 25.

**Mr Alavanos (COM).** — (GR) Madam President, we are in favour of putting new technology into widespread use without delay in radio and television information for the good — but also to raise the cultural level — of our people. Thus we are not in favour of the proposals contained in the Commission's Green Paper.

If the plans which are contained in the Green Paper and which, in our view, are based on legal acrobatics, are put into effect, they will have an enormous effect on political and cultural development in the EEC Member States, and particularly in the smaller ones such as Greece, which have to present their own living popular cultural tradition. The internationally established sovereign right of national supervision of the radio and television broadcasting of each of the EEC Member States is being betrayed within the Community's frontiers, since any telecommunications satellites, whether national or private, will be able to broadcast their programmes unsupervised throughout the territory of all the Member States and will thus open up the way to private initiative in the radio and television sectors of all the Member States.

We consider that the Greek Government ought to see to it that these Commission plans do not get through and are not implemented in Greece.

We consider, on the other hand, that Greece must give firm backing to the efforts to lay down rules governing international satellite broadcasting within the existing international bodies responsible, such as the United Nations, where the right of national supervision of such broadcasts is established, on the basis of international cooperation and with a view to achieving a new world-wide order in information matters. International cooperation is our clear objective and can, in addition to the extension of cultural exchanges, make a positive contribution towards furthering détente and peace in the world in various ways, such as exchanging and selling programmes as long as this is done according to set rules.

For this reason, the Members of the Greek Communist Party will not be voting for the Hahn report.

**Mr Härlin (ARC).** — (DE) Mr President, I would like to join in praising the high quality of the report presented by Mr Hahn, even though I disagree with its contents. Since we shall have another opportunity to discuss this at the next past-session, I would like today to raise a few rather general points. What is freedom of expression in the age of these so-called new media?

In paragraph 7 of Mr Hahn's report it is defined as 'broadcasters' freedom of expression, cable undertakings' freedom of reception and retransmission and the public's freedom of reception'. Broadcasters are thus free to express their opinions and the public is free to receive them. I interpret freedom of expression differently.

What is the Commission's official definition of 'the public'? Does it define this concept — which I regard as being of crucial importance to every type of democracy — in terms of a service which is paid for, and which has to fend for itself on the market and is exposed to market forces, and, in the final analysis, is subject to the wishes of the most powerful of those forces? For me, 'the public' means something else.

It is thus logical to assume that Europe's cultural media need a uniform internal market with the same rules governing competition in broadcasting to enable them to keep pace, both culturally and economically, with international competition. As for the rest, there is a little bit of protectionism, which has never damaged this freedom, and a little censorship where nationals feel that their security and law and order are threatened, thus providing a basic code of practice and rules on competition designed to prevent market forces from becoming too chaotic. All this will harm the powerful forces as little, and in the long run will be appreciated by them as much, as the package of subsidies which you propose and which I suppose is unavoidable as an expression of genuine European commitment.

I would like to dwell on just one point where I feel that this concept of freedom falls down — the legal position of the actual productive agents in this field. According to the Commission proposal, virtually Soviet style measures are to be applied to them. What is being proposed, and what you — if I understand you correctly — referred to with some discomfort is quite simply the dispossession of the actual producers, enforced privatization — if you like — in the field of copyright.

I would like to add three concrete observations to what has been said today. Firstly, Olympus will be broadcasting as from 5 October even without a European media policy and without the subsidies requested by the liberal previous speaker.

Secondly, I am not enthusiastic to see a European version of *Dallas*, but the levelling of the European television market which you have called for and through which you hope to become the guardian of television in the West, will benefit mainly the American suppliers. The international melting pot of the entertainment and news industry knows neither national nor continental frontiers.

Thirdly, more dangerous still than the possible levelling of cultural diversity, a matter frequently discussed

**Härlin**

here, is for me the political impoverishment, possibly leading to the elimination of political minorities, resulting from the need for increasingly large capital resources in order to be able to express an opinion. I call on you to take this danger seriously. I would ask you to remember history and would warn you against placing too much trust in the power of the free market.

**Mr Ulburghs (NI).** — (NL) Madam President, the Hahn Report has come just in time or perhaps even too late. Europe is faced with the danger of cultural domination — by America in particular. As the previous speaker said a moment ago we have experienced an enormous impoverishment in recent years. In my country, you can receive quite a few channels via the cable network, but is it really gain to be able to watch Dallas in Dutch, French, German and English? Would we also gain from being able to see Spanish and Portuguese versions as well?

Indeed, Europe urgently needs a European policy and protection of its cultural values. If a common market were to bring uniformity and a significant lowering of standards I am not interested.

In my view, the cultural aspect of European policy should be based on the following foundations. Firstly, a positive acknowledgement of all the cultural communities in Europe, of which there are enough, certainly when Spain and Portugal join. A cultural democracy based on creativity and diversity is a precondition for economic and political democracy.

Secondly, television's cultural policy should reflect the struggle by the European peoples for social emancipation — for example the struggle of the Flemish people to which I belong — in solidarity with the Third World. The liberating development of national consciousness forms the basis of art and creativity.

Thirdly, a social and popular television policy presupposes the adoption of a technology that encourages diversity instead of steamrolling initiatives by groups and communities with colourless uniformity.

Fourthly, a television policy developing from the grass roots will also be easier for the ordinary citizen to control.

Fifth, as stated in the report, we need a television that protects young people against excessive hard pornography, violence and discrimination.

Sixth, for the reasons just mentioned, I would warn against an obligatory commercialization of television networks whereby the cultural content of programmes would be in danger of being replaced by economic interest. The main losers would then be those that are most vulnerable. Bearing this in mind, Madam President, television can make the European Community

grow towards unity through its cultural diversity and the social service it provides.

**Mrs Schmit (S).** — (DE) Madam President, in anticipation of the report by Mr de Vries I would like to express my appreciation of the work accomplished so rapidly and efficiently by Mr Hahn. I would also like to make a number of comments as representative of Luxembourg, a Community country whose limited size — rather than limited intellectual capacities — makes it unable to take a hard line on national and nationalistic issues, a country which is often identified by those ignorant of geography and history merely with the name of a broadcasting company. Luxembourg's RTL/CLT private broadcasting company under State control certainly does not fit in with my own ideological principles. The low-quality material frequently imported not only from the USA but also from the Federal Republic of Germany and France makes us hope for a joint European programme policy which will lead to an improvement.

On the positive side it should be pointed out that RTL not only has great technical know-how but has also for decades succeeded in using about six languages in its programmes, thus showing how to deal with the problems posed by Europe's linguistic diversity.

It would also be no bad thing if news and political broadcasts were required by Community law to allow all sides to present their cases. Political pluralism certainly stands to benefit from such a situation, regardless of the political complexion of the various Community governments.

To turn to the important topic of advertising — I am not in principle opposed to it. Expressed in machiavellian terms, advertising creates money not only to satisfy capitalist greed but also for useful purposes. I should, however, be rigorously controlled. Under no circumstances should it be allowed to develop as in America. Joint public censorship should be applied not only to pornography and racism but also — and this is not mentioned in the report — to sexism of a degrading kind.

Privately owned television companies are a double-edged sword. As a Socialist I would also say that the same may be true of state-run television. It depends on whoever happens to be in power. The immoral licentiousness of money must be countered by morally superior intellectual persuasiveness and argument — and let us not forget, the same also applies to the press.

**Mr Estgen (PPE).** — (FR) Mrs President, ladies and gentlemen, I would like to start by offering my very warm congratulations to the rapporteur, Prof. Wilhelm Hahn, and to the Commission for its report on a European radio and television market.

**Estgen**

At a time when various Member States are introducing important legislation concerning satellite broadcasting of programmes which can be received in all Community countries, and even outside the Community, we need a framework regulation at Community level to make sure we have a truly European audiovisual zone, which will also form part of, and even guarantee, a genuine large internal European market. What is more, this is something which is fully in keeping with the spirit and the letter of our Treaties, which forbid any restrictions on the free movement of services within the Community.

There can be no doubt that radio broadcasts, and to an even greater extent television broadcasts are services — covering information, education, training, health, religion and culture. The Treaties also forbid — and I am saying this for the benefit of three Member States in particular, i.e. France, Germany and our Benelux partner Belgium — the Treaties also forbid the introduction of new restrictions on such services. Thus, no Member State may prevent — by any means whatsoever — its own habitants from receiving the broadcasts of their choice; if it does, it risks flouting the Treaties and even human rights. In a democratic state free people have the right to information, and to the sources of information and education of their choice. Since the free expression of opinions and the free circulation of ideas are a very pillar of democracy, this plurality of information is a right which is written into all our constitutions in one form or another.

Against this backcloth I would like to underline two things: firstly, the Commission, as the guardian of the Treaties, must keep a close watch of how this fundamental right is applied. Secondly, we, the elected representatives of our peoples, are morally obliged to defend these rights and to let out people know that they can go to the Court of Justice if a Member State or a region within a Member State — and here I am thinking of Bavaria, for example — does not adhere to these provisions of the Treaty. What do we want basically? European union. Not in an abstract, theoretical or bureaucratic sense, but as a reality through an ever closer union between the European peoples. We do not want a Europe of traders but a Europe of peoples. It is vital that the people in each of our countries are inculcated with a European awareness. They should learn that our Europe, its very essence, philosophy, wisdom and spirit can be discovered through the multiplicity and diversity of our sociocultural heritages, which all derive from the same Graeco-Roman and Judaeo-Christian roots and tend towards the same thing: humanism and compassion under the triple banner of fraternity, solidarity and liberty.

Television will be a major means of education by the year 2000 — and by this I mean continuous education. The old saying 'to really hate don't look too closely' can nowadays be replaced by 'in order to really understand and tolerate others look far beyond your own petty horizons'. A real European consciousness should

develop among our people, especially the younger generation, through — as it were — continuous education. Our peoples should be instilled with a greater appreciation of the European dimension, via school curricula and television programmes.

The Commission must be congratulated for not having proposed the introduction of standardized European legislation for the various channels. This would have touched upon an extremely delicate area of policy in our Member States. The traditions, specific national features and different styles of our radio and television stations speak out against this, as does our concept of tolerance. This fundamental attitude on our part also has a corollary: the more tolerance and liberty we have, the greater is our responsibility.

To begin with, viewers must be protected against advertising anarchy. Advertising time will have to be clearly defined, and advertising must be recognizable as such and distinct from the rest of the programme. Of course, we must not over-exaggerate this aspect, because advertising means life to many radio and television stations, and therefore ensures cultural, social and political pluralism. And this is precisely what we want. On the other hand, the family and consumer organizations must also have the same kind of air-time as advertising in order to advise consumers and families, and this would also constitute a kind of right to reply — as mentioned in the report — i.e. the right of consumers to reply to any dishonest advertising. In this context I find the idea of mail order by television across frontiers interesting and in keeping with the concept of a large internal market.

European television's main moral responsibility is to protect young children and minors. We must devise a Community-level code of good practices and standards to cover television broadcasts. Similarly, we must make sure that programmes likely to have a serious effect on the physical, mental or moral development of young children or adolescents are not broadcast before 10 o'clock at night. I am particularly thinking of those films full of brutality, violence, hate or pornography as well as — and I agree with Mrs Schmit on this — sexist films. These programmes must be clearly indicated as such prior to transmission. Likewise, programmes full of cynicism, or which constitute a grave insult to religious beliefs and practices, should be banned from a European channel, since even if knowledge is power, it is equally true that 'science without conscience depraves the soul'. And this holds especially true for television.

**Miss Brookes (ED).** — Madam President, I would like to congratulate Professor Hahn on his excellent work, which, as far as I am concerned, will get my full support. But can I take this opportunity to put forward yet again two very important points that those who will be entrusted with the responsibility of the European television network will have to tackle.

**Brookes**

The first is the problem of minority languages. If the European Community is to maintain its intention to help rather than to interfere by restricting freedom of expression, pluralism and the individual national values as regards culture, certain aspects of its proposed action should be strengthened on paper as well as in practice. It is common knowledge that one of the characteristics of the present situation in the cultural sector is that neighbouring countries still largely ignore each other's productions, particularly those expressed in minority languages.

Two dangers are lurking here. One is of a political nature. Our Spanish colleagues have not yet joined this House, but I have already received letters from Valencia complaining about the official neglect of Valencian language and culture. How far can Europe go between interfering and fostering? The second danger points to a possible anarchy, indeed a discordant response of many local artistic expressions. Again, where lies the balance between inflation and quality?

Freedom to broadcast and receive information and ideas is guaranteed under Article 10 of the European Convention on Human Rights. But do we have sufficient means to protect those rights? I propose that a certain amount of air time of the European channel be reserved for the minority-language programmes and that translation into other European languages be readily available for use in other Member States.

The second problem I would like to mention is the content of programmes of the European channel we propose to create. We live in a civilization of image and the impact of image on the minds of spectators is tremendous. Should we not, then, worry about the type of programmes we are to offer? The Commission has pointed strongly enough to the problem of the protection of minors, to restriction of programmes because of problems of national security, or those concerned with the health of the population.

But I wonder whether this provision is strong enough to start with. Should we not create, for the reasons that I have mentioned before, a monitoring body which would supervise the just and fair allocation of air time granted to different languages and cultures as well as the contents of the programmes? Do not get me wrong, Madam President, I am not asking for a peace squadron behind the programme team of the European channel, I would simply like to point out pitfalls. One is mediocrity and the other is a channel of European propaganda that would only breed indifference amongst the Europeans. We want the opposite.

Provided that we have the necessary confidence, that we believe in ourselves and in Europe, the European TV channel can become an ally, not an enemy, of our cause, be it on the moral, cultural, ethnic or economic level. Provided we perceive clearly our goal of fostering this tremendous diversity of cultures within the

European Community, and provided we have the vision to persevere in bringing this idea into reality, of course with the right amount of finance available, we shall fulfil that task before us.

But, Madam President, if I may paraphrase Owen Edwards, director of Welsh Television Services S4C and one of the leading authorities in the propagation of Welsh culture on our national television, we have no choice but to make the newly-formed European channel unashamedly popular.

**Mr Filinis (COM).** — (GR) Madam President, the Greek Communist Party of the Interior agrees with the general spirit of Mr Hahn's report on the issuing of a framework regulation for a European mass media policy in accordance with the principle of the free flow of information beyond national frontiers. However, this freedom of information must be genuine and must consequently counteract the danger of capitalist monopolistic concentration and must maintain and extend the variety both of national characteristics and of political, social and cultural currents and ideas.

The creation of a European television area will have to ensure that in practice there is special support for the television productions of the small countries in order to preserve variety in European culture. At the same time it will have to make it easier for minority political, social and cultural ideas to circulate. It will also have to safeguard effectively the interest of the producers. Lastly, there will, in our view, have to be a pan-European body exercising democratic control in order to uphold these principles within the European television area. Any such body will have to be representative of many opinions and subject to the supervision of the European Parliament, and will have to be the mouthpiece of all the political currents within it, while the representatives of the Community Member States will have to be appointed democratically by the national Parliaments and workers' representatives.

**Mr Kuijpers (ARC).** — (NL) I would like to draw attention to what I believe are two important elements in the issue of broadcasting in the Community: the contribution of advertising and the link between broadcasting and the right of Europe's peoples to develop their cultural identities. The Green Paper sets out legal bases for action by the European Community in the field of radio and television. However, there is a risk that the endeavour to achieve a common television market will focus mainly on a common market for television advertising and technology. Allowing a limited level of advertising can extend the financial resources available for culture and hence have a positive impact on broadcasting. On the other hand, however, the idea based on economic considerations that television is a popular medium offering an excellent opportunity for advertising must be rejected.

**Kuijpers**

This brings me to the second point I wish to raise. The American film and television industry reigns supreme with a world share already around 50%. American series are flooding the European market. The European Community should develop initiatives to provide a European response. Finally, I think that a substantial part of the financial resources available should be devoted to developing a European common market in which the various different cultures are given free rein. In this connection, I would refer you to what has been achieved in Wales, where a local broadcasting organization has recently done pioneering work. In brief, Madam President, I advocate the establishment of a common, properly organized market for broadcasting that will benefit the European film and television industry, so that a stop can be put to the excessive, trivializing Americanization of our television programmes.

**Mr Christiansen (S).** — (DA) Madam President, ladies and gentlemen, the Hahn Report has been the object of many critical remarks which I can well understand. I do not think it is a particularly impressive paper either even though a lot of work has gone into it.

I would like to say something on a key issue in this field. With this report concerning the Commission's Green Paper on television without frontiers, we are seeing for the fourth time this week an attempt by the majority in this democratically elected political assembly to use the Court of Justice to equip the Community with political powers which the national governments and parliaments have so far resisted. I must therefore repeat what we said this Tuesday concerning the Court of Justice's ruling on transport policy. We Danish Social Democrats oppose the use of the Court of Justice to implement policies in whatever form. In a democratic, parliamentary society, the politicians elected by the people fix the laws, and the Courts of Justice take their decisions based on these. We also want to see this applied within the European Community. However, on this quite crucial question of principle we see in this House that the religious supporters of union will stop at nothing when they feel it necessary to use the Court of Justice to increase their power against the will of the national governments and parliaments. This shows how dangerous it would be for the further development of the Communities towards increasingly closer European cooperation, including outside countries as well, if the European Parliament were to be given increased power. European culture extends beyond the borders of the Community. As we all know, the first meeting of the Community's Ministers of Culture took place in Athens two years ago. Several meetings have been held since then, and have by all accounts been informative and fruitful. None have been official meetings of the Council of Ministers with any powers to adopt Community directives or regulations binding on the citizens of Europe. As everybody knows, the explanation

is simply that the Member States do not want to relinquish sovereignty in this sector. Everyone fully realizes that cultural policy is not covered by the Treaty, and in our view this is how it should remain. Therefore, ladies and gentlemen, stay clear of both this exotic paper from the Commission and the Hahn Report.

We believe that radio and television broadcasting is predominantly a cultural and social factor, of great importance for the national identity of each individual country. Therefore, as a matter of principle, radio and television broadcasting does not fall under the Treaty of Rome, and it is quite astonishing that anyone would wish to give a name to the legal charlatanry attempted here under the title 'television without frontiers'.

Radio and television cannot be interpreted as services within the meaning of the Treaty of Rome, and the broadcasting organizations cannot be defined as commercial undertakings like, for example, real-estate credit institutes. We must therefore clearly reject the Hahn Report's argument that the transfrontier dissemination of radio and television broadcasts should be authorized under the Treaty of Rome.

We are opposed to a so-called free radio and television broadcasting system, to a European harmonization of television advertising law via the Treaties, to liberalization and commercialization serving solely the interests of commercial advertising. We oppose liberalization because it would attack the existing public institutions governing radio and television broadcasting. Furthermore, the ideas put forward here would in our view be a threat to international radio and television agreements. We Danish Social Democrats take the firm view that it would be a gross, unacceptable interpretation of the Treaty of Rome to contend that radio and television broadcasts should be governed by the same rules for the provision of services as apply, for example, to finance and commerce. In accordance with the mandate given to the Community by the population of our country, we must therefore vote against and reject the Hahn Report.

**Mr Marck (PPE).** — (NL) Madame President, first of all I would like to join the others in congratulating Professor Hahn, who hasn't yet finished his work seeing that this is already I believe the third report he has devoted to this subject. We are convinced that he will in future continue to build on this monument to the European-media. I would also like to say that I shall not be discussing the advertising aspects because the De Vries report will provide greater opportunity to do so later, but I have already told Mr De Vries that I find his approach rather commercial.

Let me first say that I welcome the publication of the Green Paper as an important step in the growth of a European consciousness, whereby Europe is not limited to just economic and commercial interests but is also attempting to give a clear reply to cultural questions raised by the European Parliament.



**Marck**

Yet I do have reservations about the Commission's approach, which gives too much the impression that economic reality represents the dominating factor in a European media policy. I realize that the Commission needs to start from the economic given the provisions of the Treaty. But if the Commission aspects does not push on beyond this starting point towards the essential object of media policy, I then have my reservations.

The essential object of broadcasting policy is not a commercial product, but a means of mass communication with specific social and cultural objectives that must retain precedence over the purely economic interests that exist (and which we must also promote). It is in fact not enough to have available satellites, studios, aerials and other forms of infrastructure to produce European programmes that can stimulate the development of a European consciousness. These programmes must be made by people who have a feeling for a cultural product: they must be convinced European sensitive to the ideas, feelings, currents and contexts of the diversity that makes up European reality.

