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Bulletin

OF THE EUROPEAN COMMUNITIES

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PART ONE

SPECIAL FEATURES

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

ECU = European currency unit

BFR = Belgische frank / Franc belge

DKR = Dansk krone

DM = Deutsche Mark

DR = Greek drachma

FF = Franc français

HFL = Nederlandse gulden (Hollandse florijn)

IRL = Irish pound / punt

LFR = Franc luxembourgeois

LIT = Lira italiana

UKL = Pound sterling

USD = United States dollar

1. A common fisheries policy

1.1.1. After negotiations lasting six years the Council reached agreement on the new fisheries policy on 25 January.¹ The agreement is based on the package deal of 21 December 1982² and the 'clarifications' approved in January 1983 at a round of political meetings between the Commission, the President of the Council and the Danish Government.

Three such meetings took place—on 6, 11 and 18 January, in Brussels, Strasbourg (when Parliament met) and Bonn respectively. On these occasions Mr Genscher, President of the Council, Mr Thorn, President of the Commission (replaced by Mr Ortolí for the Brussels meeting) and Mr Elleman-Jensen, the Danish Foreign Minister, agreed not to reopen the discussion on the Commission drafts endorsed by nine Member States at the Council meeting of 21 December but to carry out a detailed and open-minded review of all the issues involved and to consider all the possibilities of finding a substantive agreement in line with the spirit of the Treaties. The meetings led to the 'clarifications' which later elicited a consensus from the governments.

Background

1.1.2. The Commission tackled the task of establishing a common fisheries policy in 1966, at a time when production in the Community of Six began to stagnate, the attitude of non-member countries concerning their 12-mile limits became increasingly restrictive and the Community's self-sufficiency rates for major species began to decline sharply. Proposals concerning a number of aspects of a common fisheries policy were put forward in June 1968 and adopted by the Council in October 1970, entering into force in February 1971.

The main feature of the policy was the recognition, by all the Member States, of the principle of equal access to territorial waters in the Community. This was particularly important since the waters of the three countries which were soon to join the Community were rich in fish and the original

Community's total catch was half that of these new members. The question of access was therefore already emerging as a crucial point in all the talks aimed at establishing a common fisheries policy. The first detailed proposals for the policy were transmitted by the Commission to the Council in September 1976.³ These included measures for conserving fishery resources (total allowable catches—'TACs'—and quotas), for safeguarding, as far as possible, employment and incomes in coastal regions, and for adjusting fleet size in the light of the catch available. In October 1976 the Member States agreed in The Hague to extend their fishing limits to 200 nautical miles from 1 January 1977 (North Sea and North Atlantic).⁴

The negotiations to establish a common fisheries policy were fraught with difficulty not only because of the problem of access, but also because TACs—which, because of overfishing, were becoming smaller—had to be fixed and allocated among the Member States (quotas). After more than six years, agreement has at last been reached.

The four main aspects of the fisheries policy

1.1.3. The new policy has four constituent parts: a Community system for the conservation of resources; structural measures; a common organization of the market; and fisheries agreements with non-member countries and formal consultations between Member States with a view to concerted action in the context of international agreements.

Community system for the conservation of fishery resources

1.1.4. The Council has adopted a Regulation establishing a Community system for the conservation and management of fishery

¹ OJ L 24, 27.1.1983; OJ L 25, 27.1.1983.

² Bull. EC 12-1982, point 2.1.143.

³ Bull. EC 9-1976, points 1206 to 1210.

⁴ Bull. EC 10-1976, points 1501 to 1505.

resources. The system provides for measures to restrict fishing activities, rules for using resources and special provisions for coastal fishing.

1.1.5. The Council has fixed the share of the TACs available to the Community and the allocation of this share among the Member States (quotas), taking account of commitments to non-member countries. Available resources have been allocated among the Member States on the basis of the criteria laid down by the Council on 30 May 1980,¹ namely traditional fishing activities, the specific needs of regions which are especially dependent on fishing and the loss of fisheries in the waters of non-member countries.

As for fishing in the early months of 1983, pending a Council decision on the TACs and quotas for 1983, the Council agreed that these operations would be pursued in accordance with the TACs and quotas laid down for 1982, taking into account the usual seasonal cycles.

The agreement on common conservation rules puts an end to the system of national measures introduced by the Member States following the failure of the Council to reach an agreement on 21 December 1982² and the declaration of the Commission at that meeting.³ On 5 January the Commission had authorized on a provisional basis—until 26 January—measures notified by six Member States which corresponded in their effects to the Commission's proposals.⁴ It decided, however, to initiate the procedure under Article 169 of the Treaty in respect of three other Member States for failing to give notification of the national measures they had taken.

1.1.6. A Regulation was adopted laying down technical measures for the conservation of fishery resources, in particular as regards mesh sizes, by-catch rates and restrictions on fishing in certain areas and at certain times. The Regulation was adopted as a follow-up to the Council Regulation of 30 September 1980,⁵ which had lapsed in the mean time.⁶

1.1.7. Concerning access, the Council authorized the Member States to maintain the

derogation arrangements made in the 1972 Act of Accession and to extend to 12 nautical miles, on a general basis, the 6-mile limit provided for in the Act while taking account of the rights of access of other Member States as defined in the Regulation. Unless the Council decides otherwise, these arrangements will continue to apply for a further 10-year period. In one fishing zone around the Shetland Islands, extending beyond the 12-mile limit, a licensing system will restrict fishing for biologically sensitive species by vessels exceeding 26 metres in length.

Structural measures

1.1.8. On 25 January the Council agreed to activate, within six months, special Community measures designed to adjust capacity and improve productivity of fishing and aquaculture.⁷

The measures consist largely in proposals put forward by the Commission from 1977 onwards,⁸ in particular those made in 1980.⁹ They include:

- (i) aids for laying up, temporarily or permanently, certain fishing vessels so that capacity can be adjusted in the light of conservation needs;
- (ii) aids for exploratory fishing and cooperation with certain non-member countries in the context of joint ventures in order to encourage the redeployment of the Community's fishing capacity;
- (iii) aids for the construction and modernization of certain fishing vessels and aquaculture facilities and for the installation of artificial structures to facilitate restocking and develop the fishing industry generally.

The measures are to apply for a period of three years and will qualify for Community financing totalling 250 millions ECU (76

¹ OJ C 158, 27.6.1980.

² Bull. EC 12-1982, point 2.1.143.

³ OJ C 343, 31.12.1982.

⁴ OJ L 12, 14.1.1983.

⁵ OJ L 258, 1.10.1980; Bull. EC 9-1980, point 2.1.61.

⁶ Bull. EC 10-1981, point 2.1.125.

⁷ OJ C 28, 3.2.1983.

⁸ OJ C 278, 18.11.1977.

⁹ OJ C 243, 22.9.1980.

million ECU for measures to adjust capacity, 18 million ECU for redeployment measures and 156 million ECU for measures to encourage investment).

It is expected that the detailed implementing rules for all these measures will enter into force during the second half of 1983.

Common organization of the market

1.1.9. The new common organization of the market, on which the Council had already reached agreement in September 1981,¹ became fully applicable on 1 January 1983.

Fisheries agreement with non-member countries

1.1.10. Framework fisheries agreements have been concluded with Norway, Sweden, the Faeroe Islands, Spain, the United States, Canada, Senegal, Guinea-Bissau and Guinea. Talks are still under way with Mauritania² and will be resumed with other African countries in accordance with Council directives. The Commission has also been authorized to negotiate fisheries agreements with certain Caribbean countries (Antigua, Dominica, Saint Lucia and Suriname).³

Multilateral agreements have also been concluded with a view to the Community's participation in the international agreements

covering the North-west and North-east Atlantic, the Antarctic and salmon in the North Atlantic; talks are still under way with a view to the Community becoming a party to the international agreements on tuna and whaling, and a member of the organizations which control fishing in the Baltic, the Central Atlantic and the South-east Atlantic.

1.1.11. After the Council meeting Mr Thorn, President of the Commission, underlined the importance of the agreement which had been reached; it represented, he said, a major step forward for the fisheries sector and for the Community, which had taken the 'logical decision' to conserve and manage its fisheries resources by means of a common policy. But a measure of 'political courage' had been needed to forge this policy.

Mr Contogeorgis, Member of the Commission with special responsibility for fisheries, welcomed the agreement, which eliminated some of the uncertainties fishermen had to contend with. The Commission, he added, would be in a stronger position in the future in its negotiations with non-member countries.

¹ OJ L 379, 31.12.1981; Bull. EC 9-1981, point 2.1.103.

² Point 2.1.93.

³ Point 2.1.87.

2. The future financing of the Community

Commission green paper

1.2.1. The system of financing the Community by assigning to it, as its own resources, agricultural, sugar and isoglucose levies, customs duties and a proportion of VAT (up to 1% of a uniform base) was established some 12 years ago. Although this system has so far served the Community well, the resources it can generate may be insufficient

to meet future needs resulting from enlargement and new common policies.

The Commission has therefore launched the debate on the future financing of the Community with a communication to Parliament and the Council.¹ This discussion paper outlines various options which at the present stage would seem suitable for closer study.

¹ COM (83) 10.

It will be presented at the same time as the Commission President's programme address to Parliament in February, when Mr Thorn will outline the Commission's political priorities for 1983 and 1984.

1.2.2. The Commission has deliberately avoided making specific proposals. It will start presenting these in April, when it has given further consideration to the issues involved and when the reactions of Parliament and the Council are known.

The aims of these proposals will be to:

- (i) provide the Community with the resources it needs and with the financial flexibility and independence required to meet the increasing budgetary demands of its policies;
- (ii) develop the system of financing in such a way as to stimulate existing and new policies;
- (iii) establish a financial framework which will accommodate the accession of Spain and Portugal without any harm being done to the *acquis communautaire* as it now exists and as the Commission has proposed it should develop in the context of enlargement;
- (iv) strengthen the Community's internal cohesion by helping to correct budgetary imbalances.

Why extend own resources?

1.2.3. On a number of occasions¹ the Commission has explained why it cannot accept that the present ceiling should constitute a permanent and artificial constraint on the Community budget:

- (i) Firstly, all the Community's present policies need to be safeguarded. But over 90% of the Community's existing financial resources are now being used. And whatever the actual budgeted expenditure for any given year, the Commission must have a certain reserve to fall back on in an overall budgetary context for the sake of the security and continuity of its policies;
- (ii) Secondly, the extension of the system of financing must also enable the Community to cover the cost both of enlargement and of the development of new Community policies,

especially in energy, research and development, industrial investment, and innovation. The Commission also plans to make more systematic use of structural aid from the Regional and Social Funds, to develop spending on structural projects under the EAGGF and Mediterranean programmes and to introduce a major transport infrastructure programme. It also plans to achieve a programme of development aid over the next 10 years financed by the general budget and representing 0.1% of Community GDP.

1.2.4. The Commission works from the assumption that the development of the financing system must be viewed side by side with the development of Community policies. But while existing own resources approach exhaustion, there are no new additional forms of revenue which derive automatically from common policies, as do 'traditional' own resources.

The Commission has therefore attempted to identify the new forms of revenue which best reflect the general Community interest and enhance the attraction for all Member States of full participation in Community policies. The Commission feels there is a need for a more diversified system which might also help to alleviate the budgetary problems of recent years.

Options examined by the green paper

1.2.5. The Commission has examined the different sources of financing possible on the assumption that the existing range of own resources will remain intact and that any new forms of revenue will be an addition to this range.

General revenue sources

1.2.6. Of all the possible sources of additional general revenue for the Community budget, value-added tax has obvious attractions. It is an existing own resource capable of being linked directly to the taxpayer. In principle the tax base is already harmonized. The necessary mechanisms

¹ In the 1981 programme address, for instance: OJ C 50, 9.3.1981; OJ Annex 1-266.

for assessment, payment and control are in place, work relatively well and ensure a large measure of continuity in financing the Community's budget expenditure. Moreover, VAT is levied on consumption and thus offers a very large reliable base, generating high revenue from a low tax rate. These revenues are adequately buoyant.

It is VAT which should, in the Commission's view, remain for the foreseeable future the backbone of the Community's financial autonomy. The Commission envisages therefore that, as the Community develops a fuller range of expenditure policies additional VAT revenues beyond the 1% ceiling will be necessary, together with a more diversified system of Community financing.

1.2.7. The Commission has examined the desirability and feasibility of introducing an element of progressivity into the Community's revenue system. The introduction of such a concept would be consonant with the notion of equity which is basic to all public financing systems. The political purpose of its introduction into the financing of the Community budget would be to contribute, in a modest way, to the convergence of Member States' economies by ensuring that each Member State's liability for payments into the Community budget was modulated either upwards or downwards in relation to that Member State's level of prosperity.

There are two broad ways of introducing progressivity into the Community financing system: either an element of progressivity could be added into the VAT system; or Member States could be progressively taxed on the basis of GDP.

A tax on Member States based on GDP could be modulated in a progressive sense by the application of a coefficient of elasticity to the percentage of contribution which the uncorrected relative GDP shares would represent. Such a progressive GDP tax would fulfil more directly the objective of promoting economic convergence in the Community by relating liability for payment to capacity to pay, and would do so in a way which avoided prejudice to the smooth operation and further development of the VAT element of the Community's present own resources.

It would, however, have one significant drawback: it would be seen as a partial return to the system of financial contributions which applied before the own resources decision of 1970 and thus as a political step backwards.

The introduction of the concept of progressivity, whether by a modulation of VAT or through a progressive GDP tax, would pose a number of technical and political difficulties. It would be necessary to agree upon how the progressive indicators of taxable capacity should be defined.

Moreover, in order to have any significant impact on the Community's budgetary problems, progressivity would have to be introduced on a scale far in excess of that which has usually been discussed in this context or that which seems realistic in present circumstances.

Sources of revenue linked to agricultural indicators

1.2.8. The agricultural policy, which is the only policy truly integrated, accounts for a large slice (about 65%) of budgetary expenditure. Increasing provision will have to be made in future budgets for the development of the new policies the Community will have to introduce and for the effects of the forthcoming enlargement. During this phase of gradual diversification of expenditure, a new type of resource, drawn from the economy as a whole but based on agricultural parameters, should be added to the present battery of own resources so as to bring the structure of revenue more into line with the pattern of expenditure. The introduction of a new resource of this type would have the additional advantage of avoiding situations where discussions on financial problems place artificial constraints on the normal operation of the CAP.

This new resource, which would be levied from the Member States, would contribute to the financing of total Community expenditure and would not be specifically linked to any one chapter of the budget. But it would be based on indicators of an agricultural nature. The yield of this new resource would need to be sufficiently substantial to make a worthwhile contribution to the mitigation of some of the Community's budgetary problems. It should be seen as a provisional rather than permanent element of the budget, gradually diminishing in relative size and eventually disappearing completely as budget expenditure comes to reflect more faithfully the priorities suggested by the President in his 8 February speech. One possibility to be envisaged is that the volume of the revenue from this new resource could be calculated to match the agricultural expenditure in excess of a certain percentage either of the total budget or of total own resources available.

Such new resources could be calculated in a number of ways by reference to Member States' shares in the Community's overall agricultural production. Examples of elements on which to base this calculation would be the final value or value-added of agricultural production in each Member State, the value of production under arrangements offering special forms of Community aid or a set of values varying in accordance with the type of arrangement. Account would, however,

have to be taken of the situation in some Member States and their regions, where the general level of prosperity is low but the economies are particularly dependent upon agriculture.

Sources of revenues linked to specific policies

1.2.9. In addition to its general revenue, it could be to the Community's benefit to derive certain minor revenues from specific policies. The example of the ECSC budget has shown that in certain circumstances, and within certain limits, expenditure connected with policies in particular sectors could be satisfactorily financed by levies on those sectors. Energy, research and industry are sectors where arrangements of this kind would be possible. At this stage, however, the Commission has no specific practical cases in mind. This is not a mode of financing for general use, and the desirability of employing it to finance certain items of expenditure would have to be appraised case by case according to the particular features presented by the case concerned. One decision to be taken in this context would be that of assigning to the Community the customs duties on ECSC products.

1.2.10. The green paper also mentions various other general or specific resources, such as a tax on cereal substitutes, oils and fats or motor fuels, but these possibilities are considered inadequate and discarded.

The role of borrowing and lending

1.2.11. In the Commission's view, loans cannot substitute for Community own resources. On the other hand, they have an important role to play in increasing the Community's participation in the financing of projects which correspond to the objectives of Community policies. In fact they already play an important role in the financing of some policies, a role which should be developed further in the future. The development of this role can be facilitated by an increase in the resources of the Community, since the budget provides guarantees and in some cases interest rebates for those loans which have reached a substantial level.

Financial equalization or transfer system

1.2.12. The green paper examines in some detail the possibility of establishing a system of financial equalization similar to the practice in certain federal States (Federal Republic of Germany, Switzerland). In November 1979 Parliament adopted a resolution recommending such a system,¹ followed

in 1981 by a resolution on the Community's own resources.²

1.2.13. In considering the possibility of applying financial equalization to the Community, the Commission has to take account of the differences between the Community as it is today and the federal States operating such systems. Financial equalization in these States involves certain arrangements on both the revenue and expenditure side designed to establish a standard level of provision for certain public services. Greater diversification in the sources of Community revenue would be consistent with some of the objectives of financial equalization, especially if the contribution required of the less prosperous Member States were thereby reduced.

An equalization mechanism involving transfers on the expenditure side in addition to those under the Community's structural funds could provide a useful new element in the Community budget. Such a mechanism could be geared to two purposes. It could provide additional financing so as to allow certain Member States to participate more fully in economic programmes reflecting agreed Community priorities. The interest rate subsidies disbursed in Ireland and Italy in the context of their participation in the European Monetary System are an illustration of this kind of possible transfer. Or its application could be limited to a certain number of the least prosperous Member States. The resources so transferred would need to be consistent with Community policies and subject to proper Community control.

Politically, it might be easier in the short term to attain an equalization of this kind. The sums required for its operation need not be excessively large. A transfer of resources limited in overall size could still have a significant economic effect on the least prosperous Member States concerned.

The role of Parliament

1.2.14. In its communication on the future financing of the Community the Commission also states its position on the role of the directly elected European Parliament as one of the arms of the budgetary authority. A Commission proposal designed to permit Community institutions to create additional revenue without having to obtain prior

¹ OJ C 300, 10.12.1979; OJ Annex 248; Bull. EC 11-1979, point 2.3.7.

² OJ C 101, 4.5.1981.

ratification by national parliaments has been before the Council for nearly 10 years. It clearly raises issues which are highly sensitive domestically in some Member States. The Commission none the less maintains its view that if the Community is to develop as a viable political and economic entity, its institutions must enjoy a greater degree of independence in their revenue-raising powers.

Whatever the new sources of revenue are, they must be such as to enable the Community to go on developing sufficiently far into the

future without being bound to national ratification procedures. The Commission would not, for example, wish to see the 1% VAT ceiling replaced simply by a new ceiling so low that it too would soon be reached.

1.2.15. In opting to launch the debate before formulating specific proposals, the Commission's intention is to involve Parliament as much as possible in the development of its ideas. As the Commission sees it, these ideas will be examined under the conciliation procedure between the institutions.

3. Commission opinion on the status of Greenland

1.3.1. In accordance with Article 96 of the ECSC Treaty, 236 of the EEC Treaty and 204 of the Euratom Treaty and in response to the Council's request of 8 June 1982,¹ the Commission transmitted to the Council on 3 February an opinion on Greenland's status in relation to the Community.

Denmark asked that a change be made on 19 May 1982² following the Greenland executive's referendum in February of that year, when a majority of voters called for withdrawal from the Community and the establishment of a new type of relationship.³ The Danish memorandum asked that the Treaties be revised and that the provisions on the association of overseas countries and territories (OCTs) be applied to Greenland.

1.3.2. Although it has formed an integral part of the Kingdom of Denmark since 1954—when the territory ceased to have colonial status and total equality of rights was granted to the Greenlanders—Greenland has enjoyed a special status since the Home Rule Act, submitted by referendum to the local population for their approval, entered into force on 1 May 1979.

Combining the principle of maintenance of the unity of the Danish State and of national sovereignty exercised by the Copenhagen authorities and the introduction of a type of self-government, home rule is based on a division of responsibilities. Defence, external relations and currency matters are the responsibility of the central authorities, whereas, for example, taxation, fishing, hunting, agriculture and stock farming are matters for the Greenland Government alone.

1.3.3. The Commission is well aware of the territory's special situation—its remoteness from the rest of the Community, the climatic conditions influencing its economic structure and the sociological and cultural peculiarities of its non-European population—and has opted for a new type of relationship between the Community and Greenland, which could be partly based on the general principles governing the Community's relationship with

¹ Bull. EC 6-1982, point 2.4.3.

² Bull. EC 5-1982, point 2.4.1.

³ Bull. EC 2-1982, point 2.4.1.

the OCTs. Indeed, Greenland satisfies the requirements for OCT status, which according to Article 131 of the EEC Treaty are as follows: the country or territory must have special relations with a Member State; it must be non-European; it must be capable of being regarded as a developing country. Some of the provisions contained in the OCT arrangements¹ could be applied to Greenland. Opting for an established legal formula rather than an *ad hoc* arrangement has the advantage of guaranteeing clarity and certainty as to the law. The desire to avoid a proliferation of special arrangements at Treaty level is a further argument in favour of OCT status.

On the other hand, Greenland's special features require the adoption of specific provisions.

Provisions contained in the OCT arrangements which could be applied to Greenland

Trade in industrial products

1.3.4. Since the Common Customs Tariff would no longer apply in Greenland, trade in industrial products between the Community and Greenland should be governed by a free-trade-area system. This would afford preferential treatment to all industrial products originating in Greenland, involving free access to the Community without any quantitative restrictions, customs duties or charges having equivalent effect. They would, therefore, be subject to rules of origin to prevent preferential treatment for imports of industrial products from non-member countries into the Community through Greenland and to Community safeguard measures against disturbances on the Community market.

These arrangements would also grant Community industrial products the preferential treatment of free access to Greenland, although Greenland may introduce customs duties and quantitative restrictions on imports of Community products where this would have the effect of promoting its development and industrialization or produce budget

revenue; however, these measures should not produce discrimination between the Member States.

Trade in agricultural products

1.3.5. The principle governing trade in agricultural products (products listed in Annex II to the EEC Treaty) would be that it should have treatment more favourable than that granted either by the Community or by Greenland to non-member countries (the practical details of this principle to be spelt out in the implementing arrangements).

Free movement

1.3.6. The new arrangements for free movement of persons (freedom of movement for workers and right of establishment), services and capital would require equal treatment in Greenland for all Community nationals and legal persons constituted under the national laws of any of the Member States; provision would also have to be made subsequently for liberalizing the movement of persons, services and capital between Greenland and the Community. These provisions could help to facilitate cooperation in industrial and agricultural research and development and other forms of cooperation between the Community and Greenland in mutually agreed areas.

Financial assistance

1.3.7. Financial assistance for the development of Greenland will consist of an amount to be determined, which will be added to the appropriations for the OCTs under the provisions currently in force.

Specific provisions likely to be adopted in view of Greenland's special features

1.3.8. The main rules applying to OCT status as at present defined by the Council Decision of 16 December 1980¹ do not

¹ Part Four of the EEC Treaty; OJ L 361, 31.12.1980 (Council Decision 80/1186/EEC of 16 December 1980).

appear too appropriate for Greenland. The main chapters (Stabex, Sysmin, industrial and agricultural cooperation and so on) cannot be regarded as consonant with the territory's special features, which require the adoption of specific implementing provisions, in particular as regards fisheries.

Fisheries

1.3.9. The new arrangements should incorporate measures binding on Greenland and the Community, the application of which must ensure, for Greenland, optimal development of the activities of its fishing fleet and of the processing and marketing industries which depend on them and, for the Community, protection of its fishing interests in Greenland waters.


To this end the arrangements would provide for full liberalization of imports into the Community of fishery products, including processed fishery products, originating in and coming from Greenland. Free entry and free circulation would be allowed for these products only if the mechanism of the common organization of the market was respected, in particular the safeguard clauses.

The arrangements would also provide for the allocation of quotas to the Community in Greenland waters, which, while taking account of Greenland's requirements summarized above, should seek to maintain the traditional fishing activities of the fleets of the Member States. An agreement on these quotas and fishing conditions would be concluded between the Community and the authorities responsible for Greenland before the entry into force of the Protocol to be adopted.

The current guarantees applying to salmon fishing by Greenland vessels will lapse at the end of 1983 and will have to be replaced by appropriate conservation measures for salmon migrating between Greenland and Community waters.

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1.3.10. As regards the institutional and legal form of the new arrangements, the Commission considers that the Treaties establishing the Communities should be amended to include Greenland among the OCTs listed in Annex IV to the EEC Treaty and an appropriate protocol added to the Treaty to introduce specific provisions which take into account Greenland's special features.



PART TWO

**ACTIVITIES
IN JANUARY 1983**

1. Building the Community

Economic and monetary policy

Monetary situation

Devaluation of the drachma

2.1.1. Following the Greek Government's decision, taken on 9 and 10 January, to devalue the drachma, the Commission issued the following statement:

'The Commission has taken note of last weekend's decision by the Greek Government to devalue the drachma by 15.5% in relation to other currencies.

It regrets that it was not informed in advance of this major and unstaggered change in the rate of the drachma and that no consultations could take place at Community level. Foreign exchange policy is in fact a matter of common interest, even for currencies not participating in the exchange rate mechanisms of the European Monetary System.

Appropriate consultations will of course have to take place at Community level forthwith: they should deal in particular with any other supplementary measures planned which impinge upon sectors of Community jurisdiction.'

2.1.2. On 19 January the Commission authorized Greece to introduce temporary arrangements for the surveillance of imports of certain products pending a final decision on the Greek Government's applications for authorization to take protective measures.¹ On 26 January the Council devalued the 'green' drachma by 7%.²

Community borrowing

New Community borrowing and lending instrument (NCI)

2.1.3. On 14 January, in the light of Parliament's opinion,³ the Commission amended⁴ the proposal it made on 19 October 1982 for a Decision on a new borrowing tranche of 3 000 million ECU.⁵ The idea of a ceiling has been dropped, while the tranche mechanism has been retained; in addition, it has been made clear that the procedure for applying the instrument will be

provisional as long as the question of including Community borrowing operations in the budget is not resolved

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2.1.4. The meeting of the member countries of the Group of Ten held in Paris on 18 January was devoted to discussion of the increase in the resources of the International Monetary Fund linked to quotas and the General Arrangements to Borrow (GAB).

On quotas, the Group of Ten agreed that, following the eighth review, these could range from 85 000 million SDR to 100 000 million SDR, giving an increase of between 40 and 65% on the present figure of 61 000 million SDR.