What we need in the first instance is a European news programme to report and explain European current events in comprehensible terms. The main aim of these commentaries should be to make the citizens of one country better able to perceive the concerns and endeavours of the citizens in another country. This requires of the journalists involved a high degree of competence and ethical commitment within a clear framework of rules governing objectivity in order to guarantee balanced and pluralistic reporting. That this is not easy is shown by experience in our Member States, where pluralism is often circumvented by certain political movements or trade union dominance. Yet we retain our faith in the possibility of an objective, pluralistic and economically oriented news service in Europe.

This is our first European priority, which is insufficiently dealt with in the Green Paper. Financial resources must be devoted primarily to realizing this aim. I realise there will be problems with advertising or copyright but they can nevertheless be solved, and I think that the route marked out by Professor Hahn is the right one and he has my full support — but I did not want to say anything about advertising at this stage.

The Commission must tell us clearly whether it intends to provide active backing for a European news programme. I do note, however, that the Commission somewhat nonchalantly ignores the problem that most European television stations are public institutions obliged to conform to standards ruling out a purely economic approach. I think that a number of the proposals and considerations need to be revised on this point, for otherwise we risk heading off down the wrong road.

Finally, I wish to comment on the phenomenon of cable television. My country is perhaps the most cabled-up country in Europe. All the stations we are in range of can be watched by the people, but I note that such openness is not present in all countries of the Community. Particularly in the large countries, there is a tendency to keep out certain non-national stations as far as possible. I would therefore urge the Commission to exert a strong European pressure on these countries to ensure they act in a less national and more European spirit. Such an extension of the European horizon could perhaps raise the consciousness of many European citizens at little financial cost.

Madame President, I have confined myself to these comments, but as for the rest I am in agreement with Professor Hahn, and I did not consider it necessary to repeat everything in detail. I think that we should in future place greater stress on strengthening the development of a European consciousness via a European media policy, and this thus remains our first priority.

**Mr Pearce (ED).** — Madam President, my comments refer to Amendment No 16. The most important thing we can say on this report is the sort of control that should be applied to the television broadcasting of scenes of violence. I believe that for many of our young people born in the period in which television has been all around us, television is the biggest single influence in their lives. It is more like real life than real life is. Imagine people living in a flat in a high-rise building: television shows them what they think is real life.

I do not suggest that television encourages violence. I do suggest that it makes it seem to be commonplace, ordinary and normal. That is what worries me. I give you briefly two examples. American television would suggest that the standard response to a disagreement between two people is for one person to seize the other and to hit him about the face. This seems to be normal. My second example is that the result of an assault like that or any other assault seems on television to be nothing at all. One man hits another vigorously, yet there is no blood, no brain damage, no broken bones, no damaged eyes — nothing. Real life is not like that. I think that if young people were to see what actually happens to people who have been the victims of physical assaults, they would be less likely to resort to violence than with the sort of picture put across on television.

Therefore, I do urge that some control of violence portrayed on television is essential to our policy on this subject.

**Mr Raftery (PPE).** — Madam President, television has very rapidly become one of the most influential media of our times, especially amongst our younger

**Raftery**

people and, if I may add, amongst the educationally deprived. The increase in technological advances, with satellite and cable television becoming commonplace, has increased further the power and influence of this medium. It is entirely appropriate therefore, I suggest, that this Assembly should have before it for discussion the Hahn report on the Commission's Green Paper on a common market for broadcasting. I welcome this report, as I believe that it is a very good one, well-researched and convincing in its arguments. I would like to congratulate Mr Hahn on presenting such a good report to us.

Time does not permit me to deal with the report in detail, so I shall dwell on a few points which I feel strongly about and which I feel are very important, especially for our young people. First, I welcome the suggestion of the reception of national channels from all Member States, as this will, I believe, firstly, allow immigrants such as the Irish in Britain or the Spanish, Italian and Portuguese workers in Germany to receive home programmes and home news bulletins, and secondly, it will help, I believe, to create a greater awareness of Europe and European culture in individual Member States of our Community.

I welcome also the establishment of a multilingual European television channel. I am particularly pleased that our own small television station in Ireland, unlike the mighty BBC, has agreed to take part in this multilingual channel. This can only help to emphasize the richness of our diversity in Europe and increase our appreciation of the importance of other languages, including minority languages in the Community. For example, in my own country of Ireland, those who wish to hear a Community broadcast can do so through the medium of Irish if they wish.

As one who is appalled and horrified by the extent of our use of canned TV rubbish and violence from the United States, I welcome most emphatically the proposal for support for Europe's programme-making industry. As with other products, we shall be unable in Europe to compete with the US, which has such a huge advantage in its great home market for programmes, until we have a genuine European market and Community support to get the market established and the industry on its feet. In this regard, the proposal to create a Community fund to encourage and assist the production of European television programmes and non-documentary cinema and television productions is particularly appropriate, and I warmly welcome it.

The proposal for harmonizing technical standards is also very important, both for the programme-makers and for the manufacturers of technical equipment in the Community, as well as simplifying, I would suggest, the confusing array of equipment and formats presently available to the consumer.

The report emphasizes — and I am glad to note this emphasis — the necessity for cultural life and democ-

racy, of freedom of expression, or reception and retransmission and, whilst I accept this, I would emphasize that such freedom must be accompanied by balance in the expression of views.

Finally, because TV is such a powerful medium, it can have enormous potential for good or evil. For this reason, I particularly welcome the suggestion that all broadcasting companies be licensed by national broadcasting authorities, thus protecting our children from exposure to excessive violence, racism, pornography or any other essentially harmful or undemocratic material which could otherwise be broadcast by unscrupulous or avaricious people.

I am pleased to note the suggestion that the advertising of tobacco, which we all know is indisputably harmful to health, should be banned and, in addition, that there should be control of the advertising of alcoholic drinks.

**Lord Cockfield, Vice-President of the Commission.** — Madam President, this is a debate of a very great importance, as indeed is evidenced by the large number of Members of Parliament who have participated in it.

Television has become one of the dominant forces in our daily lives. It exercises great influence and it has, therefore, the duty to exercise that influence responsibly and wisely. It straddles the whole field of human activity, being at one end of the spectrum an important element in our trade and industry and, at the other end of the spectrum, a vital element in our art and culture. It can partake in technical innovation and be a driving force in that field. At the same time, it can exercise a powerful influence in bringing together the peoples of Europe into a single, integrated Community.

The Commission therefore welcomes Mr Hahn's report. I would like to pay tribute to its vision and quality, as well as to its depth of perception. I pay tribute also to the interest shown by Parliament in these matters. I greatly appreciate, if I may say so, the tributes that have been paid by a number of Members to the staff of the Commission services who have worked on this great project, particularly Mr Schwartz and Mr Brühann.

Broadcasting is an important and fast-growing part of the Community's service industry. For this reason, the creation of a common market for broadcasting figures prominently in the Commission's recent White Paper on the completion of the internal market, a white Paper which was endorsed by the European Council in Milan. But economic objectives form part of a wider set of goals of which cultural objectives are an important component. The suggestions made in the Green Paper on cross-frontier television should accordingly be regarded, as the resolution suggests, not in isola-

## Cockfield

tion, but as one aspect of the Community's overall approach to the audio-visual sector and a step in developing a coherent media policy.

The Commission is in complete agreement with the major points made in the resolution. We agree that an essential feature of a single broadcasting zone within the Community must be the freedom for all of its citizens to receive programmes from all Member States. As the draft resolution says, additional initiatives are also necessary to maintain and develop a genuine European television environment. Three of these initiatives are of particular importance. First, the proposal for a Community aid scheme for non-documentary cinema and television co-productions. Second, the creation of a European television channel, as suggested in the Commission's interim report, 'Realities and tendencies in European television: Perspectives and options'. Third, the consideration of other measures to promote a healthy audiovisual production sector in the Community. The Commission will take up the suggestions made by Mr Hahn in his Amendment No 9 to include in its proposals concrete measures to promote programme production in the Community.

The point made in paragraph 15 of the resolution supporting the view of the Commission and the Court of Justice that broadcasts are services within the meaning of the Treaty and therefore entitled to the benefit of the provisions relating to the freedom of movement of services is an important one. The Commission has already begun within the limit of its resources to take up with the Member States possible violations of the Treaty provisions. I may give a number of examples — the Dutch Kabelregeling case, Hamburg's prohibition of the retransmission by cable of foreign programmes and Italy's blanking out of advertising in programmes retransmitted from France. The Commission, therefore, is acting within the powers conferred on it by the Treaty.

I welcome Parliament's support for the Commission's proposals as suggested in the Green Paper for directives based on Articles 59, 57(2) and 66 of the Treaty in the field of broadcast advertising, youth protection and copyright. Perhaps I might take each of these areas separately.

First of all, advertising. Advertising is one of the most difficult of all areas and one on which both opinions and practice are sharply divided. There is a proper place for advertising in television. There are strong arguments for the exposure of television to the healthy pressures of the market place. The consumer occupies a crucial place in our society and is the ultimate arbiter of efficiency and economy. So often the only way he can express his preferences is through the market mechanism, but advertising must not be allowed to dominate television, because there are other and wider issues which are also at stake.

Therefore, consistent with the need to provide adequate facilities for advertising, it must also be open to

Member States, or indeed other organizations, to promote television services which do not rely for their finance on advertising. A careful balance between cultural, commercial and consumer aspects will need to be established and maintained.

I agree with the resolution that a framework is necessary which will ensure that certain fundamental standards are universally observed but which does not seek to regulate every detail. It should set out to establish certain minimum rules, compliance with which will entitle a programme to pass freely from one Member State to another. At the same time, it would avoid too great competitive distortions. On this basis, I support Mr Hahn's Amendment No 12 for Community-wide application of essential rules, including the admission of sufficient advertising-time.

On copyright, which forms the legal and economic basis for intellectual and cultural activity, the Green Paper suggested Community measures only for the very limited field of simultaneous, unchanged and unshortened redistribution of programmes from other Member States by cable, where the exercise of prohibition rights on a national basis can cause real difficulty for the cross-frontier distribution of broadcasts. A legal licensing system was accordingly suggested as a means of resolving the difficulties. During the many consultations that the Commission has held since, right-holder organizations have assured us of their capacity to achieve the liberalization of cross-frontier televisions by contractual arrangements among the parties involved. This is a constructive approach which I am more than happy to accept. Accordingly, the Commission will now concentrate on how its forthcoming proposals can best incorporate purely contractual arrangements similar to those reached in Belgium and the Netherlands.

The basic idea would be that the legal licence system would apply only to the extent that adequate contractual arrangements had not been made and that correspondingly, where such arrangements are not made, cross-frontier broadcasting would be facilitated by the application of a legal licence system similar to those already existing in the United Kingdom and recently adopted in Denmark. I hope this compromise will meet the points raised by numerous speakers in the debate who were greatly concerned by these matters.

Together with some minimum provisions for the protection of children and young people, these proposals for Community legislation are necessary to ensure what is an important and indeed an essential element of a developing Community media policy — free circulation of broadcast services throughout the Community.

Madam President, one of the characteristics of progress is that you cannot stop it. What you can do is to strive to ensure that the tide carries you in the direction in which you wish to go. The tide on technology

**Cockfield**

in the field of communications, in the field of television, is in full flood. We cannot, even if we wished to, stop the dissemination of television across the frontiers. Faced with this situation, the risk is that Member States, often acting under pressure from interested lobbies, will try and introduce regulatory systems which are at variance with one another and may fragment the market in the Community instead of uniting it, may deprive the citizens of Europe of access to their common heritage and thus end up by doing more harm than good.

It is essential therefore that we have a European framework within which all Member States can operate and a framework which reconciles conflicting interests in a way which produced the greatest benefit, not just for the greatest number, but for all of the people of Europe. We believe that the Green Paper and the resolutions of the Parliament between them do provide the firm basis for that framework. To this end, and pursuant to Mr Hahn's suggestion, we propose that a draft directive covering the two fields in which legislation is needed — namely, advertising and copyright — should be presented by the end of the present year.

*(Applause)*

**President.** — The debate is closed.

Let me remind the House that it was decided on Monday to take the vote on this report at the start of the October part-session, together with the de Vries report on the same subject.

### 9. *Drug abuse*

**President.** — The next item is the oral question with debate (Doc. B 2-726/85), tabled by Mr Pearce and Sir Jack Stewart-Clark on behalf of the European Democratic Group to the Council, on action to combat drug abuse.

**Mr Pearce (ED).** — Madam President, nothing is causing greater damage to the population of our continent, our Community than drugs since World War II was terminated. We are threatened with an infection which is damaging our young people, creating crime, ruining our society. It is a frightful situation which we should have been aware of earlier than we were, but which, Madam President, is bound to get worse whatever we do and may get very much worse unless we take urgent action now.

Those who cannot see this obviously do not understand what is happening amongst our young people and have not met the tortured and tormented parents of young people who are being destroyed by drug-taking

— destroyed to the point of being driven to be criminals, to be prostitutes and to suicide. It is an extremely grave subject.

Madam President, there are four things that the Community is particularly able to achieve in this in addition to what the Member States are doing, because we do not want duplication. Much of the problem involves better communication between different Councils of Ministers, different parts of the Commission, different national ministries. I want to see an urgent and strong squeeze by the Community on producer countries — producers of opium and cocaine — using the trade agreements and the aid agreements of the Community to say to these countries: either you take the best possible measures to stop drugs being produced and exported or we will interrupt and curtail our trade and aid agreements.

Secondly, I want to see better coordination of police and customs authorities and better approximation of laws against drug-trafficking. I point the finger very specifically within the Community at the Netherlands, where Amsterdam seems to be a sink of corruption and of the sale of drugs. Indeed, I am told — and I would be happy to be proved wrong — if you want to buy drugs in Europe, start at the central police station in Amsterdam. This is a disgrace, and it is time that we in the rest of the Community got the Dutch authorities to do something about this.

Madam President, I want to see further research into the treatment of drug addicts despite everything that has happened in the United States. There does not seem to be a proper body of knowledge about what you do with addicts, and I believe that Community resources, Community coordination and Community finance should be used for this purpose.

Fourthly, and finally, I want to see fresh attempts made to influence the young never to start down this road. This is the real answer. None of us knows how to do this. The problem is the same in all our Member States. We should work at this together. It is something that the Community can do which does not negate what the Member States are doing, but which complements it.

Madam President, much is being done in at least some of the Member States. I am delighted to see the Under-Secretary of State for Internal Affairs, Mr David Mellor, who is sitting in the gallery up there. He has been in this building today telling us what has been going on in the United Kingdom, where major steps have been taken in recent times to improve the control of drug-trafficking there. Not enough is being done either in Britain or elsewhere and more should be done.

Therefore, Madam President, recognizing the need for a multidisciplinary approach, I ask the Council whether it will convene a meeting of the ministers of

**Pearce**

all of the different ministries concerned — health, police, trade and so on — together as a matter of urgency to work out how to implement those things which the Community is particularly competent to do and which I have just outlined.

**Sir Jack Stewart-Clark (ED).** — Madam President, I too would like to welcome Mr David Mellor and his ministerial team and also point out to this House that he is the new President of the Pompidou Group in the Council of Europe.

The greatest social problem of our age is hard drugs. Heroin consumption has increased tenfold over the last three or four years. Cocaine is a major problem in the United States, and all signs are that it is likely to become as serious as heroin in Europe. Today it is estimated that over 40% of all crimes are committed in connection with drugs. Drugs are undermining youth and society. It is Parliament's rôle to assist in increasing public awareness across the Community so as to ensure that urgent government action is taken in all Member States and that the Community works together to stop this growing cancer. It is important to realize that no one single solution to the drug problem exists. There are many different problems and all must be tackled.

Let me start with the grower. Heroin is derived from opium, which in turn comes from the poppyseed. It is smuggled into Europe mainly from the North-West Frontier province of Pakistan, also from the countries of the Golden Triangle and from South America. Cocaine is made from the coca plant and comes mainly from countries in South and Central America, and Columbia is the worst.

It is incumbent upon the United Nations, the Council of Europe, the Council of Ministers, the European Commission and the governments of the Western world to work with those countries on programmes of crop substitution in order to help stop the flow. If a province or State obtains its main source of income from growing poppies or coca plant, it is no good just telling them to stop growing. It will have not the least effect. We must be prepared to provide systematic aid to enable this to happen. The Community, with its links with the developing world, has a particular responsibility.

Coming to Europe, Madam President, I see the need for the creation of police drug-squads with the men and equipment to track down the big-time criminals, who have at their disposal vast resources and who themselves know no frontiers. In Britain today all police forces now have drug-squads. Further regional drug-squads are being created covering larger areas, and a central intelligence unit works out of Scotland Yard in London. There is a senior police officer coordinating the work of the police and the Customs and Excise. All this is in the right direction and should be

copied. Even with a big increase in expenditure by the British Government, resources are still insufficient. I have no doubt that this is also the case throughout the other countries of the Community. My wish is to see that every policeman is trained to combat drug abuse and to tackle the small-time pushers, leaving the drug-squads to concentrate on major criminals. We recognize the rôle of Interpol and the good relations that exist between police forces and customs authorities, but still much greater coordination is required.

Turning to the law, it is very important that the extradition of known drug criminals can take place, certainly as between all twelve Member States of the Community and beyond that as well. Criminals guilty of major drug-trafficking should be given sentences of life imprisonment, for they are mass murderers. Assets must be able to be seized, unless it can be proved that they were not gained through drugs. Bank accounts of drug traffickers should be made accessible, and in this connection I welcome the accession of Switzerland now to the Pompidou Group in the Council of Europe.

Moving on to the social side, it is important for society to recognize that drug addicts themselves are patients just as alcoholics are. Doctors must be persuaded to treat addicts along agreed formulas established by the highest medical bodies in the land. Far better facilities need to be set up for treating and rehabilitating addicts. It is no use sending away someone who approaches a hospital with apologies that there are no beds available. That person is not likely to come back. There must be a massive education campaign in every country of the Community warning parents and children of the dangers of hard drugs, with a careful use of TV, posters, advertisements and booklets using psychological methods of proven success. This must be part of school-time education.

Lastly, we must encourage our citizens to become vitally interested. We want to see the increasing creation of voluntary groups willing to help and to witness. Governments must be willing to give positive assistance to these groups. My hope is that the new drug Committee of Enquiry set up by this Parliament will be able to look at these and other points in much greater depth. We must assist in solving the problems of drugs not by re-inventing the wheel but by building on knowledge and the best practices already established.

In conclusion, I would ask the Council to read, recognize and act on all five resolutions now before the House — from the Conservatives, the European People's Party, the EDA Group, the Socialists and the Communists — all of which my Group will support. You in the Council have a responsibility. We in the Parliament have a responsibility. I hope we can act together to get results.

*(Applause)*

**Mr Berg, President-in-Office of the Council.** — (FR) Mrs President, the Council shares Parliament's concern at the gravity of the drug abuse problem. It also shares the view that the measures taken in this field will not be successful without close international cooperation.

The Milan European Council of 28 and 29 June 1985 approved the proposals contained in the Final Report of the Ad Hoc Committee on Citizen's Europe, which envisages, among other things, joint action to step up the fight against drug trafficking and abuse. Such action must not duplicate measures taken in fields already covered by international bodies such as the Council of Europe, the World Health Organization, the UN or specialized bodies like the Customs Cooperation Council or Interpol. Nevertheless, this is no way diminishes the importance of optimum Community-level cooperation between the Member States in this field, or of the most effective rationalization of current international cooperation methods.

The main element in such a joint approach — which should be implemented by the Member States and, where necessary, by the Community institutions — would be as follows: systematic cooperation to strengthen the measures undertaken by the Council of Europe's Pompidou Group to fight drug trafficking; intensifying preventive measures and research into drug abuse and treatment, rehabilitation and reintegration of addicts; improved cooperation between the customs administrations and the various judicial authorities and police forces in the Member States; review of existing procedures to accelerate the establishment of international rogatory commissions on drug trafficking; strengthening cooperation in providing information about drug abuse; and finally, initiating European-level cooperation with those third countries mainly associated with the drug abuse problem.

The Presidency will keep a particularly close eye on the way in which the European Council conclusions are put into practice. The Commission has not provided the Council with proposals for discouraging the production of drug crops in third countries, nor on the provision of information aimed exclusively at alerting young people to the dangers of drug abuse.

**President.** — I have received five motions for resolutions with requests for an early vote to wind up the debate on the oral question tabled by Mr Pearce and Sir Jack Stewart-Clark.

The vote on these requests will be taken at the end of the debate.

(The sitting was suspended at 8.10 p.m. and resumed at 9.15 p.m.)

IN THE CHAIR: MR LALOR

*Vice-President*

**Mrs Giannakou-Koutsikou (PPE).** — (GR) Mr President, ladies and gentlemen, this is not the first time that this House is debating the increasingly topical subject of drugs. Parliament has already decided to set up a special committee of enquiry to carry out a systematic study and to propose specific measures. The matter under discussion gets a great deal of publicity from day to day, mainly as a result of its worst side, namely the death of drug addicts or the crimes they commit. There are three aspects to the problem: social, legal and purely medical. If it is not looked at in this light, it is doubtful whether any effective solutions will be found in the future. On the other hand, the universality of drug abuse, independently of the number of drug users, means that international cooperation is necessary. I should be pointed out that it is natural that under liberal and progressive economic systems drugs are able to circulate more freely. It is there also that organized traffickers come, not only because of the greater freedom but also because it is easier to obtain a high price. Today more than ever we are greatly in need of European cooperation to run alongside international cooperation. The promotion of the notion of a citizens' Europe and the gradual abolition of border checks automatically pose the following questions: when the borders of one country are violated by drug traffickers, is it not as if the borders of all the European countries were being violated? Thus if each Member State is to protect itself, the only way of tackling the problem effectively is through European cooperation. And in my view there is no one better suited to proposing solutions than this very Parliament, the Members of which have this problem brought home to them every day since they come into contact with all social groups.

Ladies and gentlemen, I am sure that the Commission will deal with the matter seriously and with a sense of responsibility. Personally, I should like to refer to two points which are extremely important if the problem is to be tackled sensibly.

Firstly, there is the question of the publicity given to the subject by those who are not competent to do so. Of course it is not possible to force anyone in the mass media to keep quiet about it, but I am afraid that programmes and articles often make the use of drugs attractive by the very fact that they use words which minimize the dangers and give the impression that there are ways in which addiction can easily be overcome. There are specific statistics which show that after unsuccessful anti-drug campaigns drug use among the population increases.

The second important point is to know what alternative solution the drug addict has when, considered to

**Giannakou-Koutsikou**

be cured, he comes out of hospital. It is well known that the dealers are waiting for him. If he does not look for *them*, they will find *him*. Social solutions must therefore be found, and the alternative solution must be found which will capture the interest of addicts and enable them to be reintegrated into society. This is an extremely difficult task, since current medical opinion considers that drug addicts are mentally ill and very difficult to cure.

As a doctor, I should like to point out to you how very important it is that drugs should be dealt with legally as a whole and not artificially divided into soft and hard drugs. I am afraid that this is the worst mistake that can be made in the fight against drugs, since the so-called soft drugs are always the first — unfortunately easy and irresponsible — step on the addict's road to disaster.

Lastly, there is the political problem of how to deal with those countries where the plants are grown which are processed into the totally destructive kinds of drugs. I am afraid, ladies and gentlemen, that if some of the criteria applied in international politics creep in, and if firm political decisions involving decisive pressure on these countries are not taken, we shall have definitively undermined the future, the future of a new generation which already appears difficult in view of ever increasing unemployment. Drugs mean a vicious circle, they mean criminality, and they mean alienation from human values.

The European Parliament, in the name of the principles on which it was founded, has a duty to propose effective solutions. The Council and the Commission have a duty to decide on the framework for constructive cooperation on this particular matter. We are all endeavouring to achieve in Europe a society which everyone considers to be better. The spread of drugs could lead to the decline of society, and so if we do not hurry to the defence of society, this will remain an unattainable vision.

**Mr Martin (S).** — Mr President, recent statistics issued by the Home Office in the UK provide us with a sad confirmation — if, indeed, confirmation were required — that drug misuse is now a major social problem in the UK. What is true for the UK is also true for the rest of Europe. We have seen drug offences, the numbers of addicts and the number of seizures at ports steadily rising in the United Kingdom. This is the position in the United Kingdom, and although the magnitude of the problem may be different in other countries, the trend is the same throughout the EEC.

The Socialist Group is only too well aware of this. We are aware of the wasted lives and the family hardships caused by the use of hard drugs. We welcome this debate on the issue and we welcome the setting up of the Committee of Enquiry. There is a great deal to be

done. In my own constituency, which includes the city of Edinburgh, there are now at least 2 000 addicts. Yet, in that city we do not have a single treatment centre for addicts. We do not have sufficient medical care for the addicts. Edinburgh is also now a major distribution centre for drugs. Yet the UK Government has cut the number of customs officers at the port of Leith in my constituency, and drugs are now coming in much more easily into the area.

I believe that the EEC has a rôle to play in combating this problem. Other speakers have outlined some of the areas they feel we can tackle, and a number of the motions outline the areas in which the EEC can play a rôle. I shall outline some of them. First of all, we can play an important rôle in the coordination and financing of research into the causes of addiction and the treatment of addicts. We could also, as a Community, make an assessment of the impact of the various educational and advertising campaigns being run by different Member States to find out which are the best and which are the most efficient.

However, it is perhaps with regard to the supply of drugs that the Community can play the best and most important rôle. Using our relations with the developing countries, we should put pressure on them to tackle more forcefully the supply of drugs. We should offer them assistance in reducing the supply of drugs through measures such as crop substitution.

The Community must also play a rôle in helping Member States to capture the really guilty people — the big pushers and the big traffickers. We should ensure that those responsible for drug trafficking do not profit from their crime. We should make it possible for international pressure to be put on drug traffickers. We should make drug trafficking an offence on a par with hijacking, do that no matter where the incident takes place the criminal can be tried in the country where he lives. I should also be possible to seize the money no matter where it is held. That can only be done through international cooperation and international agreement. We need to catch the big men. Too often, at national level, we concentrate on the small intermediate person. What we must catch is the big trafficker, and that can only be done through international cooperation.

These are the positive rôles I believe the Community can play in this matter. However, I am afraid that these opportunities will be wasted and bypassed and that, far from helping the situation, the Community is about to make it much worse. If the Commission's proposals to strengthen the internal market go ahead, what will happen is that we shall be reduced to depending on the customs control of the weakest Member State. Drugs will start to pour into the Member State with the weakest customs control and then be easily distributed within the Community. At the moment I am bound to say that that country will almost certainly be Holland, and Amsterdam will

**Martin**

become an even greater distribution centre for drugs than it is at the present time. The first line of defence against the importation of drugs has to be our customs officers. The bulk of detection is made by customs officers. In the UK, to quote my own country's statistics, 90% of the detection of drug trafficking is made by customs officers. If we weaken the customs rôle and allow the internal market to be expanded, we shall be in a situation where drugs can be moved very easily from one country to another within the Community.

In the first quarter of this year, 32 consignments of prohibited drugs were found on flights from Amsterdam to Heathrow. I hope that we, as a Community, are not going to throw away this level of detection. If we are serious about strengthening the internal market, I hope that the Commission will come forward with proposals for detecting drug trafficking within the EEC and make sure that they are given the highest priority.

**Mr Prag (ED).** — One of the less-publicized problems in coping with drug abuse is how an alternative livelihood can be provided for those farmers, usually in miserably poor areas, who support themselves and their families by growing drug crops such as poppy for opium production. The problem is that it is worst in certain countries of South-East Asia and Latin America.

Today I want to confine my remarks to an imaginative project in Thailand. The Thai Government has already succeeded in reducing the area planted to poppy for opium from 18 000 hectares in 1967 to 5 000 today and has cut opium production from 145 tonnes to 30 tonnes. Now to get rid of the remaining 30 tonnes — 30 tonnes is a lot of opium — the Thai Government has produced a 10-year master-plan. It will replace poppy production in northern Thailand by the production of crops, such as timber, rice, lychees, soya bean, coffee, tea, vegetables, and by livestock farming. This will be accompanied by basic social measures, training, family planning and sanitation and health measures.

The United Nations, the Federal Republic of Germany, Norway and the United States have already taken over some of the aid projects involved. I would like to see the European Community as such take over one of those eight projects, subject of course, to assurances from Thai Government that it will make absolutely certain that when poppy production is stopped in this area it is not allowed to be started up somewhere else. The cost to the European Community would be less than US \$7 million. This would be a really positive, as well as a symbolic, contribution to cutting drug availability.

May I hope that the Commission will propose and the Council finance one of these eight excellent projects?

**Mrs Squarcialupi (COM).** — *(IT)* Mr President, I should like first of all to express my thanks to Mr Pearce and Sir Jack Stewart-Clark for giving us the opportunity with their question to have this debate on the drug problem here in Parliament today, even though there are very few of us here.

I should say that this is a happy week for me. Yesterday we approved the setting-up of a committee of inquiry on the struggle against drugs, and I feel that this is a major step which crowns almost eight years of campaigning on my part in this Parliament for this tremendous tragedy of our times to be discussed and for an attempt to be made at finding solutions.

I now feel, after the creation of the committee of inquiry, that the motions which we have tabled may no longer be so relevant. However, I believe that deserve to be voted on by Parliament and to be a topic of debate here. The fact is that I hope that through the vote we are going to take on these motions for resolutions tomorrow — and I feel sure it will be a vote in favour — we can give an undertaking to continue the battle against drugs on the basis of the points actually contained in these motions. I am also happy to see that all the political groups have expressed support for certain policies, such as the conversion of drug crops, which years ago were regarded with suspicion or doubt. This means we have made a lot of progress.

There is just one point I want to mention because, as I was saying, the motions are so well argued that it is not worth while adding any other arguments. I want to speak about the need for coordination among our institutions — among international institutions but also among European institutions — and for a better awareness of what we are doing.

Let me give an example: in 1981 the European Parliament adopted a resolution in a report by Mrs Scrivener on the drug problem. Among other things, the resolution called for information and statistics on the phenomenon of drug abuse in Europe. The Commission undertook to look into various points but I believe that it has dealt with only one, a review of policies to combat drug abuse in the various countries. That was in 1981. In January 1984 — a year and a half ago — I managed to get part of a comparative study of policies to combat drug abuse; it was a short paper. Now I find that in November 1984 the Commission published a draft final report, which none of us has received. I read in the press that it had been published, I asked the Commission for a copy and I received it yesterday. It is not yet the final report. I feel that it has taken too many years to get an answer — and a minimum answer at that — to what we were asking. I also wonder how the Commission can produce such wonderful and fascinating reports without Parliament — which asked for them — knowing anything about them. As I said, I had to ask for the report after I had read about it in a newspaper.



**Squarcialupi**

This shows that we need better coordination and a greater awareness of what we are doing. Above all, we need to make better use of what little money there is available. We should not forget that we must not be stingy if we really want to combat drug abuse. We need money, because there is also the problem of converting drug crops, for which we are going to need funds and for which we need a bold approach in drawing up the budget.

I have said what I wanted to say, Mr President. Forgive me if I have overrun my speaking time, but I feel in a sense that I am the mother of this action and as such I have spoken for a little longer.

*(Applause)*

**Mrs Lemass (RDE).** — Mr President, for some time now my group in the European Parliament has raised the issue of the drug abuse and addiction. I welcome every debate on this subject as a means of underlying our continuing and growing dissatisfaction at the failure of the Community to implement effective and coordinated action to stamp out drugs.

According to a report on social developments published in May of this year, EEC governments are losing the battle against the drug problem. The report also criticizes the lack of cooperation between Member States in trying to combat the problem. In a recent reply to a question, I was informed by the Commission that the data they have on drug abuse is, and I quote: 'incomplete, unreliable and frequently out of date'. What information is available suggest a rapid increase over recent years in the use of illicit drugs and the number of addicts throughout the Community. Therefore, I was very happy to learn that the Committee of Inquiry into the drug problem has at last been set up, and I sincerely hope that it will do good work and be instrumental in finding solutions to the grave position which most European countries find themselves in today.

The problem must be tackled from several different directions and international cooperation is essential. The British Government has recently published a very useful document on drug misuse. The report warns that drugs were the most serious peace-time threat facing Britain. Of course, the same thing would apply to all the countries of the European Community.

International efforts to restrict the production of and trafficking in drugs must be supported. My information is that the supplies of heroin from the Golden Triangle are said to be increasing again. The Community should consider sending a high-power delegation to those countries to discuss what action can be taken to stop the production of heroin at source. Customs officers must be provided with appropriate detection equipment, including the use of trained dogs to work in this area.

The European Social Fund could help, we believe, in the training of nursing staff and social workers treating drug addicts. In addition, especially for those countries which do not have the necessary resources, Regional Fund aid should be made available to help the construction and extension of rehabilitation clinics for drug addicts. In the annex of the Regional Fund it is clearly implied that hospitals and related facilities can be eligible for aid in regions with a severe shortage of such facilities.

In conclusion, I would like to appeal to the family to recognize that it too has a major rôle to play in countering the threat of drug addiction. Parents working in the home and in the local community can help and should be assisted in every way in their efforts to destroy stranglehold.

*(Applause)*

**Mr Brok (PPE).** — *(DE)* Mr President, ladies and gentlemen, allow me to begin with a comment on Mr Martin's speech which was preceded by similar comments on the Anastassopoulos report by one of his Labour Party colleagues. He is wrong if he thinks that he can combat the international drug trade simply by the application of national customs measures. I get the impression, however, that this representative of the Labour Party is using every issue to demonstrate his anti-European feelings — even at the expense of thousands and millions of drug addicts. That is a completely unacceptable situation!

One thing has to be said: it isn't efficient customs checks at internal Community frontiers which will come to grips with the drug trade but rather the joint and uniform application by all our countries of the appropriate measures and instruments at the external frontiers of the Community. This is what we will have to do to control imports from the Golden Triangle, Peru and the other Latin American countries. Strengthening the customs checks between Member States will not help and this seems to me a 19th century solution rather than the one we need today.

After all, who can ignore the fact that we already have, according to research carried out by the International Narcotics Control Board, 90 000 heroin addicts in the eight Member States other than Ireland and France. This is in spite of the existence of national customs checks — and the number of addicts is rising. Similarly, there is a dramatic increase in cocaine dependency in the Community. Moreover, it has, for example, become evident that drug seizures have actually increased on the border between France and the Federal Republic of Germany since the phasing out of border controls since it is now possible for officers to concentrate on really suspicious cases rather than to carry out the general checks devised to meet the needs of last century.

**Brok**

I believe we would quite probably seize more drugs if we were to carry out checks at any given point along the M1 in Great Britain than we would if we did the same at an inner-European airport. For this reason, I think it would be sensible for example to create a single criminal investigation area within the European Community, to join with the United States of America in establishing an international bureau for the combating of drug abuse and to agree amongst ourselves on joint legislation in this field. If, for example, there were no longer to be differences in drug legislation between the Federal Republic of Germany and the Netherlands, it would no longer be possible for drug addicts to move back and forth between the different countries.

We should take joint measures to ensure that in Latin America and in Asia alternative crops replace the cultivation of plants from which drugs are obtained. We could, for example, be more actively involved in the United Nations — such as signing as a Community the relevant treaties and financing the United Nations fund. When one considers that this fund received only 5 million dollars from the Community in 1984, particularly from Great Britain and Italy, and that in 1985, Denmark, France and the Federal Republic of Germany together contributed less than one million dollars, it is clear that the countries of the Community are not doing anything significant in this field. In the absence of a Council representative, may I ask you Mr Pfeiffer, whether it is not possible for us to become more actively engaged, for example by improving cooperation within the Pompidou Group.

In addition to all the social and economic problems that we will have to deal with over the next few months in the Committee of Inquiry on Combating Drug Abuse, we should I believe also be able to introduce the necessary decision-making mechanisms in the Community to allow us to bring this terrible evil, which is damaging millions of families, under control and give the younger generation a better chance.

**Mr Mattina (S).** — *(IT)* Mr President, ladies and gentlemen — those of you who are still here — I want to echo Mrs Squarcialupi and thank the Member of the European Democratic Group for giving us the opportunity of this debate, although I have to say that if they had told us their names in the Committee of Enquiry nine months ago we could now be discussing the findings of the Committee and therefore be one step farther forward.

But let us make the most of the opportunity. Let us have a debate this evening and use this debate to offer some ideas to the committee which has now been set up, and let us hope that this will help them in their work.

It has to be said that Parliament is a late starter in tackling this problem. The Council of Europe was

quick off the mark in 1984. If you ask me, the Pompidou Group is doing noble work and it has given clear pointers, as has the Council of Europe, about the need to tackle the problem of drug abuse with more effective international cooperation than at present.

More recent in time there was the UN conference in Milan a few days ago. There too, at that very authoritative gathering, with the eventual agreement of the representatives from various countries, we heard a clear analysis of how the drug trade has become the core of organized crime and of the internationalization of crime. It was there that we heard eminent speakers explain how the profits from drugs are steadily tainting almost all activities of civilized society. I should like our committee to go into this point, to try to find out which sectors the drug trade's dirty money had managed to reach. One or two sectors have been identified in Italy, but I believe we have only scratched the surface of the problem. In Milan we heard a vivid description of the situation from the police chief of Utrecht in the Netherlands. He told us that the police manage to keep track of less than 5% of the traffic in drugs. This means that the other 95% is outside any control and in the hands of criminal organizations. The money is then recycled in almost every sector of activity.

As I see it, on the basis of the work which has already been done by these prestigious bodies the job now is for first our Committee of Enquiry and then the Commission and the Council to come up with some real ideas for action without any more analysis of the situation. I am not going to say we know everything but I think we know a lot about the situation now. We need positive action to identify measures primarily designed to cut the flow of business in the drug trade.

Of course, Mr Martin, we need customs checks inside and outside the Community. But mind: the real problem here is that the sacrosanct principle of banking secrecy has to be breached. People who get rich suddenly have to know that they will be investigated. We have tried this in Italy. It is the solution we have to adopt. We are making a mistake if we try to solve everything by tightening up on checks here and there and preaching a few words to the unfortunate people who use drugs.

*(Applause)*

**Mr Prag (ED).** — On a point of order, Mr President. Given the fact that we have not heard from the Commission ...

**President.** — The Commission was not asked. The question was to the Council.

**Mr Prag (ED).** — I asked the Commission a question. Surely it will be possible for the Commission at least to

**Prag**

give us an indication that it will take note of what we have said, examine the points we have made and come back to us at least with an idea of what is going to do and whether it will make proposals to the Council.

**Mr Pfeiffer, Member of the Commission.** — (DE) Mr President, the Commission shares the concern expressed in this question. A great deal has already been done at national and international level to clamp down on drug abuse and it is generally true of the Member State of the Community that there has been an increase, at a number of levels, in preventive measures aimed at reducing drug dependency. However, and in spite of a more professional and specialized approach, the therapeutic situation is far from satisfactory when one considers, for example, that heroin addicts show a resistance to therapy of about 95%.

One must indeed acknowledge that even all these efforts have not resulted in anything like effective combating of drug abuse. Rather, we in the Community are confronted by an increase in drug abuse, a generally rising trend towards multiple dependency and greater drug use among children.

Since previous work at a national level has not resulted in any significant stemming of drug addiction, it is fair to ask what role can be played by the Community in developing effective strategies for combating drug abuse. It would of course be unrealistic to expect the Commission alone to come up with a solution to this manifold problem. In spite of the issue not being mentioned in the Treaties, the Commission can certainly offer its services, be they be somewhat restricted, particularly in the fields of improving prevention, health education, the exchange of information and findings, the improvement of statistical data and the stimulation of research — though we have to warn that no sudden and spectacular successes should be expected.

I would like to point out that in September 1984 the Commission sent the Council a document entitled 'Health care problems — cooperation at the Community level' which, among other things, included its attitude towards the combating of drug abuse. The drug problem was also brought up at the latest meeting of health ministers on 3 and 4 May 1985 and, finally, the combating of the drug trade was also included in the 'Citizens Europe' report prepared by the Adonino Group. This report was adopted by the European Council in Milan.