Besides the additional resources which could be mobilized through the increased quotas, the Fund could also, where necessary, have recourse to revamped GAB.

The new Arrangements—which would have the same objective as the current ones (namely to enable the IMF to forestall disruptions of the international monetary system by drawing on additional resources placed at its disposal by a group of countries currently comprising the Group of Ten and Switzerland)—incorporate a number of changes. Principal among these are the tripling of the amount available (17 000 million SDR instead of 6 400 million SDR), the right of all IMF countries to benefit from the GAB resources (instead of the Group of Ten countries only as at present) and Switzerland's decision to become a full member of the Group (which would therefore become the Group of Eleven).

¹ Point 2.1.5; OJ L 17, 21.1.1983.

² Points 2.1.64 and 3.1.1.

³ OJ C 13, 17.1.1983; Bull. EC 12-1982, point 2.1.4.

⁴ OJ C 28, 3.2.1983; Com (83) 15 final.

⁵ OJ C 282, 27.10.1982; Bull. EC 10-1982, points 1.1.7 to 1.1.11.

Internal market and industrial affairs

Free movement of goods

Arrangements for monitoring imports into Greece

2.1.5. Following meetings with representatives of the Greek Government, during which it was established that both sides were keen to avoid measures likely to lead to distortion of trade with other Community countries or with non-member countries, on 19 January, the Commission authorized Greece to establish arrangements for monitoring imports of certain products.¹ These arrangements, which are temporary, are designed to allow the Commission to collect the information it needs in order to take a final decision on the applications for protective measures made by the Greek Government under Article 130 of the Act of Accession.

This authorization follows from the decision of the Greek Government, on 9 and 10 January, to devalue the drachma by 15.5%.²

Simplifying formalities in trade within the Community

2.1.6. As part of its moves to strengthen the internal market,³ on 10 January the Commission transmitted to the Council a proposal for a Regulation concerning the standardization and simplification of statistics of trade between Member States.⁴

2.1.7. On 13 January Parliament delivered a favourable opinion⁵—subject to a few technical amendments—on the proposal for a Regulation transmitted by the Commission to the Council in July 1982,³ simplifying customs formalities in trade within the Community, together with two complementary proposals concerning the introduction of a Community export declaration form and the amendment of the Regulation on transit. It also adopted a resolution on increasing the number of

customs personnel at the Community's external borders and the elimination of controls at the Community's internal borders.⁵

Removal of technical barriers to trade

Industrial products

2.1.8. As part of its drive to establish a body of Community regulations in the motor vehicles sector, the Commission carried out a substantial study programme (3.16 million ECU) between 1978 and 1982 on the biomechanics of impacts in road accidents. The purpose of the programme was to achieve an objective, scientific basis upon which to build a new set of directives relating to EEC type-approval of motor vehicles, aimed principally at improving the safety of car occupants and of other road users. The Commission is holding a seminar in Brussels on 21 to 23 March to discuss the conclusions that may be drawn from the programme.

2.1.9. At its 26 and 27 January session the Economic and Social Committee delivered an opinion on the proposal to amend the Directive of 27 July 1976⁶ relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers.⁷

Business law

Intellectual property

2.1.10. Mr Thorn and Mr Narjes received Mr J.B. Van Benthem, President of the European Patent Office, on 17 January. Their

¹ OJ L 17, 21.1.1983.

² Point 2.1.1.

³ OJ C 203, 6.8.1982; Bull. EC 6-1982, point 2.1.10; Bull. EC 12-1982, point 2.1.20.

⁴ OJ C 21, 26.1.1983.

⁵ OJ C 42, 14.2.1983.

⁶ OJ L 262, 27.9.1976.

⁷ OJ C 279, 22.10.1982; Bull. EC 10-1982, point 2.1.7.

discussions focused on the operation of the Office and prospects as regards ratification of the Community Patent Convention (signed in Luxembourg on 15 December 1975).¹

Small business — Business Cooperation Centre — Distributive trades

Small business

2.1.11. Together with Parliament and the Economic and Social Committee, the Commission participated in the preparation and launching of the European Year of Small and Medium-Sized Enterprises, officially inaugurated at a conference held in Brussels on 20 and 21 January which was addressed by Mr Narjes and Mr Davignon.

Mr Narjes said that the *artisanat* and small and medium-sized firms were the most likely to be able to adapt to changed market conditions because of their remarkable flexibility in terms of both performance and production. Consequently, if productivity and competitiveness were to be increased in Europe, it was these firms that needed to be encouraged. They accounted for 90% of the total number of Community businesses and employed 60% of the workforce.

During the course of the year, colloquia, seminars, fairs, exhibitions and other activities throughout the Community will serve to focus attention on the role of small and medium-sized enterprises in the Community, on their needs, their managers and employees, and on Community and national measures required to help to overcome the difficulties they face.

Industry

Steel

2.1.12. At its 24 and 25 January meeting the Council, in a move to strengthen the present system of crisis measures, approved the inclusion of cold-rolled plate of 3 mm or over in Annex I to the ECSC Treaty.²

It also reached agreement in principle on the Commission recommendation to the Member

States that stockholders be required to declare the quantities of steel products received and delivered.² The Council instructed the Permanent Representatives Committee to draw up detailed arrangements for these statistics.

In addition, the Council noted the Commission's intention of sounding out the United States authorities in connection with the proceedings initiated with regard to certain Community exports of special steels.

2.1.13. On 12 January the Commission adopted a Decision (No 87/83/ECSC)³ amending for the second time⁴ Article 9 of Decision No 1696/82/ECSC,⁵ which concerns quarterly fixing of the abatement rates for establishing the production quotas and the part of these quotas which may be delivered in the common market.

Under Article 9, as now amended, the Commission sets the abatement rates approximately six weeks before the beginning of each quarter, but may then adjust them in the light of market development not later than the first week of the second month of the quarter.

2.1.14. Following the Decision adopted on 12 January,³ and bearing in mind the need for all firms, but particularly the small ones, to know the definitive abatement rates as soon as possible so that they can plan their production and deliveries for the quarter, on 26 January⁶ the Commission adjusted the abatement rates for production quotas and the part of production which can be delivered in the common market during the first quarter of 1983 in respect of the several categories of product covered by the mandatory system established under Article 58. These abatement rates replace those set by the Commission in Decision No 3250/82/ECSC of 1 December 1982.⁷

¹ OJ L 17, 26.1.1976; Bull. EC 10-1982, point 2.1.13.

² Bull. EC 11-1982, point 2.1.16.

³ OJ L 13, 15.1.1983.

⁴ OJ L 351, 11.12.1982.

⁵ OJ L 191, 1.7.1982.

⁶ OJ L 26, 28.1.1983.

⁷ OJ L 341, 3.12.1982.

Comparison between initial and adjusted rates

Product category	Rates set by Decision No 3250/82/ECSC ¹		Rates as adjusted by Decision No 212/83/ECSC	
	Production	Delivery	Production	Delivery
Ia	- 52	- 49	- 50	- 48
Ib	- 51	- 44	- 47	- 42
Ic	- 31	- 33	- 25	- 28
Id	+ 8	+ 7	+ 23	+ 22
IV	- 43	- 46	- 40	- 43
V	- 50	- 55	- 47	- 53
VI	- 43	- 50	- 41	- 48

¹ OJ L 341, 3.12.1982.

2.1.15. On 11 January the Commission adopted individual decisions (under case 1 of Article 15 of Decision No 1696/82/ECSC¹), authorizing the transfer to the Italian steel groups Finsider and Falck of the reference figures for hot-rolled wide strip (Ia) and reversing mill plate (Category II) allocated to the Teksid Acciai group, which has, under its agreement with Finsider, closed the plants in question and undertaken not to resume production of Category Ia and II products until 1985.

2.1.16 On 26 January, the Commission sent to the ECSC Consultative Committee a communication on the social support scheme for restructuring in the Community steel-making areas.²

2.1.17. On 14 January Parliament delivered an opinion³ on the proposal relating to loans for projects covered by exploration programmes for non-energy mineral raw materials within the territories of the Member States.⁴ Although it considers the Commission's proposals inadequate to achieve the objective of reducing the Member States' dependence, partly because of the modest funds earmarked for the purpose, Parliament approves the proposal to encourage exploration of Europe's mineral resources as a first step in the right direction towards a Community supply policy in respect of raw materials.

Motor vehicles

2.1.18. On 13 January Parliament adopted two resolutions concerning, respectively, the Community car industry and the competitive position in the automobile market.³

Innovation and the information market

*Euronet—European networks**Experiments in document delivery*

2.1.19. With a view to enhancing the services already provided by Euronet-Diane, the online information network it sponsors, the Commission last November issued a call for proposals for experiments in electronic document delivery and electronic publishing.⁵ Addressed to publishers, libraries, database producers, host computer operators, equipment manufacturers, communications service providers, user groups, etc., the first phase of the call came to an end on 21 January. The Commission will now organize consultations on the basis of the replies it has received from

¹ OJ L 191, 1.7.1982.

² Point 2.1.36.

³ OJ C 42, 14.2.1983.

⁴ OJ C 203, 6.8.1982; Bull. EC 7/8-1982, point 2.1.16.

⁵ OJ C 288, 5.11.1982.

interested bodies and will, if appropriate, help potential partners to contact one another. The deadline for submission of final proposals is 6 May.

The object of the exercise is to test user acceptance, to evaluate performance, quality and cost and to investigate technical feasibility, economic viability and organizational approaches.

Customs union

Simplification of customs formalities

International road transport (TIR)

2.1.20. At the end of December the Community and the Member States jointly lodged the instruments of ratification of the 1975 TIR Convention with the United Nations Secretary-General.

This makes the Community a contracting party to the Convention, which will enter into force in the EEC on 20 June 1983.¹

General legislation

2.1.21. On 14 January the Commission sent the Council a proposal for a Regulation on the security to be given to ensure payment of a customs debt.² The proposal forms part of the programme for the harmonization of general customs legislation and is a logical sequel to the 25 June 1979 Directive on customs debt.³ The proposed Regulation specifies the form of mandatory or optional securities provided for under customs legislation to ensure payment of an existing or potential customs debt and the rules to be observed by the customs authorities themselves.

Common Customs Tariff

Nomenclature

2.1.22. On 28 January the Commission sent the Council a proposal for a Regulation⁴ classifying the type of drink known as

'non-alcoholic beer' made by fermenting malt wort to which hops are then added, with a volumetric alcohol content not exceeding 0.5%, under subheading 22.02 1 of the Common Customs Tariff (lemonade, etc.).

The Commission had been unable to adopt these provisions itself as they did not gain the approval of the Committee on Common Customs Tariff Nomenclature.

Competition

State aids

General aids

Federal Republic of Germany

2.1.23. At the end of 1982 the Government of the Federal Republic of Germany communicated to the Commission a bill whereby companies with an annual turnover of under DM 200 million which purchase a company or an establishment located in Germany that is threatening to go out of business are authorized to set up a reserve of up to 30% of the purchase price (40% of the purchase price where the purchaser's annual turnover is under DM 50 million).

The reserve is deductible from the purchaser's taxable profits; however, starting with the sixth year after purchase, the reserve must be written back to taxable profits at a rate of at least one fifth per year. It must also be written back if the company or establishment is closed or sold.

The company wishing to set up such a reserve must prove, by a certificate, that the company or establishment purchased was already closed or threatened with closure, and that the purchase is such as to guarantee the survival of the company or establishment and to ensure that jobs are maintained for an indefinite period.

¹ OJ L 31, 2.2.1983.

² OJ C 30, 4.2.1983; COM (82) 861 final.

³ OJ L 179, 17.7.1979.

⁴ COM (83) 19 final.

The Commission considers that this constitutes general aid to firms in difficulty and falls within Article 92(1) of the EEC Treaty. If no government assistance were provided such companies would probably be condemned to disappear from the market. On 26 January the Commission therefore decided to initiate the Article 93(2) procedure in respect of the scheme.

Regional aids

Belgium

2.1.24. At the end of 1982 the Belgian Government requested the Commission to authorize the extension for six months, until 30 June 1983, of the supplementary regional aid provided for in Section 2(b) of the Economic Expansion Act of 30 December 1970 in all the Belgian development areas. The purpose of this aid was to deal with cyclical difficulties, and in its Decision of 2 September 1982¹ the Commission had agreed to the temporary and conditional extension of the granting of supplementary regional aid in all the development areas for a final period expiring on 31 December 1982.

The Commission at that time considered that the grant of such cyclical aid in a regional policy context might be warranted, having regard to Article 92 of the EEC Treaty, only if the difficulties stemming from the present crisis were more serious in the assisted areas than in the rest of the country. The Belgian Government notification of November 1982 contained no socio-economic data demonstrating that in some or all of the development areas (or assisted areas) the current economic situation has had such an impact as would enable the Commission to authorize a further extension of such regional aid. For this reason the Commission, on 26 January, decided to initiate the Article 93(2) procedure with a view to preventing a further extension of the aid.

Industry aids

France

2.1.25. By an Order of February 1982 and an implementing Decree issued in April

1982, the French Government introduced aid measures for the textile and clothing industry in the form of a reduction in the social security charges normally borne by companies.

On 12 May 1982 the Commission decided to initiate the Article 93(2) procedure in respect of the proposed measures.²

Having given the parties concerned the opportunity of submitting their comments and of carrying out a detailed examination, the Commission took the view that the measures in question constituted operating aid, since they are not tied to restructuring efforts on the part of the beneficiary companies and so do not require these companies to adjust to the new market conditions. Such operating aid to an industry which is facing difficulties in all the Member States is liable to distort competition and affect trade between Member States.

The Commission consequently decided on 12 January that in its present form the aid involved was incompatible with the common market and could not be granted.

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2.1.26. At its 26 and 27 January session the Economic and Social Committee adopted opinions on the proposals for Regulations applying Articles 85 and 86 of the Treaty to air and sea transport.³

Small businesses

Belgium

2.1.27. In November 1982 the Belgian Government requested the Commission to authorize the extension for six months, until 30 June 1983, of the supplementary aid provided for in Section 1(c) of the Small Businesses Act of 4 August 1978. This aid has regional objectives, and the Commission decided on 26 January to raise no objection.

¹ Bull. EC 9-1982, point 2.1.19.

² Bull. EC 5-1982, point 2.1.19.

³ Point 2.4.47.

The Commission took the view that, because of their specific handicaps, such firms are particularly vulnerable to the persisting social and economic difficulties and that it is necessary to go on encouraging their efforts to ensure their development.

Financial institutions and taxation

Financial institutions

Insurance

2.1.28. On 12 January the Commission amended¹ the proposal for a Directive on tourist assistance it had made on 13 January 1981.² The amendments are in response to the opinions delivered by Parliament³ and the Economic and Social Committee.⁴

Banks

2.1.29. On 2 February the Commission amended⁵ its proposal for a Directive—made on 28 September 1981—on the supervision of credit institutions on a consolidated basis.⁶

The new proposal was drawn up to take account of Parliament's opinion⁷ and of certain suggestions made by the Economic and Social Committee.⁸ The main effect of the revised proposal is to raise from 20 to 25% the holding threshold above which the consolidation rules apply and to increase the amount serving as a yardstick for determining insignificant holdings.

Taxation

Indirect taxes

Turnover taxes

2.1.30. On 17 January the Commission transmitted to the Council a report⁹ on the transitional provisions applicable under the common system of VAT and set out in Article

28 of the Sixth Council Directive of 17 May 1977.¹⁰ These provisions, which are designed to facilitate the move towards the final form of the common VAT system, relate mainly to the freedom to maintain zero-rating, to continue to tax transactions which will have to be exempt under the final arrangements, to continue to exempt transactions which will have to be taxed, to recognize the right to opt for taxation and to derogate from other provisions of the common system.

Article 28 of the Sixth Directive stipulates that all these transitional provisions must be reviewed periodically by the Council on the basis of a report drawn up by the Commission. The report presented is in response to this requirement. In it the Commission describes the present situation and suggests ways of gradually correcting certain anomalies which, if allowed to continue, might distort competition or complicate the task of determining the base of the Communities' own resources accruing from VAT.

The Commission hopes that this will facilitate discussion of the proposals which it will present subsequently to the Council with a view to the possible withdrawal of certain derogations.

2.1.31. On 13 January Parliament endorsed¹¹ the proposal for a Directive on the deferred payment of value-added tax payable by taxable persons on imports from Member States.¹²

¹ OJ C 30, 4.2.1983.

² OJ C 51, 10.3.1981; Bull. EC 12-1980, point 2.1.39.

³ OJ C 149, 14.6.1982; Bull. EC 5-1982, point 2.1.26.

⁴ OJ C 343, 31.12.1981; Bull. EC 10-1981, point 2.3.38.

⁵ OJ C 40, 11.2.1983; COM (83) 25 final.

⁶ OJ C 258, 9.10.1981; Bull. EC 9-1981, point 2.1.35.

⁷ OJ C 13, 17.1.1983; Bull. EC 12-1982, point 2.1.48.

⁸ OJ C 178, 15.7.1982; Bull. EC 4-1982, point 2.4.51.

⁹ COM (82) 885 final.

¹⁰ OJ L 145, 13.6.1977.

¹¹ OJ C 42, 14.2.1983.

¹² OJ C 201, 5.8.1982; Bull. EC 6-1982, point 2.1.57.

Employment, education and social policy

Employment

Youth employment

2.1.32. With a view to preparing a Community action programme to promote youth employment the Commission organized consultations with the European Youth Forum on 5 January, with the European Trade Union Confederation on 6 January and with the Union of the Industries of The European Community on 7 January.

Local job creation measures

2.1.33. In the framework of Community action to combat unemployment¹ a meeting was held on 20 and 21 January between Commission staff and Cecop (European Committee representing worker cooperatives in the production and craft sectors) on the role of worker production cooperatives in maintaining and creating jobs in Europe. Parliament's report on the European cooperative movement was examined at the meeting.

2.1.34. As the recession seems to have prompted individuals and groups to take steps locally to create jobs through self-help, the Commission and OECD decided jointly to launch a study programme with a view to analysing and defining the phenomenon and, where appropriate, making proposals for action likely to encourage it.

The first phase of the programme took the form of the organization of consultations at local level throughout Europe. To date they have taken place at Cork in Ireland, Faulx-les-Tombes in Belgium, Lille in France and Newcastle-upon-Tyne, the London Borough of Brent, and Glasgow in the United Kingdom.

Freedom of movement for workers

Sedoc

2.1.35. To promote cross-frontier cooperation within Sedoc,² regional employment

services in frontier districts (Lorraine, Alsace, Rhineland-Palatinate-Saarland, Baden-Württemberg and Luxembourg) met in Saarbrücken on 10 January. They drew up a programme for 1983 of short-term exchanges for employment officials from both sides of the frontier and agreed to exchange information on vacancies difficult to fill despite the situation on the labour market.

Financial instruments

Measures for ECSC workers

Social aspects

2.1.36. On 26 January the Commission approved a communication setting out a social support scheme for restructuring in the Community steel industry to be presented in the first instance to the ECSC Consultative Committee. The Commission proposals would extend and develop the social measures adopted by the Council in June³ and are designed to respond to the concerns expressed by Parliament⁴ and the ECSC Consultative Committee⁵ among others. There are four main objectives: to attract new jobs, to reduce the supply of manpower; to promote opportunities for former steelworkers in other sectors and to support coordinating agencies.

The Commission estimates that some 330 million ECU will be needed to finance these measures up to 1986.

Education and vocational training

Education Committee

2.1.37. The Education Committee met on 26 and 27 January to decide what should be on the agenda of the six meetings to take place between then and June. The main items

¹ OJ C 186, 21.7.1982.

² European System for the International Clearing of Vacancies and Applications for Employment.

³ Bull. EC 6-1981, points 1.4.1 to 1.4.3.

⁴ OJ C 334, 20.12.1982.

⁵ OJ C 276, 19.10.1982.

of business will be the introduction of new technology in schools and its impact on education and training systems; the preparation of young people for working life and the transition from school to work (preparation of a second set of pilot projects); an exchange of experience regarding the number of teachers needed and how they are to be employed at a time of demographic decline; and the evaluation of Community measures to promote education for migrant workers and their families.

Vocational training

2.1.38. The Advisory Committee on Vocational Training met on 18 and 19 January to review all Community activities in this area. Special attention was devoted to concerted action to be undertaken, particularly in regard to equal opportunities for men and women and vocational training for migrant workers.

The Committee also examined a working paper on language training for migrant workers and their families. It went on to finalize its position with regard to current action by the Commission aimed at creating rules to serve as a frame of reference in connection with the approximation of training levels for skilled workers.

2.1.39. On 27 January¹ the Economic and Social Committee delivered its opinion on the Commission's communication of May 1982 on vocational training and new information technologies.²

Social security — Living and working conditions

Equal treatment for men and women

2.1.40. In the context of the Community action programme on the promotion of equal opportunities for women (1982-85)³ the expert group responsible for monitoring the application of the three equal treatment Directives⁴ met for the first time on 12 January. The group is studying the application, in law and in practice (e.g. collective agreements in firms), of the Directives in the

Member States and is giving priority to the question of indirect discrimination.

2.1.41. A symposium on vocational training for women in Europe in relation to the new technology took place in Paris on 24 and 25 January, with Mr Ivor Richard as one of the chairmen. The aim of the symposium was to work out guidelines and national and Community measures to promote the access of women with appropriate training to jobs involving the use of new technology.

Social security for migrant workers

2.1.42. On 6 January the Commission put a proposal⁵ to the Council to consolidate the Regulations on the application of social security schemes to employed persons, to self-employed persons and to their families moving within the Community (Regulations (EEC) Nos 1408/71 and 574/72).⁶

Health and safety

Public health

2.1.43. The Commission has published the findings of a study of current and foreseeable strategies in the campaign against smoking in the Community countries.⁷ In this study the anti-smoking campaign was studied in its economic, social and cultural context. Taking account of the differing situations in the Member States and the existence of three groups of countries in the Community with differing approaches to the anti-smoking campaign, the report identifies the features of a Community strategy. In presenting the report, the Commission is responding to a resolution on the campaign against smoking adopted by Parliament on 12 March 1982.⁸

¹ Point 2.4.49.

² OJ C 162, 29.6.1982; Bull. EC 5-1982, point 2.1.41.

³ OJ C 22, 29.1.1982.

⁴ Directives EEC/75/117 (OJ L 45, 19.2.1975); EEC/76/207 (OJ L 39, 14.2.1976); EEC/79/7 (OJ L 6, 10.1.1979).

⁵ OJ C 27, 2.2.1983; COM (82) 823 final.

⁶ OJ L 149, 5.7.1971; OJ L 74, 27.3.1972.

⁷ EUR 8031. Report (in French) available from the Commission, DG V-E-3, Jean Monnet Building, rue Alcide de Gasperi, L-2920 Luxembourg.

⁸ OJ C 87, 5.4.1982; Bull. EC 3-1982, point 2.4.9.

Regional policy

Coordination and programmes

Regional development programmes

2.1.44. On 13 January Parliament adopted a resolution on the delays in the presentation of the integrated Mediterranean programmes.¹

2.1.45. On 5 January the Commission held a wide-ranging discussion on all aspects of this question.

Regional Policy Committee

2.1.46. The Regional Policy Committee met on 27 and 28 January; the Chairman Mr Attali, announced the Committee's programme of work for 1983.

The Committee delivered a favourable opinion on the broad lines of the second periodic report on the social and economic situation of the regions of the Community,² now being prepared by the Commission's staff.

Financial instruments

European Regional Development Fund

2.1.47. On 14 January Parliament adopted a resolution¹ urging the Council to break the present deadlock over a decision on the third revision of the ERDF Regulation and to submit 'joint guidelines' to Parliament at the earliest opportunity.³

Conversion loans

2.1.48. In January the Commission paid over a conversion loan (Article 56 of the ECSC Treaty) of 3.19 million ECU for Creditgrade Ltd, Ebbw Vale, in the United Kingdom.

Measures in favour of the United Kingdom

2.1.49. In connection with preliminary draft supplementary and amending budget No

1-1983⁴ the Commission amended on 19 January⁵ the proposal it made on 12 November 1982 concerning the supplementary measures in favour of the United Kingdom.⁶

In its original proposal the Commission had recommended that the measures be extended for a further year (1982) and that they should be given a broader base, making them of greater Community interest by expanding the special programmes to cover energy investment and research expenditure.

The amended proposal also recommends that the supplementary measures be extended with adjustments for a further year, but that the funds be reduced, because at the same time special measures of Community interest under the energy strategy⁷ are to be introduced which will also be applied in the United Kingdom. This change of emphasis towards measures under the Community energy strategy is part of the process of phasing out the supplementary measures by means of structural change through the application and expansion of Community policies.

Disaster relief

2.1.50. On 12 January the Commission decided to grant emergency relief amounting to 300 000 ECU, from Article 690 of the budget, to the people of Ancona, Italy, which was struck by a landslide on 14 December 1982.

2.1.51. On 13 January Parliament adopted four resolutions on disaster relief for the victims of the December floods in several French departments and of the Ancona landslide.⁸

¹ Point 2.4.13; OJ C 42, 14.2.1983.

² Bull. EC 12-1980, point 2.1.61.

³ OJ C 336, 23.12.1981; Bull. EC 10-1981, points 1.2.1 to 1.2.9; Bull. EC 4-1982, point 2.1.37; OJ C 261, 6.10.1982; Bull. EC 9-1982, point 2.1.39.

⁴ Point 2.3.1.

⁵ OJ C 35, 8.2.1983; COM (83) 30 final.

⁶ Bull. EC 11-1982, point 2.1.64.

⁷ Point 2.1.103.

⁸ OJ C 42, 14.2.1983.

Environment and consumers

Environment

The law of the sea and its impact on environmental matters

2.1.52. The new law of the sea and its impact on environmental matters in the European context was the subject of an international conference held in Brussels from 27 to 29 January. The conference was organized by the Commission in collaboration with several environment organizations, including the European Environment Bureau, and enabled the specialists attending to cover various aspects of the problem, particularly the Convention on the Law of the Sea, what the Member States should do about it, the protection of and prevention of pollution in the marine environment, land-based marine pollution and the preservation of genetic resources.

Prevention and reduction of pollution and nuisances

Freshwater and marine pollution

2.1.53. On 24 January the Council adopted a Directive,¹ on a proposal made by the Commission last July,² amending the Directive of 20 January 1978 on waste from the titanium dioxide industry.³ The amendment provides that the Commission is to put suitable proposals to the Council before 15 March for the harmonization of national programmes for the progressive reduction of pollution in this area.