To sum up, I can point out that the Commission will of course take note of this discussion, the criticisms and the points raised in this debate and include them in its deliberations.

**President.** — The debate is closed.

We now come to the request for an early vote on the five motions for resolutions to wind up the debate

(Docs B 2-801/85; B 2-802/85; B 2-803/85; B 2-806/85 and B 2-807/85).

(Parliament approved the request for an early vote)

The vote will be taken at the next voting time.

**10. Energy**

**President.** — The next item is the report by Mr Starita, on behalf of the Committee on Energy, Research and Technology (Doc. A 2-82/85), on the proposals from the Commission to the Council (Doc. C 2-1/85 — COM(85) 29 final) for:

- I. a regulation on the promotion, by the granting of financial support, of demonstration projects relating to the exploitation of alternative energy sources and to energy saving and the substitution of hydrocarbons; and
- II. a regulation on the promotion, by the granting of financial support, of pilot industrial projects relating to the liquefaction and gasification of solid fuels.

**Mr Starita (PPE), rapporteur.** — (IT) Mr President, ladies and gentlemen, the report we are debating here deals with a Community programme on energy saving: the substitution of hydrocarbons by alternative energy sources and the liquefaction and gasification of coal. The aim of this programme is to encourage the use of innovative technological solutions for a more economic use of available energy sources. The programme will begin in 1986 and will end — if the five-year plan is approved by the Council — in 1990. The proposal has already been approved by the Committee on Energy, Research and Technology, which was the committee responsible, and by the Committee on Budgets and the Committee on Economic and Monetary Affairs and Industrial Policy, which were asked for opinions.

I am not going to go into the technical aspects of this report, but rather the reasons for continuing a programme which began, albeit very late, after the energy crisis of the 1970s.

In Europe today the energy crisis is no longer viewed as it was some years ago; there is no longer the state of emergency which jolted our economies in the past. For some time now the oil market has seemed more stable, the areas of supply have increased and the Community countries as a whole have reduced their dependence on this energy source. Be that as it may, oil imports in the Community in 1984 accounted for 73% of energy imports and this source of energy is still, with 46%, the most important in the Community market. These are the overall figures for the whole Community but

**Starita**

the situation differs greatly from country to country, and some countries' dependence on oil supplies is way above the average. However you look at it, it is still disturbing that the Community — with the obvious exception of the United Kingdom and some of the smaller countries — imports more than 70% of its energy sources in the form of oil.

To my mind, this shows that the structure of the European energy market has not been able to react as needed, and indeed the market has shown that it is fairly rigid. I grant you that some countries have managed to make a intelligent response to the energy challenge, but on the whole the current situation shows up the risk of further regression if there were to be another crisis.

As I said before, the Community has reduced its dependence on oil and on oil imports, but this has been achieved by cutting energy consumption and these cuts are only in part the result of efforts to reduce waste. The disturbing fact is that our economic growth seems to depend, as in the past, on energy imports and is vulnerable to events in the world energy market.

The programme we are discussing here in the Chamber today cannot, of course, eliminate the causes which threaten stability; in the view of the Committee, however, it can add its contribution to a reassessment of internal demand for energy and to my mind this seems as effective as supply-side control.

The Commission programme covers various sectors: from the reduction of waste in building design, industry and private use to the substitution of hydrocarbons by alternative energy sources, and from the recycling of agricultural, industrial and household waste to the exploitation of coal resources. This represents an R&D effort which Europe cannot afford to give up. We must not forget that the Community is rich in energy resources. Think of our coal reserves, which place us fourth in the world, and our renewable energy sources which, even if the return is somewhat meagre at times in economic terms, are still a form of wealth.

The main thing about this programme is the technological R&D effort which is required, and the challenge which has been thrown down by the programme is considerable. Coal technology is the area where there has been least progress. There have been no innovations of note in coal-mining techniques since the beginning of the century, with the result that coal in the Community needs subsidies to retain a modest share of the world market. The aim of research into coal liquefaction and gasification processes is to get more out of a native resource, not by shoring it up but as a result of technological endeavour in Europe.

The same goes for the exploitation of the energy potential of waste, and this is now an economic activ-

ity of some significance. The programme which began in 1979 has so far produced satisfactory results: many projects have been adapted for industrial use, although others have not been successful. On the other hand, it must be remembered that this programme — unique of its kind for quality and international collaboration — has often been subject to severe delays and cuts in spending.

By way of conclusion, let me sum up the main points in the Commission's proposal for a regulation, those points which merit most attention. Firstly, the programme is to be multiannual, and this will rectify a situation of annual extensions. The idea is for multiannual programmes, although we know that the Council is thinking of cutting the programme from five to four years, with a consequent reduction in the budget appropriations. However, this would not seem to prejudice or jeopardize the programme itself. Secondly, the repayment provision in earlier regulations is to be dropped, as this is a burdensome condition for the better use of projects which have a chance of success. Thirdly, there is to be a simplified procedure, including the abolition of any Member State's right to appeal against the Commission's decisions. This is a major point which has to be stressed and on which we agree entirely with the Commission. In political terms it is significant because it reaffirms the independence of decision-making powers.

As for the amendments which have been tabled, let me say right away that they are not substantially different from those which were submitted in committee and which were given long and wide-ranging consideration. Some of them were adopted and incorporated in the final draft of the resolution, and consequently I feel that there is no need for these amendments.

**Mrs Viehoff (S).** — (NL) Mr President, my Group has always argued for multi-annual programmes and it is important to have continuity for demonstration projects in the energy sector. In particular for alternative energies, because this is one way of focussing attention on the weak regions and creating jobs in these areas. This is in line with our regional policy.

My Group supports the proposal to abolish the right of Member States to appeal to the Council against decisions by the Commission. We agree with the Commission that this right of appeal is inconsistent with the correct division of responsibilities and wastes time when rapid implementation of projects is called for. If a representative of the Council happens to be present, we wish to say that we attach particular importance to this point and would recommend that you take note of paragraph 6 in the resolution. The annoying thing is that the lack of proper financial information will make it easier for the Council to cut back on the proposed appropriations. This leads to the undesirable situation where although the abolition of the right of Member States to appeal to the Council will speed up imple-

## Vichoff

mention, fewer projects may in fact be started. We therefore endorse the Committee on Budgets' criticism of this point.

Mr President, in the past my Group has argued for Community aid and new activities subject to the condition that such projects would be unlikely to be launched without Community support. Those activities that are in line with our objectives — and I don't mean Socialist objectives but those of Parliament as a whole — must be stimulated and developed. The Community budget should not be used simply as a subsidy fund. We therefore call on the Commission to watch this point carefully in assessing and approving projects.

Last but not least, coal gasification. It is not secret that some Member States are not exactly keen on this part of the programme. We Socialists support the Commission in its determination to retain this part. In the current discussion on the future role of coal in Europe, it is more necessary than ever to offer our coal industry hope for the future. It is incredible that, where coal is concerned, we evidently no longer put forward the argument that we need to be independent of energy imports, even though there are serious forecasts of a new energy crisis in 1990. The argument used by some that coal gasification is too expensive is thus particularly short-sighted.

Mr President, one final remark: on 20 June the Council evidently again spoke out of turn in commenting on this programme even though Parliament has not yet given its opinion. I think that this should not become a habit, since this is not the first time this has happened.

**Mr van Aerssen (PPE).** — (DE) Mr President, ladies and gentlemen, the Group of the European People's Party welcomes the report by Mr Starita and the Commission's initiatives. We believe that this is one of the most important measures not only for the improvement of the energy situation but also, and mainly, for the further development of technology; and here I refer, in particular, to the gasification and liquefaction of coal, a field in which the European Community occupies a leading position. In this field decisions are being made which will affect the next generation. For this reason it is most regrettable that such an important report as this, which will determine the future and employment prospects of many people, is being discussed late in the evening and that Parliament has so far been unable to concentrate on essentials and complete its procedural business, and has been getting bogged down in disputes on the Rules of Procedure and on subjects which are really of little concern to us. I appeal to you, Mr President, to see to it that such important reports are given higher priority.

Like the preceding speaker, we are particularly pleased that the procedure for selecting projects is to be simplified and that Parliament insists on conciliation if the

Council does not accept the proposals for regulations in the proper and concrete form in which they were submitted by the Commission with Parliament's approval.

We also support the Commission's right to reclaim Community aid if a country is not careful in the way it spends it.

Clearly, Mr President, we need to diversify our energy, and I agree with the previous speaker that coal has a most important part to play in this. We should also be extremely attentive to the needs of those countries which have no coal, in particular the Member States in the Mediterranean region. The existing know-how must be made available to those countries, *inter alia* via the Mediterranean plan. I would ask the Commission to consider seriously, together with the Italian Government, whether that white elephant, Gioia Tauro in Calabria, one of the world's finest harbours, which no-one uses — DM 4.5 thousand million have been spent on this, including a certain amount of Community aid — could be used to start up a pilot project using cheap coal imported from friendly countries like China or the Andes States, rather than trying to launch a coal liquefaction or gasification project using completely unsuitable coal from Sardinia.

I appeal to the Commission to consider this with the Italian Government so that the principles underlying the report and the proposals for regulations can be applied in a concrete way. As honorary chairman of a consortium in south Calabria, I am aware of the sufferings of the jobless there. We now have an alternative, and we, the citizens affected, call upon the Commission to take this matter up.

To sum up, we are in favour of the report, we want to diversify our energy supplies, and we believe that the know-how which we Europeans have developed gives us a great opportunity to lay the foundations for improving the energy situation for the coming generation.

**Mr Seligman (ED).** — Mr President, our European industrialists are a very cautious lot, as you know, and they are very much more reluctant than the Americans to take risks. This is nowhere more true than in the field of speculative energy-saving projects. That is why the Commission's energy demonstration programme is so important. By taking up to half the risk on speculative projects, it may well tip the balance in favour of doing those projects.

Now saving energy and finding alternative energies is just as important today as it was 10 years ago, because North Sea oil is shortly to decline and we shall need other energies. Even though the Community has reduced its dependence on imported oil from something like 55% to about 45% in the last four or five years, we are still heavily dependent on oil. This

**Seligman**

dependence will get a lot worse when Spain and Portugal join the Community, because Spain imports something like three-quarters of its energy in the form of oil, and both Spain and Portugal are going to need a lot of help.

I must congratulate Mr Starita, Mr Tomlinson and Mr Raftery on their report. They have actually made this subject sound quite interesting. I congratulate them on that. I have three points: the first one I would like to stress is the question of replicability or repeatability — I know, I do not like the word either — and, of course, the dissemination of results.

Now 700 million ECU is to be spent on demonstration projects in the next five years. But that is quite inadequate. Even that money is going to be wasted if no-one follows up the results of those projects and puts them into action. I do not mean only in the EEC, I mean also in the Third World and in the Lomé countries. These things are wasted if they are not followed up. The United Kingdom demonstration programme spends 33% — we read in the report — of its budget on dissemination of the projects after they have been achieved. The Community, I believe, only spends 0.03% on dissemination. I would like to ask the Commission how much replicability they get from that miserable expenditure. The British replicability is 2 000 projects, and that is well worth having. Anyhow, you cannot leave dissemination of these results just to the contractors that you have as partners. The Commission must take a large financial part in paying for spreading the news of the achievements of this programme so that other people can take it up. So I think you have to spend money on getting these things into the technical journals, into the financial papers and into the technical press generally: then you will contact readers all round the world who may well take up these demonstration projects.

My second point: the programme evaluation report apparently disapproved of continued work on agricultural energy-saving programmes. Why? Do they think it is pointless to pursue energy-saving with glass-houses, biotechnological methods of nitrogen fixation, better seeds and better plants to save energy-costly fertilizers, or even fuel saving in tractors and grain driers?

My third point concerns the question of motor transport. Motor transport uses 50% of the oil in the Community that we import. Demonstration projects for the economical growing of grain and sugar and efficient processing of this into bioethanol for motor-fuel should be a top priority.

Finally, Mr President — I think I have time to make a meal of this little bit — my group are disgusted by Mrs Bloch von Blottnitz's ridiculous amendments. She has put in something like 49 separate amendments: each one is written on a separate piece of paper and each one just says 'delete'. Now what a waste of paper that

is, what a waste of resources, what a waste of time and what a waste of our energies! I must ask Mrs Bloch von Blottnitz, does she want us to follow her example? If we did, if we all put in 49 amendments with 'delete' written on them, we should be killing more trees than acid rain does, and that is the thing she really does not like.

**Mr Ippolito (COM).** — *(IT)* Mr President, ladies and gentlemen, the serious energy crisis which has been affecting the Community and the Member States for the last ten years has quite rightly been a subject of concern to the Commission for some time. With the unfortunately meagre funds at its disposal the Commission has encouraged or tried to encourage both the development of all energy sources other than oil and technical measures designed to save energy. If these efforts have not met with great success, we should not put it down to any lack of initiative on the part of the Commission but rather — as I indicated — to the lack of financial resources which I have frequently complained about in this Chamber.

The fact is that the success in saving energy and in substituting other sources for oil is far from being adequate enough, especially in countries such as Italy where the meagreness of the Commission's funds is accompanied by shameful government inertia. In Italy the oil bill has not gone down with the reduction in imports but has instead increased as a result of the rising dollar. In 1984 our oil bill went beyond 40 billion lire.

The Commission has submitted two proposals for regulations to the Council: a proposal for a regulation on the promotion, by the granting of financial support, of demonstration projects relating to the exploitation of alternative energy sources and to energy saving and the substitution of hydrocarbons, and another proposal for a regulation on the promotion, by the granting of financial support of pilot industrial projects and demonstration projects relating to the liquefaction and gasification of solid fuels. These proposals should be endorsed, as indeed we read in the report before us which was drawn up by Mr Starita and which has been approved by the committee responsible, the Committee on Energy, Research and Technology.

In giving this endorsement on behalf of the Group to which I am privileged to belong, I want to mention in particular some of the conclusions of Mr Starita's report which get my unreserved support. These are: the multiannual nature of the programmes; the simplified procedure for choosing projects to support; the abolition of the right of appeal to the Council by a Member State which disagrees with the Commission's decisions; the intention of the Commission to improve the dissemination of the results of the programme and to encourage the replication of successful pilot projects.

**Ippolito**

Our total support for the regulations and for the Starita report prompts us to reject almost all the amendments which have been tabled — most of which were rejected in committee — and which seek to limit the Commission's technical independence and to steer the programme only in certain directions.

The problem of replacing oil is in fact a difficult and complex one. However, while we welcome the projects on renewable energy sources such as wind, sun, geothermal energy and other forms which can in the end help save energy, at the same time we must not let misguided ecological considerations cause us to forget the two basic sources for the replacement of oil in generating electricity. I mean coal and nuclear energy.

In the case of coal in particular — and this is the point which interests us at the moment — a great deal of research on the combustion process is still needed. We are not going to make any appreciable progress — and I am thinking here of environmental protection as well — unless we move into liquefaction and gasification.

The general evaluation report of 25 January 1985, drawn up by four independent experts called in by the Commission, is also very significant and it stressed the tremendous importance of continuing with the demonstration projects and also of making the results more widely known.

To conclude, the hope that springs to mind is that the Commission's meagre funds — the result of the limits of own resources — can be made available for the further development of these basic lines of research. In the long run, the Community's greater energy self-sufficiency and reduced reliance on oil imports will depend on the results of this research.

**Mr Flanagan (RDE).** — Mr President, my country, Ireland, has always fully supported the demonstration project initiative and I am very pleased indeed that it is being continued for a further four years. I must say that, like Mr Van Aerssen, I would like to see the bureaucratic process simplified a little if that is possible, but that is something we are always looking for and find difficult to attain.

I agree with the main thrust of what Mr Seligman said. Where did they invent these awful words like 'replicability'? What it all means is — it is a good point — that when you discover that a thing works, with the help of 50% financing from the Commission, it is really not much good unless you show to the world that it works and put it into operation and thereby achieve the ultimate objective, which is to reduce dependence on imported oil. I strongly commend that view.

I have some misgivings about the division of funds between the two — the demonstration projects and the gasification and liquefaction. I would not make

too strong a point of it beyond saying that in the present economic climate I would prefer more to be put on the demonstration projects side and less on the other.

One final point I would like to make is that while I appreciate that the basis of the whole programme is innovation, it does seem a pity to me that where new machinery not involving an innovative process clearly is capable of dealing with greater quantities of alternative fuels as, for instance, peat or turf, as we call it, that type of initiative, especially in areas like those I represent in the West of Ireland, and particularly because of the employment content, because it is not demonstrably innovative has to be turned down. Perhaps in due course further consideration will be given to the possibility of some such extension of the plan in backward areas.

**Mrs Bloch von Blottnitz (ARC).** — (DE) Mr President, I would first like to reply to Mr Seligman. I tabled only twelve amendments, but I am afraid that their presentation is dictated by the Rules of Procedure, over which I have no control. I am very sorry, but I cannot do anything about that. Let us now turn to the matter in hand.

All in all these proposals contain a great deal which is to be welcomed, except for the projects on the liquefaction and gasification of coal and on the increased use of electricity. Also to be welcomed is the emphasis placed on the dissemination of results. However, it is essential to ensure that the information is passed on not only to industry but also to small local bodies and engineers' associations. The tendering procedure, on which the proposals have little to say, should be scrutinized. Newcomers must also be considered and special consultancy arrangements should be made for potential applicants who have the necessary technical expertise but are at a loss to deal with this kind of bureaucracy. This is the only way to exploit the Member States' full potential for innovation.

Regional authorities should also be involved in the projects. The use of biomass must be decentralized, and the overuse of any single type of energy should not be encouraged. In the field of wind energy, only small and medium-sized systems should be supported. As far as geothermal energy is concerned, support should be given only to projects which attach particular importance to making a precise assessment of possible harmful effects on the environment and to measures designed to reduce these.

In the field of solar energy, support should go mainly to those areas in which such energy is used. It must be made absolutely clear — and I regard this as extremely important — that priority should be given to a sound energy conservation policy involving, for example, residual heat, joint heat and power generation and heat insulation. Energy savings of up to 40% are possible here. That is really the cheapest and environmen-

**Bloch von Blottnitz**

tally most sound way of using and producing energy and will mean a double saving for both household and public budgets. I am aware that the entire house from left to right will take issue with me over my next demand, but I must emphasize beforehand that I am opposed to all pit closures. Indeed, I am adamant that coal should be promoted and retained as a non-imported source of energy. However, the proposal to promote industrial private projects on the liquefaction and gasification of solid fuels should be completely rejected. The energy efficiency of these processes is very limited — 48% to 50%, which is not a great deal.

The treatment of liquid and gaseous effluent is extremely costly, and large quantities of pollutants are released — venone, sulphide, sulphur dioxide, nitric oxide, carbon monoxide, fluorine, chlorine and hydrocarbons, to mention just a few. Quite apart from that, the equipment needed is not very economical and requires enormous capital outlay. As I have already said, I am here as an ecologist, and I have to make this point even though it causes annoyance. If my modest demands are considered in the voting tomorrow, I believe the Commission proposal would be really futuristic, and so I can only hope that tomorrow's voting will be favourable.

**Mr Stavrou (PPE).** — (GR) Mr President, ladies and gentlemen, I should like to thank and congratulate the rapporteur, Mr Starita, for this very good report on a subject which, I think, is recognized as being of fundamental importance for the Community's energy strategy. It is well known that the Community's energy supply problem, when it struck with a vengeance at the beginning of the 1970s, left its mark on the entire economic substance of the Community and produced a series of chain reactions in all the sectors of its activity. These reactions have even now not ceased to affect the economic and social life of all the Community countries. In the meantime, of course, all the available scientific and technological means have been mobilized to deal with the crisis, which, as I mentioned previously, may be nearing its end but which, according to the latest statistics of the Organization for Economic Cooperation and Development, threatens to take off again and seriously upset the balance of payments of oil-importing countries. Thus the Community's independence as regards energy will once again be at risk unless we continue the efforts currently being made on the basis of specific research programmes on alternative energy sources.

By their very nature these programmes, which at present really are comparatively costly, need to be taken over by the Community, which alone is capable of bringing them to a favourable conclusion. There are many successful examples of Community cooperation in the field of technology.

We know that in these cases the initial cost was high, but now we see, particularly in the aerospace sector,

that the successful implementation of these programmes has made the Community independent in crucial areas, richer in foreign exchange and capable of continuing to make similar useful and productive investments. Examples of such investments, Mr President, are solar energy and wind-powered energy, as well as small-scale hydroelectric energy, and it is these which are of particular interest to Greece, where, as you know, the Committee on Energy is due to hold a very important meeting next week.

In conclusion, I should like to stress that the current enormous cost of these programmes must not discourage our efforts to pursue them effectively. Mr Starita reveals in his report that by about the year 2000 fuels obtained as a result of the application of these programmes will exceed 30% of present consumption, and this corresponds to 100 000 million ECU. I feel, Mr President, that this figure, in conjunction with the fact that these new forms of energy help to improve the environment and do not involve the well known risks entailed by other forms of energy, fully justifies our considerable interest in Mr Starita's report.

**Mr Patterson (ED).** — On a point of order, Mr President, I should like, under Rule 64(4), to ask Mrs Bloch von Blottnitz about these amendments. Why has she tabled all these amendments? She cited the Rules. Why did she not merely ask for separate votes under Rule 73 and save us all an enormous amount of money and resources?

**Mrs Bloch von Blottnitz (ARC).** — (DE) Mr President, this is quite silly. Mr Seligman knows perfectly well how we do things here. Amendments are tabled and divided up in a way over which we have not influence. So much paper has already been wasted on this question that I fail to see why you should get so worked up about my amendments. It is waste of time to discuss the matter further.

**Mr Mosar, Member of the Commission.** — (FR) Mr President, once again the Commission has been supported by an extremely positive opinion, this time expressed in Mr Starita's report on the Community's energy demonstration programme. This seems all the more important to me since what we have here are measures intended to promote energy savings, alternative energy sources and substitution of hydrocarbons. However, fluctuations in the energy market and the present easing of prices could lead to a slackening of efforts, and this is the very thing we must avoid if we want to consolidate the results obtained so far and to maintain the thrust of a programme which sets the pace on several counts in the Community and the world.

The Council seems to have understood our message and, as you know, during its meeting devoted to energy on 20 June last, it highlighted the importance it



**Mosar**

attaches to pursuing the efforts already undertaken under existing programmes.

Indeed, this June meeting agreed in principle to pursue the programme on a multiannual basis, in particular for the four-year period from 1986 to 1989, with total funds of 360 million ECU, i.e. 90 million ECU per year.

Of course, these Council guidelines do not go as far as the Commission and the European Parliament would have liked. Allow me to recall — although this was mentioned just a while ago — that the Commission initially proposed funds estimated at 700 million ECU for five years, i.e. 140 million ECU per year. I can assure you that discussion on this point was hardgoing and some delegations started off from a figure much lower than the new amount which has now emerged.

Even if the funds are not quite what we wanted, we must also weigh up a certain number of positive aspects such as the programme's multiannual character and its ensured continuity, plus the fact that by way of a change the Council intends to make a rapid decision without the interminable discussions we have witnessed in the past.

However, the Council would like to diverge from our proposals on one point — the decision-making procedure, mentioned just now, for the selection of projects. The Council would like to keep to the procedure laid down in the existing regulations, but with shorter deadlines. This procedure gives Member States the right to appeal to the Council within a certain time limit against the Commission's decisions.

Our proposals did not provide for this right which, as you have argued on several occasions, is inconsistent with the correct division of responsibilities among the institutions, i.e. the Commission's powers to administer, and a potential source of delay in carrying out the programmes.

I would like to take this opportunity to thank Mr Starita and the members of Parliament's Committee on Energy for the support they kindly gave to the Commission in this important field, and I would like to assure you that I shall do battle with the Council, if I have to, to get these regulations adopted quickly.

After expressing my thanks to the rapporteur and the members of the Committee, I would also like to thank, and very sincerely, the speakers in this debate for their extremely interesting and apposite contributions. I have taken note of their comments and shall give them due attention.

Without going into detail, I would, with your permission, nevertheless like to say a few quick words on the more critical comments which have been made. As regards Mrs Viehoff's criticism about the financial aspect, I would like to point out that this problem does

not solely or directly concern energy issues. Indeed, the financial statements linked to Commission proposals have been drawn up in this manner for a long time now. I appreciate that Parliament would like to have more information, but I would appreciate that Parliament would like to have more information, but I would suggest that the Committee on Budgets should, in this instance, discuss the matter which my colleague Mr Christophersen. Be that as it may, more detailed financial estimates concerning this energy file are made available to your House during the annual budget debates.

As for Mr Seligman's observation about dissemination of results, I can say that in the new programme we shall be putting the stress on dissemination or replication, and I would like to add that even now we are already publishing a lot of literature and taking part in exhibitions etc. In this connection I would like to draw your attention to the fact that we will very soon be participating right here in Strasbourg in the 'Europe 2000' exhibition.

Finally, one last remark on the various more or less critical comments or observations made by the rapporteur, Mr Starita, himself, by Mr van Aerssen and Mrs Viehoff concerning the decision-making procedure. I am fully aware of the importance and value of the principle underlying the observations made on this subject, and I am grateful for Parliament's backing on this very matter. I can assure you that, in the sure knowledge of your support, I shall do my best to convince the Energy Ministers of the cogency of our proposal. However, I must point out that the procedure currently in force has not yet overly restricted our scope for making decisions. I would also like to remind you that in 1983, in a similar context — during adoption of the regulations which expire in 1985 — the Commission had to bow before the Council's unanimity on this subject. Nevertheless, my predecessor, Mr Davignon, clearly pointed out during debates in Council and within the European Parliament that if a Member State appealed to the Council over a Commission decision but the Council failed to issue a ruling within the specified period, the Commission would implement its decision. I can, for my part, confirm that this will always be our position.

*(Applause)*

**Mrs Viehoff (S).** — *(NL)* Mr President, I would like to ask the Commissioner a question. Interpreting somewhat freely what he said, he stated that my criticism of the handling of financial details was not actually justified, because this was the normal procedure. I then wonder why the Committee on Budgets so fiercely criticised this point. Perhaps the Commissioner can explain to me what the difference is between this particular case and the normal procedure in his view?

**Mr Rogalla (S).** — (DE) Mr President, I would be most obliged if I could ask the Commissioner when the Commission intends to submit its new proposals on coal and on the reorientation of the coal policy. I ask this on the basis of the relationship of trust between this House and the Commission. I address you in all deference and without any malicious intention and I have no wish to create discord, but I am concerned about the jobs at stake.

**Mr Mosar, Member of the Commission.** — (FR) Mr President, with regard to Mrs Viehoff's first question, I thought I had answered it just a while ago. I would just like to add that — as I have just pointed out — your House will receive these details during the next annual budget debates. I do not think you wish to go into this point in depth just now.

As for the second question about the Commission's intentions concerning the coal problem, I can simply inform you that the Commission will present a document at next Wednesday's meeting.

**President.** — The debate is closed.

The vote will be taken at the next voting-time.

#### 11. *Development of less-favoured regions*

**President.** — The next item is the report by Mr Barrett, on behalf of the Committee on Regional Policy and Regional Planning, on a regional incentive scheme for the development of less-favoured regions of the European Community (Doc. A 2-79/85).

**Mr Barrett (RDE), rapporteur.** — Mr President, ladies and gentlemen, it will come as no surprise if I commence by criticizing the Council on its failure to provide sufficient resources for an effective Community regional policy. This has become a regrettable tradition in regional debates and the arguments are all too familiar. Without wishing to labour the point, I feel I must reiterate Parliament's view that the Regional Fund's budget is hopelessly inadequate and that quantitative rather than qualitative deficiencies have been the Fund's major handicap. At any other time I would leave it at that, but the 1986 budget will be a crucial budget for regional policy in view of the budgetary consequences of enlargement. This subject will be returned to in a future debate, and if I raise it this evening, it is simply to alert members of the Committee on Budgets to the budgetary ramifications and obligations of enlargement.

In proposing a 45% increase in the Regional Fund's budget, the Commission sets out to ensure that the share of the present Member States does not fall in

absolute terms in 1986. This in no way satisfies our demand for significant real-term increases, and it falls short of the Commission's own target of a real-term doubling of the Fund in five years from the 2 000 million ECU allocation in 1983. Real-term increases must therefore remain our top priority.

While the European Parliament has consistently emphasized this point, it has spared no effort in parallel attempts to achieve qualitative improvements in the ERDF. In this respect the Committee on Regional Policy and Regional Planning achieved a considerable degree of success in the debate on the reform of the ERDF. While it continues to pursue proposals and amendments which were not taken on board in the new ERDF Regulation, the Committee on Regional Policy has always been open to exploring new ways of improving regional policy.

It was against this background that the Committee appointed me to draw up a report on the possibility of introducing an employment-related tax-incentive scheme for the Community's weakest regions. The essence of the proposal I present in my report is that the Community could devise a tax-incentive scheme to encourage employers to take on new employees in the least-advantaged areas thereby attracting new businesses to these areas. Given that the problems of these areas stem not only from geographical and historical disadvantages, but also from a lack of flexibility in the labour market, I suggest that the Community could encourage job creation by providing assistance to offset cuts in employment and pay-roll taxation. What is proposed is a reduction in labour costs for employers through a reduction in taxes and charges such as social security contributions.

Schemes of the type envisaged have been employed with varying degrees of success in numerous European States. Those which are currently operating in the Mezzogiorno area, Norway and Sweden appear to be operating very effectively. Their success led me to believe that the principle could be applied equally well on a European scale, and I am happy to report that the committee unanimously agreed. Others, such as those which operated in Ireland and the United Kingdom, were withdrawn, principally because they were open to abuse. In my report I argue that by learning from the experience gained in these countries it should be possible for the Community to put together a tax-incentive scheme of this kind at relatively little cost.

To keep costs down, of course, the schemes would have to be restricted to the poorest regions of the poorest Member States. I suggest that these regions should be determined on the basis of a revised and improved synthetic index comparable to the one contained in the second periodic report on the regions. In this respect, and in response to Mr Filinis, who tabled an amendment on this point, I must insist that the present synthetic index is far from being sophisticated enough to be used for the purpose intended. Not only does it fail

**Barrett**

to include Greece, Spain and Portugal, but it fails to provide an adequate breakdown on regional divergencies in other Member States, notably in Ireland and the north of Scotland.

In calling on the Commission to prepare a feasibility study on the costs of introducing a Community regional tax-incentive scheme of this kind, I recommend that any such scheme should be subject to a number of other restrictions. Its primary object should be to create new and lasting employment opportunities and encourage employers to take on new and not replacement employees. I should be regarded as a supplement to existing regional policy and operate without prejudicing continued expenditure on existing ERDF activities. Such expenditure should indeed be increased. A scheme of this kind must, of necessity, be based on strictly defined criteria, and stringent measures must be envisaged to control the use of funds paid. It should give priority to industries and sectors which exploit the natural resources and potentials, and any Community funding must be additional to national expenditure.

For reasons of simplicity, I believe the funding should be channelled through the appropriate tax departments of the Member States concerned. In order to offset any objections on the grounds that the proposal would be inconsistent with the aims of competition policy, the scheme would have to be temporary in nature. I suggest that it could be operated for a specified period, possibly 10 years, and renewed at the end of that period or withdrawn when regions attained a given cut-off level in subsequent periodic reports.

That, in a nutshell, is the proposal I put forward in my report. I have great hopes that the Commission, on the basis of its study, will recognize the important rôle such a scheme could play in the creation of new jobs in the poorest regions of the Community.

*(Applause)*

**Mr Eyraud (S).** — *(FR)* Mr President, I am speaking on behalf of the Socialist Group today in place of Mrs Gadioux.

Ladies and gentlemen, for several years now the inadequacy of private initiative has made state intervention necessary to encourage the development of the less-favoured regions. Several kinds of measures are possible to achieve this, and so we can take a critical look at the basic principle underlying the proposal before us today, which consists of patchy measures whereby the public purse would pick up, admittedly in part, costs which are normally borne by employers. Since unit labour costs are generally lower in the less-favoured regions than elsewhere, one could have imagined this system, which is already operating in some Community Member States, being placed on a broader basis.

If the Community decides to encourage the development of such a scheme, as is the intention, the scope of this policy, which can only be limited and marked by financial restraint, must be clearly defined. It is limited from a legal angle because fiscal policy is still the preserve of national and local authorities in the Member States. Thus, by granting such aid, the Community can do no more than encourage tax relief or even exemptions.

Such a policy is also limited from a practical angle because it runs the risk of either being purely symbolic or of weighing down heavily on Community funds, all in the name of doubtful success. For this reason the probable costs should be studied very carefully and should obviously also cover Spain and Portugal.

Community intervention in this field should be carried out with extreme caution. Regional development officials sometimes speak of 'bounty-hunters' — to use a vivid phrase current in France — to describe businesses which try to get as much official aid as possible for settling in a particular region, even if this means breaking off their activities to go and set up somewhere else a little further away, under another business name, before using various ruses to start the same game all over again.

Thus it is vital that any incentive scheme which might be set up should be founded as firmly as possible on precise qualification criteria and subjected to strict controls by the Community authorities with the help of the relevant bodies in the Member States.

The experimental taxation incentive schemes already introduced have demonstrated the financial, economic and social limitations of such schemes, which cannot be expected to produce miracles. There would be no point in just achieving a few positive results at exorbitant cost. Realism forces us to be prudent on this score.

**Mr O'Donnell (PPE).** — Mr President, at the outset I would like very sincerely to congratulate my colleague, Mr Barrett, on his very interesting and excellent report. On behalf of this group, I welcome the report, which is a follow-up on an initiative taken a year ago by our colleague, Mr Pöttering, who tabled a motion for a resolution calling for a special employment-related tax-incentive scheme in the less-favoured regions of this Community.

The report before us recommends that the Commission prepare an initial study on the possible introduction of an EEC-sponsored scheme of this kind. It also recommends that the Commission in its study pay particular attention to those schemes which are in operation in certain countries and also examine the reasons why such schemes have been discontinued in other countries.

**O'Donnell**

Mr Barrett, in his introductory address, referred to the fact that a scheme of this kind was in operation in Ireland and was discontinued. The reason for this discontinuation, according to a brief which I have here from the Irish Government, is that there was a scheme called the Employment Maintenance Scheme, which I presume is the scheme referred to in paragraph 10 of the motion for a resolution. This was in operation between 1978 and 1980. It involved grants to employers to maintain jobs which would otherwise be lost. Although the European Social Fund cofinanced the scheme, the Commission objected to it on the grounds that it distorted competition, and it was withdrawn in 1980.

We in this group are gravely concerned about the growing regional disparities in this Community. We are ready and willing to support practical proposals such as those contained in this report which are designed to assist the creation of new employment in the less-favoured regions. It is now generally recognized, and the report has emphasized this fact, that the resources hitherto devoted to regional policy have been insufficient to bring about a significant narrowing of the gap between the rich and poor regions of this Community.

New ways and means must be found if we are even to attempt to tackle the enormous problem of regional disparity. The proposals contained in this report could, if implemented, be an important element in regional development strategy. The weaker regions of the Community and especially those regions on the peripheries suffer from enormous disadvantages — poor transport infrastructure, remoteness from the main markets, to mention but a few. These regions just cannot compete with the more favoured regions when it comes to attracting or encouraging investment for job-creation. Additional incentives are therefore necessary in order to encourage investment, entrepreneurship and job-creation in the less-favoured regions. Particularly, I feel a special incentive should be given to encourage the development of the indigenous potential, the natural resources, of those regions — agriculture, industry, afforestation, tourism, fisheries, and so forth. I believe that employment-related tax-incentive schemes would assist greatly in this respect.

The report before us focuses attention once again on the magnitude of the regional development task which faces this Community, especially now that enlargement is a reality. There is absolutely no hope of counteracting the ever-widening regional disparities in the Community unless imaginative new thinking and new policies are implemented.

The resources of the ERDF, as Mr Barrett very rightly pointed out, must be substantially increased, the existing Community instruments must be applied in coordinated fashion and they must be utilized to promote integrated regional development programmes. These programmes are the only real hope

for the economic development and social progress of Europe's least-favoured regions. I believe that employment-related tax-incentive schemes, as suggested in this report, could be an important element in an integrated regional development strategy.

Finally, I welcome the application of the principle of integrated regional development in the Mediterranean regions, and would point out that there is equal need and just as compelling a case for applying the principle of integrated regional development programmes to the north-western regions of this Community. A motion has been tabled under Rule 47 this week calling on the Commission to apply this principle to the north-western regions of the Community.

Mr President, it gives me great pleasure, on behalf of my group, to support this report.

**Mr Christopher Beazley (ED).** — Mr President, all the speakers so far on the Barrett report have demonstrated the difficulty faced by those of us who represent the far-flung regions of the Community. We can see the empty benches of the European Parliament at this particular moment. We can see some foliage from the Socialist Group and more foliage from the Rainbow Group. We can see empty benches yawning because the huge majority of the population of Europe live in urban concentrations. Those of us from Ireland, Cornwall, Plymouth, Scotland, the South of France, the Mezzogiorno, from the far-flung regions, are always in a minority. Fortunately, in a democratic system — which regrettably does not apply throughout the civilized world — those of us from the periphery have the right to speak. I am very honoured to follow Mr O'Donnell and Mr Barrett and those of us who represent the regions. This issue, as is clear from the absence of our colleagues, does not interest the majority of this Parliament.

Mr Barrett's report is indeed, as has been said by previous speaker, an extremely imaginative attempt to try to offset those imbalances which those of us who represent the regions face. If the Commission and Council — and, what is even more important, the national governments — will listen to those who are a hundred miles and more away from London, Dublin, Paris or Rome, if they will listen and give some positive assistance to those of us who represent the far-flung regions, then the Barrett report will be important. What all of us on the Committee on Regional Policy and Regional Planning know is that it is very easy to pay lip-service to the regional policy of the European Community, but as I have already remarked, the yawning, empty benches this evening prove that politically it counts for nothing. Therefore, it is essential that the Barrett report and other such schemes should be supported by our political groups.

It is very easy for the monetarists and free-marketeers to say that we should give no incentives to the regions.

**Christopher Beazley**

Every man for himself and the devil take the hindmost! That is very easy if you live three miles from Paris or Dublin. If you live in Truro, Limerick or the Mezzogiorno you have an inbuilt disadvantage. Therefore my group — the European Democratic Group — will wholeheartedly support Mr Barrett's attempt, small, as we all acknowledge it must be, to offset that huge disadvantage which geographical distance from the national centres imposes.

However, as a European Community, indeed, as the democratic representatives of that Community, we are not concerned — I would put it to those of us who are still here — with the historical accidents whereby London, a Mercian town, or Paris, a northern Frankish town, or indeed Rome became national capitals. What we are concerned with is representing the European citizens. We are concerned with representing those who have inbuilt disadvantages. Therefore, of course, we support Mr Barrett's proposal and we are disappointed that even if it is accepted by our national governments, it will not go far enough.

Nevertheless, let us not be too idealistic. Let us go step by step. We are not revolutionaries on this side of the House. We acknowledge that we must of course follow Mr Barrett's lead. (Thank you, Mr Prout, for your support.) Of course we support Mr Barrett's very pragmatic approach. Let us go for what can be realized. Let us go for tax concessions for the disadvantaged regions. Let us acknowledge — and this is the important point of the Barrett report — that those of us who are geographically disadvantaged need support not only in the form of tax incentives but also through the transport infrastructure. We need a genuinely free market in terms of air traffic, ferries — indeed any form of communication which may help those of our citizens who are disadvantaged through their geographical position.

Therefore, in conclusion, as a representative of Cornwall and Plymouth, I join with my Irish, Southern Italian and Greek colleagues in urging this House, at least those of its Members who have been so gracious as to stay to this late hour, to support the Barrett report, indeed to go further. We need the Barrett report, but we also need to convince our national governments that patriotism is not enough. We must take a European dimension and stop paying lip-service to regional policy. We must tell our constituents that 1% or 2% or whatever it is of VAT is damn all. We must put our cheque books behind our sentiments.