Noise pollution

2.1.54. On 14 January Parliament issued its opinion⁴ on the proposal for a Directive on the limitation of noise emissions from helicopters, presented by the Commission to the Council on 13 October 1981.⁵

Protection and rational use of land, the environment and natural resources

Natural resources

2.1.55. On 17 January the Commission sent to the Council a proposal for a Directive on the supervision and control of transfrontier shipment of hazardous wastes within the Community.⁶ The proposal comes under the two action programmes on the environment⁷ and extends the existing rules on waste, namely the Directives of 20 March 1978,⁸ 6 April 1976⁹ and 16 June 1975.¹⁰ In the interest of providing protection for man and the environment the aim is to ensure the continuous control and supervision of dangerous wastes from the point at which they arise to that of treatment or final disposal, even where the waste concerned is transferred from one country to another.

This latest instrument lays down Community rules for the effective control of the wastes not only by the country sending them out but also by the country receiving them and any through which the wastes pass in transit.

International cooperation on the environment

2.1.56. The eighth bilateral meeting on cooperation in environmental matters was held between the Commission and Switzerland on 31 January in accordance with an informal arrangement made in 1975.¹¹ Various subjects of interest to both parties were covered, particularly chemicals and atmospheric pollution. The discussions also permitted examination of the international situation with regard to the environment.

¹ OJ L 32, 3.2.1983.

² OJ C 196, 30.7.1982; Bull. EC 7/8-1982, point 2.1.84.

³ OJ L 54, 25.2.1978.

⁴ OJ C 42, 14.2.1983.

⁵ OJ C 275, 27.10.1981; Bull. EC 10-1981, point 2.1.72.

⁶ OJ C 53, 25.2.1982.

⁷ OJ C 112, 20.12.1973; OJ C 139, 13.6.1977.

⁸ OJ L 84, 31.3.1978; Bull. EC 3-1978, point 2.1.47.

⁹ OJ L 108, 26.4.1976; Bull. EC 4-1976, point 2238.

¹⁰ OJ L 194, 25.7.1975; Bull. EC 7/8-1975, point 2239.

¹¹ Bull. EC 12-1975, point 2237.

Agriculture

Council

2.1.57. The Council met on 17 and 18 January for a preliminary discussion of the Commission proposals on the fixing of agricultural prices and related measures for 1983/84.¹ Negotiations proper will commence on 7 and 8 February.

2.1.58. In accordance with instructions it had received from the European Council in Copenhagen² to complete as soon as possible—and not later than March 1983—the review of the existing rules for certain Mediterranean products, the Council resumed its examination of the various problems arising in the fruit and vegetable and olive-oil sectors. On olive oil, the main points at issue concern the financing of the additional costs entailed by enlargement (charging to the budget, or creating a new 'own resource' in the form of an oils and fats levy).

2.1.59. On the veterinary front the Council resumed its examination of three proposals for Directives on health problems affecting intra-Community trade in fresh meat,³ imports of livestock and fresh meat from non-member countries⁴ and problems concerning the staff responsible for health inspections.⁵

2.1.60. No decision having been taken on 1983 as a whole, the Council adopted a Regulation authorizing the United Kingdom to import 7 250 tonnes of New Zealand butter on special terms during February.⁶

2.1.61. Lastly, the Council heard a statement concerning the Commission's talks with United States representatives in Washington.⁷

The Agricultural Situation in the Community — 1982 Report⁸

2.1.62. After falling for three consecutive years, the real incomes of European farmers improved considerably (by more than 8.5%) in 1982. The average increase in agricultural prices in 1982 was higher than the increase in input costs.

The cereals harvest set a new record, and good crops were obtained in other sectors; production of apples, peaches, tomatoes and wine was up on 1981. Milk deliveries, which had risen by only 0.5% in 1981, increased by some 3.5%. Production of beef, veal and sugar, on the other hand, was slightly down.

In 1982 two new departures were made in the field of prices and specific measures for the management of markets. Firstly, by increasing cereal prices for 1982/83 by a smaller percentage than the prices of most other products, the Council took the first step towards reducing the gap between Community prices and the prices obtaining in the other main producer countries. Secondly, guarantee thresholds for milk, cereals, colza and processed tomatoes were introduced for the first time: if production exceeds the threshold level, support prices will be reduced or appropriate measures will be proposed.⁹

The Report is a reference document which gives an overall view of agricultural trends and contains a wealth of statistics. To make it easier, a detailed list of these statistics has now been provided. The new statistics include a number of tables which show structural data for each agricultural product; data on agricultural employment have also been included.

Apart from the general chapters on the economic situation, external relations, structures, production and incomes, consumers, the markets for agricultural products and financing, the 1982 Report contains special articles on the following subjects: implications

¹ Bull. EC 12-1982, points 1.4.1 to 1.4.14.

² Bull. EC 12-1982, point 1.2.4.

³ OJ C 255, 7.10.1981.

⁴ OJ C 250, 30.9.1981.

⁵ OJ C 262, 14.10.1981.

⁶ OJ L 17, 21.1.1983.

⁷ Point 2.2.14.

⁸ Published in conjunction with the *Sixteenth General Report on the Activities of the European Communities*, available from the Office for Official Publications of the European Communities, L-2985 Luxembourg.

⁹ Since the thresholds were exceeded in 1982, the Commission had to take appropriate action and lower the intervention proposed for cereals, milk and colza for 1983/84 (Bull. EC 12-1982, point 1.4.3).

for the agricultural sector of the lack of a matching degree of integration in the other areas of Community policy; the common agricultural policy and the food industry; agriculture and energy; current problems and future outlook; the common agricultural policy and agricultural trade with the developing countries.

Economic aspects of the common agricultural policy

Agri-monetary measures

2.1.63. Following the drop in the exchange value of the drachma, monetary compensatory amounts (MCAs) had to be introduced for Greece on 3 January, at the rate of -1.7.¹ With effect from 17 January, the MCAs were discontinued for the United Kingdom,² sterling having eased down.

2.1.64. On 9 January the Greek Government devalued the drachma by 15.5% against the US dollar, with effect from the following day.³ Following this decision and in view of the trend in the exchange rate for the drachma on 10 and 11 January, the Greek MCAs were fixed at -23.3 with effect from 13 January.⁴

2.1.65. At the request of the Greek Government and acting on a proposal from the Commission, the Council decided on 26 January to devalue the representative rate for the drachma by 7% with effect from 31 January.⁵ The Greek MCAs were reduced accordingly; following an improvement in the drachma's position on the foreign exchange markets, the new MCAs were fixed with effect from 31 January on the basis of a 'monetary gap' of -10.8.⁶

2.1.66. On 17 January the Council, acting on a proposal from the Commission, decided to extend⁷ to 31 December 1983 the following three Regulations which it had adopted on 14 December:⁸

(i) the Regulation⁹ amending Regulation (EEC) No 652/79¹⁰ as regards the further use of the ECU for the purposes of the CAP;

(ii) the Regulation⁹ amending Regulation (EEC) No 878/77¹¹ as regards the overall

adjustment, in the light of any revaluation of representative rates, of amounts expressed in ECUs and not connected with the fixing of agricultural prices;

(iii) the Regulation⁹ amending Regulation (EEC) No 974/71¹² as regards a change in the method of calculating MCAs in the wine sector.

Market organizations

2.1.67. On 17 January the Council, acting on a proposal from the Commission¹³ and having consulted Parliament,¹⁴ extended until 31 December 1983 the period for which Greece would be authorized to apply transitional measures in respect of the common organization of markets.¹⁵

Prices and specific measures

Pigmeat

2.1.68. Since the recent outbreak of foot and mouth disease had made it more difficult for Denmark to export pigmeat, the Commission authorized the introduction of private storage aid in this sector with effect from 24 January.⁷ This measure applies only to Denmark and to the meat of pigs slaughtered in that country.

Fresh fruit and vegetables

2.1.69. In view of the very substantial apple crop for 1982/83, the Commission transmitted to the Council on 31 January a proposal for a Regulation authorizing the

¹ OJ L 1, 3.1.1983.

² OJ L 13, 15.1.1983.

³ Point 2.1.1.

⁴ OJ L 11, 13.1.1983.

⁵ OJ L 27, 29.1.1983.

⁶ OJ L 29, 31.1.1983.

⁷ OJ L 16, 20.1.1983.

⁸ Bull. EC 12-1982; point 2.1.112.

⁹ OJ L 362, 23.12.1982.

¹⁰ OJ L 84, 4.4.1979.

¹¹ OJ L 106, 29.4.1977.

¹² OJ L 106, 12.5.1971.

¹³ Bull. EC 12-1982, point 2.1.113.

¹⁴ OJ C 42, 14.2.1982.

¹⁵ OJ L 17, 21.1.1983.

distillation of apples into alcohol with a strength of less than 60°. ¹ This proposal, which would make a derogation from the 1972 basic Regulation ² for the current marketing year, takes account of the technical facilities at certain small distilleries which could absorb some quantities withdrawn from the market or purchased by a Member State.

Wine

2.1.70. On 13 January the Commission transmitted to the Council two proposals concerning structural measures. One ³ would amend the 1980 Regulation on collective projects for the restructuring of vineyards ⁴ by distinguishing between vineyards intended for the production of table wine, where structural improvements are called for, and vineyards intended for the production of quality wine psr, for which sufficient areas must be set aside.

The second proposal ⁵ would bring the Charentes region within the scope of the 1980 Regulation on the granting of temporary and permanent abandonment premiums in respect of certain areas under vines and of premiums for the renunciation of replanting. ⁴

2.1.71. On 6 January the Commission amended ⁶ the Regulation of 8 September 1982 laying down, for the 1982/83 wine-growing year, provisions concerning the distillation of the by-products of wine-making. ⁷

To simplify the rules, the quantities to be delivered for such distillation will be calculated on the basis of the alcohol contained in the wine, in line with the practice followed hitherto for the application of Article 39 of the basic Regulation (Regulation (EEC) No 337/79). ⁸ For the first year in which the Regulation is implemented withdrawals of by-products will be supervised in accordance with existing national legislation, since the Member States have not had time to introduce the new control arrangements laid down in the Community rules.

Milk and milk products

2.1.72. In order to prevent an abrupt cessation of imports in the absence of a Regulation on the quantity of New Zealand butter which the United Kingdom would be authorized to import in 1983, the Council fixed on 18 January the quantity authorized for the month of February. ⁹

2.1.73. On 31 January the Commission transmitted to the Council its seventh communication concerning the programme for the utilization of co-responsibility levy funds in the milk sector for the 1983/84 milk year. ¹⁰

The Commission intends to continue financing the supply of milk to schools (400 000 tonnes whole milk equivalent), to sell off some 250 000 tonnes of skimmed-milk powder for use in the feeding of pigs and poultry between 1 April 1983 and 31 March 1984 and to promote the use of butterfat in the manufacture of ice cream (40 000 tonnes). The Commission will also continue to finance promotional measures and to assist programmes for the improvement of milk quality. The various measures proposed will account for 361 million ECU.

Beef and veal

2.1.74. The Commission extended the validity of the refunds applicable to beef and veal with effect from 1 February 1983. The level of these refunds had not been altered since May 1982.

2.1.75. On 28 January the Commission extended, ² for the duration of the 1982/83

¹ COM (83) 40 final.

² OJ L 118, 20.5.1972.

³ OJ C 27, 2.2.1983; COM (82) 887 final.

⁴ OJ L 57, 29.2.1980.

⁵ OJ C 18, 22.1.1983; COM (82) 890 final.

⁶ OJ L 5, 7.1.1983.

⁷ OJ L 262, 10.9.1982.

⁸ OJ L 54, 5.3.1979.

⁹ OJ L 17, 21.1.1983; Bull. EC 12-1982, point 2.1.121.

¹⁰ COM (83)33 final.

¹¹ OJ L 27, 29.1.1983.

marketing year, the Regulation authorizing Greece to suspend the entire customs duties applicable on imports of beef and veal products.¹

Olive oil

2.1.76. On 12 January Parliament endorsed² the proposal³ to amend the Regulation on the establishment of a common organization of the market in oils and fats⁴ so as to narrow the gap between the price of olive oil and that of competing vegetable oils. On this occasion Parliament stressed the importance of production aid and the need to establish a register of olive cultivation as the basis for structural measures.

Seed

2.1.77. On 17 January the Commission, having regard to market developments and the need to ensure a fair income for producers, presented to the Council a proposal for a Regulation fixing the amounts of aid granted for seeds for the 1984/85 and 1985/86 marketing years.⁵

Agricultural legislation

Veterinary legislation

2.1.78. Outbreaks of classical swine fever having been reported in various parts of the Federal Republic of Germany, the Commission was obliged to declare the regions in questions no longer 'free' or 'officially free' of the disease.⁶

2.1.79. At its January session the Economic and Social Committee endorsed the Commission's proposal for a Directive introducing Community measures for the control of foot-and-mouth disease.⁷

Plant health legislation

2.1.80. On 11 January the Commission adopted, pursuant to the protective clause applicable under the Community's plant health legislation, a Decision authorizing Italy, until 30 April 1983, to take additional

measures to protect itself against the introduction of *Erwinia amylovora* (fire blight).⁸ This Decision empowers Italy to require that imports from other Member States of propagating materials for certain fruit-bearing species should meet certain plant health conditions laid down at Community level, account being taken of developments since the first Decision adopted on this subject.⁹

Italy is to reopen its frontiers to the imports concerned from 1 February 1983.

Competition

2.1.81. Applying Articles 92 to 94 of the EEC Treaty, the Commission decided to make no comment on the introduction of the following draft measures, notified by:

Denmark

Aid to enable persons working on farms to acquire further training reflecting rapid technological change in this sector.

Amendment of the Act on the State contribution towards the reimbursement of certain farmers in respect of the interest paid on loans for investment carried out during the period 25 November 1973 to 31 December 1980. The amendment would mean the granting of an extra lump sum equivalent to the subsidy which the farmer received during the first year of his low-interest loan.

Amendment of the Act concerning the deduction of a parafiscal charge from the interest payments of fruit growers who have contracted loans. The amendment also provides for the deduction of the parafiscal charge levied on farmers' property. In reaching its decision, the Commission took account of the additional information supplied by the Danish authorities.

¹ OJ L 47, 20.2.1981; OJ L 369, 29.12.1982.

² OJ C 42, 14.2.1983.

³ OJ C 72, 23.3.1982; Bull. EC 3-1982, point 2.1.69.

⁴ OJ L 172, 30.9.1966.

⁵ OJ C 31, 5.2.1983; COM (82)895 final.

⁶ OJ L 31, 2.2.1982.

⁷ OJ C 248, 22.9.1982; Bull. EC 9-1982, point 2.1.66.

⁸ OJ L 17, 21.1.1983.

⁹ OJ L 355, 10.12.1983.

Federal Republic of Germany

Launching aid for the stabilization funds for fattening poultry and eggs: certain loans contracted in previous years are to be converted into subsidies intended to facilitate the marketing of production. With the same end in view, there are plans for measures to improve market transparency, for research into ways of improving quality, for the introduction of compulsory veterinary inspections and for the organization of advertising campaigns. The Commission may, if appropriate, review the aids for advertising at a later date, under Article 93(1) of the Treaty.

Lower Saxony: aid to offset losses of piglets and cases of swine brucellosis as a result of Aujeszky's disease. This aid is granted under a programme for the eradication of livestock diseases. It satisfies the criteria recommended for appropriate stockfarming measures.

Rhineland-Palatinate: aids for the restructuring of vineyards. These are measures pursuant to Regulation (EEC) No 458/80¹ and are intended to offset some of the costs incurred by bodies engaged in restructuring work. They cover the purchase and planting of vines, the placing of supports, the preparation of the soil and the provision of materials to ensure plant health and to protect the vines against pests.

In reaching its decision, the Commission also took account of the additional information supplied by the German authorities.

France

Adjustment of the aid scheme for young farmers. This concerns a capital grant to young farmers so that they can meet the costs of starting up and special medium-term loans so that they can take over all or part of a farm or make balancing settlements entailed by transfers.

United Kingdom

Adjustment of the aid scheme for the training of young farmers or adults who wish to improve their agricultural skills or attend certain agricultural retraining courses.

European Agricultural Guidance and Guarantee Fund

Guarantee Section

Clearance of accounts

2.1.82. On 14 January the Commission adopted decisions on the clearance of accounts relating to expenditure in 1976 and 1977 financed by the EAGGF Guarantee Section.²

The expenditure chargeable to the Guarantee Section amounts to 5 310 million ECU in respect of 1976 and 6 558.7 million ECU in respect of 1977. In assessing the two years concerned, the Commission disallowed a total of 139.3 million ECU.

Fisheries

2.1.83. After six years of negotiation, the Council has adopted the new common fisheries policy.³ The policy has four main aspects. In the first place, there will be a Community system for the conservation of resources, balanced exploitation of which is to be ensured by restrictions on fishing and control of access to coastal zones, the main restrictions being total allowable catches (TACs) allocated in the form of national quotas and technical rules on fishing gear. Secondly, structural measures will be implemented. Thirdly, there is to be common organization of the market. Lastly, the policy includes fisheries agreements with non-member countries and consultations within the framework of international conventions.

Resources

*Internal aspects*⁴

2.1.84. On 25 January the Council adopted a Regulation fixing the TAC for each stock or

¹ OJ L 57, 29.2.1980.

² OJ L 38, 10.2.1983; OJ L 40, 12.2.1983.

³ Point 1.1.1 *et seq.*; OJ L 24, 27.1.1983; OJ L 25, 27.1.1983.

⁴ See also point 1.1.4.

group of stocks, the share of such catches available to the Community and the allocation of this share among the Member States (quotas), account being taken of commitments *vis-à-vis* non-member countries.¹ Pending entry into force of the TACs and quotas for 1983, the Council agreed that fishing during the first few months of 1983 should be conducted on the basis of the 1982 TACs and quotas but in keeping with normal seasonal cycles.²

2.1.85. On the question of access, the Council agreed to authorize the Member States to maintain until 31 December 1992 the derogation arrangements defined in the 1972 Act of Accession and to extend to 12 nautical miles, on a general basis, the 6-mile limit provided for in the Act, while taking account of the rights of other Member States as defined in the Regulation. Unless the Council decides otherwise, these arrangements will continue to apply for a further 10-year period.

2.1.86. A Regulation was also adopted on technical conservation measures, with particular reference to mesh sizes, the levels of by-catches and the restrictions on fishing in certain zones or at certain times.¹

External aspects

2.1.87. On 12 January the Commission transmitted to the Council a recommendation for a Decision authorizing it to negotiate fisheries agreements with certain Caribbean countries whose water have traditionally been used by Community fishermen. These agreements will guarantee the rights of Community fishermen and, more particularly, of the local population. The Council invited the Commission to pursue its contacts in the region.

2.1.88. The Commission also transmitted to the Council on 11 January a proposal for a Regulation laying down, for the period 1 April 1983 to 31 March 1984, certain measures for the conservation and management of fishery resources applicable to vessels flying the flags of certain non-member countries in the 200-mile zone off the coast of French Guiana.³

2.1.89. On 25 January the Commission sent the Council a proposal⁴ for a Regulation on the conclusion of the fisheries agreement with Guinea-Bissau initialled in Brussels last November.⁵

2.1.90. The Council adopted three Regulations laying down certain measures for the conservation and management of fishery resources which will apply until 30 April 1983 to vessels flying the flags of Norway, Sweden and the Faeroe Islands and extended for a further two months the interim arrangements⁶ which had applied in January to Spanish vessels⁷ fishing in Community waters.

2.1.91. The Council approved in principle a Regulation on the conclusion of the Agreement between the Community, Norway and Sweden to govern fishing in the Skagerrak and Kattegat in 1983, and the signing of a framework agreement with Finland.

2.1.92. The Council adopted a Regulation allocating among the Member States the Community catch quotas in Canadian waters in 1983.

2.1.93. After an oral report from the Commission on fishing relations with Mauritania, the Council requested the Commission to continue its negotiations with that country with a view to reaching an agreement as soon as possible.

Markets and structures

Organization of markets

2.1.94. In administering the new rules governing the common organization of the market⁸ activated on 1 January 1983, the Commission adopted on 21 January a

¹ OJ L 24, 27.1.1983.

² OJ L 25, 27.1.1983.

³ OJ C 28, 3.2.1983.

⁴ OJ C 36, 9.2.1983.

⁵ Bull. EC 11-1982, point 2.1.112; Bull. EC 12-1982, point 2.1.147.

⁶ Bull. EC 12-1982, point 2.1.146.

⁷ OJ L 30, 1.2.1983.

⁸ OJ L 379, 31.12.1981.

Regulation introducing a system of surveillance of exports of whole frozen mackerel.¹

Structures

2.1.95. The Council adopted a resolution to make available a total of 250 million ECU, over a three-year period, for the restructuring of the fishing fleet and the improvement of productivity in the fisheries sector.²

2.1.96. As regards national aids, the Commission decided to initiate the procedure laid down in Article 93(2) of the EEC Treaty in respect of the United Kingdom's grant of financial assistance totalling UKL 15 million to owners of fishing vessels. In this matter the Commission maintains the same position as it adopted towards identical aids granted in 1980 and 1981.³

Transport

Action for failure to act

2.1.97. On 22 January the President of Parliament brought before the Court of Justice an action against the Council for failure to act in the field of transport policy⁴—the final stage in the procedure instituted under Article 175 of the EEC Treaty by the resolution Parliament adopted in September.⁵ Parliament's aim is to obtain a declaration that the Council has failed to fulfil its obligation to take the steps called for by the EEC Treaty to establish a common transport policy. The action was brought at the request of Parliament's Transport and Legal Affairs Committee after scrutiny of the Council's reply to the letter Parliament sent in September calling on the Council to act upon the proposals laid before it. The two committees also bore in mind the fact that the outcome of the Council meeting on transport in December⁶ had done nothing to change Parliament's views.

Inland transport

Frontier formalities and inspections

2.1.98. On 13 January Parliament endorsed⁷ the Commission's proposal for a

Directive on the facilitation of formalities and inspections in respect of the carriage of goods between Member States.⁸

Approximation of structures

Recording equipment in road transport

2.1.99. The Committee for the adaptation to technical progress of the Council Regulation of 20 July 1970 on the introduction of recording equipment in road transport⁹ met for the first time on 20 January to discuss rules of procedure and the need for new types of recording equipment. Examination of various possible amendments to the Regulation produced a broad consensus on the general approach.

Container safety

2.1.100. On 11 January a panel of government experts met in Brussels to examine certain practical questions concerning harmonized implementation of the International Convention for Safe Containers. A consensus was reached on most of the questions, and in particular on the intervals at which containers were to be examined. This should pave the way for adoption of a common position at the next meeting of the IMO Subcommittee on Containers and Cargoes.

Research into a transport policy

2.1.100 bis. At an initial meeting on 18 January, the Commission services consulted national officials responsible for research into land transport on a preliminary Community R&D programme on transport policy.

¹ OJ L 18, 22.2.1983.

² See also point 1.1.8; OJ C 28, 3.2.1983.

³ OJ C 8, 14.1.1982.

⁴ OJ C 49, 19.2.1983.

⁵ OJ C 267, 13.10.1982; Bull. EC 9-1982, points 2.1.82 and 2.4.6.

⁶ Bull. EC 12-1982, point 2.1.154.

⁷ Point 2.4.13; OJ C 42, 14.2.1983.

⁸ OJ C 127, 18.5.1982; Bull. EC 4-1982, point 2.1.87.

⁹ OJ L 164, 27.7.1970.

Operation of the market

Rhine navigation

2.1.101. Additional Protocol No 2, signed on 17 October 1979,¹ to the Revised Convention for the Navigation of the Rhine (the Mannheim Convention) allows only vessels 'belonging to Rhine navigation' to perform transport operations freely between two points situated on the inland waterways covered by the Convention. The conditions for belonging to Rhine navigation are to be determined within the Central Commission for the navigation of the Rhine (CCR). Accordingly, on 31 January the Commission sent the Council a proposal for a Decision on common action, within the CCR, by the five Community Member States—Belgium, France, Germany, the Netherlands and the United Kingdom—which, together with Switzerland, are the Contracting Parties to the Mannheim Convention.²

A future Council Regulation will lay down the conditions for applying the Convention throughout the Community.

*

2.1.102. At its January session the Economic and Social Committee delivered opinions on two proposals for Regulations applying Articles 85 and 86 of the Treaty to sea and air transport³ and on a proposal for a Directive on tariffs for scheduled air transport between Member States.⁴

Energy

Formulating and implementing a Community energy policy

Specific measures of Community interest

2.1.103. On 19 January, in connection with preliminary draft supplementary and amending budget No 1/1983,⁵ the Commission amended⁶ its proposal of 12 November for a Regulation instituting a special energy development programme.⁷ The amended proposal applies to energy projects and

energy measures in the Federal Republic of Germany and in the United Kingdom. Implementation of projects and measures of Community interest in two Community countries which are also major energy producers and consumers should further the Community energy strategy. Energy production, energy conservation, more rational use of energy, energy research and technology, and security of supply are among the fields covered.

Specific problems

Oil and gas

2.1.104. On 20 November 1979 the Council agreed to extend for three years the Regulation of 20 November 1979⁸ laying down the rules for implementing the Community registration system for imports of petroleum products introduced under the Council Regulation of 28 August 1979.⁹ As a result the registration system originally set up to monitor price movements on the market in times of tension will become a more or less permanent feature with two functions—to provide a permanent market-survey mechanism and to offer a means of monitoring price movements whenever tension rises on the world market.

Nuclear energy

2.1.105. In its communication of 10 February 1982 on the nuclear aspects of the energy strategy,¹⁰ the Commission undertook to report on the implementation of the verifica-

¹ Council Decisions approving the Protocol and the Protocol of Signature were adopted on 19 December 1978 and 24 July 1979 respectively.

² COM (83) 34 final.

³ Point 2.4.47; OJ C 282, 5.1.1981; OJ C 291, 12.11.1981.

⁴ OJ C 78, 30.3.1982; Bull. EC 10-1981, point 2.1.139.

⁵ Point 2.3.1.

⁶ OJ C 35, 3.2.1983; COM (83) 31 final.

⁷ Bull. EC 11-1982, point 2.1.127.

⁸ OJ L 297, 24.11.1979.

⁹ OJ L 220, 30.8.1979.

¹⁰ Bull. EC 2-1982, point 2.1.7.

tion agreements which Euratom and its Member States had concluded with the International Atomic Energy Agency (IAEA).

On 28 January the Commission sent the Council a report to fulfil that undertaking.¹ This is a historical survey which covers in particular the differences between the Euratom and IAEA safeguards systems, the specific treaties regarding the verification agreements and, finally, certain 'special arrangements' of a provisional nature that had come into effect between the Community and the IAEA between 1977 and 1980.