**Mr Ulburghs (NI).** — (NL) Mr President, I have the impression that I am speaking here this evening or rather tonight before a political battlefield, a political battlefield of high-sounding ideas and initiatives for regional development in Europe. In my opinion, Mr Barrett has paid insufficient attention to the growing disparities in Europe, disparities between rich and poor that are growing as a result of the crisis, but also

disparities between the more and less developed regions. The regional development strategy I find naïve. People think that it is enough to create infrastructures and build new bridges — we have a lot of useless bridges — and industrialization and development will automatically follow, but they are wrong. People think that worthless regulations, job creation schemes and other temporary jobs — these are all Belgian concepts — will be able to promote employment. People think, like Mr Barrett, that tax concessions and lower social security contributions will automatically promote employment. They are wrong!

Regional development must go hand in hand with a new social policy which is based on the redistribution of the work available, is decentralized and encourages the participation of the population. This is also presupposes a certain degree of regional self-sufficiency geared to economic needs. I thus endorse the efforts of the European Fund for Regional Development to find new, small-scale, environmentally safe technologies that preserve the environment and are geared to building society.

To conclude, Mr President, I would like to propose that an analysis be carried out of the priorities of development policy and the results so far achieved.

**Mr Fitzgerald (RDE).** — Mr President, like Mr Ulburghs, I too want to compliment Mr Barrett on an excellent and imaginative report, a report that does take into consideration the poorer regions of this Community, for too long neglected. I admire and welcome the support given by Mr Beazley in this House tonight. The poorer regions of this Community have been neglected for too long, and it is high time that the Community began to take seriously the importance of its regional policy and to develop it into a truly effective and wide-ranging instrument.

That new thinking is needed, is abundantly clear. The differences between the developed regions and the under-developed regions have not been reduced. In fact, I would suggest they have increased. Apart from funding for infrastructural investments, the Community's regional policy should seriously consider the proposals for incentives that Mr Barrett has put forward. Such a proposal could have positive benefits at relatively little cost. For the weakest regions, particularly the peripheral areas, this could transform their industrial and employment prospects. Both the rate of increase and the level of expenditure on regional policy relative to our budgetary expenditure as a whole fall far short of what is needed. To quote Commission Varfis in Parliament last May: 'With expenditure on regional policy standing at 5% of the budget, how can we possibly get to grips with the problem of income disparities? How can we respond even partially to the immense problem of unemployment?'

In the light of Mr Barrett's report, the development of the less-favoured regions can be assisted by adopting a

**Fitzgerald**

new arm of regional policy which, as he suggests, could be based on a regional incentive scheme. If Ireland is to survive in the highly competitive export market, a fundamental consideration is the need to keep costs down. Poor infrastructural facilities are an immediate handicap. While Regional Fund aid has helped to improve communications and road and rail facilities, the work that still needs to be carried out is immense. Every avenue must be explored, particularly in relation to the need to increase investment by manufacturing firms, especially in the backward regions. A reduction in labour costs by easing the employers' taxation liability per employee could generate new opportunities in these regions.

My own city and county of Cork have been devastated by the almost systematic closure of most of their major industries. Indeed, the job crisis in Ireland is getting totally out of hand. At the end of August, a total of 234 981 persons on the register were unemployed. This represents an increase of almost 21 000 over the number one year ago. Many of these jobs were lost in Cork.

At the rate things are going, it will be no time before Ireland's unemployment rate exceeds that of Spain, which has the highest unemployment rate in Western Europe. With tax rates crippling businesses everywhere, with the incentive to work being killed, with the huge number of immigrants seeking work away from home in the hope of finding a just taxation system and a fair reward for their labour, it is time the Community's regional policy ventured into new areas. The regional incentive scheme proposed by my colleague, Mr Barrett, merits a long and serious examination.

**Mr Mattina (S).** — *(IT)* Mr President, I too am impressed by Mr Barrett's report and I feel that we can reach agreement on it if some of the Socialist Group's amendments, which amend and strengthen the text, can be adopted.

I also feel that this is a particularly apt moment to bring the problems of the Community's less-favoured regions to the attention of Parliament, the Community institutions and the national governments. There is a fairly widespread tendency to ascribe the old and the new problems of these regions to the difficulties which are besetting everyone as a result of the period of technological and organizational transition which the western economy is going through. The consequence is another tendency to come up with ideas which provide a universal solution for every area. People do not realize that an employment programme or a structural intervention plan cannot be the same in an area where there is a long history of industrial development and in another where there is none.

In the less-favoured regions of the Community the present stage of the economic history of the Western

world has implications which are at the same time negative and also indicative of positive opportunities. Let me mention one of the negative implications: the gulf, in terms of income and employment, between the less-favoured and the more prosperous regions has widened, and it is a fact that since 1973 development in the less-favoured regions has come to a complete halt, as in the south of Italy, or has slowed right down.

A second problem is that cyclical unemployment has been aggravated by unemployment caused by the restructuring of industry.

Thirdly, the lack of an industrial base is now being felt more than ever before. It is no coincidence that the emergence of smaller businesses is not at all significant in these areas. The lack of flexibility in the labour market, Mr Barrett, stems on the one side from the dearth of job opportunities and on the other from the fact that workers in these areas are poorly skilled.

Fourthly, with the number of jobless increasing recently, there has been a dramatic concentration of the problem in the less-favoured regions, because of the higher birthrate there and also because emigration is no longer a way of reducing the pressure.

Along with the negative implications of this period of economic change, however, there are also positive opportunities which I should like to mention to you. Basically, they number two. Firstly, the new technologies — especially information technology — can provide a tremendous boost in bringing the less-favoured regions closer both to the richer regions of the Community and to the adjacent areas of underdevelopment. Secondly, there is the fact that most of these less-favoured regions in the Community are on the borderline which divides North and South in the world. This fact can and must be exploited to initiate the process of integration between the advanced and backward economies of our planet. In this context I may refer you to the report by the former German Chancellor, Willi Brandt, which is still relevant today.

Faced with this situation in which the old problems are getting worse but which offers new opportunities for action, each and every one of us must reach agreement on the need to boost the development process in the Community's less-favoured regions. This means doing more, much more, than has been done in the past in these regions. I do not want those of you who come from the old centres of industrialization in Europe — from the industrialized north of Europe which is now paying the price in social terms for reconversion and restructuring — to think of our pleas as a distortion of the facts. We have to do something, in the south as well as in the north of Europe, to combat unemployment.

In the areas which have always been less favoured we need to do more than in the past and to spend more money, because the situation is more complicated

**Mattina**

there. We have had a hint of this in the speeches we have heard this evening. The innovations in the form of the integrated programmes for the Mediterranean are significant in this context. Significant, too, is the review of the regulations of the Regional Development Fund, with its current strict limits on financing. There is one thing which worries me here, which is that the resources of the fund might be cut even further in the budget which we are going to be discussing here in a few days. We should tell the Commission and the Council here and now that they would be making a serious mistake if they adopted this line. We need to follow the line indicated by Mr Barrett: a tax incentive scheme, with the right adjustments, can and must be introduced to attract investment to areas where the economic circumstances at present discourage such investment.

This has been done with some success in Europe: in Belgium, Ireland and the United Kingdom. In the case of the United Kingdom, however, let me point out that the idea did not come from Mrs Thatcher but from the Fabian Society — and I think they are above suspicion. Schemes of this type have also been tried in the United States and in a number of Third World countries, and it would be useful to take a careful and unbiased look at all these schemes. There have been others, too, in other European countries. In talking of tax relief, we should think of proper fiscal incentives but also of parafiscal incentives. I am referring to social contributions and particularly to what has been done in Italy in this area. We also have to think about customs and excise incentives, because I believe that these could also play a part in a general plan to give a boost to the development process in the less-favoured regions.

In the final analysis, what we need to do is to reduce some of the administration cost which have continued to grow in the Community. Of course, precise selection criteria must govern the adoption of any tax relief measures. Mr Eyraud has already said something about this, and there are one or two points I want to take up. Firstly, the geographic areas to be helped must be selected on the basis of the synthetic index. Secondly, there must be strict deadlines for the reversion to a normal situation. Thirdly, workers' organizations in these regions must be given specific powers so that they can check the companies getting aid and prevent speculation. Fourthly, there needs to be close linkage between tax relief and employment levels so that certain circumstances are not exploited to bring investment providing very few jobs to these poor regions.

Some people will object that in the present state of public finances there is no leeway to reduce tax revenue. They should think again. Underdevelopment and unemployment are an economic burden which costs a tremendous amount. The proposals we have here may be a way of spending public money wisely.

*(Applause)*

**Mr Ciancaglini (PPE).** — *(IT)* Mr President, ladies and gentlemen, in spite of the efforts of various Community policies to encourage regional development, there is one unfortunate fact that remains true: the rich regions have become richer and the poor regions have stayed poor. Mr Barrett's report therefore comes at a very apt moment, and while it gets our general approval there are one or two points I want to raise.

It is true that the Community's regional policy has put a lot of resources into improving basic infrastructures and establishing productive economic activities. However, there are still tremendous structural problems and problems of infrastructure, and the lack of a real overall strategy and of productive investment has meant that we have not been able to achieve the desired effect, which was to produce a sharp rise in the economic growth of these regions.

As for the situation in Italy — which I can speak about from personal experience — the Community's regional policy has not had any significant impact in the poorest regions such as Abruzzo, Basilicata, Calabria, Campania, Molise, Apulia, Sardinia, Sicily and Lazio. In these regions youth unemployment and long-term unemployment have reached warning levels. There is hardly a family without a young person looking for a first job, and these young people are swelling the already deep ranks of the chronically unemployed.

If we want to create the conditions for the organized and successful development of jobs in these regions, we need actions designed primarily to set in place the kind of infrastructure which is necessary to meet the requirements of economic growth, such as railways, airports and main highways. Equally necessary is a plan to combat the pollution in the Mediterranean, especially the geographic and environmental problems in the Adriatic.

Special attention needs to be given to interregional infrastructure, for example the national railways and the secondary lines linking the cities of Rome and Naples with other parts of the south of Italy. People who know the situation in the centre and south of Italy are well aware of the desperate need to modernize railway lines such as Rome-Avezzano-Pescara, Rome-Campobasso-Teroli, Rome-Bari, Naples-Taranto, Reggio Calabria-Taranto, and so on. The dilapidated inadequacy of these lines is a serious obstacle to any attempt to revive the economy. Airport infrastructure and aviation safety are other areas which need to be improved. Pescara airport, for example, should be upgraded with modern equipment to improve domestic traffic and to help the development of tourism in the area. Another series of schemes which is necessary for the south of Italy would include plans to restore old city centres and areas of archaeological interest, as this too would have a definite impact on tourism. There is also an urgent economic and environmental need for municipal plants for the treatment and processing of solid wastes. One infrastructure project of

**Ciancaglini**

prime importance for the Mezzogiorno and for Italy and for the whole of Europe is the construction of a bridge over the Straits of Messina. This has to be part of an integrated plan for the development of European transport.

The Community's regional development policy has not so far been able to match these aims and requirements. On the one hand, we need to provide the Community's instruments of structural policy with more funds, especially the ERDF from 1986 onwards. On the other hand, we need to stimulate public and private financing for the investments in question. In this context, it would be useful if the Community authorities were to launch an ECU bond to finance productive investment for the purpose of creating new jobs in the less-favoured regions. Special support needs to be given to small and medium-sized enterprises and to cooperatives on account of their flexibility and speedier response to the requirements of technological innovation.

In line with the trend in a number of countries such as Italy, Norway and Sweden we hope that the tax relief schemes which are a sound incentive to companies will be used more widely at the European level. But there is one condition: these incentive schemes must lead to a genuine improvement in the job situation.

I cannot, however, agree with the statement in the Barrett report to the effect that the problems of regional development would be solved if there were a reduction in unit labour cost. A step of this kind would be quite ineffective if it were divorced from a wider approach aimed at eliminating more entrenched problems such as the cost of money and the gradual ossification of the structures of production. The fact is that the crazy wage enclosures of the past, which led to different salary levels in the various regions, made no contribution at all to the development of those regions. We are, on the other hand, in favour of a positive labour policy and greater flexibility in the labour market, if these can be brought about through joint negotiation.

As far as reviving Europe's regional development policy is concerned, we reiterate the need to set up the Community's peripheral areas — the southern regions of Italy, France and Greece — offices of the EEC and the European Investment Bank to ensure an adequate level of assistance to local economic agents.

**Mr Maher (L).** — Mr President, I think that Mr Barrett's proposals are along the right lines and I congratulate him on his report. But I would make a few suggestions to him. I would like to see an analysis made of the reasons why employment is so low in some of these peripheral regions and why there is so much underdevelopment. I would suggest that it is not always because of a lack of opportunities or a lack of ideas for projects. Very often it is because the climate

is hostile to development and employment because of measures very often operated by national governments.

The taxation system is one that has been mentioned. But there is also the heavy burden that is imposed upon someone when he or she becomes an employer. He or she has to take responsibility for his employees' welfare, health, insurance and income tax. The question whether he can dismiss an employee or not is very problematical. It is very difficult now in many countries to get rid of an employee no matter how unsatisfactory he or she may be. And so on.

For that reason a lot of people do not want to become employers any more. I have approached many who had the possibility of employing extra people, particularly in these regions. They say that the last thing they want is to have anybody else working for them. It is too much trouble. Now, while that climate exists, Mr Barrett, I suggest to you that it is very difficult, even with incentives, to improve the situation. So I suggest that this question might be looked at as to how, in fact, the climate could be made more benign. Perhaps these employees, if they take on a job, should be made responsible for their own income tax and their own health situation and so on and onus should not be put on the employer just because he happens to give someone a job.

Could I also suggest to Mr Barrett that perhaps the question of the concentration of Regional Fund monies might be looked at again. I think the watering-can effect is still occurring in many countries. Too few resources are spread over too wide an area because the regions are far too big when you take account of the limited resources that are available. They should be far more concentrated. I cite as an illustration my own country, where the whole country counts as a single region. I do not think that is justified. I cannot see any justification for the expenditure of regional money in Ireland along the east coast, which is highly developed, leaving the west and the south-west and other regions with insufficient resources.

My last point is that I think we should also look at the operation of the European Investment Bank. While it is doing good work, it is still interested only in large-scale projects. It does not interest itself in very small developments. Very small developments are the best hope for the advancement of these regions.

**Mr McCartin (PPE).** — Mr President, I too would like to thank Mr Barrett for his efforts in preparing this report. I think it is generally along the right lines though I might have some reservations about the detail.

Indeed, the report points out first in, I think, the opening paragraph that the Regional Fund has not succeeded in reducing the divergence between the



## McCartin

richer and poorer areas. Of course it hasn't. Even if we did not have a common agricultural policy to finance, if we did not have a Social Fund to finance and if we put all our resources into the Regional Fund — the full 1.4% — we still would not have enough to halt that widening of the gap. Indeed, we should probably have to go as far as 4% of 5% of GNP in the Community to provide the sort of fund that would be necessary in the short term to create any sort of levelling out between the regions.

When I heard Mr Beazley speak — he spoke so enthusiastically and very eloquently — I thought, when he has sat here as many Thursday nights as we have sat and heard this old song, this old refrain about quantitative and qualitative improvements and all the rest of it repeated as often as we have heard it repeated, he will find it begins to wear a bit thin. We ask ourselves whether there is really any point in doing this. But I suppose, like Mr Barrett and the committee, that we have to go on hoping, searching for new ideas. There are no simple solutions: that is one thing that is definite.

The second point I want to make is that the whole idea of some sort of tax-based incentive for employment is alright, but the idea — and Mr Barrett himself said this — is that it must be new employment and not replacement. I think we are getting onto very dangerous ground, and we have to be terribly careful. Incentives for less-developed areas to make good the disadvantages that are being suffered for one reason or another, certainly, but we have to be extremely careful that we do not distort competition within the region itself. I think that by the application of that sort of condition, new or not, we must fully apply whatever incentives we do apply to all people manufacturing in a particular sector or to all industries and businesses in a particular region. Otherwise the room for abuse and for distortion of competition by the person who creates a new job today, to produce precisely the same article that somebody who started up yesterday is producing, would be considerable and we have to be much more careful about this.

Going back to the question of finance, we are not going to get finance *ad lib* to solve the problem. But there are other things we could ask ourselves. What are governments doing that in itself distorts competition? And we must realize — our colleague, Mr Maher, mentioned this — that all the social legislation that we have had, all the demands that are being made, may sometimes, despite the best intentions by the environmentalists, create a situation in which the disadvantages areas are expected to proceed with their development when they are subject to rules, handicaps and restrictions imposed by central government that were not there when the richer areas developed their infrastructure and provided their industries. Every time I hear of the harmonization of legislation I think of this — imposing the standards that you can afford in the richer cities and richer parts of the Community on the

poorer areas where those standards cannot afford to be applied.

We have to go back and ask governments what they are doing to prevent the development of the regions. For instance, there is our whole policy of the price of cars and the cost of petrol. That obviously militates and discriminates severely against the people who live in the West of Ireland and who must travel and bring their goods in and out. It discriminates very severely against them, whereas if you live in suburbia you can, if it really comes to it, live without a car.

Then we have our civil servants and our public service all in the City of Dublin — 320 000 of them, now almost three times the number of farmers in the country. Those people are there because they were put there by government policies. They have been given so many guarantees by government legislation that you dare not move them or ask them to move because they want to have the best of all worlds. They have so many safeguards given to them through social legislation in one way and another that they cannot be moved.

These are the areas where we must try and find solutions that do not require the actual application of funds, because I think we must all admit that we are not going to get these things. Having said that, we support the Committee on Regional Policy and Regional Planning in their efforts to find new solutions. Of course, by the application of the cost of unemployment to the provision of a job, it is a good bargain if it can be worked out. At the same time we have to be extremely careful that we do not create a situation where we put one person in the same sector into an advantageous position as against somebody else who is just as entitled to it.

**Lord Cockfield, Vice-President of the Commission.** — Mr President, the report by the Committee on Regional Policy and Regional Planning proposes that the Commission should be asked to prepare an initial study on the possible introduction of employment-related tax-incentive schemes in the Community's poorest regions and to report within a year. The Commission recognizes, as does the committee, that ERDF resources available are limited. This being so, it is highly desirable that steps should be taken, wherever feasible, to strengthen the economies of the Community's weakest regions in order to create new and lasting employment opportunities. This is particularly true in rural areas. Priority needs to be given to industries and sectors which enable the natural resources and potential of particular regions to be developed to the maximum.

The Committee's suggestion of tax incentives is an interesting one, but it is only fair to point out, as the Committee itself recognizes, that such schemes have been abandoned in some countries which at one time adopted them. Nevertheless, the Commission is willing

**Cockfield**

to carry out a further study of the problem, though it will be difficult for us to report back within a year.

Finally, I should emphasize that it is by no means certain that the Commission will be able to propose new and additional measures in addition to those presently provided for under the present ERDF. In particular, we shall need to make sure that what limited resources are available are used to the best advantage. But it is

important not to prejudge the outcome of the study. So let us first see what the study will in fact reveal. That is what we propose.

**President.** — The debate is closed. The vote will be taken at the next voting-time.

*(The sitting closed at 11.45 p.m.)*<sup>1</sup>

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<sup>1</sup> For the next sitting's agenda, see Minutes.

SITTING OF FRIDAY, 13 SEPTEMBER 1985

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IN THE CHAIR : MRS PERY

Vice-President

Motion for a resolution by Mr Adamou, on behalf of the Communist and Allies Group, on developments in the Turkish-occupied section of Northern Cyprus (Doc. B 2-800/85):

(The sitting opened at 9 a.m.)<sup>1</sup>

Explanations of vote

1. Votes

Motions for resolutions on the Community initiative within the framework of the United Nations:

- by Mr de la Malène and others (Doc. B 2-804/85): adopted;
- by Mrs Focke and others (Doc. 2-811/85): adopted.

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Mr Kolokotronis (S). — (GR) Briefly, I would like to explain my vote on this motion for a resolution. The latest false elections held by Denktash on 23 June 1985 in the Turkish-occupied zones of Cyprus confirmed Ankara's determination to continue its policy of *faits accomplis*. They also confirmed the Turkish Government's intention to torpedo the initiative by the General Secretary of the United Nations in order to maintain the current *de facto* partition of Cyprus. There is only one aim: to further Ankara's expansionist plans.