The Commission stressed that a great deal had been achieved in implementation of the verification agreements but drew the Council's attention to the fact that a protracted effort taking full account of the need to adapt to a reality undergoing both quantitative and qualitative changes was the only answer to some of the outstanding problems.

This also implied the constant progress of the Community's safeguards system.

In the light of the Council's and the Member States' views on the report, the Commission will tackle this task and present the Council with practical proposals whenever necessary.

Research and development

Development of the common policy

2.1.106. At its meetings on 6, 7 and 21 January the Scientific and Technical Research Committee (CREST) discussed the 1984-87 framework programme proposed by the Commission on 21 December.² CREST expresses the view that the Commission communication was a useful basis for discussion in the Council and could provide valuable guidance for future Community R&D action programmes.

2.1.107. At its 21 January meeting CREST also welcomed the Commission proposal on the continuation of the research programme on forecasting and assessment in science and technology (FAST II) (1983-87).³

Cooperation with non-member countries

2.1.108. The working group on technology growth and employment set up at the Versailles Summit (June 1982),⁴ composed of representatives of the seven participating countries and of the European Communities (Commission and Council Presidency), submitted its report and proposals on 26 January.

In accordance with the Versailles declaration, the conclusions of the report and the resulting action will be considered at the industrialized countries next summit, which is scheduled for 28 to 30 May in Williamsburg, Virginia, USA.

2.1.109. In order to allow some European non-member countries to participate in new Community R&D programmes in the field of raw materials (1982-86),⁵ on medicine and public health (1982-86)⁶ and on a concerted-action project in the field of shore-based marine navigation aid systems (1983-85),⁷ the Commission recently put proposals to the Council for decisions on:

- (i) the conclusion of an agreement between the Community and Switzerland on a concerted-action project in the field of cellular ageing;⁸
- (ii) the conclusion of an agreement between the Community and Switzerland for the continuation of cooperation on the registration of congenital abnormalities;⁹
- (iii) the conclusion of a cooperation agreement between the Community and Sweden on a European R&D programme on wood;¹⁰

¹ COM (83) 36 final.

² Bull. EC 12-1982, point 2.1.179.

³ Bull. EC 12-1982, point 2.1.190.

⁴ Bull. EC 6-1982, point 3.4.1.

⁵ OJ L 174, 21.6.1982; Bull. EC 5-1982, point 2.1.151.

⁶ OJ L 248, 24.8.1982; Bull. EC 7/8-1982, point 2.1.186.

⁷ OJ L 378, 31.12.1982.

⁸ COM (83) 17 final.

⁹ COM (83) 32 final.

¹⁰ COM (83) 20 final.

(iv) the approval of the Community-COST concertation agreement on shore-based marine navigation aid systems (COST project 301).¹

Multiannual programmes and horizontal activities

Horizontal activities

2.1.110. In continuation of the general Community R&D policy, the Commission sent the Council on 24 January a plan of action relating to the evaluation of Community research and development programmes.²

This plan, which is to play a key role in the implementation and periodic updating of the framework programme (1984-87) for Community scientific and technical activities, covers a three-year period. It provides for the continued strengthening of existing internal evaluation methods applied during the implementation of R&D programmes, the retrospective evaluation of the results of Community R&D programmes by teams of external independent experts, studies on the development of evaluation methods and encouragement for the exchange of information concerning evaluation within the Community.

Three evaluation procedures are now in progress, covering the COST teleinformatics project, the radiation protection research programme and the steel research programme.

Raw materials

2.1.111. In consultation with the Advisory Committee on Programme Management for the raw materials R&D programme,³ which met on 11 to 13 January, Commission staff made a detailed examination of research proposals received in response to the call for proposals on research into substitution and materials technology. Of the 202 proposals received (involving expenditure of some 41 million ECU), 45 have been shortlisted and may be granted about 6.3 million ECU from the Community budget.

The projects relate mainly to electrical and electronic engineering, surface treatment and coatings, cutting and machining.

The section of the programme covering ceramics, for which there are also industrial applications, was discussed last December. It is of particular interest to advanced technology sections of the motor, aircraft and aerospace industries.

Support for industrial development

2.1.112. Training activities under the biomolecular engineering programme⁴ started at the beginning of the year. The research projects under this programme were launched last December, when 15 shared-cost contracts were signed with laboratories in the Member States, but the 14 training contracts allowing highly qualified young scientists to conduct research on enzyme or genetic engineering in laboratories of high standing in the Community only came into effect on 1 January this year. This research and training programme will gather speed throughout the year with the award of a total of 54 research contracts and the gradual extension of training activities.

Living and working conditions

Environment

2.1.113. The Advisory Committee on Programme Management for the Community's environmental R&D programme⁵ met in Brussels on 19 January. The meeting was primarily devoted to the preparation of the second phase of the ongoing environmental R&D programme. This phase will cover the period 1984-85 and will involve a financial participation from the Commission of the order of 13 million ECU. It was suggested that the call for research proposals for this phase should specify research priorities within the following areas: effects of pollutants and prevention of pollution; protection, conservation and management of the natural environment.

¹ COM (83) 35 final.

² COM (83) 1 final.

³ OJ L 174, 21.6.1982; Bull. EC 5-1982, point 2.1.151.

⁴ OJ L 375, 30.12.1981.

⁵ OJ L 101, 11.4.1981.

Medical research

2.1.114. Following the Council Decision of 17 August 1982 adopting the 1982-86 R&D programme in the field of medicine and public health,¹ four concerted action committees were set up and met for the first time in January to coordinate research activities in the following fields: epidemiology, statistics and clinical trials; biomedical engineering, evaluation of technology, transfer and standardization; health services research; applied biology, physiology and biochemistry.

At these meetings, the four committees agreed on the continuation and extension of seven projects under the first and second medical research programmes, providing for the coordination at Community level of more than 300 national institutes. They also agreed on the start of five new projects which will include in the coordination about 250 further specialized research institutes in the various Member States.

¹ OJ L 248, 24.8.1982.

2. Enlargement and external relations

Enlargement and bilateral relations with applicant countries

Portugal

Accession negotiations

2.2.1. The 11th meeting of the Conference at ministerial level took place in Brussels on 25 January. The Community presented a statement on agriculture, dealing with aspects of the general transitional arrangements, the situation in sectors for which the joint examination of Community secondary legislation is already complete, and a number of problems in connection with agricultural statistics and approximation of laws.

The Community also presented statements on social affairs, right of establishment (direct investment in Portugal) and a number of outstanding technical points to do with customs union and the ECSC; agreement was reached on the last of these. The Portuguese delegation in turn presented statements on social affairs and right of establishment and the customs union and also made a brief interim statement on agriculture.

Spain

Accession negotiations

2.2.2. The 24th deputy-level meeting between the Community and Spain took place in Brussels on 28 January.

The Community presented statements on the customs union, free movement of goods in the industrial sector (textiles) and external relations. The statement on external relations also dealt with procedures parallel to the accession negotiations by which the Community might address the problems which enlargement will pose for non-member countries around the Mediterranean.¹

The Spanish delegation, headed by the new Minister of State for Relations with the EEC, Mr Manuel Marín González, presented statements on the customs union and free movement of goods in the industrial sector (quantitative restrictions, the tobacco monopoly), the ECSC, external relations (quantitative restrictions) and patents.

¹ Bull. EC 6-1982, points 1.2.1 to 1.2.3.

Bilateral relations

2.2.3. At its 24 and 25 January meeting the Council heard a Commission report¹ on the talks which the Commission had had with the Spanish authorities concerning problems in the application of the 1970 EEC-Spain Agreement.

Commercial policy

Implementing the common commercial policy

Import arrangements

Easing of restrictive measures

2.2.4. Under the Council Regulation of 4 December 1980 on import arrangements in respect of State-trading countries,² the Commission decided on the following measures:

Modification of quotas

Greece — Bulgaria/Hungary/Poland/Romania: motor buses; mineral or chemical fertilizers.³

Modification of import arrangements

Ireland — People's Republic of China: temporary imposition (1983) of import quotas on tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, other than white or single-coloured;⁴

Benelux — Federal Republic of Germany — Greece/People's Republic of China: removal of quantitative restrictions on imports of various industrial products;⁵

France — State-trading countries: extension of the suspension of quantitative restrictions on imports of unwrought aluminium.⁶

Opening of quotas

Federal Republic of Germany — Poland/Romania/Hungary: textile products (outward processing);⁷

Italy — People's Republic of China: blouses of flax, hand embroidered;⁶

France — People's Republic of China: silk articles, household linen of flax, crepes and woven fabrics of silk, fabrics and sacks of jute;⁸

Italy — Romania: tractor engines, transmissions and front axles for tractors.⁹

Other measures

2.2.5. The Council has adopted the Decision setting the import quotas to be opened by Member States in respect of State-trading countries for 1983.¹⁰ The Council also extended¹¹ for 1983 the specific commercial measures adopted in respect of the USSR on 15 March 1982.¹²

Trade protection

2.2.6. In January the Council imposed a definitive anti-dumping duty on certain chemical fertilizers originating in the United States of America.¹³ A provisional duty had been imposed by the Commission in 1982.¹⁴ The Council also decided on the definitive collection of the provisional anti-dumping duty on imports of polyvinyl chloride resins and compounds originating in Czechoslovakia.¹⁵ The Commission had imposed a provisional anti-dumping duty on this product in September 1982.¹⁶

2.2.7. The Commission imposed a provisional anti-dumping duty on 4,4'-isopropylidenediphenol originating in the United States of America,¹⁷ and a definitive

¹ Bull. EC 12-1982, point 2.2.9.

² OJ L 353, 29.12.1980.

³ OJ C 324, 10.12.1982.

⁴ OJ C 328, 14.12.1982.

⁵ OJ L 381, 31.12.1982.

⁶ OJ C 332, 18.12.1982.

⁷ OJ C 331, 17.12.1982.

⁸ OJ C 7, 11.1.1983.

⁹ OJ C 10, 14.1.1983.

¹⁰ OJ L 387, 31.12.1982.

¹¹ OJ L 365, 24.12.1982.

¹² OJ L 72, 16.3.1982.

¹³ OJ L 15, 19.1.1983.

¹⁴ OJ L 214, 22.7.1982; OJ L 246, 21.8.1982.

¹⁵ OJ L 18, 22.1.1983.

¹⁶ OJ L 274, 24.9.1982.

¹⁷ OJ L 23, 26.1.1983.

anti-dumping duty on broad-flanged beams originating in Spain.¹

2.2.8. The Commission accepted undertakings given in connection with the anti-dumping proceeding concerning photographic enlargers originating in Poland or the USSR² and decided to terminate the proceedings; it also decided to lift the provisional anti-dumping duty which it had imposed in 1982.³

The Commission accepted the undertaking given in connection with the anti-dumping proceeding concerning polyvinyl chloride originating in Czechoslovakia; it terminated the proceeding and lifted the provisional anti-dumping duty.⁴

It also terminated the anti-dumping proceeding concerning imports of codeine and its salts originating in Czechoslovakia, Hungary, Poland or Yugoslavia.⁵

Treaties and trade agreements: extension or automatic renewal

2.2.9. At its 24 and 25 January meeting the Council authorized the extension or automatic renewal of certain friendship, trade and navigation treaties and similar Agreements concluded between Member States and non-member countries.⁶

Sectoral commercial policy measures

Iron and steel products

2.2.10. In the matter of the proceedings initiated in the United States concerning certain Community exports of special steels, the Council, at its 24 and 25 January meeting, noted the Commission's intention of sounding out the United States authorities and asked to be kept informed of developments.

Arrangements with non-member countries

2.2.11. The Commission continued negotiations with several non-member countries aimed at extending for 1983 the arrangements on imports of steel products falling within the ECSC Treaty (14 in all at

31 December 1982). The Commission has now completed the negotiations which it started in December with Sweden, Norway, Finland, Austria, South Korea, Hungary, Bulgaria, Poland and Czechoslovakia. Negotiations begun with other countries are continuing.

The Commission has made exploratory contacts with further countries, such as Argentina, South Africa, Venezuela and Brazil (in the case of Brazil for products other than pig iron) with a view to concluding arrangements.

Textiles

Agreements and arrangements with non-member countries

2.2.12. From 1 January this year imports of certain textile products originating in third countries with which the Community has negotiated bilateral Agreements are subject to Regulations Nos 3588/82 and 3589/82.⁷ These Regulations embody the quantitative restrictions on imports agreed for the period 1983-86. They also provide for the renewal of the Textile Committee, which is composed of representatives of the Member States and the Commission and is responsible for all administrative problems encountered in applying the bilateral Agreements.

2.2.13. Imports of certain textile products originating in Taiwan are subject to Regulation No 3587/82,⁷ which is applicable until 31 December 1986 but lays down the quotas for the period 1 January to 30 June 1983 only. The Council will establish quotas for the rest of 1983 and for 1984, 1985 and 1986 by 1 July. The Commission sent the appropriate proposal for a Regulation to the Council on 31 January.⁸

¹ OJ L 30, 1.2.1983.

² OJ L 9, 12.1.1983.

³ OJ L 274, 24.9.1982.

⁴ OJ L 18, 22.1.1983.

⁵ OJ L 16, 20.1.1983.

⁶ OJ L 32, 3.2.1983.

⁷ OJ L 374, 31.12.1982.

⁸ COM (83) 43 final.

Relations with industrialized countries

United States

Bilateral contacts on agriculture

2.2.14. As agreed at the meeting in Brussels between a United States ministerial delegation and Members of the Commission on 10 December 1982,¹ discussions on problems in agricultural trade opened in Washington on 11 and 12 January between the United States and the Community.

The discussions covered the probable level of cereal stocks and hence the volume of exports and respective market shares, and also milk products. They will be continued in Brussels on 9 and 10 February.

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2.2.15. The 31st meeting between the Parliament delegation for relations with the United States Congress and a United States Congressional delegation took place in Athens from 16 to 19 January.

Canada

2.2.16. Mr Allen J. MacEachen, the Canadian Deputy Prime Minister and Minister for External Affairs, and Mr Wilhelm Haferkamp, one of the Commission Vice-Presidents, co-chaired the fifth meeting² of the Joint Cooperation Committee, which was held on 17 January.

The Committee expressed satisfaction with progress achieved to date but agreed that ample scope remains for intensifying cooperation and fulfilling the potential of the 1976 Framework Agreement.³ The Committee also approved the work programme for the next year, which will focus on the potential for expanding cooperation in areas such as transportation, alternative sources of energy, energy-saving equipment and small businesses. Cooperation will be intensified on research, environment and health and safety at the workplace.

A wide range of multilateral and bilateral issues were reviewed. Discussion centred on

the trading environment and the need to resist protectionist pressures. On the bilateral side the Committee discussed the EEC-Canada Agreement on fisheries, imports of seal skins into the European Community and the general state of trade between Canada and the Community. The Committee agreed that it would meet again in Ottawa early in 1984.

Japan

2.2.17. Mr Shintaro Abe, Japan's new Foreign Minister, visited the Commission early in January. He had talks with Mr Thorn and a working meeting with Mr Davignon. Mr Thorn and Mr Davignon expressed their appreciation of the political efforts reflected in the latest measures to open up the Japanese market⁴ but felt that the measures still fell far short of the Community's wishes. A timetable of meetings was drawn up to provide for regular consultations between the Commission and the Japanese authorities at different levels. Senior Commission officials visited Tokyo for the first round of consultations towards the end of January.

2.2.18. A symposium on prospects for industrial cooperation between the Community and Japan was organized by the Commission and the Japanese Government in Brussels on 20 and 21 January. The symposium was the second of its kind, the first having been held on Tokyo in November 1981.⁵ The symposium was opened by Mr Thorn, and speakers on 21 January included Mr Yamanaka, Minister of International Trade and Industry, and Mr Davignon. Six senior industrialists from Japan and six representing Community industries were able to compare notes and have a frank exchange of views with 350 participants from the Community countries and Japan on the subject of investment, technology transfer and research

¹ Bull. EC 12-1982, points 1.3.1 and 1.3.2.

² Bull. EC 7/8-1981, point 2.2.45.

³ OJ L 260, 24.9.1976.

⁴ Bull. EC 12-1982, point 2.2.60.

⁵ Bull. EC 11-1981, point 2.2.41.

and development. Mr Yamanaka referred to various ways of strengthening industrial cooperation between European and Japanese firms.

2.2.19. The six-monthly EEC-Japan high-level talks were held in Tokyo from 25 to 28 January. The main issues discussed included general economic matters, multilateral and bilateral trade, relations with the Third World (reactivation of the North-South Dialogue, development aid), scientific and environmental questions and energy. A number of major international issues were also discussed at length.

For Japan, Mr Matsunaga, Deputy Minister of Foreign Affairs, concentrated on three topics:

- (i) the need to strengthen EEC-Japan relations at the highest level;
- (ii) the need to work together for the smooth functioning of the world economy and world trade (with particular stress on the duty of all to resist protectionist pressures);
- (iii) Japan's goodwill as shown by the various sets of measures taken by the Suzuki and Nakasone governments to open up the Japanese market.

In reply the Commission representative stressed the important contribution made by the Community to the development of world trade in spite of having to face particularly serious industrial and social problems. He said that the measures taken by Japan to open its market were the fruit of a real effort and part of a process that must continue. He pointed out that the broadening of EEC-Japan cooperation in the fields of manufacturing industry, development aid, macroeconomics, science, technology and energy was an obvious necessity if relations were to be developed in proportion to the capacities of these two great economic and industrial powers.

The Commission delegation also brought up the question of moderating Japanese exports to the Community in certain sensitive sectors. Recent statements by the Japanese authorities seemed to indicate awareness of this aspect of the general problem.

While the consultations were going on, detailed talks took place at technical level on certain specific sectors (video recorders, television tubes, and so on); the talks will be resumed early in February.

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2.2.20. On 12 January Parliament adopted a resolution on imports of Japanese cars into the Community.¹

Relations with other countries and regions

Mediterranean countries

Yugoslavia

2.2.21. At its meeting on 24 and 25 January the Council adopted the Regulation² concluding the EEC-Yugoslavia Agreement which was signed in Belgrade in April 1980.³ This Agreement, together with the ECSC-Yugoslavia Agreement signed on the same day, will enter into force on the first day of the second month following notification of the completion of ratification procedures.

It will be recalled that, pending the entry into force of the Cooperation Agreement, an interim trade agreement and an interim financial protocol have been applied since 1980.³

Tunisia

2.2.22. From 19 to 21 January a joint Commission-EIB team visited Tunisia to identify the sectors and branches of activity to be covered by the second Financial Protocol between Tunisia and the Community.⁴

¹ Point 2.4.9; OJ C 42, 14.2.1983.

² OJ L 41, 14.2.1983.

³ Fourteenth General Report, point 656.

⁴ Sixteenth General report, point 689.

The two parties agreed that the whole of the finance available under the protocol would go on agricultural and agro-industrial projects and schemes aimed at improving Tunisia's self-sufficiency in food.

Jordan

2.2.23. During a visit to Belgium, King Hussein of Jordan met Mr Thorn on 27 January. The King briefed the President on the Middle East situation and on his recent initiatives to bring about a peace settlement. He expressed his appreciation for the positive position adopted by the Community following the Venice Declaration and hoped that it would be maintained in the future. Mr Thorn reaffirmed the Community's willingness to contribute to the process of peace in the region.

Asian countries

India

2.2.24. An important industrial conference was held in New Delhi from 16 to 18 January as part of a programme to promote economic cooperation under the new EEC-India Agreement.¹

The 135 European businessmen who made up the Community delegation, the largest ever to visit India, met their Indian counterparts to discuss possibilities for cooperation in the form of joint ventures, licensing arrangements, etc. The conference participants had been selected from four sectors where the scope for cooperation seemed to be most promising, namely car components, engineering plastics, electronics and telecommunications. The conference was opened by Mr Patil, the Indian Minister of Commerce, and Mr Andriessen, Member of the Commission, who was heading the European delegation.

2.2.25. Mr Andriessen also met the Speaker of Lok Sabha (the lower house of the Indian Parliament), with whom he discussed the visit of a parliamentary delegation to the European Parliament due to take place later this year. He also met various members of the

Government for talks on matters including the functioning of the Cooperation Agreement.

Bangladesh

2.2.26. Under the EEC-Bangladesh Commercial Cooperation Agreement, the Joint Commission met in Dhaka from 21 to 23 January. It drew up a new programme for the promotion of Bangladesh exports and reviewed the various areas of Community aid. With regard to food aid, in view of the exhaustion of security stocks an appeal was made to the Community for the rapid delivery of 100 000 tonnes of cereals under the 1983 programme.

New agricultural, rural and food projects were identified for possible Community financing. The Joint Commission also discussed the prospects for industrial cooperation.

Sri Lanka

2.2.27. At the annual meeting of the EEC-Sri Lanka Joint Commission, which took place on 26 and 27 January, the trade promotion programme for 1983 was reviewed.

The Joint Commission also discussed the promotion of European investment in Sri Lanka and recorded its satisfaction at the increased cooperation in the energy sector. It also reviewed the food aid and rural development aid programme as a whole.

Latin American countries

Mexico

2.2.28. On 6 and 7 January Mr Thorn paid an official visit to Mexico, where he was received by the President, Mr de la Madrid, and took part in a round-table discussion with the Ministers of Foreign Affairs, Finance and Commerce.

The aim of this visit was to demonstrate the Community's sympathy for the difficult

¹ OJ L 328, 16.11.1981; Fifteenth General Report, point 782.

economic situation currently facing Mexico and to emphasize the value which the Community places on its relations with Mexico and Latin America in general.

As regards bilateral relations, the Mexican authorities expressed the desire to reactivate the 1975 Agreement,¹ which had so far failed to satisfy expectations. The reason for this was that Mexico had not always correctly perceived the practical financial and operational limits to the cooperation which the Community as such was able to offer.

On 10 January Mr Thorn delivered a speech on Europe's prospects to a Business International Cooperation forum.

Brazil

2.2.29. Mr Camilo Penna, Brazil's Minister of Industry and Commerce, visited the Commission on 20 January for talks with Mr Haferkamp and Mr Davignon on the progress of the steel negotiations and with Mr Dalsager on the problems concerning sugar production and trade.

Mr Penna emphasized Brazil's difficult external debt situation and asked that the Community adopt a more flexible approach to the steel negotiations and take an active part in the negotiations for the renewal of the International Sugar Agreement. He was assured of the Commission's interest in the various questions raised, but it was also emphasized that the Community steel industry is in an extremely difficult situation.

Development²

North-South relations

2.2.30. At its meeting on 24 and 25 January, the Council reviewed progress in the North-South Dialogue, reiterated the Community's endorsement of the principle of global negotiations and underlined the special political importance of Unctad VI, due to take place in Belgrade in June, as a major event in the Dialogue. It emphasized the need for the Community to make adequate

preparations for the Conference in order to be able to play as constructive a role as possible in the preparatory work and at the Conference itself. The Council proposes to hold a substantive discussion on this subject.

Campaign against hunger in the world

2.2.31. On 31 January the Commission transmitted to the Council a proposal for a Regulation on the implementation of the special programme to combat hunger in the world.³

The implementation of this programme had been approved in principle in the course of adoption of the 1983 budget; a new heading (Article 958) had been inserted with an appropriation of 50 million ECU. This marked the culmination of the great debate organized by Parliament in September 1980,⁴ and of the discussions on two successive Commission communications to the Council and Parliament.⁵

The proposal which the Commission has transmitted to the Council seeks, in accordance with the Joint Declaration of June 1982 on various measures to improve the budgetary procedure,⁶ to create the legal basis necessary for implementation of the appropriations in the 1983 budget. In its proposal the Commission sets out in very general terms the aid objectives and the conditions governing eligibility for financing and market access; it also proposes a procedure for the adoption of financing decisions.

2.2.32. At the Council meeting of 24 and 25 January Mr Colombo, the Italian Foreign Minister, announced his Government's intention to hold a ministerial meeting in Rome before the end of the year to examine the

¹ Ninth General Report, point 498.

² See also 'Relations with other countries and regions'.

³ OJ C 37, 10.2.1983; COM (83) 16 final.

⁴ OJ C 265, 13.10.1980; OJ Annex 260; Bull. EC 9-1980, points 2.3.5 and 2.3.6.

⁵ Bull. EC 9-1081, points 1.2.1 to 1.2.8; Bull. EC 6-1982, points 1.3.1 to 1.3.5.

⁶ OJ C 194, 28.7.1982; Bull. EC 6-1982, points 1.1.1 to 1.1.5.

strategies connected with the problems of food security in Third World countries. He urged the Ten to adopt a common position prior to a meeting of donor countries. Mr Pisani indicated the Commission's readiness to do its part here, and the Council instructed its subordinate bodies to prepare the ground for future discussions.

Food aid, emergency aid and exceptional aid

Food aid

Annual programmes

2.2.33. On 12 January the Commission proposed to the Council that Bolivia be allocated food aid (cereals and skimmed-milk powder) worth 2.5 million ECU from the reserves set aside under the food aid programmes for 1982.¹

Emergency aid

2.2.34. In January the Commission authorized the following allocations of emergency food aid: Ecuador, cereals (1 million ECU); Mauritania, cereals (1 million ECU); Swaziland, skimmed-milk powder (350 000 ECU), and the WFP, flour (400 000 ECU) for victims of the earthquake in the Yemen Arab Republic.

Exceptional aid

Emergency aid

2.2.35. Under Article 950 of the budget the Commission approved the allocation of a further 500 000 ECU of emergency aid to the Yemen Arab Republic via the League of Red Cross Societies following the earthquake which struck the Dhamar region on 13 December 1982.² On 16 December it had approved an initial allocation, also totalling 500 000 ECU.

Following the floods which caused havoc in several coastal provinces of Ecuador, the Commission decided on 7 January to allocate

emergency aid totalling 100 000 ECU to Deutsche Welthungerhilfe (a non-governmental organization) in support of the flood victims.

Commodities and world agreements

Sugar

2.2.36. The Commission has repeatedly emphasized that the Community is willing to accede to an improved International Sugar Agreement. Following the decision of the International Sugar Council in November 1982 to instruct Unctad to arrange a plenary conference in Geneva in May for the purpose of negotiating a new agreement, the Commission requested the Council on 31 January³ for authority to participate in such negotiations.

The Commission considers that the new agreement should lay down essentially the same objectives as the present one. These include stable prices and supplies, if possible an expansion of trade, priority for the developing countries, and better coordination of marketing policies.

The Commission proposes that the objectives of the agreement to be negotiated be achieved by a combination of measures differentiated according to the importance of the participating countries:

- (i) major exporters and developed importing countries would establish a system of nationally held buffer stocks, accompanied if necessary by auxiliary measures to control supply and demand;
- (ii) middle-rank exporters would have export quotas backed up by limited undertakings on stocks, though the export quotas would have to be fixed at more realistic levels than are provided for at present;
- (iii) small exporters would be free to sell all the sugar they produce up to a ceiling to be determined.

¹ COM (82) 893 final.

² Point 2.2.34.

³ COM (83) 26 final.

The aim would be to see that the market could move freely within a certain price bracket. Stocking or destocking operations and the introduction or removal of quotas would be decided on when necessary to deal with crisis and restore price stability as soon as possible.

In addition, the Commission proposes that the new agreement should also deal with other weaknesses in the present agreement. It therefore desires:

- (i) greater participation by developed importing countries in the market stabilization machinery;
- (ii) consideration of sugar substitutes such as isoglucose, which have taken an increasing share of the sweeteners market in importing countries;
- (iii) overall market transparency, including not just the special arrangement for Community imports from the ACP countries but also the special arrangements for Cuba and other Comecon countries.

Aid to non-associated developing countries

2.2.37. Following a favourable opinion delivered by the Committee on aid to non-associated developing countries, the Commission in January took the following financing decisions (under Article 930 of the budget):

Nicaragua—bridge reconstruction on the Honduras border—autonomous project: 3.2 million ECU (total cost);

Waslala integrated regional development — autonomous project: 3.5 million ECU (total cost: 7.7 million ECU).

Relations with non-governmental organizations

2.2.38. The budget allotted for project cofinancing operations in 1983 totals 31.2 million units of account; 121 projects, representing a Community contribution of 15.7 million units of account and including 111 carried over from 1982 through lack of funds, are now being studied by the Commission departments concerned.

ACP States and OCTs

ACP-EEC Conventions

European Development Fund

2.2.39. In January the Commission took decisions involving the allocation of fourth and fifth EDF resources totalling 35 826 000 ECU to finance projects and programmes and emergency aid operations within its purview in the following sectors:

	<i>(ECU)</i>
Training	3 180 000
Road infrastructure	12 571 000
Tourism	4 814 000
Stockfarming and fisheries	415 000
Airports	6 676 000
Data processing	3 260 000
International trade events	1 760 000
Emergency	1 150 000
Other	2 000 000
Total	35 826 000

2.2.40. On 7 January Mr Moussa and Mr Moundele-Ngolo, the Minister of Planning and the Minister of Public Works and Construction of the People's Republic of the Congo, visited the Commission. During talks, agreement was reached on the principle of EDF financing for the Loudima-Indo road project, which will improve communications.

Financial and technical cooperation

2.2.41. From 18 to 21 January a Commission delegation visited the West African Development Bank in Lomé and the African Development Bank in Abidjan to obtain detailed information on the programmes adopted by the two banks and to take stock of projects already cofinanced.

The talks in Lomé centred on three specific projects of interest to both parties, in which the African Development Bank might also participate, and the West African Development Bank stated the priorities of its new programme for 1983-84.

In Abidjan, the ADB and the Commission noted that no major problems stood in the way of implementation of the 30 or so projects currently being cofinanced. The two sides identified several projects that could be of common interest, and the ADB presented its lending programme for 1982-83.

Southern Africa

2.2.42. A Community delegation led by Mr Pisani took part in the third Southern Africa Development Coordination Conference, held in Maseru, Lesotho, from 27 to 29 January.

Addressing the Conference, Mr Pisani reiterated that the Community was committed to contributing financially not only towards the projects and programmes in the various regional integration sectors (transport and communications, food security, training, energy and industry) but also towards technical assistance for the SADCC Secretariat.

All the Member States of the Community took part in the Conference. During his stay in Maseru, Mr Pisani was received by King Moshoeshoe and the Prime Minister.

2.2.43. On 31 January a delegation of women leaders led by Mrs J.M. Cisse, the Guinean Minister of Social Affairs, visited the Commission on behalf of the United Nations Special Committee against Apartheid, and was received by Mr Thorn and Mr Pisani. There was a wide-ranging exchange of views on the situation in southern Africa and the consequences for women and children in particular.

International organizations and conferences

United Nations

Economic and Social Council

International accounting and reporting standards

2.2.44. On 12 January the Commission transmitted to the Council a recommendation

for a Decision concerning the Community position to be adopted in discussions on the development of international accounting and reporting standards applicable primarily to multinational enterprises — or transnational corporations, as they are known in United Nations parlance.¹

An intergovernmental working group set up by the Economic and Social Council in October 1982 for the purpose of examining these questions is to hold its first meeting in February. The activities of the new working group will to a large extent involve areas covered by Community legislation. The legislation already adopted by the Community in this sphere includes the first and fourth company law Directives.² Other proposals for Directives are under consideration, notably for a seventh Directive (concerning group accounts)³ and for a Directive concerning the annual accounts of banks and other financial institutions.⁴

United Nations Conference on Trade and Development

2.2.45. At its meeting on 24 and 25 January the Council made a specific statement emphasizing the fact that the Community attached particular political importance to the sixth United Nations Conference on Trade and Development, due to take place in Belgrade in June,⁵ as a major event in the North-South Dialogue. It also stressed the need for the Community to play as constructive a role as possible in the preparations, which have recently commenced.

Speaking on the occasion of the Council meeting, Mr Pisani, the Member of the Commission with special responsibility for development, urged the Member States to expedite the procedures for ratification of the Common Fund for Commodities.

¹ COM(82)877 final.

² OJ L 65, 14.3.1968; OJ L 222, 14.8.1978.

³ OJ C 14, 17.1.1979.

⁴ OJ C 130, 1.6.1981.

⁵ Point 2.2.30.

Convention on the Law of the Sea

2.2.46. On 24 January the Commission transmitted to the Council a communication to prepare the Community position for the meeting to be held in Kingston from 15 March to 8 April of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea.¹ This meeting represents the final stage before the Convention on the Law of the Sea enters into force.² The Commission hopes that the conditions that need to be met for the Community to sign the Convention will be satisfied before 15 March.

General Agreement on Tariffs and Trade

Council

2.2.47. At its meeting on 26 January the GATT Council discussed the action to be taken in respect of the various items of the text adopted by the Ministerial meeting³ and took procedural decisions to launch implementation of the work programme agreed by the Ministers for the 1980s.

In addition, the Community called for action by the GATT Council on the DISC question, taking into account the facts of the case and the scale of this US subsidy, which is acknowledged to be incompatible with GATT rules. The United States delegate reported on the steps being taken by his government, which should culminate shortly in a bill to be presented to Congress aimed at amending the DISC legislation to bring it into line with GATT provisions. The GATT Council will review the matter at its next meeting in March.

Working Party on the Accession of Greece to the European Communities

2.2.48. At its eighth meeting, on 20 January, the Working Party concluded its work, which had begun in June 1980. Its report will be submitted at the next meeting of the GATT Council.

Diplomatic relations

2.2.49. The President of the Council and the President of the Commission received Their Excellencies Mr Harold David Anderson (Australia), Mr Ahmed Maher El-Sayed (Arab Republic of Egypt), Mr Hideo Kagami (Japan), Mr Humberto Bettencourt Santos (Republic of Cape Verde), Mr Donald Aloysius McLeod (Republic of Suriname) and Mr Joaquim Augusto de Lemos (People's Republic of Angola), who presented their letters of credence as Heads of Mission of their respective countries to the European Communities with effect from 25 January.

The new ambassadors succeed Mr Roy Robert Fernandez (Australia), Mr Ahmed Tawfik Khalil (Egypt), Mr Takaaki Kagawa (Japan), Mr Alfredo Ferreira Fortes (Cape Verde), Mr Carlo Lamur (Suriname) and Mr Fernando José de França Dias Van Dunem (Angola).

¹ COM(83)21 final.

² Sixteenth General Report, points 786 and 787.

³ Sixteenth General Report, point 802.

3. Financing Community activities

Budgets

General budget

Supplementary and amending budget No 1/1983

2.3.1. In response to the requests made by Parliament in its complementary resolution of 16 December¹ following its rejection of draft supplementary and amending budget No 1/1982 and by the Council on 17 December,² the Commission on 19 January presented to the budgetary authority new proposals to give effect to the Council conclusions of 30 May 1980³ and 16 October 1982⁴ on compensatory measures for the United Kingdom, bearing in mind the reasons which prompted Parliament to reject this budget.

In view of its desire to see the *ad hoc* solutions of recent years replaced by a permanent arrangement for strengthening Community policies, the Commission stated that it would be presenting proposals in the near future for developing these policies and for introducing a more diversified system of own resources. The Commission felt that the preliminary draft supplementary and amending budget was a first step towards a Community solution to the budgetary problems which made the preliminary draft necessary.

Having made these proposals, the Commission expects the other Community institutions to take the appropriate decisions as soon as possible so that the budget problems will thus be resolved. It takes the view that these decisions will to be applied in such a way that no transitional measures will need to be taken.

There are three main proposals in supplementary and amending budget No 1/1983:

(i) 692 million ECU for supplementary measures to compensate the United Kingdom in the form of financial aid towards certain types of investment by the British public authorities and for certain projects which will serve the interests of the United Kingdom's

socio-economic development and Community integration (compulsory expenditure);

(ii) 610 million ECU for special measures of Community interest in the energy sector in the United Kingdom (400 million ECU) and in Germany (210 million ECU) (non-compulsory expenditure);

(iii) 35 million ECU for various energy measures (coal, new sources of energy, energy-saving programme and promotion of energy investment) (non-compulsory expenditure).

This preliminary draft increase the volume of expenditure in the 1983 budget by 1 337 million ECU. The Commission proposes that this expenditure be financed from the balance of 661 million ECU from 1981 and from an advance of 676 million ECU on the estimated balance from 1982.

On 1 February, after lengthy discussions on the classification of expenditure (compulsory/non-compulsory), the Council finally adopted draft supplementary and amending budget No 1/1983 as submitted by the Commission.

At the same time as the supplementary and amending budget, the Commission sent the Council two proposals for Regulations concerning (i) supplementary measures in favour of the United Kingdom for 1982⁵ and (ii) specific measures of Community interest relating to energy strategy in Germany and the United Kingdom.⁶

Own resources

2.3.2. The Commission has sent to the Council and presented to Parliament its 'Green paper' on the future financing of the Community.⁷

¹ OJ C 13, 17.1.1983; Bull. EC 12-1982, points 1.1.2 to 1.1.4.

² Bull. EC 12-1982, point 1.1.6.

³ Bull. EC 5-1980, point 1.1.7.

⁴ Bull. EC 10-1982, point 2.3.4.

⁵ Point 2.1.49; OJ C 35, 8.2.1983.

⁶ Point 2.1.103; OJ C 35, 8.2.1983.

⁷ Points 1.2.1 to 1.2.14.

Discharge for 1980

2.3.3. Noting the Commission's positive response to the requests made by Parliament in April¹ and the political assurances received from the Commission, Parliament gave a discharge to the Commission on 14 January in respect of the implementation of the 1980 budget, the activities of the first, second and third EDFs in 1980 and the utilization of the appropriations of the fourth EDF in 1980.² These discharge decisions were accompanied by a resolution containing comments to which the Commission is asked to reply in writing by 1 May.

2.3.4. Recalling its earlier resolution,³ Parliament also adopted a resolution on budgetary control aspects of the 1980 embargo on deliveries of agricultural products to the USSR.⁴

Financial operations

ECSC

Loans raised

2.3.5. In January the Commission concluded a private placing in Luxembourg francs for the equivalent of 7.6 million ECU and two public issues in German marks and Dutch guilders.

The first public issue was for DM 150 million (the equivalent of 65.3 million ECU) and has a term of 10 years. It was issued at 99.5% with an interest rate of 7.5%.

The second one, for HFL 100 million (the equivalent of 39.6 million ECU) has a term of 15 years, at a rate of 7.75%. It was issued at 100%.

Loans paid out

2.3.6. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission made loans in January amounting to 71.10 million ECU (industrial loans, conversion loans and subsidized housing).

Industrial loans

2.3.7. Industrial loans (Article 54) totalling 65.15 millions ECU were paid out during the month to help finance the following projects:

Federal Republic of Germany

Ruhrkohle AG, Essen: eight large-scale projects to maintain mining capacity in high-output workings.

Saarbergwerke AG, Saarbrücken: stabilization and increase of coal production at Ermsdorf, Camphausen and Luisenthal collieries.

Thyssen Edelstahlwerke AG, Düsseldorf: restructuring projects in the group's special steels section.

Subsidized housing⁵

2.3.8. Loans for the building of subsidized housing amounted to 2.76 million ECU, of which 2.37 million ECU was for steelworkers and 390 000 ECU for mineworkers.

Conversion loans

2.3.9. Conversion loans (Article 56) totalling 3.19 million ECU were granted to Creditgrade Ltd, Ebbw Vale, Gwent, UK.

EEC-NCI

Loans raised

2.3.10. In January the Commission made the first public issue in ECU under the NCI. The issue of 50 million ECU is for a term of

¹ OJ C 125, 17.5.1982; Bull. EC 4-1982, point 2.4.6; Bull. EC 7/8-1982, point 2.3.6.

² Point 2.4.14; OJ C 42, 14.2.1983.

³ OJ C 59, 10.3.1980; OJ C 87, 5.4.1982; OJ C 125, 17.5.1982.

⁴ Point 2.4.13; OJ C 42, 14.2.1983.

⁵ Only payments made during the month are reported in this section. Decisions to grant loans were reported in the 'Employment, education and social policy' section at the time of decision.

10 years with an interest rate of 11 5/8%. It was issued at 100%.

2.3.11. The Commission also made two further public issues in German marks and pounds sterling. One of DM 200 million (the

equivalent of 87.06 million ECU) has a term of 12 years with an interest rate of 7.75%. It was issued at 99.5%.

The UKL 50 million issue (the equivalent of 81.76 million ECU) has a term of 8 years with an interest rate 11 7/8%.

4. Institutional and political matters

European political cooperation

2.4.1. Parliament, at its January part-session, held a debate on security in Europe and adopted a resolution in this question. It also adopted seven other resolutions concerning the following: destabilization activities by Eastern countries' secret services in the Community and the Western world generally; the situation in the Middle East; Nicaragua; the problem of missing persons in Cyprus; the reduction in 1982 of the number of Jews authorized to leave the USSR; the Prague declaration; and the situation in Estonia, Latvia and Lithuania.¹

European policy and relations between the institutions

European policy

Greenland

2.4.2. In accordance with the provisions for the amendment of the Treaties (Article 96 ECSC, 236 EEC and 204 Euratom) and in response to the Council's request of 8 June,² the Commission has transmitted to the Council its opinion on the status of Greenland in relation to the Community. The new arrangement proposed by the Commission provides for the establishment of relations similar to those linking the Community to the overseas countries and territories, but with

special allowance being made for the specific characteristics of Greenland and the associated mutual interests.³

Relations between the institutions

Meeting between the 10 Foreign Ministers and Parliament's enlarged Bureau

2.4.3. As agreed at the Council meeting on 22 and 23 November,⁴ the 10 Foreign Ministers, who were in Brussels for a Council meeting, met Parliament's enlarged Bureau (the President, the chairmen of the political groups and the committee chairmen) on 24 January. This was the second such meeting.⁵ Mr Tugendhat, Commission Vice-President, and Mr Andriessen, the Member with responsibility for relations with Parliament, were also present.

In his opening address Mr Genscher, President of the Council and German Foreign Minister, went back over the points on which the Ten had already reached agreement with regard to the German-Italian initiative on European Union, namely: strengthening of the Communities and of political cooperation (particularly on defence), closer links between the Communities and political cooperation under the auspices of the European Council and inclusion of cultural and legal cooperation

¹ Point 2.4.7; OJ C 42, 14.2.1983.

² Bull. EC 6-1982, point 2.4.3.

³ Points 1.3.1 to 1.3.10.

⁴ Bull. EC 11-1982, point 2.4.1.

⁵ Bull. EC 11-1981, point 2.3.1.

within this framework, bolstering of the position of the presidency (which provides the secretariat for political cooperation) and reaffirmation of the roles of the Commission and the Court of Justice.

Seeing there was still no agreement on the role of Parliament and the Council's decision-making procedure, Mr Genscher suggested the following topics for future consideration: participation of Parliament in international agreements, the conciliation procedure between Parliament and the Council (for which procedural improvements had been proposed by the establishment of 'contact committees' composed of representatives of all three institutions) and the participation of Parliament in the appointment of Commission members.

Proceedings for failure to act in the field of transport

2.4.4. On 13 January Parliament's President, Mr Dankert, announced that an action against the Council for failure to act on transport policy would be brought before the Court of Justice.

Following Parliament's resolution of 16 September calling upon the Council to act in this sector,¹ the Council replied in a letter dated 22 November. The content of this reply had been considered by the Committee on Transport and by the Legal Affairs Committee and found unsatisfactory.

In a statement Mr Dankert said that Parliament was compelled for the first time to bring an action. Its sole aim in doing so was to secure observance of the provisions of the Treaties. Court proceedings should be initiated only in highly exceptional circumstances, but the fact that after 25 years since the Treaties had come into existence there was neither a common transport policy nor even a framework for such a policy constituted, in Parliament's opinion, a serious breach of the Treaties.

Uniform electoral procedure

2.4.5. On 24 and 25 January the Council took stock of progress made on the draft Act concerning a uniform electoral procedure. It

noted that this procedure was still causing substantial problems.

During the meeting with the enlarged Bureau of Parliament,² the President of the Council informed the members of Parliament of the progress of the discussions. It was agreed that talks would take place on this subject with Parliament before the Council drew the conclusions from its discussions.

The Council agreed to return to the matter at its February meeting.

Institutions and organs of the Communities

Parliament³

Strasbourg: 10 to 14 January

2.4.6. The January part-session was dominated by debates and resolutions concerned with international issues.

But the agenda also included some purely Community topics, such as the motor industry and the internal market. And Parliament gave the Commission a discharge in respect of the implementation of the 1980 budget.

As is the custom, the incoming Council President, Mr Genscher, presented the programme for Germany's six-month term in the chair.

¹ OJ C 267, 11.10.1982; Bull. EC 9-1982, point 2.4.6.

² Point 2.4.3.

³ This report was prepared from *Le point de la session* published by Parliament's Secretariat. The complete texts of the resolutions adopted by Parliament are reproduced in OJ C 42, 14.2.1983, and the report of the proceedings is contained in OJ Annex 293. The political groups of members are indicated in brackets by the following abbreviations: *Soc* = Socialists; *EPP* = European People's Party — Christian Democratic Group; *ED* = European Democratic Group; *Com* = Communists and Allies; *Lib* = Liberals and Democrats; *EPD* = European Progressive Democrats; *Ind* = Group for the Technical Coordination and Defence of Independent Groups and Members; *NA* = Non-affiliated. The countries of origin are indicated as follows: B = Belgium, DK = Denmark, D = Federal Republic of Germany, GR = Greece, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

Mr Dankert announced that he would be bringing the action before the Court of Justice against the Council for its failure to act in the field of transport policy.

Political cooperation and European security

(13 January)

2.4.7. By 133 votes to 90 with 19 abstentions Parliament adopted a resolution on the amended report by Mr Niels Haagerup (*Lib/DK*) on political cooperation and security. In the resolution the House made it clear that there was no question of initiating European cooperation on defence and discussing military matters. No recommendation was made for setting up, in the near future, new institutions to consider these problems (since they should be appraised within existing institutions). Nevertheless, problems relating to European security, in its political and economic aspects, could be matters for discussion.

The Member States did share a number of vital security concerns even if the Community had no military dimension of its own; these interests should be fully explored and elaborated, particularly within the context of political cooperation, in order to give substance to a true concept of peace. Without infringing the rights of governments, efforts should be made to bring about a wider understanding by the public; Parliament could play a role in this, and it was urged that more effective coordination take place between the consultations in political cooperation and the North Atlantic Council. To determine a common European policy on security matters presupposed commitment to the principles of *détente* and to a policy aimed at limiting arms levels, and the peaceful coexistence of all States on the basis of the principles of the United Nations and the Helsinki Declaration. Consultations in political cooperation must not negate political consultations within the Atlantic Alliance but should on the contrary strengthen them. Close relations must be maintained with the United States, but at the same time efforts must be made to improve the East-West

relationship; increased competition in the field of armaments constituted a grave threat to security and peace, and so the peace movements were of great importance.

The debate saw a broad consensus emerge on the principle that the Community had the right to talk about security.

Many speakers fastened on the point in the Haagerup report concerning coordination of consultations in political cooperation and the North Atlantic Council. The Socialists were in general against it. Mrs Gisèle Charzat (*Sod/F*) contended that though the resolution laudably surveyed the future of the Community from the angle of security, European political cooperation and the Atlantic Alliance were two separate things. The Member States of the Community needed greater political, economic and industrial autonomy.

It was the Europeans themselves who must develop a dynamic plan. It was indeed sad to see the spirit of Munich abroad again in Europe. But how was it possible to talk of security, with no common industrial policy and without the technological resources for European armament?

In the same vein, Mr Bruno Friedrich (*Sod/D*) said that it was a mistake to harmonize political cooperation on security with Nato. Though he shared the general alarm over the armaments described in the report, Mr Maxime Gremetz (*Com/F*) believed that the project threatened to usher in a cold war climate. The problems of defence and security came entirely under the sovereignty of States, and it was altogether unacceptable to coordinate political cooperation consultations with Nato.

In contrast, Mr Wolfgang Schall (*EPP/D*) commended the Haagerup report, since it satisfied one of the requirements specified in the Tindemans report and was a milestone in the advance towards European Union.

The President of the Commission, Mr Gaston Thorn, speaking in a personal capacity since for obvious reasons the Commission clearly did not intend to take a position, said that both the report and the debate were vitally important, for the Community must be concerned with everything. No subject should

be a closed book, for how could one demand sacrifices in the name of economic integration without having the courage to talk security? The fact that the building of Europe had begun with the ECSC and that the plan for a Defence Community as the next stage had failed was no reason why it should ever be taboo to speak about things vital to all.

Mr Mertes, President of the Council, was pleased to hear Parliament discussing these issues. He spoke of Soviet arms policy and confirmed that the Atlantic Alliance was the basis of European security.

Mr Mertes went on to stress that there must be no competition on rivalry between 'political cooperation' and the 'consultations' within the Atlantic Alliance: they must, instead, complement and reinforce each other. On behalf of his government he confirmed that it had always set great store by security policy within political cooperation and would continue to do so during its presidency. He reminded the House that the Genscher-Colombo initiative for European Union had secured a certain consensus, particularly where security policy was concerned.

Situation in the Middle East

(10 and 11 January)

2.4.8. The report by Mr Penders (*EPP/NL*) set out the following principles:

(i) The use of force and annexation was unacceptable as a means of gaining control of territory, which meant 'No' to Israel's settlement policy in Gaza and on the West Bank; self-determination for the Palestinian people must be implemented by a procedure compatible with the right of Israel to existence and security.

(ii) The Ten should consult with the United States on Lebanon with a view to securing the withdrawal of all foreign troops from Lebanon, the stationing of an international peace force, the disbanding of the militias and the rebuilding of Lebanese society; in general terms the United States plan should be supported. It would be unrealistic for the Community to put up a grand master plan. What it could do was to improve the existing

climate, concentrating in particular on the economic, financial, technical and humanitarian side, under the aegis of the UN.

By 135 votes to 25 with 32 abstentions the House adopted the Penders report with some slight amendments, notably the one by Mr Joachim Seeler (*Sod/D*), which stipulated that Israel must immediately stop putting colonies of settlers into the occupied territories. The House also approved the amendment by Mrs Gisèle Charzat (*Sod/F*), which considered that the draft Franco-Egyptian resolution could play a useful role in establishing common ground for a settlement of the problems of the region. Another amendment approved was the one by Mrs Heidemarie Wieczorek-Zeul (*Sod/D*), which believed that the Fahd plan offered new, important and usable elements.

Plight of the motor industry

(12 and 13 January)

2.4.9. Parliament passed three resolutions on the motor industry.

(i) The first concerned imports of Japanese cars into the EEC. Based on the amendment report by Mr Renzo Filippi (*EPP/I*), it considered that to cope with the problem of Japanese car imports, a position must be adopted which repudiated protectionism but did not abandon the tottering industry to its fate. Internally, a Community industrial policy must be applied with close cooperation between the European companies, tighter checks on national aids, coordination of research and a constructive dialogue between employers and trade unions. On the external front, the Community should take the place of individual Member States in negotiations with the Americans and the Japanese, so as to develop a joint trading policy for the industry and abandon existing national import controls.

(ii) The second resolution, based on the motion by Mr Ernst Müller-Hermann (*EPP/D*), concerned competition in the automobile market. The House noted that retail prices of cars, exclusive of VAT and other special consumer and registration taxes, differ from one Member State to another, sometimes

quite substantially. It noted that the persistence of major price discrepancies over a length of time could be a symptom of distortion of competition. The Commission was therefore urged to investigate the sources of these discrepancies and take appropriate steps to eliminate any such distortion.

(iii) The third resolution concerned the Community car industry and was based on a motion by Mr Christopher Jackson (*ED/UK*). The House emphasized the right of all Community citizens to purchase wherever they wish within the Community. It believed that the common market must be made a reality for motor vehicles, and called for the adoption of Community type-approval regulations by March 1983.

Programme of the German Presidency

(11 January)

2.4.10. The German Foreign Minister and new Council President, Mr Hans-Dietrich Genscher, outlined the tasks to be accomplished by the Community while Germany held the presidency during the first half of 1983.¹

The German Presidency set four priority targets:

- (i) the fight against unemployment;
- (ii) achievement of the internal market;
- (iii) enlargement;
- (iv) the question of budgetary compensation for the United Kingdom and the Federal Republic of Germany.

It also undertook to make an early proposal to the Council for a date for the next elections to Parliament, so that consultations could start between the Council and Parliament's Bureau.

Nearly all the members who rose to speak on the programme painted a depressing picture of the present state of the Community and demanded action from the Council rather than just words. More emphasis was also laid on the need to develop the internal market for a variety of reasons (impact on foreign trade, employment, etc.) as well as on the development of the European Monetary System.

Action against the Council

2.4.11. Parliament's President, Mr Dankert, declared that the action against the Council for failure to act in the field of transport policy would be brought before the Court of Justice.² After the Chairmen of the Committee on Transport and the Legal Affairs Committee, Mr Horst Seefeld (*Soc/D*) and Mrs Simone Veil (*Lib/F*), had welcomed the President's decision, Mr Davignon said that the Commission shared Parliament's aim and would intervene in the case.