This summer, 11 years have passed since the Republic of Cyprus was attacked by Turkish troops. For 11 whole years, 37% of the territory of Cyprus has been occupied by foreign troops, and day in, day out, 200 000 Cypriots experience the plight of the refugee. The international community has restricted itself to general declarations of disapproval of this unaccepta-

<sup>1</sup> For items relating to approval of the Minutes, texts of agreements forwarded by the Council, reference to committee, petitions and written declarations under Rule 49, see the Minutes of Proceedings of this sitting.

**Kolokotronis**

ble, barbarous state of affairs. It is time for the European Community and the European Parliament to declare more emphatically their solidarity with the Republic of Cyprus so that Turkey is forced to comply with the decisions and resolutions of the United Nations Security Council and General Assembly. It is, I stress, essential that we condemn such illegal practices as the "referendum" and "parliamentary elections" in the Turkish-ruled part of Cyprus.

Consequently, we must call on the Foreign Ministers of the Member States of the EEC to make every effort to remove any obstacles in the path of the General Secretary of the UN in his work to provide a just solution to the problem of Cyprus.

**Mr Taylor (ED), in writing.** — The credibility of the European Parliament would increase if its Members actually had an understanding of the subject upon which they are voting.

How many Members have visited Cyprus or listened to this debate? Very few! Yet many Socialists and Christian Democrats will vote automatically against the Turkish Community simply because of misplaced loyalty to Greek Members in their respective groups.

In January 1985, the Secretary General of the United Nations submitted proposals for a settlement in Cyprus. The Turkish Cypriots accepted these proposals, but President Spiros Kyprianou rejected them on behalf of the Greek Cypriots. Since then, 70% of the Members of the Greek Cypriot National Assembly have condemned Mr Kyprianou and asked him to accept the UN proposals.

This week both Kyprianou and Denktash are in New York to consider amended proposals from the UN. This is a vital moment in the intercommunal negotiations: it could be damaged by public debate, and that is why the Greek sponsor of this motion has raised the subject.

Of course the Turkish Cypriots, like anyone else, have the right to self-determination. The Turkish Republic of Northern Cyprus has a democratic left-right coalition government and a President who, unlike his Greek Cypriot neighbour, enjoys majority electoral support.

But all friends of Cyprus want to see a success to the UN proposals and this motion, and those who support it, can only damage the prospects of agreement to the UN initiative.

Next time, please think before you vote on Cyprus. Otherwise, decisions of this Parliament will understandably continue to be ignored.

*(Parliament adopted the resolution)*

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**Motions for resolutions on action to combat drug abuse:**

— by Mr Pearce and others (Doc. B 2-801/85):

*Explanation of vote*

**Mr Filinis (COM), in writing.** — (GR) The drugs question is one of the most serious problems facing the West today, a problem which has reached epidemic proportions in certain countries. Doctors and sociologists have been sounding the alarm for years, warning of the disastrous consequences. Everyone recognizes the need for radical countermeasures, but there the agreement ends. When discussion turns to the choice of means to achieve this end, cultural and ideological factors immediately begin to creep in, diverting us from a rational examination of the options to take. We believe that a correct response to the problem on a Community level must include, among other elements, the following:

demystification of the drugs issue by the promotion of a correct response using the latest massmedia techniques;

restoration of a system of values in our societies, so that young people can put their humanistic ideals into practice and improve their cultural and political level of awareness;

decriminalization of drug use. Neither prison nor forced detoxification ever saved a single addict;

the supply, free of charge, of drugs to addicts from specialized treatment centres. This is the only way of smashing the drug trade and the only way to put a wide-scale and voluntary detoxification programme into effect;

imposition of stiffer penalties for drug traffickers and producers, as they collaborate between themselves and protect each other.

Finally, as regards cultivation of the plants concerned in Third World countries, any Community measure taken relating to these countries is doomed to failure as long as the huge disparity in North-South standards of living persists, and for as long as these nations suffer under oppressive dictatorships, in the grip of organized crime. The industrialized world must develop the moral courage required for a genuine policy for the redistribution of world wealth if it wishes to put forward claims with any hope of their being accepted. As long as it does not provide an alternative economic solution for these countries and as long as conditions continue, as at present, to deteriorate, no substantial results can be achieved.

*(Parliament adopted the resolution)*

## Filinis

- by Mrs Lemass (Doc. B 2-802/85): adopted;
- by Mrs Dury and others (Doc. B 2-803/85): adopted,
- by Mr Brok and others (Doc. B 2-806/85): adopted
- by Mrs Squarcialupi and others (Doc. B 2-807/85): adopted

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**Report by Mr Starita, on behalf of the Committee on Energy, Research and Technology, on the proposals from the Commission to the Council (Doc. C 2-1/85 — COM(85) 29 final) for**

- I. a regulation on the promotion, by the granting of financial support, of demonstration projects relating to the exploitation of alternative energy sources and to energy saving and the substitution of hydrocarbons; and
- II. a regulation on the promotion, by the granting of financial support, of pilot industrial projects and demonstration projects relating to the liquefaction and gasification of solid fuels:

*Motion for a resolution*

**Mr Patterson (ED).** — Mr President, I am sorry to interrupt you on a point of order, but this may save some time. I ask you to rule out of order Amendments Nos 15 to 52 tabled by Mrs Bloch von Blottnitz with the exception of Amendment No 50.

My reasons are as follows. It is on the grounds of Rule 54 (b) that these amendments are tantamount to a motion for rejection of the text to which they relate. There is a footnote which says that this does not apply to amendments to reject or delete a portion of the text, but this is in order that, when there are several amendments to a text, the motion for deletion comes first because it is the furthest away. In all these cases — Mrs Bloch von Blottnitz's amendments — with the exception of paragraph 11 there are no other amendments at all. Therefore they are tantamount to a rejection of the text.

As I pointed out yesterday, Mrs Bloch von Blottnitz could have had exactly the same effect merely by asking for separate votes on the original text. She has in fact wasted an enormous amount of Parliament's money and time in producing these amendments.

I would submit that, with the exception of Amendment No 50, where there are alternative texts, all these amendments by Mrs Bloch von Blottnitz from Nos 15 to 52 are out of order and I so ask you to rule.

**Mrs Bloch von Blottnitz (ARC).** — (DE) Madam President, this is simply wasting time. We discussed this in detail last night. If, as we discussed with the Presidency, you take a quick vote now, we shall be finished in five minutes.

*(Applause from the left)*

**Mr Adam (S).** — Madam President, there was quite some discussion last night, as Mrs Bloch von Blottnitz says, but it is not altogether clear where she got the advice as to how these amendments should be tabled. I think the sensible thing to do this morning is actually to proceed with all these amendments but to refer the interpretation of Rule 54 to the Committee on the Rules of Procedure and Petitions.

*(Applause from the right)*

**President.** — I think Mr Adam's suggestion is very reasonable and may help us to make quicker progress this morning. I suggest, Mr Patterson, that we take it up.

**Mr Patterson (ED).** — Yes, Madam President, I entirely agree.

**President.** — We will therefore put it to the Committee on the Rules of Procedure and Petitions.

*Paragraph 11: Amendment No 11*

**Mr Starita (PPE), rapporteur.** — (IT) Mr President, I should like to point out that Amendments Nos 11, 12 and 13, albeit with slight differences in wording, were discussed and subsequently adopted by the Committee on Energy, Research and Technology.

The content of these amendments has already been incorporated into paragraph 11 of the motion for a resolution.

I am therefore opposed to these amendments.

**Mr Tomlinson (S).** — On behalf of the Committee on Budgets, I attended the Committee on Energy, Research and Technology for a full day, having made appropriate arrangements with its secretariat that this matter would be taken on their agenda. It is totally untrue to advise this House that these matters were discussed properly in the committee. I sat there from 9 a.m. until 5 p.m. There was no consideration of this. The Energy Committee spent the whole of its time considering the Strategic Defence Initiative. There was no time to discuss this matter. The unanimous opinion of the Committee on Budgets about the gross discourtesy with which the Commission dealt with this matter

**Tomlinson**

was not considered by the Energy Committee in anything like satisfactory detail. I think it is a disservice to this House for the rapporteur to pretend that the point was adequately dealt with in the Energy Committee when the unanimous view of the Committee on Budgets supported by all political parties received no consideration during the nine hours I was in the Energy Committee, despite their invitation to me to attend.

**Mr Starita (PPE), rapporteur.** — (IT) Madam President, the Committee on Energy, Research and Technology — in the absence, unfortunately, of Mr Tomlinson — considered and debated this motion for a resolution at some length. Paragraph 11 was, in fact, amended on the basis of the comments made by the Committee on Budgets. That is why we are opposed to these amendments.

**Mrs Viehoff (S).** — (NL) Both of the gentlemen who have spoken are partly in the right and partly in the wrong. We did not debate this report on the day on which it was on the agenda and we did not discuss in committee the amendments in the form in which we have them before us. We did, however, discuss the essentials of the matter and also the comments made by Mr Tomlinson. I would suggest to the House therefore that we proceed with the vote. However, I should also like the rapporteur in future to . . .

**President.** — I am sorry to have to interrupt you, Mrs Viehoff, but I can only accept points of order.

**Mr Tomlinson (S).** — The point I am making is that as there has been a second explanation from the Committee, I have to put it on the record that that explanation as given is factually incorrect. I am not saying it is a lie, but it does not correspond with what actually happened.

*Explanations of vote*

**Mr Adam (S).** — I shall be voting for this report and the draft regulations with more than usual enthusiasm. I want to draw attention to the fact that the United States have a five-year coal gasification and liquefaction programme which will amount to \$1.2 billion. It is ten times the level envisaged in this report. I hope the Council will take note and move rapidly to approve the proposals.

My second reason for support is that the amendments have been rejected. I hope that Mrs Bloch von Blottnitz will note that because these amendments have been rejected, there will actually be less pollution than there would otherwise have been. The amendments that she tabled were against the coal industry and in

favour of pollution, not against. I am very glad that they were rejected this morning.

*(Applause from the right)*

**Mr Ulburghs (NI).** — (NL) I am afraid that the Starita report on alternative energy will prove to be nothing but a lot of fine words. Therefore I am afraid also that in the underdeveloped region of Limburg the mines will gradually be wiped out and nobody will want to go in for the industrial exploitation of coal wastes but will dump them in areas of natural beauty. I shall vote therefore for the Starita report in the hope that the use of coal can be tied in with ways and means of preserving the environment.

**Mr Alvanos (COM), in writing.** — (GR) Certainly, the programmes for the substitution of hydrocarbons, the exploitation of alternative sources of energy, energy saving and the liquefaction and gasification of solid fuels have gained increased importance today.

However, looking from our perspective of wishing to develop a national energy policy, we have several serious reservations concerning the two proposed regulations by the Commission:

First, the Greek experience so far of such programmes, which also have their financial aspects, is that contributing to these technologies is far from benefitting our country, which is obliged to purchase the advanced technology to the cost of which it has already contributed.

Secondly, no distinction is made between the State and individuals, in accordance with well-known Community principles. This leads to the appearance of private concerns and, in our country, tentative moves towards encouraging them in the production of energy, which we believe, because of its strategic significance, should be nationalized. Just such a case is represented by wind-generators, in which the Public Electricity Authority and the National Air Industry are also involved, in this kind of Community programme. In connection with this, the Greek Parliament passed legislation authorizing the production of energy by private enterprise, within the framework of Community liberalization policy.

Thirdly, energy sectors of particular interest to Greece are coal, peat, geothermal energy and so on, which do not receive sufficient backing in the Community programme, because this is shaped in accordance with Community concerns and does not take account of specifically Greek interests.

Because of these reservations, based on the practical effects of the proposal, the Members representing the Communist Party of Greece will not be voting in its favour.

**Mr Guermeur (RDE), in writing.** — (FR) I congratulate the rapporteur for the practical comments he has submitted to us.

Like him, I welcome the proposal to reintroduce financial aid designed either to develop or to demonstrate the usefulness and effectiveness of alternative sources of energy.

I should like to stress the hope which the production of substitute fuels, particularly ethanol, from biomass has generated.

This, Mr President, is a viable solution to the problem of supplying part of Europe's energy needs without an outflow of funds. It is also a solution which takes account of the need for environmental protection.

In particular, by encouraging the use of ethanol in the Community it offers a new opportunity for our crisis — ridden agricultural sector.

Today everyone is looking for a European agricultural policy capable of maintaining employment in rural areas and which:

- can maintain and increase farmers' standard of living,
- is not liable to suffer the effects of the collapse of population growth and therefore consumption, in Europe,
- is not threatened by the drop in exports caused by the insolvency of a growing number of countries and the aggressive policy of the United States on foreign markets.

To be successful, the new common agricultural policy must include intensive production of biomass as a source of combustible energy in line with the needs of the modern world.

I shall therefore vote for the report which has been presented to us.

**Mr Romualdi (DR), in writing.** — (IT) I have no hesitation in declaring my support for the Starita report. The Community is heavily dependent on oil imports and is therefore highly vulnerable to the risks that this brings in its train as regards prices and security of supply. For this reason it is trying to lessen its dependence on oil in various ways, for example, by replacing fuels with alternative energy sources and by devising energy-saving measures.

In order to save energy and to diversify sources of energy supply, it is essential that new technologies be developed. At the present time European industry is committed to a programme of technological modernization (control techniques, new materials, micro-electronics)

which will entail sizeable costs. It is very likely, therefore, that in the long term it will tend to favour those investments that involve a lesser degree of risk and begin to yield proven results in the short term.

The energy sector is one in which the ground has to be carefully prepared. However, if work does not begin straight away on the new technologies needed to underpin a European energy policy, then the entire energy sector may have to pay a very heavy price.

The Community therefore must — and this is the whole thrust of the Starita report — help the Member States if it wishes to forestall the new energy problems that may arise around the turn of the century and to buttress the credibility of the energy policy of the Twelve. From 1978 onwards, the Commission has been carrying out a demonstration programme in the energy sector aimed at developing the use of alternative sources of energy, reducing dependence on oil and saving energy. We are convinced that the proposal to promote demonstration projects through the granting of financial aid can bring about a substantial improvement in our energy policy and can, moreover, act as a lever to mobilize the innovative potential of industry, the small and medium-sized undertakings and the self-employed craftsman.

As regards support for industrial pilot projects and demonstration projects in the sector of the liquefaction and gasification of solid fuels, we share the committee's views, particularly on increasing the number of projects, disseminating a knowledge of their results and throwing them open for competition throughout the entire Community, as well as on the desirability of extending the programme over a period of five years. The success of the energy policy depends on the degree of success achieved in bringing about the internal market and coordinating Community and national programmes.

Fuel-reprocessing constitutes an alternative energy source which will enable the Community to cut back its dependence on hydrocarbons and to improve environmental conditions.

This is one further reason why we intend to vote for the report.

**Mr Wurtz (COM), in writing.** — (FR) The French Communists and their Allies will vote for Mr Starita's motion for a resolution and welcome the support it offers for projects which will help to guarantee energy supplies and which are designed to make better use of our own resources, particularly of coal.

Nonetheless, we are obliged to stress the blatant contradiction of attempting at the same time to reduce by half the productive capacity of the European coal industry. I am alluding to the new aid scheme for coal industries which the Commission is scheduled to dis-

**Wurtz**

cuss on 18 September. Under this scheme it would no longer be necessary to ensure coal supplies. It would, in fact, make it necessary to increase imports and to close mines in Europe. This is unacceptable. Europe needs both to produce coal and to develop its use.

(Parliament adopted the resolution)<sup>1</sup>

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**Report by Mr Barrett, on behalf of the Committee on Regional Policy and Regional Planning, on a regional incentive scheme for the development of less-favoured regions of the European Community (Doc. A 2-79/85):**

*Explanations of vote*

**Mr Adam (S).** — I am going to vote for the report, although I do not accept all the items contained in it. However, I particularly welcome the wider analysis of disadvantaged regions that Mr Barrett has drawn attention to, not least because my own area of Northumberland and Tyne and Wear is mentioned by him as being in that category.

I hope that when the Commission carries out its study, it will examine the inconsistencies between the Community's approach to regional matters and national regional policies. Very often the two are at variance. Large areas of Northumberland are not included in the assisted areas in the United Kingdom, and it makes nonsense of our approach to this problem if the national policies do not coincide with Community objectives. I hope that this matter will be fully examined in the Commission's report.

I would also urge that the Commission look at national comparisons between regions as well as comparisons on a Community basis. I am quite sure that a lot of the social problems that we have in disadvantaged areas are because of national differentials and not Community differentials.

**Mr Filinis (COM), in writing.** — (GR) We are voting in favour of this report because we consider it to be of interest, and we believe that it would be of practical use to have an analytical study by the appropriate Commission authorities. The fact that the ERDF has not eliminated regional imbalances and that national policies have not achieved anything worthwhile either comes as an unpleasant realization, spurring us to examine further ways of strengthening development in the less-favoured regions of Europe. Consequently, every available possibility of moving in this direction

must be carefully explored, and every relevant proposal must receive proper consideration. In this connection, we await a detailed evaluation from the Commission of the various incentive programmes operating in Europe, and an appreciation not only of the costs of such measures but also of the estimated degree of efficiency, in both the short and long term. We hope that the report presented to us by the Commission will lay the basis for wider reflection concerning the whole problem of regional imbalances, and the means with which we may begin to overcome them.

As regards the purely technical aspects of the proposed measures, as these are analysed in the explanatory report, we reserve judgment on the Commission report.

(Parliament adopted the resolution)<sup>1</sup>

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## 2. Fisheries

**President.** — The next item is the report by Dame Shelagh Roberts, on behalf of the Committee on External Economic Relations (Doc. A 2-88/85), on

the proposal from the Commission to the Council (Doc. C 2-54/85 — COM(84) 569 final) for a regulation concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Spain on the granting of specific financial aid to facilitate and accelerate the adjustment of fishing capacity in Spain.

**Dame Shelagh Roberts (ED), rapporteur.** — Madam President, this report deals with a proposal for the granting of specific financial aid to facilitate and accelerate the adjustment of the Spanish fishing capacity. On Tuesday of this week, Parliament decided to grant urgent procedure for the proposal, and the Committee on External Economic Relations met later that day to consider it.

When considering this proposal, we also had an opinion from the Committee on Agriculture, Fisheries and Food, which we took into account, and we were advised that the budgetary position is that this proposal would entail a commitment appropriation in the 1985 budget of 28.5 million ECUs. We were advised also that there is specific provision in the 1985 budget for that sum.

The Committee, when considering this proposal, decided that there was advantage — indeed, that it

<sup>1</sup> The rapporteur spoke against *all* the amendments.

<sup>1</sup> The rapporteur spoke *in favour* of Amendments Nos 1 to 4 and 8, and *against* Amendments Nos 5 to 7.



**Shelagh Roberts**

was necessary that there should be some economic restructuring in Spain, particularly in the fishery sector. We decided also that it was right for the Community to make a positive contribution in this respect, and for these reasons we decided to recommend to the House that the proposals be approved. In doing so, we decided also to incorporate the advice of the Committee on Agriculture, Fisheries and Food, and that is contained in paragraphs 2 to 6 of my report. In essence, the advice from the Committee on Agriculture, Fisheries and Food was, firstly, that the reduction should not be achieved solely by the destruction of fishing-vessels, and the Committee suggests some alternatives. They also propose that there should be certain social measures for Spanish fishermen, and they ask the Commission also to remind Spanish fishermen that after 1 January of next year the common fishery rules will apply to them.

I am therefore going to recommend that the House approves the proposal, Madam President, but I would like the permission of the House to make a minor amendment to paragraph 2 of the report. It does not affect the sense of the report. It is a drafting amendment which I think would make the report read better. The proposal which I should like the House to agree to is that the first four words of paragraph 2 '...approves the spirit of...' be deleted and the words '...in approving...' be substituted for those four words and that the word 'but' in the second line before the word 'requests' should be deleted. The paragraph would then read:

In approving the Commission's proposal to reduce the capacity of the Spanish fishing fleet by 100.000 grt (gross registered tonnes) requests that the reduction not be made simply by destroying fishing-vessels.

I move adoption of the report and the proposal.

*(Parliament agreed to the change proposed by the rapporteur)*

IN THE CHAIR: MR ALBER

*Vice-President*

**Mrs Péry (S).** — (FR) Mr President, I should like to begin by thanking Dame Shelagh Roberts for drawing up this report rapidly, thereby enabling us to have this short debate this morning. I totally support the amendment she proposed which, although it is a formal amendment, would improve the wording of the report.