2.4.12. The House gave opinions on a number of Commission proposals, including:

- (i) a Regulation simplifying customs formalities in trade within the Community, supported by two further Regulations making technical amendments to existing provisions;³
- (ii) a Directive on deferred payment of VAT payable by taxable persons on imports of goods from Member States;⁴
- (iii) a Directive on the limitation of noise emissions from helicopters;⁵
- (iv) an amendment to the Regulation establishing a common organization of the market in oil and fats;⁶
- (v) a Directive on the facilitation of formalities and inspections in respect of the carriage of goods between Member States;⁷
- (vi) a Regulation on loans for projects covered by exploration programmes for non-energy mineral raw minerals within the territories of the Member States.

2.4.13. The House also passed resolutions on:

- (i) increasing the number of customs personnel at the Community's external borders and the elimination of controls at the Community's internal borders: the House called for the rapid elimination of passport and customs control on Community citizens

¹ Point 3.3.1 *et seq.*

² Points 2.1.97 and 2.4.4.

³ Point 2.1.7.

⁴ Point 2.1.31.

⁵ Point 2.1.54.

⁶ Point 2.1.76.

⁷ Point 2.1.98.

and increased personal importation allowances. On the other hand, these measures should be supported by tighter controls at the Community's external borders. Pending a common commercial policy, harmonization of VAT rates, elimination of green currency rates and progress towards economic and monetary union, Parliament recommended adoption of the Commission's proposal for a single import document, more inland clearance centres and the use of an advanced technology system;

(ii) reaching a decision in the Council on the review of the ERDF Regulation: the House urged the Council to reach a decision as soon as possible;¹

(iii) on the delay in presenting Mediterranean programmes: the aim of the resolution was to speed up the work of the Commission, which had undertaken to present its programme by the end of 1982;²

(iv) urgent action to assist the French departments stricken by the recent floods, the town of Ancona hit by a landslide and the region of Catalonia devastated by floods;

(v) budgetary control aspects of the 1980 embargo on deliveries of agricultural products to the USSR: the House found that the Commission had been unable to control and regulate the flow of agricultural products to the USSR in 1980 and could not meet the responsibility laid on it by Parliament and the Council and believed that this inadequacy contributed to the failure of the Commission to communicate, in good time, adequate information on the pattern of deliveries;

(vi) reform of statistics in the Community: Parliament recommended that all the Community institutions have equal access to the Statistical Office of the European Communities and asked to be consulted on any new statistical programme.

2.4.14. On 14 January Parliament decided to grant the Commission a discharge in respect of implementation of the 1980 budget, of the activities of the first, second and third European Development Funds in 1980 and of utilization of appropriations of the fourth EDF in 1980.³ Parliament finally gave the discharge after the positive responses the

Commission had made⁴ to the points raised in Parliament's resolution of 20 April 1982.⁵ The House felt that the Commission's response had enabled substantial progress to be made in respect of the serious questions raised in the April resolution and had thus enhanced the efficiency and political nature of the discharge procedure.

This decision was accompanied by a resolution containing Parliament's comments, which are binding on the institutions concerned, pursuant to Article 85 of the Financial Regulation⁶ and calling for written replies from the Commission by 1 May.

2.4.15. In the field of political cooperation Parliament passed resolutions on:

(i) the destabilizing activities of Eastern countries' secret services on the territory of the Community and the Western world: the House called for real progress towards the creation of a European judicial area which would constitute an appropriate form of collaboration and cooperation against all manoeuvres aimed at destabilization and all terrorist activity;

(ii) the Prague declaration: the Commission, the Council and the Foreign Ministers meeting in political cooperation were urged to contribute fully to the elaboration of a concerted and considered Western response to the Prague declaration by the Warsaw Pact countries;

(iii) the situation in Estonia, Latvia and Lithuania: Parliament proposed that the joint declaration of April 1979 in which 45 nationals of Estonia, Latvia and Lithuania called on the United Nations to recognize the rights of the Baltic States to self-determination and independence be submitted to the UN Decolonization Subcommittee and that the plight of the peoples of these States should be

¹ OJ C 336, 23.12.1981; Bull. EC 10-1981, points 1.2.1 to 1.2.9; Bull. EC 4-1982, point 2.1.37; OJ C 261, 6.10.1982; Bull. EC 9-1982, point 2.1.39.

² Bull. EC 6-1981, point 1.2.9.

³ OJ L 46, 18.2.1983.

⁴ Bull. EC 7/8-1982, point 2.3.6.

⁵ OJ C 125, 17.5.1982; Bull. EC 4-1982.

⁶ OJ L 356, 31.12.1977.

the subject of review during the conferences to monitor implementation of the Helsinki Final Act;

(iv) the reduction in 1982 of the number of Jews authorized to leave the USSR: the House requested the Commission and the Council, by virtue of the powers vested in them by the Treaties, to take whatever measures they could to secure application of this right by the USSR;

(v) the problem of persons who have gone missing in Cyprus since 20 July 1974: the House urged the UN Committee on Missing Persons to proceed with all the investigations required, with the assistance of the International Committee of the Red Cross;

(vi) Nicaragua: the House called on the Commission to make available 1 million ECU from appropriations for disaster victims to provide emergency food aid for the Miskitos,

the Sumos and the Ramas, the original inhabitants of Nicaragua, who are particularly affected by the tense political situation in the country;

(vii) the need for development aid for Namibia: the House requested the Commission to make humanitarian aid available to the people of Namibia even before they achieve independence.

Council

2.4.16. The Council held four meetings in January. The table below lists the number, place and date of each meeting, the names of the Council President and Commission representatives and the main items of business. A more detailed account of specific items can be found in the sections of the Bulletin referred to in the footnotes.

Table 1 — Council meetings in January 1983

Number, place and date of meeting	Subject	President	Commission	Main items of business
819th Brussels 17 and 18 January	Agriculture	Mr Ertl	Mr Dalsager	<p><i>Fixing of prices for certain agricultural products and related measures for 1983/84.</i>¹ Initial exchange of views on Commission proposals.</p> <p><i>Adjustment of acquis communautaire for Mediterranean products (olive oil; fruit and vegetables).</i>¹ Examination of the various problems arising in these two sectors continued, in accordance with European Council's instructions (Copenhagen, 3-4 December 1982) to complete before March 1983 revision of existing rules for certain Mediterranean agricultural products, with a view to enlargement of Community.</p> <p><i>Veterinary sector.</i>¹ Examination resumed of three proposals for Directives relating to health problems affecting intra-Community trade in fresh meat, imports of animals and fresh meat from non-member countries and problems concerning personnel responsible for carrying out health inspections.</p>

Number, place and date of meeting	Subject	President	Commission	Main items of business
820th Brussels 24 and 25 January	Foreign affairs	Mr Genscher	Mr Thorn, Mr Haferkamp, Mr Natali, Mr Davignon, Mr Tugendhat, Mr Andriessen, Mr Narjes, Mr Pisani, Mr Burke	<p><i>Establishment of minimum standards for protection of laying hens in battery cages.</i></p> <p><i>Imports of New Zealand butter to United Kingdom.</i>¹ Regulation adopted setting at 7 250 tonnes quantity of New Zealand butter which United Kingdom is authorized to import under special conditions during February 1983.</p> <p><i>Budget.</i>² General discussion on new Commission proposals concerning solution of United Kingdom budget problem for 1982.</p> <p><i>Uniform Electoral procedure.</i>³ Progress report.</p> <p><i>Meeting with enlarged Bureau of Parliament.</i>³ Preparations.</p> <p><i>Demonstration projects.</i>⁴ Examination of main problems—in particular estimated amount required—raised by Commission proposals.</p> <p><i>Greenland.</i>³ Statement by Danish Minister.</p> <p><i>Portuguese accession.</i>⁵ Preparations for 11th session of ministerial conference.</p> <p><i>Spanish accession.</i>⁵ Discussions on definition of Community stance continued.</p> <p><i>1970 EEC-Spain agreement.</i>⁵ Commission report on talks with Spanish authorities on application of agreement.</p> <p><i>Relations with Japan.</i>⁶ Interim report by Mr Haferkamp on developments since Council's discussions in December 1982.</p> <p><i>Sound reproducers.</i> Views exchanged on recommendation for decision authorizing Commission to open negotiations and consultations within GATT on change to tariff concession on sound reproducers.</p> <p><i>Hunger in the world.</i>⁷ Statement by Mr Colombo concerning further ministerial meeting in Rome and contribution by Mr Pisani.</p>

Table 1 — (continued)

Number, place and date of meeting	Subject	President	Commission	Main items of business
821st Brussels 25 January	Fisheries	Mr Ertl	Mr Thorn, Mr Contogeorgis	<p><i>Steel</i></p> <p><i>Internal aspects: strengthening of current system of crisis measures.</i>⁸ Agreement on extension of ECSC Treaty Annex I to cold-rolled plate; agreement in principle on Commission recommendation to Member States concerning requirement for stockholders to declare quantities of steel products received and delivered.</p> <p><i>External aspects: relations with United States.</i>⁶ In view of actions pending in United States on certain Community exports of special steels, Council noted Commission's intention of sounding out American authorities.</p> <p><i>Relations with Canada.</i>⁶ Statement from Italian delegation on certain trade measures taken by Canadian Government.</p> <p><i>Relations with United States.</i>⁶ Statement by French delegation on recent sales of cereals by United States to Egypt.</p> <p><i>Greek measures.</i>⁸ Commission report.</p> <p><i>Common fisheries policy.</i>⁹ Adoption of series of Regulations implementing new common fisheries policy.</p>
822nd Brussels 26 January	Budget	Mr Tietmeyer	Mr Davignon, Mr Tugendhat, Mr Andriessen	<p><i>Meeting with delegation from Parliament.</i>²</p> <p><i>Preliminary draft supplementary and amending budget No 1183.</i>²</p> <p><i>Agricultural decision.</i>¹ Agreement on a devaluation of green rate for drachma.</p>

¹ Agriculture.² Financing Community activities.³ European policy and relations between the institutions.⁴ Energy.⁵ Enlargement and bilateral relations with applicant countries.⁶ Relations with industrialized countries.⁷ Development.⁸ Internal market and industrial affairs.⁹ Point 1.1.1 *et seq.*

Commission

Activities

2.4.17. Mr Thorn and Mr Ortoli took part in the political discussions with the Council President and the Danish Government which on 25 January resulted in a Council decision enabling the common fisheries policy to be established.¹

Decisions, communications and proposals

2.4.18. The Commission devoted much of its attention to budgetary matters (a preliminary draft supplementary budget for 1983, covering measures of particular concern to the United Kingdom and the Federal Republic of Germany, and the green paper presenting possible new own resources²). The Commission also considered the problem of the future status of Greenland following the Danish Government's request (based on the result of the referendum in Greenland on 23 February 1982) for a revision of the Treaties to remove Greenland from their scope.³

Pending a final decision in February, when it would give a ruling on the substance of the measures requested by the Greek Government following the devaluation of the drachma, the Commission authorized Greece to introduce arrangements for monitoring imports of certain products from 19 January onwards. It also put a proposal to the Council for a devaluation of the green drachma.

The Commission approved a memorandum to the ECSC Consultative Committee covering all the measures it is planning to take to cushion or offset the effects on steelworkers (of restructuring or modernization) over the period 1983-86.

Following the announcement by the United States Government that it was selling a million tonnes of wheat flour to Egypt at a price lower than the world price, the Commission has asked American authorities for explanations.

The Commission approved a report, together with a brief political commentary, on the implementation of verification agreements

concluded by Euratom and its Member States with the International Atomic Energy Agency.

Believing that the Community must take part in the negotiations to establish a new International Sugar Agreement to replace the 1977 Agreement, the Commission sent a proposal to the Council on the guideline for negotiating the new Agreement.

The Commission adopted its 1982 report on the agricultural situation.⁴

Discussions, policy debates and work in hand

2.4.19. The Commission held an initial policy debate on the integrated Mediterranean programmes, their aims, the resources for implementing them and the financial burden.

In response to the Council President's plan to convene a Council meeting on transport at an early date following the action brought by Parliament against the Council for failure to act, the Commission has decided to examine, early in February, a comprehensive communication to the Council on the common transport policy.

Relations with workers' and employers' organizations

2.4.20. The Commission and representatives of the Coordinating Committee for the Textiles Industries in the EEC and of the European Association of Clothing Industries held a consultation meeting to discuss industrial policy for these sectors after extension of the Multifibre Arrangement.

During preliminary consultations ETUC experts met to prepare a paper on the Social Fund and a report on developments in equal treatment for men and women.

¹ Point 1.1.1 *et seq.*

² Point 1.2.1 *et seq.*

³ Point 1.3.1 *et seq.*

⁴ Point 2.1.62.

Court of Justice¹

Analysis of judgments delivered between 1 October and 31 December 1982

General

2.4.21. In case 283/81² the Court interpreted the third paragraph of Article 177 of the EEC Treaty, under which, where the question of a preliminary ruling concerning the interpretation of Community law is raised before a court or tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal is required to bring the matter before the Court of Justice.

Some of the supreme courts of the Member States consider that they are not obliged to bring a matter before the Court of Justice in cases in which they regard the legislation as being so clear that its interpretation would not give rise to any reasonable doubt.

Some legal authors categorically reject the doctrine of the *acte clair* as being contrary to the letter of Article 177, a source of abuse and in any event impracticable because of the difficulty for national courts of grasping the real meaning of legislation based on several national laws and expressed in a number of language versions, each of them authentic. This question of major importance was referred to the Court of Justice for the first time in 1981 by the Italian Court of Cassation.

The Court of Justice replied as follows: the third paragraph of Article 177 of the EEC Treaty must be interpreted as meaning that a court or tribunal against whose decisions there is no judicial remedy under national law is required, where a question of Community law is raised before it, to comply with its obligation to bring the matter before the Court of Justice, unless it has established that the question raised is irrelevant or that the Community provision in question has already been interpreted by the Court³ or that the correct application of Community law is so obvious as to leave no scope for any reasonable doubt. The existence of such a

possibility must be assessed in the light of the specific characteristics of Community law, the particular difficulties to which its interpretation gives rise and the risk of divergences in judicial decisions within the Community.

2.4.22. In a dispute concerning a contract for the supply of margarine, reference was made for preliminary rulings on the compatibility with Community law of national rules prescribing the shape of margarine containers.⁴ Since the question of the Court's jurisdiction was raised, the Court reaffirmed its past judgments: it had jurisdiction since there was nothing in the file on the case which provided grounds for doubting that the dispute was genuine.⁵

2.4.23. In connection with criminal proceedings, a number of national courts made references for preliminary rulings on the interpretation of Article 177 of the EEC Treaty⁶ in order to obtain clarification of the consequences to be drawn from an earlier judgment in which the Court had ruled that, by subjecting advertising for alcoholic beverages to discriminatory rules, a Member State had failed to fulfil its obligations under Article 30 of the EEC Treaty.⁷ The Court made it clear that the earlier judgment does not concern either the rules applicable to national products nor the rules applicable to products imported from non-Community countries. The only consequence to be drawn from that judgment, therefore, is that the Member State in question is obliged, with regard to advertising, to treat alcoholic products originating in other Member States and competing national products on an equal

¹ For more detailed information, see the texts published by the Court of Justice in the *Official Journal* and the *European Court Reports*, and the publications of its Information Office (e.g. the annual synopsis of the work of the Court or the information quarterly).

² *CILFIT v Ministry of Health*: not yet reported.

³ Joined Cases 28 to 30/62 *Da Costa v Nederlandse Belastingadministratie* [1963] ECR 31.

⁴ Case 261/81 *Rau v De Smedt*: not yet reported.

⁵ Case 104/79 *Foglia v Novello* [1980] ECR 745.

⁶ Joined Cases 314, 315 and 316/81 and 83/82 *Waterkeyn*: not yet reported.

⁷ Case 152/78 *Commission v France* [1980] ECR 2299.

footing. As regards the effect of the earlier judgment, the Court emphasized that, although the purpose of judgments delivered pursuant to Articles 169 to 171 is to define the obligations of the Member States, the national courts are required, by virtue of the authority which attaches to judgments of the Court, to take account of the points of law established by those judgments. The Court therefore held that, where the Court finds that a Member State's law is incompatible with the obligations deriving from the Treaty, that State's courts are required, pursuant to Article 171, to draw the consequences of the Court's judgment, while the rights of individuals derive, not from the judgment itself, but from the provisions of Community law having direct effect.

2.4.24. The Court rejected as inadmissible¹ an action brought by an Italian importer for the annulment of Council and Commission Regulations imposing an anti-dumping duty on o-xylene (orthoxylene) originating in Puerto Rico and the United States of America. It thereby dismissed the applicant's argument that the Regulations imposing the duty must be regarded as decisions of direct and individual concern to the importers of the product which is the subject of the alleged dumping.

This judgment thus has general implications for the question of legal protection with regard to anti-dumping. It must be emphasized, however, that the judgment concerns only independent importers, who may, moreover, challenge the imposition of such a duty in the national courts, and leaves open the question whether producer-exporters affected by an anti-dumping measure are entitled to bring an action for annulment.

Customs union

2.4.25. As well as interpreting the Common Customs Tariff² and the nomenclature of the scheme of generalized preferences in favour of developing countries,³ the Court was asked to rule on the retroactive issue of the control copy of transit documents provided for under the Community transit procedure.⁴ The Court held that the national authorities

are required to issue the control copy retroactively where the failure to issue the document when the goods were consigned is not attributable to the person concerned and that person is able to produce the supporting documents required.

The Court reaffirmed its earlier judgments⁵ on the interpretation of the provisions of the EEC Treaty relating to the customs union (Articles 9(1) and 12 to 29) and of Directive 79/623/EEC on customs debt⁶ in regard to the illegal importation of drugs.⁷ In view of the fact that such drugs must be seized and destroyed as soon as they are discovered, instead of being put into circulation, the Court held that a customs debt cannot arise upon the importation of drugs otherwise than through economic channels strictly controlled by the competent authorities for use for medical and scientific purposes.

2.4.26. The Court also ruled on the interpretation of Articles 30 to 36 of the EEC Treaty. In a reference for a preliminary ruling the Court was asked to rule on the application of a national law prohibiting the marketing of margarine which was not of a certain shape.⁸ Finding that consumers can be protected from confusing butter and margarine by other measures (e.g. by rules on labelling, which hinder the free movement of goods less), the Court held that the application of such legislation to margarine imported from another Member State and lawfully produced and marketed in that State constitutes a measure having an effect equivalent to a quantitative restriction within the meaning of Article 30.

¹ Case 307/81 *Alusuisse Italia v Commission and Council*: not yet reported.

² Case 37/82 *Nederlandsch Bevrachtungskantoor v Inspecteur der Invoerrechten en Accijnzen* ('surgical covering cloths'); Case 234/81 *Du Pont v Commissioners of Customs and Excise* ('Corian'): not yet reported.

³ Case 47/82 *Gebroeders Vismans v Inspecteur der Invoerrechten en Accijnzen* ('green beans'): not yet reported.

⁴ Case 302/81 *Eggers v HZA Kassel*: not yet reported.

⁵ *Horvath v HZA Hamburg-Jonas* [1981] ECR 385.

⁶ OJ L 179, 17.7.1979.

⁷ Case 221/81 *Wolf v HZA Düsseldorf*: not yet reported.

⁸ Case 261/81 *Rau v De Smedt*: not yet reported.

2.4.27. For the first time, the Court ruled on the compatibility with Article 30 of a campaign organized by a Member State to promote the sale and purchase of national products within its own territory.¹ The Court held, firstly, that the fact that a substantial part of the campaign is financed by the Member State and that Articles 92 and 93 of the Treaty may be applicable to financing of that kind does not mean that the campaign itself may escape the prohibitions in Article 30. The Court held, secondly, that the activities in question amount to the establishment of a national practice, the potential effect of which on imports is comparable to that resulting from government measures of a binding nature. The Court therefore ruled that the activities in question form part of a government programme which is designed to achieve the substitution of domestic products for imported products and is liable to affect the volume of trade between Member States.

2.4.28. The Court also gave a preliminary ruling in regard to a national law on the restriction of free gift schemes to promote sales.² The Court found, firstly, that a law restricting certain forms of advertising and certain methods of sales promotion may constitute an obstacle to imports even where it is equally applicable to both national and imported products. The Court accepted, however, that the offering of free gifts may mislead the consumer as to the real price of the products and distort the conditions of competition. A law restricting or prohibiting such commercial practices may therefore contribute to the protection of consumers and the fairness of commercial transactions. Even where such a law requires the existence of a relationship between the consumption or use of the free gift and the object for sale, a criterion which serves to define the scope of one of the exceptions to the prohibition but which has not been adopted in the laws of other Member States, it does not go beyond what is necessary in order to attain the objectives in question. The Court therefore held that Articles 30 and 34 of the EEC Treaty do not preclude the application by a Member State of such a law to products from or intended for another Member State.

Free movement of workers

2.4.29. In Joined Cases 35 and 36/82³ a question was raised concerning the applicability of the Community provisions on the free movement of persons to relations between Member States and their own nationals. In keeping with the judgments delivered in Cases 115/78⁴ and 175/78,⁵ the Court ruled that Community law does not prohibit a Member State from refusing to allow a relative, as referred to in Article 10 of Regulation No 1612/68,⁶ of a worker employed within the territory of that State who has never exercised the right to freedom of movement within the Community to enter or reside within its territory if that worker has the nationality of that State and the relative the nationality of a non-member country. The Treaty provisions on freedom of movement for workers were adjudged inapplicable to cases such as the one in question which have no factor linking them with any of the situations governed by Community law.

Competition

2.4.30. In Case 262/81⁷ the Court was asked to rule on whether, with regard to the exploitation of cinematographic works, an exclusive licensing agreement was permissible under Article 85, in so far as the right to show a film was part of the specific subject matter of copyright and therefore covered by Article 36.

Without referring to this concept of the specific subject matter of copyright, the Court ruled that a contract whereby the owner of the copyright in a film grants an exclusive right to exhibit that film is not, as such, an agreement prohibited by the Treaty. It held that it is for the national court to establish whether, in the light of the various circum-

¹ Case 249/81 *Commission v Ireland*: not yet reported.

² Case 286/81 *Openbaar Ministerie v Oosthoek*: not yet reported.

³ *Morson and Jhanjan v Netherlands*: not yet reported.

⁴ *Knoors v Secretary of State for Economic Affairs* [1979] ECR 399.

⁵ *Regina v Saunders* [1979] ECR 1129.

⁶ OJ L 257, 19.10.1968.

⁷ *Coditel v Ciné Vog*: not yet reported.

stances of the particular case, the exercise of the right to exhibit a film thus granted was likely to distort competition within the common market by creating 'barriers which are artificial and unjustifiable in terms of the needs of the cinematographic industry'.

2.4.31. The Court also delivered two judgments¹ on the scope of Articles 30 and 92 of the EEC Treaty.

Common commercial policy

2.4.32. In addition to an important judgment on the admissibility of an action for the annulment of a Regulation imposing an anti-dumping duty,² the Court gave a ruling³ on the scope and direct effect of the first paragraph of Article 21 of the free trade agreement between the EEC and Portugal, which prohibits tax discrimination against Portuguese products. In answer to a reference by the Bundesfinanzhof for a preliminary ruling, the Court held that this provision is directly applicable and must be interpreted according to its terms and in the light of the objective which it pursues in the system of free trade established by the agreement. It follows that the interpretations given to Article 95 of the EEC Treaty cannot be applied by way of simple analogy.⁴

Common agricultural policy

2.4.33. In Case 52/81⁵ the Court essentially confirmed its previous case-law⁶ on the Community arrangements applicable to imports of preserved mushrooms from non-member countries.

2.4.34. In Case 309/81⁷ the Court held that Council Regulation (EEC) No 425/77⁸ included wild buffalo meat among the products covered by the common organization of the market in beef and veal.

2.4.35. The Court held⁹ that it was unnecessary for it to give a decision in answer to an application for a declaration that Regulation (EEC) No 1592/80 on the application of the system of production quotas in the sugar and isoglucose sectors¹⁰ is void. This Regulation had been confirmed retroactively by a subsequent Regulation against which an

application for a declaration of nullity brought by the applicant was dismissed as unfounded.¹¹

2.4.36. As regards the principle of proportionality, the Court reaffirmed¹² its previous ruling¹³ drawing a distinction between the principal obligation and the secondary obligations imposed by a Community measure. In the case of two Commission Regulations on aid for the disposal of skimmed milk, the Court held that the conditions governing the composition of the finished product constituted principal obligations under the Regulations. Consequently, the Commission was legally justified in providing that the aid and/or deposit was lost in its entirety in the event of non-compliance, however slight, with the technical conditions as to composition which the finished products had to satisfy.

2.4.37. In Joined Cases 292 and 293/81¹⁴ the Court gave a preliminary ruling on the advance fixing of refunds and monetary compensatory amounts. The point at issue was Commission Regulation (EEC) No 306/78 fixing the green rates applicable to

¹ Case 249/81 *Commission v Ireland*, see point 2.4.27; Joined Cases 213 to 215/81, *Norddeutsches Vieh- und Fleischkontor v BALM*, see point 2.4.38: not yet reported.

² Case 307/81 *Alusuisse Italia v Commission and Council*, see point 2.4.24: not yet reported.

³ Case 104/81 *HZA Mainz v Kupferberg*: not yet reported.

⁴ See generally Case 270/80 *Polydor v Harlequin* [1982] ECR 329; Case 17/81 *Pabst & Richarz v HZA Oldenburg*: not yet reported.

⁵ *Faust v Commission*: not yet reported.

⁶ Case 126/81 *Wünsche v Bundesamt für Ernährung und Forstwirtschaft*; Case 245/81 *Edeka v Bundesamt für Ernährung und Forstwirtschaft*: not yet reported.

⁷ *Klughardt v HZA Hamburg-St Annen*: not yet reported.

⁸ OJ L 61, 5.3.1977.

⁹ Case 179/80 *Roquette v Council and Commission*.

¹⁰ OJ L 160, 26.6.1980.

¹¹ Joined Cases 108, 110 and 114/81 *G.R. Amylum, SA Roquette and Tunnel Refineries Ltd v Council*: not yet reported.

¹² Case 272/81 *Rumi v FORMA*; Case 273/81 *Société Laitière de Gacé v FORMA*: not yet reported.

¹³ See, for example, Case 122/78 *Buitoni v FORMA* [1979] ECR 677.

¹⁴ *Jean-Lion and Loiret et Haentjens v FIRS*: not yet reported.

sugar.¹ This Regulation provides that, where the refund and MCA are fixed in advance, the green rate applicable is, if there has been an invitation to tender, that valid on the last day for the submission of bids. On the other hand, where the refund alone is fixed in advance, it stipulates that the green rate to be adopted is that applicable on the day of completion of the customs formalities.

The Court rejected the arguments adduced by the applicants in the main action in support of their contention that the Regulation is invalid. It held *inter alia* that, because of the specific nature of each of the common organizations of markets and because sugar does not compete with the products covered by other common organizations, it is not possible to describe as discrimination the fact that Regulation (EEC) No 3016/78 is specific to the market in sugar and that there are no similar provisions governing other sectors of the market.

As regards the difference of treatment between traders who resorted to advance fixing and other traders, the Court ruled that the allegation of discrimination was again unfounded, the very purpose of advance fixing being to crystallize, at the request of traders, the amount of the refund and monetary compensatory amounts at a date prior to the day of exportation. The difference of treatment which resulted therefrom was merely the consequence of a choice between two systems offered by the Regulation to traders and made freely by the latter according to their requirements.

2.4.38. The Court also gave a preliminary ruling² on the allocation of the tariff quota for frozen beef and veal, an important judgment despite the fact that, in certain respects, it merely confirms previous case-law.³ It concerned Regulation (EEC) No 2956/79 opening and allocating the quota for 1980,⁴ Article 3(1) of which provides that 'the Member States shall take all appropriate steps to guarantee all persons concerned, established within their territories, free access to the quota shares allocated to them'. Without giving a ruling on the validity of this provision or of the system of national quotas itself (as the court making the reference had

requested it to do), the Court held that the allocation of a national quota share allotted by that provision does not abolish equal treatment of the persons concerned, even though access to that quota share is restricted to persons established within the territory of the Member State in question. It then ruled that it is not contrary to Article 7(1) of Regulation No 805/68⁵ for a Member State also to take account to a limited extent of purchases of frozen beef and veal held by intervention agencies as a criterion for allocating its share of the quota. However, it is not proper to take account solely of purchases from a particular intervention agency. Purchases and sales by intervention agencies for beef and veal must be accessible to all Community traders, so it is not admissible to link the allocation of a Community quota to purchases from a specific intervention agency. Moreover, it is not contrary to Regulation No 2956/79⁶ for a Member State also to take account of imports and exports of beef and veal in other Member States and exports to non-member countries when allocating its share of the quota.

In the same judgment the Court held that the mere allocation by a Member State of a Community tariff quota does not constitute aid granted by a Member State or through State resources within the meaning of Articles 92 to 94 of the EEC Treaty.

Fisheries

2.4.39. In Case 287/81⁷ the Court again ruled on the powers of the Member States to take conservation and management measures. It acknowledged that the Member States had, until 31 December 1978, the same power to fix and allocate quotas as the Council, until

¹ OJ L 359, 22.12.1978.

² Joined Cases 213 to 215/81 *Norddeutsches Vieh- und Fleischkontor v BALM*: not yet reported.

³ Case 131/73 *Grosoli* [1973] ECR 1553; Case 35/79 *Grosoli v Ministry of Foreign Trade* [1980] ECR 177; Case 124/79 *Van Walsum v Produktschap voor Vee en Vlees* [1980] ECR 813.

⁴ OJ L 336, 29.12.1979.

⁵ OJ L 148, 28.6.1968.

⁶ OJ L 336, 29.12.1979.

⁷ *Anklagemyndigheden v Noble Kerr*: not yet reported.

such time as Council exercised that power. Thus it held that a national measure, decided upon in accordance with the procedure provided for by the Council's Hague resolution of 3 November 1976, with the purpose of fixing a total allowable catch and allocating it among certain Member States, could not be regarded as contrary to the principle prohibiting discrimination, embodied in Article 7 of the Treaty and in Articles 1 and 2(1) of Regulation No 101/76 of 19 January 1976,¹ if it is a conservation measure taken in response to a need arising in the area concerned and if the measure was justified by objective considerations relating to the protection of the needs of the coastal population concerned and to the maintenance of a situation for the time being obtaining in the area in question.

2.4.40. In a further series of four judgments on the validity of the Community rules applicable to Spanish vessels,² the Court confirmed that Spanish fishermen cannot rely, in order to challenge those rules, on previous international commitments between France and Spain.³ The Court stated in Joined Cases 50 to 58/82 that the agreement between the Community and Spain had, after its entry into force, replaced the international commitments on fishing entered into by Spain and France. As regards the period of interruption in the issue of fishing licences to Spanish fishermen between 1 February and 4 March 1981, the Court held in Joined Cases 138 and 139/81 that it was for the national court to envisage the consequences of the lack of any Community rules on licences applicable during that period to Spanish fishermen.

Transport

2.4.41. The Court delivered two judgments⁴ on the validity and interpretation of Council Regulations (EEC) Nos 1174/68⁵ and 2831/77⁶ on the fixing of prices for the carriage of goods by road between Member States. In Case 12/82 the Court, after analysing the wording of the Regulations and the economic arguments on which they were based, held that haulage contractors are required to comply with the tariffs fixed and applied by the Member States or be liable to the

prescribed penalties. In Case 32/82 the Court had occasion to give a ruling on the validity of Regulation (EEC) No 1174/68. It did not, however, confine itself to declaring the Regulation valid, but also stated that, after they have fixed the transport rates, the Member must, in the event of fluctuations in the exchange rate between their currencies, seek an adjustment of the tariffs if the effect of the change in the parity is noticeably to affect competition between haulage contractors in a manner which conflicts with the objective pursued by the Regulation. The Court acknowledged, however, that the Member States have a margin of discretion in their compliance with the obligation to readjust tariffs.

ECSC

2.4.42. The Court gave a ruling for the first time on fines imposed for failure to comply with the production quotas system when its President rejected the application by Klöckner-Werke AG⁷ for suspension of the operation of a Commission Decision imposing a fine on it without the lodging of a bank guarantee. On the ground that the lodging of such a guarantee could not cause Klöckner serious and irreparable damage—thus applying his traditional test for the grant of interim measures—the President granted the suspension only on that condition. Far from accepting the ruling, Klöckner, in an unusual move, submitted a second application for a suspension—without the lodging of a

¹ Council Regulation (EEC) No 101/76 of 19 January 1976 laying down a common structural policy for the fishing industry (OJ L 20, 28.1.1976).

² Joined Cases 137 and 140/81 *Campandeguy Sagarzazu and Echevarria Sagasti*; Joined Cases 138 and 139/81 *Marticorena-Otazo and Prego Parada*; Joined Cases 13 to 28/82 *Arantzamendi-Osa and Others*; Joined Cases 50 to 58/82 *Dorca Marina and Others*: not yet reported.

³ Case 181/80 *Arbelaz-Emazabel* [1981] ECR 2961; Joined Cases 180 and 266/80 *Tome and Yurrita* [1981] ECR 2997.

⁴ Case 12/82 *Ministère public v Trinon*; Case 32/82 *Openbaar ministerie v Suys and Others*: not yet reported.

⁵ OJ L 194, 6.8.1968.

⁶ OJ L 334, 24.12.1977.

⁷ Case 263/82R.

guarantee—which the President immediately rejected.¹

2.4.43. In the *Halyps* case² the Court largely confined itself to confirming what it had already said in previous cases,³ namely that the purpose of the quota system is not to guarantee undertakings a minimum level of employment or scope for development but to spread the effects of the steel crisis equitably among the undertakings according to their actual production. It also confirmed that derogations from the immediate and full

application of the provisions of Community law to Greece were allowed only in so far as they were expressly laid down by transitional measures, there being no express derogation from Article 58 of the ECSC Treaty in the Act of Accession.

¹ Case 263/82R II.

² Case 258/81 *Metallurgiki Halyps v Commission*: not yet reported.

³ Joined Cases 39, 43, 85 and 88/81 *Halyvourgiki and Helleniki Halyvourgia v Commission* [1982] ECR 593; Case 119/81 *Klöckner-Werke v Commission*.

2.4.44. New cases

Case	Subject	Basis
ECSC — Steel		
2/83 — SpA ALFER v Commission	Decision imposing a fine for exceeding production quotas for steel	Article 33 of the ECSC Treaty
4/83 — Klöckner-Werke AG v Commission ¹	Decision imposing a fine for exceeding production quotas for steel	Article 33 of the ECSC Treaty
8/83 — Officine Fratelli Bertoli SpA v Commission ²	Decision imposing a fine for infringing Article 60 of the ECSC Treaty (failure to adhere to prices)	Article 36 of the ECSC Treaty
9/83 — Eisen und Metall AG v Commission	Decision imposing a fine infringing Article 60 of the ECSC Treaty (failure to adhere to prices)	Article 36 of the ECSC Treaty
10/83 — Stà Metalgoi SpA v Commission	Decision imposing a fine for exceeding production quotas for steel	Article 33 of the ECSC Treaty
11/83 — Klöckner-Werke AG v Commission ³	Decision setting production quotas for steel	Article 33 of the ECSC Treaty
Customs union		
7/83 — Ospig Textil-Gesellschaft KG W. Ahlers v HZA Bremen-Ost ²	Are costs incurred in the acquisition of quotas for the export of textiles to the Community to be included in the customs value (Regulation (EEC) No 1224/80)?	Article 177 of the EEC Treaty
Freedom of establishment and freedom to provide services		
5/83 — Criminal proceedings against H.G. Rienks ²	Consequences of the non-transposition of Directives 78/1026/EEC and 78/1027/EEC (mutual recognition of the diplomas of veterinary surgeons)	Article 177 of the EEC Treaty

Case	Subject	Basis
Competition 6/83 — Presseindividualhandelsfirma Mattar-Pankert v Commission	Action for a declaration that the Commission has failed to take a decision concerning a request by the applicant that infringement proceedings be initiated on the ground that the German delivery services no longer deliver German periodicals to it	Article 175 of the EEC Treaty
Agriculture 1/83 — IFG Intercontinentale Fleischhandelsgesellschaft mbH & Co. KG v Freistaat Bayern (Landesrechtsanwaltschaft München)	Lawfulness of health inspection fees charged on the importation of fresh meat from a non-member country (Directive 72/461)	Article 177 of the EEC Treaty
Transport 13/83 — European Parliament v Council ⁴	Failure of the Council to introduce a common transport policy and to take a decision within the requisite period on a number of proposals from the Commission concerning the implementation of the common transport policy	Article 175 of the EEC Treaty

Disputes between the Community and its staff

v Commission: 3/83, 12/83

v Court of Justice: 290/82³

v Parliament: 293/82

¹ OJ C 30, 4.2.1983.

² OJ C 35, 8.2.1983.

³ OJ C 36, 9.2.1983.

⁴ OJ C 49, 19.2.1983.

2.4.45. Judgments

Date and case	Held
Customs union 12.1.1983, 39/82 — A.M. Donner v Netherlands	The prohibition laid down in Article 13 of the EEC Treaty extends to a postal charge for the presentation for customs clearance of a postal packet sent from another Member State, which is invoiced in connection with the completion of turnover tax formalities, if it does not represent payment for a service actually rendered

Date and case	Held
<p>Social security 12.1.1983, 150/82 — Coppola v Insurance Officer</p>	<p>Determining responsibility for sickness benefit. Aggregation of invalidity benefits received from several Member States for the same period</p>
<p>Agriculture 27.1.1983, 109/82 — Interagra SA v Fonds d'Orientalion et de Régularisation des Marchés Agricoles (FORMA)</p>	<p>Temporal validity of export certificates fixing the refund in advance</p>
<p>Transport 25.1.1983, 126/82 — Smit Transport v Commissie Grensoverschrijdend Beroepsgoederenvervoer</p>	<p>The first Council Directive of 23 July 1962 (liberalization of intra-Community transport) must be interpreted as meaning that the authorities of the Member States can no longer, in respect of certain types of carriage, require authorizations from or impose quantitative restrictions on undertakings established in other Member States. Those authorities may, however, impose restrictions on undertakings established in their own territory</p>

Disputes between the Community and its staff

v Commission: 27.1.1983, 263/81 — Judgment for the applicant

Orders for removal from the Court Register

19.1.1983, 328 to 336/83 — Società Italiana per l'Industria degli Zuccheri et Associazione Nazionale Bieticoltori and Others v 1. Casa Conguaglio Zucchero; 2. Ministero dell'Agricoltura e Foreste; 3. Ministero dell'Industria, Commercio e Artigianato

20.1.1983, 47/81 — Istituto Nazionale della Previdenza Sociale v Basini

27.1.1983, 128/82 — R. Vancampenhout v Commission

Economic and Social Committee

204th plenary session

2.4.46. The Economic and Social Committee held its 204th plenary session on 26 and 27 January with Mr Ceyrac (employers' group, France) in the chair. Much of the session was devoted to drafting opinions on different aspects of competition in the transport sector. Mr Andriessen, for the Commission, addressed the meeting.

Opinions

Competition in the transport sector

2.4.47. The Committee discussed two proposals for Regulations applying Articles 85 and 86 of the EEC Treaty to sea¹ and air transport,² and a proposal for a Directive on

¹ OJ C 282, 5.11.1981; Bull. EC 9-1981, points 2.1.27 and 2.1.119.

² OJ C 291, 12.11.1981; Bull. EC 7/8-1981, points 1.3.1 to 1.3.8.

tariffs for scheduled air transport between Member States.¹

In his address Mr Andriessen deplored the fact that there was still no common transport policy. Meanwhile, certain shortcomings in the application of the rules of competition to air and sea transport needed to be remedied, to make it clear to the sectors concerned where their rights and duties lay. The object was to gradually stimulate free competition and produce beneficial effects for the consumer. The new rules would also help to counter distortions of competition caused by non-member countries.

The debate focused on the legal basis for the two proposals. The Committee disagreed with the Commission's approach based on Article 87 of the Treaty (Council decisions by qualified majority), and proposed a double legal basis with Article 84(2) in addition, which comes from the section of the Treaty on transport and provides for unanimous decisions. In the Committee's view the establishment of a common transport policy should take priority over the introduction of rules on competition in this sector.

The Committee also called for a comprehensive approach, taking account of all aspects of air transport (international agreements, public service obligations, safety standards, job security, energy saving, environment, etc.). As regards sea transport, the Committee called for a stricter definition of bulk transport and a study of the distortion of competition caused by flags of convenience.

The opinion on the application of the rules on competition to air transport was adopted by a large majority, with six votes against and four abstentions. The opinion on applying the same rules to sea transport was adopted by 89 votes to four with seven abstentions.

2.4.48. The proposal for a Directive on tariffs for scheduled air transport between Member States¹ was adopted by a large majority. The Committee nevertheless expressed some doubt as to whether the objectives could be achieved by the Directive in its present form, in view of the international character of this sector.

Vocational training and new technologies

2.4.49. Although the Commission's communication of May 1982² was well received (no votes against and three abstentions), the Committee still stressed the need to distinguish between the short-term effects (structural adjustment and social problems) and long-term effects (increased competitiveness of businesses). For the short term, the Committee considered that the question of acceptance of the new technologies by workers and trade unions required special attention. It welcomed the proposal to establish a network of pilot projects financed by the Social Fund and suggested that these projects also look into the socio-psychological aspects of the introduction of new technologies.

2.4.50. The Committee adopted the following opinions:

(i) a proposal amending the Directive on the approximation of the laws of the Member States relating to the installation of lighting and light signalling devices on motor vehicles and their trailers;³

(ii) a proposal for a Council Decision empowering the Commission to contract loans under the New Community Instrument for the purpose of promoting investment within the Community;⁴ the opinion was adopted with no dissenting voice (one abstention); during the discussion it was emphasized that the amount (3 000 million ECU) was inadequate and a new credit line for the fight against unemployment through increased investment was called for;

(iii) a proposal for a Directive introducing Community measures for the control of foot-and-mouth disease;⁵ the Committee approved the proposal by 97 votes for, to 1 against and 15 abstentions.

¹ OJ C 78, 30.3.1982; Bull. EC 10-1981, point 2.1.139.

² OJ C 162, 29.6.1982; Bull. EC 5-1982, point 2.1.41.

³ OJ C 279, 22.10.1982; Bull. EC 10-1982, point 2.1.7.

⁴ OJ C 282, 27.10.1982; Bull. EC 10-1982, points 1.1.7 to 1.1.11.

⁵ OJ C 248, 22.9.1982; Bull. EC 9-1982, point 2.1.66.

European Investment Bank

Operations in 1982

2.4.51. Financing provided by the European Investment Bank showed a healthy upturn of 22% in 1982, in response to the European Council's request that the activities of Community financing institutions should be directed towards stimulating investment and creating jobs. Lending totalled 4 700 million ECU,¹ compared with 3 800 million in 1981, despite the continuing unfavourable economic climate and high interest rates. The objectives pursued are, in order of priority, regional development, reducing dependence on imported oil, and industrial modernization. The EIB has pursued its efforts in the framework of Community development aid, particularly in Africa and the Mediterranean countries.

Community

2.4.52. Lending in Member States amounted to more than 4 240 million ECU, with a very significant expansion in operations in Greece (459 million ECU as against 159 million in 1981). An appreciable recovery was recorded in activity in the United Kingdom, along with a sharp upswing in Denmark and France and a further rise in Ireland and Italy; in contrast, a downturn in operations was observed in Belgium and Germany. Of the total, 791 million ECU were drawn from the resources of the new Community borrowing and lending instrument (NCI).²

In line with the foremost task entrusted to the Bank under the Treaty of Rome, priority was accorded to lending for regional development, which increased substantially compared with 1981: the bulk of funds was channelled to less advanced regions and areas where unemployment is most rife, as well as to parts of southern Italy and Greece devastated by earthquakes in 1980 and 1981. Eighty per cent of loans within the Community went to projects in Italy, the United Kingdom, Greece and Ireland, i.e. countries where structural problems are most acute.

The EIB also accorded priority to financing investment aimed at cutting back the EEC's dependence on imported oil, improving communications within the Community, promoting development of high technology and protecting the environment.

Projects financed in the energy sector in 1982 should, once fully operational, provide means of replacing the equivalent of 17.3 million tonnes of oil per annum, including savings of 4.8 million toe, accruing mainly from schemes promoting more efficient use of energy in industry.

A salient feature of EIB activity in 1982 was the upswing in loans for productive enterprise, with a particularly pronounced increase in funds earmarked for smaller-scale ventures via global loans channelled to banks or financing institutions. New global loans made available in 1982 totalled 903 million ECU, as against 469 million in 1981, while 454 million ECU in all was approved from ongoing loans of this type in support of 1 200 ventures. The majority of such loans granted in 1982 were designed to establish or expand small businesses in regional development areas, whereas others were intended specifically to promote energy savings.

November saw the first batch of global loans from NCI resources for productive investment by small businesses located outside regional development areas: these will complement similar loans provided by the EIB and the ECSC to aid regional development or conversion, modernization of enterprises and energy saving.

The EIB also helped to finance improvements to transport infrastructure between member countries (motorways in Friuli and Jutland, roads across the Italian Alps), installations to protect the environment (sewerage scheme in

¹ The conversion rates at 31 December 1982 used by the EIB in statistics for the current quarter were 1 ECU = BFR 45.32, DKR 8.11, DM 2.30, DR 68.54, FF 6.52, HFL 2.54, IRL 0.69, LIT 1 326, LFR 45.32, UKL 0.60, USD 0.97.

² OJ L 298, 25.10.1978; Bull. EC 10-1978, point 2.1.10.

the Gulf of Naples, equipment to reduce pollution in the Baltic) and projects making use of advanced technology (cancer treatment drugs).

Financing provided by the Bank last year is estimated to have contributed towards new fixed investment totalling more than 12 000 million ECU. On the employment front, ventures backed by the EIB should lead to the creation or safeguarding of more than 58 000 permanent jobs. Moreover, implementation of ventures financed by the EIB since 1977 which generally cover several years are thought, mainly in the case of infrastructure schemes, to have secured employment, directly or indirectly, for more than 410 000 workers in 1982.

2.4.53. A substantial proportion of lending in Italy and the bulk of loans in Ireland attracted 3% interest subsidies financed from the Community budget under arrangements designed to assist less prosperous countries fully participating in the European Monetary System¹ or as Community aid to areas in southern Italy and Greece stricken by earthquakes in 1980 and 1981.²

Borrowings

2.4.54. The EIB borrowed 3 200 million ECU on the capital markets in 1982 to finance its lending operations, as against 2 300 million in 1981. Borrowings were concluded mainly in US dollars (760 million ECU, or 23.7% of the total), German marks (631 million ECU; 19.7%), guilders (413 million ECU; 12.9%), yen (387 million ECU; 12.1%), Swiss francs (346 million ECU; 10.8%), sterling (263 million ECU; 8.2%) and French francs (177 million ECU; 5.5%). The Bank launched three new ECU-dominated public issues (112 million), thereby promoting use of the Community's currency unit, and floated its first 'bulldog loan' on the United Kingdom domestic capital market.

1 826 million ECU was raised through public issues, 1 319 million ECU via private placings and 60 million ECU by the sale to third parties of participations in EIB loans, guaranteed by the Bank.

Italy

2.4.55. In Italy loans came to 2 038.1 million ECU (LIT 2 689 000 million), including 449.4 million ECU (LIT 595 000 million) from NCI resources, which was a substantial improvement on the previous year (1 699.6 million ECU, or LIT 2 139 600 million).

Of this amount, almost two thirds—1 355.8 million ECU (LIT 1 770 000 million)—went into investment in the Mezzogiorno, including 194.8 million ECU (LIT 257 400 million) as Community aid for reconstruction work in Campania and Basilicata.

Over 50% of the loans attracted a 3% interest subsidy charged to the Community budget in accordance with the provisions adopted when Italy joined the European Monetary System, or as part of the aid to the disaster areas.

Loans for investment in productive enterprise—mainly manufacturing industry and in particular small businesses—totalled 876.3 million ECU (LIT 1 155 400 million).

Over two thirds—616.7 million ECU (LIT 813 400 million)—went in the form of global loans, of which 334.3 million ECU (LIT 440 000 million) was for financing small and medium-scale projects in the Mezzogiorno and the least-developed regions of central and northern Italy—loans to EFIBANCA, the Industrial Credit Section of the Banco di Napoli, the Banca Nazionale del Lavoro (BNL), the Mediocredito Centrale, IMI (Istituto Mobiliare Italiano), ISVEIMER (Istituto per lo Sviluppo Economico dell'Italia Meridionale) and CIS (Credito Industriale Sardo).

Of this total, 192.6 million ECU (LIT 255 000 million) was channelled into small and medium-scale ventures in industry and tourism from NCI resources, via the Mediocredito Centrale and its regional divisions, as well as IMI, Centrobanca and BNL. Those loans will in fact be deployed in regions not eligible for regional development

¹ OJ L 200, 3.8.1979; Bull. EC 7/8-1979, point 2.1.2.

² OJ L 37, 10.2.1981; OJ L 367, 23.12.1981.

aid. Other global loans were granted for the more specific purpose of helping to get small and medium-scale investment in energy-saving measures carried through. One global loan, to ISVEIMER, was more directly related to the restoration of the means of production in the disaster areas of Campania and Basilicata.

From global loans already under disbursement, the EIB in 1982 helped to finance investment by small businesses in a total of 545 ventures, representing an overall total of 309.1 million ECU (LIT 407 200 million).

For larger projects, the EIB advanced 259.6 million ECU (LIT 342 000 million), chiefly in the following industries: motor vehicles, cement (conversion from oil to coal firing), foodstuffs, paper pulp, flat glass, electrical engineering, chemicals and the development of advanced technology (cancer treatment drugs and plant health products).

Lending for transport and telecommunications infrastructure, at 478.4 million ECU (LIT 631 500 million), was 45% up on the previous year, with funds going to the Friuli autostrada (Carnia-Pontebba section), linking the German and Italian motorway systems via that of Austria, the road networks in Abruzzi and Basilicata, access roads to the French and Swiss border crossings, improved approaches and layout at the Fréjus Tunnel, rehabilitation of the earthquake-damaged rail system in Campania and Basilicata, and, in particular, telecommunications in Sicily, Calabria, Apulia and the disaster areas of Campania and Basilicata, plus a satellite earth station in Abruzzi.

A total of 319.2 million ECU (LIT 421 500 million) was lent in support of water schemes: catchment and supply in Campania, Apulia and Sardinia, where sewage treatment facilities were also financed; irrigation and drainage schemes in Molise, Apulia, Calabria, Basilicata and Sardinia; drinking water supplies and sewerage facilities for the disaster in the south, and reconstruction of the Pugliese aqueduct, on which supplies to about 1.7 million people depend.

In the energy sector, Bank lending totalled 264.7 million (LIT 349 500 million). Mention has already been made of energy-saving

schemes in industry, but in addition funds were advanced for the tapping of indigenous resource (offshore oil and gas in the Adriatic), the laying of gaslines as a way of diversifying imports (the Algeria-Italy line, a spur in Friuli to the Trans-Austria Gasline and improvement to the gas distribution system in Bologna, Florence, Liguria and Piedmont). Credit was also advanced for the reinstatement of generating plant and power transmission installations in the disaster zones in Campania and Basilicata.

A total of 84.3 million ECU (LIT 111 100 million) went towards road and rail improvements, water and drainage works to further economic development in Sicily, Sardinia, Apulia and Abruzzi and the installation of effluent treatment plants to serve the textile industry at Prato, near Florence. There was also a global loan to IMI to finance the tapping of local resources and the use of oil substitutes in district heating systems, waste-burning heating plant and natural gas distribution facilities.

In addition to the above lending, an agreement was signed in November setting out the general terms of reference for the release of 62.8 million ECU (LIT 82 500 million) of credit for financing construction of 1 600 housing units forming part of the basic infrastructure needed for further economic development at industrial development centres in Latium, the Marches, Abruzzi, Apulia, Calabria, Sardinia and Sicily. The funds are in fact due for disbursement only in a number of tranches in 1983, and thus do not affect the 1982 figures. The decision to grant an EIB loan was based on the fact the housing in question directly complements investment in the means of production.

United Kingdom

2.4.56. In the United Kingdom lending almost doubled, to 490.6 million ECU (UKL 273.8 million) from EIB own resources, compared with 252.7 million ECU (UKL 142.6 million) in 1981. This upturn can be ascribed largely to the quite lively demand for credit to finance energy and water schemes and regional infrastructure, chiefly in Scotland, the North, Yorkshire and Humberside,

the North-West and, to a lesser extent, Wales, the South-West and the East Midlands.

Loans for energy equipment (188.4 million ECU — UKL 104.7 million) were directed mainly towards the development of domestic resources, such as nuclear fuel storage and handling facilities in the North, the Torness Point nuclear power station in Scotland, the tapping of a North Sea oilfield, the laying of a submarine cable to connect the Orkneys to the Scottish power grid and the construction of a thermal power station in the Shetlands.