I should, however, like to speak for a few minutes as this is a matter which could improve the conditions for

the accession of Spain where the fisheries sector is concerned.

On Tuesday Parliament ratified by a large majority the accession treaties with Spain and Portugal. I myself stressed the fact that the decisions taken were balanced in that they respected the basic interests both of the Member States and those of the candidate countries. However, we are all aware that there are still a certain number of sensitive areas, of which fishing is one. The proposals on which we are about to vote would give Spain 28 million ECU in financial aid to facilitate and speed up the restructuring of its fishing-fleet.

I already had occasion on 15 December 1983 to present to Parliament a report on Spanish fishing and Spain's entry into the Community. Without going into the details again, I should like to summarize in a single phrase the difficulties in this area: too many Spanish ships and not enough Community fish. This short phrase should not make us lose sight of the fact that over and above the economic problems of profitability there are also distressing social problems. Too many ships also means too many crews in maritime regions where unemployment is already well above average.

That is why in the first general report I proposed that the Community should share, by means of pre-accession aid, in the effort to reduce the Spanish fleet and to help the regions affected to readjust. This reduction primarily concerns Spanish ships which fish or are liable to fish in Community waters. The EEC would grant 650 ECU for each gross registered tonne sold or broken up, i.e., about 50%. The oldest ships could be broken up, the others sold abroad, particularly to Africa or Latin America, where there is a need. The EEC could also set up mixed undertakings with third countries in which the Community would supply the ships in return for fishing-rights.

I also feel that as part of our technical and financial aid to developing countries the Community could consider giving ships to certain countries for whom fishing could provide an important source of proteins.

Mr President, this specific financial aid which I have just described should also go hand in hand — and I stress this point again — with a social scheme which could be supported from the existing Community funds, principally the Social Fund and the Regional Development Fund, as soon as accession has taken place. The EEC fisheries budget is small and limited. Nonetheless the aid being proposed today makes perfect sense. Spain, for its part, should show equal willingness to respect the agreements which have been passed and succeed under optimal conditions and as soon as possible in integrating itself in the common fisheries policy.

*(Applause)*

**Mr Battersby (ED).** — Mr President, I too would like to congratulate Dame Shelagh on a most professional and most timely report.

We all welcome the entry of Spain into the Community and we all recognize the importance of fisheries to the Spanish economy, especially in the Basque region, in Cantabria and in Galicia. Of course, we have to recognize that Spain has a very large fishing-fleet, she has more distant-water boats than the whole of the Community put together and that fleet is over-capacitated in relation to the catch possibilities available in our waters. We also have to recognize that the fleet must be reduced in its size, i.e., numbers of boats, tonnage and total installed horsepower. The sum of 28.5 million ECU to help Spain achieve a total reduction of 100 000 tonnes is, I consider, a generous contribution by the Community to this end.

However, Mr President, it is not just a matter of tonnage. In fishing, installed horsepower is a major factor in catching-capacity, and I do call on the Commission, when it considers applications, to consider the age of the vessel, the tonnage and the installed horsepower.

I, too, approve and support wholeheartedly the amendment by Dame Shelagh. However, there is one fault I have detected in the proposal for a regulation, and I would like to draw the Commission's attention to it. In Article 8, the Commission says that 'the granting of aids *may* be reviewed by the joint committee'. This must be *will be* in every single case. We do not want boats which are used solely for in-shore purposes to be scrapped and no others. The minimum figure of 20 gross registered tonnes is far too low: it should be 50 GRT, because it is the 50-150-tonne fleet which has to be reduced. That is the one which fishes in our waters.

I must insist that the Commission bears this in mind when it decides on the parameters, and also that it reports to the Parliament at regular intervals during the process in order to ensure that we in this Parliament can exercise some control over the effective expenditure of Community taxpayers' money.

*(Applause)*

**Mrs Ewing (RDE).** — Mr President, I would like to thank Dame Shelagh for her report and to welcome the general trend, which is to encourage this enormous fleet with its enormous problems to sail south, to sail far away and, on the whole, not to sail into the waters of the Community, which are already over-stretched and whose stocks we are all interested in conserving. For many years in this Parliament I have suggested that the solution for the Spanish fleet was to encourage the development of fisheries off the African coast for the mutual benefit of Spain and those countries, many of which have no natural skills or tradition of fishing. I think it is good to see that this idea, which

I think was originally floated by Commissioner Cheysson, as he then was, is coming up in report after report. So I welcome the tenor of the report in that respect.

I am happy to have followed Mr Battersby because he emphasized the point that I must again stress. We are not out in any way to interfere with the small man who fishes around Spain. We know that Spain is the biggest fish consumer in Europe, and that, perhaps, is one of the very consoling factors about the whole situation when we face the Armada coming to our shores. We do not want to stop the small man who is a social element in all the social concerns of regional areas of Spain. I think it must be said, though, that unless the aid is used for the middle-distance boat, which is the boat which comes to our waters, then the aid will not really accomplish the purpose for which it was intended. There must be monitoring by the Commission, as Mr Battersby said. I do not think I need to emphasize that point. It was well made. Mr Battersby went into the details of tonnage. It is the 50-150 tonne boats that concern us.

But it has to be said, as I have said already this week, and I put it on record again, that the behaviour of the Spanish fleet has been very, very bad. It disregards enormous fines to the extent that Ireland alone — the Irish Navy — fined Spanish boats half-a-million pounds last year. This does not deter the boats that offend from coming back time after time. One can conclude, therefore, that the fines are spread among the fleet in some way or subsidized by the Spanish Government. It is almost a blatant disregard of the rules which, on the whole, the Community is trying to enforce among its members. It does not augur well if that is the way the Spanish fleet behaves. There have been 3 000 incidents, as I understand from our French Members, involving France, and they have even come up to the North Sea and have been fined as recently as July in Campbeltown and Stornaway, where from time to time Commissioners stand up and say they do not go. Well, they must go, because there they are in our courts.

I put this on record again because the Commission must face it. Whatever aid we give must deal with that particular class of boat. We already know there are not enough inspectors. How are we to enforce the rules we have made unless we know that there is a substantial reduction?

Lastly, on the question of the size of the fleet, let us bear in mind that there is a back door in the flags-of-convenience registration that is taking place in the UK — 48 boats, of which only 2 really fish in UK waters. So I think we really have to ask the Commission to be on its guard in all these matters.

**Mrs Jepsen (ED).** — *(DA)* Mr President, it is natural that in the months which remain before the accession

**Jepsen**

of Spain and Portugal to the European Community our satisfaction at the positive effects of the accession of these two new Member States should be accompanied by a certain degree of concern at how to solve the problems which this enlargement inevitably entails.

Everyone probably realizes that the Spanish fishing-fleet will have to be adapted to the needs of the fisheries sector without, of course, losing sight of the major importance of this industry for Spain. In Denmark, we come every day face to face with the problems that the small quotas are causing for fishermen, and we foresee that after 1 January 1986 there will be further serious problems since the available resources will have to be divided amongst a greater number of fishermen. We therefore believe that we should begin by proposing 28.5 million ECU in financial aid to alleviate and facilitate the necessary adjustment in capacity of the Spanish fishing-fleet.

We believe that this restructuring prior to accession should be the first step in the Community's intervention in the Spanish fishing sector, and we draw attention to the Committee on Agriculture's comments on the last page of the report, which we believe contain several important recommendations. As Dame Shelagh Roberts pointed out, they are incorporated in the paragraphs, and it is, moreover, a very reasonable report and one which we can recommend in its entirety.

We stress the need for effective control to ensure that the Community's funds are used to the best possible effect, and we wish to make it abundantly clear that we expect this contribution to lead to a permanent reduction in the capacity of the Spanish fleet in such a way that the problems connected with the enlargement of the Community are reduced and not simply shelved.

**Mr Pfeiffer, Member of the Commission.** — (DE) Mr President, ladies and gentlemen, the Commission welcomes Parliament's opinion and in particular thanks Dame Shelagh Roberts for her report, since the committee of which she is chairman had to present its opinion very rapidly. The Commission also thanks Mrs Péry for the excellent opinion which she has presented on behalf of the Committee on Agriculture, Fisheries and Food. The Commission agrees fully with the conclusions and will do everything it can to ensure that the regulation is put into force as soon as possible.

I am standing in this morning for my colleague, Mr Andriessen, and I would ask the indulgence, particularly of those of you who took part in the debate, for the fact that I am not in a position to reply to all the points raised. I can, however, give you an assurance that I have carefully noted all your comments and suggestions. I shall bring them to the notice of my colleague Mr Andriessen and to the Commission, where they will receive attention.

**President.** — The debate is closed.

(Parliament adopted the resolution)

### 3. Norway pout

**President.** — The next item is the oral question, without debate, by Mr Battersby to the Commission on by-catches- Norway pout (Doc. B 2-816/85).

Since you are all familiar with this fish, there is no need for the Chair to explain what kind of fish it is.

**Mr Battersby (ED).** — Mr President, the aim of my question is to ensure that the Commission protects our white-fish stocks in the North Sea and does not use them as a political trade-off. The 1984-85 temporary 18% derogation over the 10% limit laid down previously in 1981 was a trade-off for agreement on the herring by-catch further down the North Sea.

This derogation has been proved completely unnecessary. The landing records show that the 10% limit was observed by the majority of fishermen during the 18% derogation period, because these fishermen, who are responsible fishermen, know that their long-term interests are best protected by the 10% limit, which, of course, has been proved correct over many years. A new 18% derogation would, however, encourage irresponsible fishermen to overfish to a dangerous degree the Norway Pout and the white-fish stocks in our water. By white fish I mean cod, haddock and whiting.

The extra 8% over the 10% means 20 000 tonnes or something like 25 to 30 million ECU in good whole white fish. By encouraging overfishing in the Norway Pout box, this could mean the destruction of the livelihood of many Scottish fishermen. I therefore call on the Commission to behave responsibly and to ensure that the by-catch level in the North Sea is kept to the 10%.

The catches at the moment of immature white fish, due to the use of too small a mesh size and to the industrial fishery, is already having a serious effect on stocks. We shall be faced with a very serious problem in the North Sea fishery if the Commission does not behave in a responsible manner over this 10% derogation maximum.

IN THE CHAIR: MR GRIFFITHS

*Vice-President*

**Mr Pfeiffer, Member of the Commission.** — (DE) Mr President, the Commission has already

**Pfeiffer**

adopted a proposal for a Council regulation granting a second temporary derogation from Regulation 171/83 on the by-catch of Norwegian Pout in the North Sea. The Council will decide on this proposal at its meeting on 27 September. In the Commission's view, fishermen should be allowed to continue their activity with a degree of flexibility compatible with the maintenance of fish-stocks. Since only a small part of the landings contained by-catches exceeding 10% and the derogations had no adverse effects on preservation, the Commission sees no reason for not extending the regulation for a further season to permit this kind of flexibility.

**Mr Battersby (ED).** — If I may ask for clarification, Mr President, does the Commission mean that it is going ahead on 10% or on 18%? If it is going ahead on 18%, I consider this a deplorable situation. I must repeat that the condition of the white-fish stocks due to the overfishing of juvenile fish is very serious at this moment. We are faced with the destruction of the harvest for next year and the year after and the year after. We must bring strict control into this fishery. I think it is irresponsible of the Commission to give this degree — 8% — of flexibility.

We are not talking of a few fish. The Norway Pout fishery is in the region of 250 000 tonnes a year. Therefore, you will understand that 10% is 25 000 tonnes. At 18% you are coming up to 45 000 tonnes of good white fish, which is over and above the quotas. This is the problem. We cannot allow this destruction of our stocks by irresponsible Commission behaviour. Therefore, I would like the Commission to say if it means 10% or 18%.

**Mr Pfeiffer, Member of the Commission.** — (DE) Mr President, as I am not responsible for these matters and since according to my information the Fisheries Sub-Committee will meet in the coming week I would suggest that my colleague, Mr Andriessen, attempts at this meeting to give a definite answer to this question. I could only answer this question with reservations. I therefore ask your indulgence.

**Mr Rogalla (S).** — (DE) Mr President, I should like to say what I am about to say in as kind a manner as possible. When he dealt with the subject of the previous item on the agenda, Commissioner Pfeiffer appealed to the fact that he was not the responsible specialist, that he was only standing in for Mr Andriessen and that he would communicate to Commissioner Andriessen certain remarks which had been made here in the Chamber.

We now have Mr Battersby's question on a fisheries problem for which, if I am not mistaken, Mr Pfeiffer is again not the responsible Commissioner. In answer to a further question we are again informed that this is a matter for Mr Andriessen.

This raises a very important problem for the relationship between the institutions. We cannot carry on a debate if the Members of the Commission appeal to the fact that Commissioner responsible is not present.

I believe this will be clear to everyone, and I am sorry to have to raise the matter so late in the day. Parliament must not overlook the fact that we are dealing with the whole Commission.

Perhaps we can make similar arrangements to those we have with the Council to ensure that Commissioners are present on specified days. This is a matter of principle, and although I do not wish to anticipate the Bureau's deliberations I simply wish to state that this cannot go on.

(Applause)

**President.** — Mr Rogalla, I was going to make the point myself that the question to the Commission is clear enough and that the answer could have been provided. I will ask the President to communicate with the President of the Commission to ensure that Commissioners are properly prepared for the debates and the questions which are on the agenda. It is unfortunate, but that is the situation we are in this morning.

**Mrs Ewing (RDE).** — Mr Rogalla raised the question of principle, so I won't pursue that. On a question of fact, the failure of the Commission today to answer one of the clearest questions ever put to a Commissioner is particularly serious, especially in view of the timescale. This matter has to be decided before Parliament meets again and therefore Parliament has no redress on this fact. It is to be decided by the Fisheries Council at the end of this month. This was our only opportunity this week. I tabled an urgent motion which was not — in the unwisdom, I think, of those responsible — selected, although it is urgent. I have to go back to the fishermen concerned and tell them that one Commissioner cannot — although they are meant to be a college — answer a simple question of which he had notice for another! Is it a college or is it not a college? If it is a college, then the Commissioner, who is well paid, a lot better paid than I am, should come here with his work done. If he is not prepared to do that, he should resign. I think this is one of the most disgraceful incidents ever.

I gave warning by my urgent motion this week. If ever anyone was alerted, it was the Commission. I think it is absolutely arrogant of the Commission to come here and fail to answer a simple question on which the livelihood of all my fishermen in the north plus future generations depends.

**President.** — I think the House has taken your point, Mrs Ewing, and Mr Rogalla's point. I think I have met it by ensuring that we will write to the Commission.

## President

All I can say to you now is that Mr Andriessen is coming to the Fisheries Subcommittee next week, and that will be your opportunity to roast him good and proper there!

### 4. *Pollution of the sea*

**President.** — The next item is the oral question, without debate, by Mr Muntingh to the Commission on the implementation of the London Convention on the Prevention of Marine Pollution (Doc. B 2-817/85).

Mr Muntingh has indicated that he does not want to introduce his question, but he will, of course, reserve his right to take up any points the Commission makes in its answer.

**Lord Cockfield, Vice-President of the Commission.** — Mr President, marine pollution has been discussed already this week, both at Question-time and in relation to an amendment from Mr Muntingh in the course of the debate on Mrs Bloch von Blottnitz's report on Sellafield. But perhaps I can reply to the following specific points raised in the question itself.

First, the proposal of Nauru and Kiribati to amend Annex I to the London Dumping Convention so as to prohibit the dumping at sea of all radioactive waste was first introduced at the Seventh Consultative Meeting of the contracting parties in 1983. Some countries felt that the existing scientific material did not provide a sound basis to justify amendment of the annexes to the Convention. Accordingly, a group of experts was set up to review the scientific and technical considerations relevant to the disposal of low-level waste at sea. The final report of that group will be presented to the Ninth Consultative Meeting of the contracting parties to the Convention, to be held in London on 23-27 September of this year.

In response to the suggestion that the Commission might take measures to prohibit the dumping at sea of radioactive waste, I should like to reiterate that before formulating our position we shall have to consider the results of several international studies currently in progress. In particular, we shall examine the following. First, a review under the aegis of the International Maritime Organization concerning scientific and technical aspects of the dumping of radioactive waste; second, the revision by the International Atomic Energy Agency of the definition of high-level radioactive matter unsuitable for dumping at sea and of the recommendations concerning the issue of dumping permits; and third, the evaluation of the continued suitability of the current north-east Atlantic site by the Nuclear Energy Agency of the Organization for Economic Cooperation and Development.

The results of these studies are to be presented at the London Dumping Convention meeting, as I have said,

later in the present month. The Commission will review its policy in the light of these studies and will then seek to define a Community position in accordance with existing institutional procedures.

With regard to the final question, the Commission is not at present considering a change in its status from an observer to that of a contracting party to the London Dumping Convention.

**Mr Muntingh (S).** — (NL) Mr President, the Commissioner's answer, while it was only to be expected, was unsatisfactory. I will therefore put a few more practical questions to him. When will the Commission, having studied the various proposals that will be put forward in the coming weeks, decide on the position it is going to take up? When may we in this Parliament reckon with that? That is the first question.

My second question is this: is the Commission aware of the report of the London Dumping Convention's Scientific Committee, which was submitted at the last meeting and which estimates that eventually there will be a thousand deaths in the North-East Atlantic Ocean as a result of the dumping of radioactive waste?

The third question is: why does the Commission not want to become a contracting party to the London Dumping Convention? This is a very vital question. Why does the Commission not want to do so?

**Lord Cockfield, Vice-President of the Commission.** — Mr President, the honourable Member started by saying he found the answer unsatisfactory. I do not know what he finds unsatisfactory about it. It dealt in detail with every one of the points that he had raised.

If I may now come on to the more specific matters, he asked when the Commission will produce its stance. The answer to that is already contained in the answer to the question. We will produce our stance when the results of the studies are known and when the correct procedures, as laid down in the Euratom Treaty, have been carried through. We believe the correct procedure is to have the studies first and draw the conclusions afterwards rather than draw the conclusions first and have the study afterwards. So we are taking this matter very seriously. But the honourable Member will be aware of the procedures laid down in the Euratom Treaty itself in Articles 30 *et seq.*, and those procedures must be followed.

He asked whether we are aware of the report of the London Dumping Convention. Yes, we are. This is one of the reports that are being studied by the Commission services, and it constitutes some of the evidence that will be taken into account when the Commission's stance is determined, as set out under the procedure in the Euratom Treaty.

**Cockfield**

He finally asked why we were content to remain observers and not become contracting parties. I hope he will forgive me if I say that I myself asked exactly the same question. It is a perfectly legitimate and understandable question. The answer is a rather complex one and it is as follows.

The London Convention is what is known as an umbrella convention. That is, it links together a number of regional conventions. As far as the Community is concerned, the relevant regional convention is the Oslo Convention. Now, we are not members of that, and perhaps I might explain why. First of all, we should have to obtain the agreement of the Council, and it has not been possible to date to secure that agreement. There were inconclusive discussions in 1977-78, and the present position is that any further move is in fact blocked in the Council.

But that is only one half of the story, for the convention includes a large number of people not in the Community. If you are to join such a convention, you have to get the agreement of the other contracting parties to the Community coming in. We know in certain instances — and I do not want to quote them because they are not strictly relevant — that third parties in effect have blocked the Community becoming contracting members.

Now, I am not trying to shift blame in this case, but the Eastern bloc in fact are also members of the Oslo Convention — and it is a very good thing that they are. But the attitude of the Eastern bloc towards the Community is such that it would perhaps be unlikely that we would get their agreement to the Community coming in.

The question, therefore, is in fact a very relevant and a very fair one. I am sorry that for the two reasons I have given I have to give a negative reply. Nevertheless, the Community, through the Commission, does exercise a great deal of influence on these matters. It is not that we treat our position as an observer purely as a nominal or negative one. We do take an active interest in all of these affairs.

*5. Adjournment of the session*

**President.** — I declare the session of the European Parliament adjourned.<sup>1</sup>

*(The sitting closed at 10.20 a.m.)*

<sup>1</sup> For items concerning written declarations under Rule 49, forwarding of resolutions adopted during the sitting and dates for the next part-session, see Minutes.







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