Lending for water supply and sewerage schemes rose from 68 million ECU (UKL 39.6 million) in 1981 to 99.2 million ECU (UKL 55.7 million), with funds going to Scotland, the East Midlands, Wales, Yorkshire and Humberside, the North-West and the South-West. Also included were road schemes, the development of industrial sites and vocational training centres.

Lending to industry, at 79.9 million ECU (UKL 45.4 million), more than trebled in comparison with 1981. Funds totalling 33.8 million ECU (UKL 18.9 million) went towards a microprocessor plant, a hydraulic motor factory, a plant producing gas circulators for nuclear reactors and the restructuring and improvement of various cable manufacturing plants. There were four global loans, totalling 46.1 million ECU (UKL 26 million) to help finance small and medium-scale ventures in industry and tourism in the Assisted Areas. These were placed with the Scottish Development Agency, the Clydesdale Bank Finance Corporation and the Welsh Development Agency, as well as the Department of Industry, under a contract of mandate and guarantee, for on-lending via its regional offices in England, and with its equivalent departments in Scotland, Wales and Northern Ireland.

In the realm of transport infrastructure, 52.1 million ECU (UKL 29 million) went towards the assembly and commissioning of 210 sleeper cars on the main lines serving the Assisted Areas, works on various sections of road and motorway in the North-West, Scotland and Wales, in particular outer Edinburgh and Cardiff, and the extension of

Birmingham Airport to improve air links within the Community.

France

2.4.57. In France loans totalled 461.9 million ECU (FF 2 981 million), of which 37.6 million ECU (FF 250 million) came from NCI resources (1981: 267 million ECU — FF 1 595.9 million).

Of this amount, two thirds—323.1 million ECU (FF 2 000 million)—went into energy projects: the first two units of the Belleville power station in Cher of the European Super-Phénix fast-breeder reactor power station at Creys-Malville in Isère, which together represent 3 740 MW of installed generating capacity. Funds also helped to finance a lignite mine and the addition of 600 MW of capacity at the Gardanne lignite-fuelled power station near Aix-en-Provence, as well as the construction of coal terminals at the ports of Rouen and Marseilles.

Infrastructure and industrial investment offering regional benefits accounted for loans totalling 138.9 million ECU (FF 906 million). The Gardanne complex, where some 2 000 jobs were made secure, accounted for part of this, other funds being channelled into harbour works (Sète and La Rochelle) and upgrading of the Le Mans-Nantes railway line, as well as small and medium-scale public infrastructure projects in development and conversion areas, through the intermediary of the Caisse d'Aide à l'Équipement des Collectivités Locales. In addition, the EIB helped to finance a metallurgy plant in the Midi-Pyrénées and various projects by small and medium-sized enterprises in industry and tourism. There were two global loans to Crédit d'Équipement des Petites et Moyennes Entreprises — one from EIB resources and one from NCI resources, the former for investment in areas scheduled for regional development aid and the latter for deployment in the rest of the country. The Caisse Centrale de Crédit Coopératif received a global loan for support to the fishing industry.

Greece

2.4.58. Bank lending in Greece in that country's second year of Community

membership almost trebled to 458.5 million ECU (DR 29 800 million), compared with 159.2 million ECU (DR 9 800 million) in 1981. The amount granted from NCI resources came to 124.9 million ECU (DR 8 300 million). The funds went towards various regional development projects, including two hydroelectric power stations which will play their part in reducing the Community's dependence on outside sources of energy.

An 80 million ECU (DR 5 300 million) loan from NCI resources with a 3% interest subsidy from the Community budget was granted as Community aid for reconstruction work in the areas devastated by the earthquakes of February and March 1981, with funds used to finance the reinstatement of roads and railway infrastructure, reconstruction and repair work on some 800 educational establishments and 10 400 homes and the assembly of 550 prefabricated buildings. These operations accounted for the whole of the aid package in question.

The sum of 159 million ECU (DR 10 200 million) was advanced for the extension and improvement of local and trunk telephone systems and the connection of some 370 000 new subscribers. The Thessaloniki-Serres road in Macedonia and the Patras-Olympia highway in the Peloponnese accounted for further financing worth 25.5 million ECU (DR 1 700 million).

In addition, 4.5 million ECU (DR 300 million) of credit will go towards the preparation of industrial estates in Thrace, Eastern Macedonia, Thessaly, the Peloponnese and Crete.

Lending for investment in energy installations, which came to 50.8 million ECU (DR 3 300 million), was for hydroelectric power stations at Pigai (210 MW) and Stratos (150 MW), which will boost economic development in Epirus, the Peloponnese and central and western Greece, and in the process save the country some 180 000 tonnes of oil imports per annum.

Lending to industry almost trebled in comparison with 1981 to reach a total of 138.9 million ECU (DR 9 000 million). Of

this, 55.3 million ECU (DR 3 600 million) went towards modernization of cement production (transfer of a cement works from Piraeus to Milaki in Euboea), alumina and aluminium production, the reduction of electricity consumption and the substitution of coal for oil firing. A total of 83.6 million ECU (DR 5 400 million) was advanced in the form of global loans for financing small and medium-scale industrial and agro-industrial ventures and projects in the tourist sector, on-farm investment and smaller, communal irrigation schemes. The intermediaries for these lines of credit were the National Investment Bank for Industrial Development, the National Bank of Greece, the Investment Bank and the Agricultural Bank of Greece.

From global loans already under disbursement, a total of 78 small and medium-scale investment projects were financed by the EIB in 1982, for a total of 51.4 million ECU (DR 3 400 million).

Ireland

2.4.59. In Ireland the EIB in 1982 advanced a total of 408.5 million ECU (IRL 281.7 million), compared with 342.6 million ECU (IRL 237.1 million) in 1981, of which 83.1 million ECU (IRL 57.3 million) came from NCI resources. Within this total, loans carrying an EMS interest subsidy amounted to 331.1 million ECU (IRL 228.2 million).

For transport and telecommunications infrastructure, the total loaned came to 171 million ECU (IRL 118 million), for financing the extension and modernization of parts of the telephone and telex network, and road improvement works, especially on the Dublin and Cork ring roads.

Energy installations accounted for a further 104.4 million ECU (IRL 70 million): construction of two new 300 MW units at the Moneypoint coal-fired power station, the uprating of two peat-fired generating plants, and the laying of a gasline between Cork, where supplies are piped ashore from the seabed field off Kinsale Head, and Dublin.

In addition, the EIB helped to finance drainage works serving 58 000 hectares of farmland in Counties Meath, Limerick and

Mayo, and a number of water supply and sewage disposal schemes.

Lending for the development of industrial, agricultural and service activities totalled 113.7 million ECU. The funds went towards the expansion and improvement of a cement works, construction of a soft wheat processing mill and the provision of 45 advance factories, 28 training centres and the enlargement and modernization of 18 others. There were also three global loans to the Industrial Credit Company and the Agricultural Credit Corporation.

From current global loans, the EIB was able in 1982 to provide supporting finance for productive investment in 469 small and medium-scale ventures, totalling 57.0 million ECU (IRL 39.3 million).

Denmark

2.4.60. EIB lending in Denmark more than doubled, to reach a figure of 305.3 million ECU (DKR 2 500 million), of which 96 million ECU (DKR 790 million) was from NCI resources, as compared with 142.9 million ECU (DKR 1 120 million) in 1981.

The above total included 147.8 million ECU (DKR 1 200 million) for energy investment: district heating systems in Aarhus (North Jutland) and Varde (Ribe), a treatment plant for gas from the Tyra field in the North Sea, and some 330 km of gaslines in South Jutland.

A total of 131.6 million ECU (DKR 1 080 million) was advanced in support of the southern motorway from Copenhagen to Rødby, a submarine telecommunications cable link between the island of Rømø and the Netherlands, and the expansion of a sewage treatment plant at Nakskov to reduce pollution in the Baltic.

Loans were also granted for: a regional airport on the west coast of Greenland, a fairway enlargement scheme and the construction of a fisheries research and development centre in North Jutland, and a range of small and medium-scale ventures in industry and tourism in regional development areas.

Belgium

2.4.61. In Belgium lending totalled 60.5 million ECU (BFR 2 750 million), the main items financed being further phases of the Doel and Tihange nuclear power stations—total capacity added: 3 805 MW—and, via the Société Nationale de Crédit à l'Industrie, various small and medium-scale industrial ventures in regional development areas.

Federal Republic of Germany

2.4.62. In Germany 20.8 million ECU (DM 50 million) was advanced for the second unit—1 281 MW—of the nuclear power station at Phillipsburg.

*

2.4.63. No loans were made in 1982 in the Netherlands or Luxembourg, partly as a result of relatively low interest rates on their respective national markets, which depressed the demand for EIB finance. However, a loan was advanced to the Danish posts and telecommunications administration, to finance installation of a submarine cable to improve telecommunications between Denmark and the Netherlands.

Outside the Community: 38 countries benefit

2.4.64. In 1982 the EIB lent 451.5 million ECU towards financing investment in the Mediterranean countries (Spain and Portugal, in particular, which are negotiating accession to the Community) and in 33 African, Caribbean and Pacific countries which are signatories to the Lomé Conventions or OCTs. The projects financed were mainly in the industrial and agricultural processing sectors, with the emphasis on small and medium-scale investment schemes, energy and mining and quarrying. 410.2 million ECU, representing more than 90% of this aid, was advanced from the EIB's own resources and most loans granted carried an interest subsidy. 41.3 million ECU was made available from European Development Fund risk capital resources or in the form of loans on special conditions (long term, low interest rate)

financed from the Community's budgetary resources.

As the funds provided for in the first Financial Protocols with most of the Mediterranean countries were fully drawn down by the end of 1981 and ratification procedures for the new generation of protocols were not completed in 1982, the EIB's activities in Mediterranean countries outside the Community showed a downturn on previous years.

Mediterranean countries

2.4.65. In Spain 105 million ECU went towards: improving the main railway line along the Mediterranean coast, which caters for a substantial proportion of traffic with the Community; small and medium-scale infrastructure schemes (water supply, sewerage, regional and local road networks); constructing a gasline to tap a natural gas deposit in the Pyrenees; smaller-scale investment schemes making for more efficient use of energy in industry or harnessing hydro power for electricity generation and tapping coal deposits in order to reduce dependence on imported oil; promoting small and medium-scale industrial ventures in the less-developed regions.

Loans made in Portugal totalled 80 million ECU and helped to finance: construction of a coal-fired power station in the south of the country; improvements to the road linking the port of Aveiro and the border post at Vilar Formoso, the main crossing point for traffic with the Community; and smaller-scale industrial and tourism ventures.

In Yugoslavia a loan for 67 million ECU went towards modernizing facilities to control and monitor electricity generation and transmission and to improve exchanges with other national grids, particularly in Italy and Greece.

In Egypt 28 million ECU went towards development of the Abu Qir offshore natural gas field near Alexandria, where production should be virtually doubled, allowing a saving of some 930 000 tonnes of oil per annum which will then be available for export.

In Cyprus a loan of 12 million ECU was advanced in support of a scheme to improve water supplies to Nicosia, Famagusta and Larnaca, using water resources from the Troodos mountains, and the sewerage system in Nicosia.

Operations mounted through development finance companies (DFCs) continue to represent a valuable means of aiding small and medium-scale industrial sector schemes. In 1982 no less than 174 allocations totalling 98.6 million ECU were drawn down from global loans.

*

Lomé Convention countries and overseas countries and territories (OCTs)

2.4.66. After the vigorous start to activity in 1981, when the second Lomé Convention came into effect, EIB financing under this heading in 1982 ran to 159.5 million ECU, including 37.3 million from European Development Fund risk capital resources, compared with 209.8 million the year before, of which 51.4 million came from risk capital. Loans were provided in 31 countries (20 African, 5 Caribbean, 6 Pacific), 7 of which were the recipients of Bank assistance for the first time. Credit was also extended to the Cayman Islands and the Netherlands Antilles as part of special aid for overseas countries and territories.

Since the first Lomé Convention came into effect the Bank has undertaken operations in 51 of the 63 signatory States.

More than 55% of the loans advanced in 1982 helped to finance industrial and agricultural processing projects, aimed in particular at making the most of local products. Global loans to DFCs to support small and medium-scale enterprises accounted for more than half of loans made to productive enterprise and approximately 30% of total loans granted. About one third of the amount lent went to fund investment in the energy field, in an effort to lessen the burden of oil imports on these countries' balances of payments. Loans were also made available

for telecommunications, shipping, tourism and feasibility studies.

*

The EIB pursued its policy of cooperation with DFCs. Forty-six ventures were financed from ongoing global loans via the proceeds of allocations totalling 22.8 million ECU.

Africa

Ivory Coast: 21.6 million ECU: improvements to international telecommunications network; extension of three latex production/processing plants; global loan to COFINCI (Compagnie Financière de la Côte d'Ivoire).

Zimbabwe: 20.4 million ECU: Upgrading a coal-fired power station; coalmining feasibility study.¹

Kenya: 17 million ECU: upgrading a geothermal power station; global loan to Development Finance Company of Kenya Ltd.

Botswana: 15 million ECU: construction of a coal-fired power station.

Senegal: 12.85 million ECU: construction of a factory to produce chemicals and fertilizers; construction of a tourist hotel.

Cameroon: 10.7 million ECU: construction, expansion or renovation of four palm-oil mills.

Uganda: 10 million ECU: global loan to Uganda Development Bank;¹ loan to State for a contribution to UDB's capital.¹

Mauritius: 4.5 million ECU: global loan to Development Bank of Mauritius; loan to DBM for feasibility studies and acquisition of equity participations.¹

Malawi: 3.0 million ECU: hotel extension;¹ loan to Malawi Development Corporation to increase its stake in the capital of the company owning the hotel.¹

Somalia: 2.6 million ECU: rehabilitation and expansion of Mogadishu dairy.¹

Cape Verde: 1.8 million ECU: upgrading a power station.

Burundi: 1.3 million ECU: global loan to Banque Nationale de Développement Economique.¹

Seychelles: 1 million ECU: global loan to Development Bank of Seychelles for feasibility studies, equity participations and small and medium-scale investment schemes.¹

Ethiopia: 500 000 ECU: global loan to Agricultural and Industrial Development Bank for feasibility studies.¹

Djibouti: 400 000 ECU: acquisition of a founding equity participation in Caisse de Développement de Djibouti.¹

Zaire: 400 000 ECU: feasibility study on use of products from tin mining.¹

Benin: 350 000 ECU: feasibility study assessing secondary recovery of oil from the Senegalese deposits.¹

Congo: 180 000 ECU: pulp mill feasibility study.¹

Guinea: 150 000 ECU: feasibility study on the construction of a dam and an aluminium smelter.¹

Madagascar: 150 000 ECU: chromium mine rehabilitation study.¹

Caribbean

Trinidad and Tobago: 8 million ECU: global loan to Trinidad and Tobago Development Finance Company Ltd.

Jamaica: 5 million ECU: loan to State for subscribing part of the founding capital of National Development Bank of Jamaica.¹

Barbados: 4 million ECU: global loan to Barbados Development Bank.

Grenada: 2.4 million ECU: expansion and modernization of electricity generation and distribution facilities.

Dominica: 1 million ECU: loan to State towards Agricultural and Industrial Develop-

¹ Operations mounted from European Development Fund risk capital resources managed by the Bank

ment Bank capital increase;¹ construction of a mineral water bottling plant.

Pacific

Papua New Guinea: 7.9 million ECU: expansion of a palm-oil mill.

Vanuatu: 1 million ECU: global loan to Development Bank of Vanuatu.¹

Regional project: 2 575 million ECU¹ for purchase and commissioning of containers by a regional shipping company: *Fiji:* 1.8 million ECU; *Western Samoa:* 325 000 ECU; *Tonga:* 325 000 ECU; *Tuvalu:* 125 000 ECU.

OCT

Cayman Islands: 3 million ECU: upgrading a thermal power station and extension of associated installations.

Netherlands Antilles: 840 000 ECU: loan to central government towards its contribution to Ontwikkelingsbank van de Nederlandse Antillen (OBNA) capital increase.¹

¹ Operations mounted from European Development Fund risk capital resources managed by the Bank.



PART THREE
DOCUMENTATION

1. ECU

Values in national currencies of one ECU

31 January 1983¹

Belgian franc and Luxembourg franc (convertible)	44.9932
Belgian franc and Luxembourg franc (financial)	46.5737
German mark	2.29656
Dutch guilder	2.52495
Pound sterling	0.612436
Danish krone	8.06961
French franc	6.50653
Italian lira	1 319.69
Irish pound	0.690173
Greek drachma	78.7593
United States dollar	0.937945
Swiss franc	1.87514
Spanish peseta	121.503
Swedish krona	6.99145
Norwegian krone	6.70443
Canadian dollar	1.15836
Portuguese escudo	87.2289
Austrian schilling	16.1256
Finnish mark	5.07522
Japanese yen	223.325
Australian dollar	0.965958
New Zealand dollar	1.30270

¹ OJ C 26, 1.2.1983.

NB. Explanatory notes on the ECU and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3.

Representative rates ('green' rates)

Conversion rates into national currencies for the ECU used in connection with the common agricultural policy

January 1983

National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	44.9704 ¹ 42.9772 ²
Danish krone	8.23400
German mark	2.57524 ² 2.65660 ³
Greek drachma	66.5526 ⁴ 71.5619 ⁵
French franc	6.37174 ¹ 6.19564 ²
Irish pound	0.691011
Italian lira	1 289.00
Dutch guilder	2.75563 ² 2.81318 ³
Pound sterling	0.618655

¹ For pigmeat, olive oil, wine and fish.

² For other products.

³ For seeds.

⁴ Until 30 January 1983.

⁵ From 31 January 1983, except for olive oil (where earlier rate still applies).

2. Additional references in the Official Journal

3.2.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 5-1982

Point 2.1.25

Amendment to the proposal for a Council Directive amending, as regards credit insurance, First Directive 73/239/EEC on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct insurance other than life insurance

OJ C 5, 7.1.1983

Bull. EC 10-1982

Points 1.1.12 to 1.1.16

Second series of specific Community regional development measures under Article 13 of the Fund Regulation (non-quota section): proposals for Council Regulations

OJ C 15, 19.1.1983

Bull. EC 11-1982

Point 2.1.39

Application of Article 30 of the Sixth Council Directive of 17 May 1977 on value-added tax (authorization of a derogation in the context of a draft Agreement between Italy and Switzerland)

Application of Article 30 of the Sixth Council Directive of 17 May 1977 on value-added tax (Authorization of a derogation in the context of a draft Convention between Italy and Austria)

OJ L 15, 19.1.1983

Points 2.4.22 to 2.4.25

Economic and Social Committee

Opinion on the proposal for a Council Regulation on rules for a prohibition to import skins of certain sealpups and products derived therefrom into the Community

Bull. EC 1-1983

Opinion on the proposal for a Council Directive amending Council Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles

Opinion on the proposal for a five-year research and development programme in the field of applied metrology and reference materials (non-nuclear indirect action) (1983 to 1987)

Opinion on the proposal for a Council Regulation amending Regulations (EEC) No 3164/76 and (EEC) No 2964/79 on the Community quota for the carriage of goods by road between Member States

Opinion on the proposal for a Council Regulation amending Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed

Opinion on the proposal for a Council Decision amending Council Decision 79/783/EEC of 11 September 1979 adopting a multiannual programme (1979 to 1983) in the field of data processing

Opinion on the proposal for a Council Decision on a preparatory phase for a Community research and development programme in the field of information technologies

OJ C 346, 31.12.1982

Bull. EC 12-1982

Point 2.1.28

Council Regulations of 21 December 1982 concerning the application of EEC-EFTA Joint Committee Decision No 2/82 supplementing Annexes II and III to Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation by the addition of alternative rules for the products of Chapters 84 to 92 of the Customs Cooperation Council Nomenclature

OJ L 385, 31.12.1982

Point 2.1.29

Council Regulation (EEC) No 3618/82 of 21 December 1982 on the application of Decision No 3/82 of the EEC-Norway Joint Committee amending Protocols 1 and 2 to the Agreement between the European Economic Community and the said State

OJ L 382, 31.12.1982

Point 2.1.107

Amendment to the proposal for a Council Decision introducing a Community system for the rapid exchange of information on consumer products
OJ C 22, 27.1.1983

Point 2.1.123

Council estimate of 21 December 1982 concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1983

Council estimate of 21 December 1982 concerning young male animals weighing 300 kilograms or less and intended for fattening for the period 1 January to 31 December 1983
OJ L 23, 26.1.1983

Point 2.1.147

Council Decision of 21 December 1982 on the conclusion of an Agreement in the form of an exchange of letters providing for the provisional

application, for the period 1 January to 31 March 1983, of the Agreement amending the Agreement between the European Economic Community and the Government of the Republic of Guinea Bissau on fishing off the coast of Guinea Bissau
OJ L 26, 28.1.1983

Point 2.1.161

Proposal for a Council Decision on the commercial independence of the railways in the management of their international passenger and luggage traffic
OJ C 23, 28.1.1983

Point 2.1.182

Council Decision of 21 December 1982 adopting a research and development programme for the European Economic Community in the field of applied metrology and reference materials (Community Bureau of Reference — BCR) (1983 to 1987)
OJ L 26, 28.1.1983

3. Infringement procedures

Initiation of proceedings for failure to implement Directives

3.3.1. In January the Commission sent letters of formal notice to Member States for failure to implement Directives in the following eight cases:

Council Directive 79/830/EEC of 11 September 1979 on the approximation of the laws of the Member States relating to hot-water meters¹ (Germany);

Council Directive 80/720/EEC of 24 June 1980 on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural or forestry tractors² (Italy);

Council Directive 80/232/EEC of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain prepackaged products³ (France, Ireland, United Kingdom, Netherlands);

Commission Directive 81/334/EEC of 13 April 1981 adapting to technical progress Council Directive 70/157/EEC on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles⁴ (Netherlands).

Reasoned opinions

3.3.2. In January the Commission delivered five reasoned opinions concerning five Member States, in the following cases:

First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance,⁵ and Council Directive 78/473/EEC of 30 May 1978 on the coordination of laws, regulations and administrative provisions relating to Community co-insurance⁶ (Denmark);

Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes—Common system of value-added tax: uniform basis of assessment⁷ (Ireland, Netherlands);

¹ OJ L 259, 15.10.1979.

² OJ L 194, 28.7.1980.

³ OJ L 51, 25.2.1980.

⁴ OJ L 131, 18.5.1981.

⁵ OJ L 228, 16.8.1973.

⁶ OJ L 151, 7.6.1978.

⁷ OJ L 145, 13.6.1977; OJ L 149, 17.6.1977.

Council Directive 75/362/EEC of 16 June 1975 concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services¹ (Germany);

Council Directive 80/767/EEC of 22 July 1980 adapting and supplementing in respect of certain contracting authorities Directive 77/62/EEC coordinating procedures for the award of public supply contracts² (Italy);

Council Directive 79/532/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the component type-approval of

lighting and light-signalling devices on wheeled agricultural or forestry tractors,³ and Council Directive 79/533/EEC of 17 May 1979 on the approximation of the laws of the Member States relating to the coupling device and the reverse of wheeled agricultural or forestry tractors,³ and Council Directive 79/622/EEC of 25 June 1979 on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing)⁴ (Italy).

¹ OJ L 167, 30.6.1975.

² OJ L 215, 18.8.1980.

³ OJ L 145, 13.6.1979.

⁴ OJ L 179, 17.7.1979.

4. Council statement on the German Presidency

Strasbourg: 11 January 1983¹

3.4.1. 'Almost exactly 25 years ago, on 1 January 1958, the Treaties of Rome entered into force. It was 25 years ago that a President of the Council first appeared before the European Parliament. He was the committed European, the Belgian Minister of Foreign Affairs Larock. At the constitutive meeting here in Strasbourg he said to the Members of Parliament, who were then 142 in number:

"Complete integration is the aim we are striving for and to which the Treaties of Rome will lead us. At this new stage of the proceedings, our countries are looking to this House to provide decisive initiatives, which must be transmitted to the European public."

It is with this long-term aim in view that the Federal Republic of Germany is taking over the Presidency of the Community. It will endeavour to bring the Community further along the road towards European unification.

Europe is developing and taking shape in its own way. I do not know how often it has been said that the European Community and its ultimate political goal, European union, are finished and done with. And yet the story of the past year is a story of European progress.

When the Federal Republic of Germany took over the Presidency in 1978 the aim was to conclude the accession negotiations with Greece. Today

Greece is a member of the European Community. Then, we were trying to start negotiations with Portugal and to create the preconditions for negotiations with Spain. Negotiations with both countries have now reached a very advanced stage, and I have no doubt that the next Presidency will be able to speak on behalf of 12 Member States.

On 4 July 1978 I announced to you that the Member States had agreed to direct elections to the European Parliament. A year later the elections took place. In the meantime the political forces in Europe have been organized across State frontiers. Today we are preparing for the second direct elections to the European Parliament.

Neither economic crises nor political and military threats to our system should let us forget that European Union is an historical process which has made significant progress. More depends on the success than European living standards. Our basic political system—democracy, legality and our pluralistic society—is at stake; our scope for action in world politics, our independence, are at issue. It will depend on us whether the European model is followed throughout the world, whether a non-hegemonic fusion of equal States, or other less desirable, forms of organizing international cooperation carry the day.

We therefore have a duty to history, and to the generations to come, to put aside petty national

¹ Speech in Parliament by Mr Genscher, incoming President of the Council, on Germany's programme for its six-month term.

quarrels. We must unremittingly struggle to overcome the problems which now threaten the Community—and with the Community its political future: European Union. It is our job to ensure that the idea of European Union does not fade from the public consciousness. Here the European Parliament has a special role to play.

It was these considerations which in 1981 led Mr Colombo and myself to take a joint initiative on European Union, which has become known as the European Act.¹ Under the German Presidency we will leave no stone unturned in our efforts to bring the initiative to a successful conclusion.

On 14 October last year Mr Colombo and I reported to you on the progress of discussions on the European Act. In response to a request from your Political Affairs Committee I agreed that in future I would regularly report to this House on the progress of discussions. I do not want to anticipate that report today.

In addition to the European Act the Council of Ministers will continue its discussions on two Commission proposals:

- (i) improvement of the conciliation procedure between Council and Parliament; and
- (ii) increasing the Parliament's role in the Community's external agreements.

The Community's activities must be democratically legitimate and controlled by Parliament. That is the electoral mandate which this House received through the direct elections.

In the coming year we have the second direct elections before us. It is time to set the date for the elections, since the parties, candidates and electoral bodies should be aware of the situation in good time. I will shortly suggest an election date to the Council; the Council will then start consultations with the European Parliament. I share the concern of this House as to whether it will still be possible to adopt the Decision on uniform electoral procedure—as you proposed on 10 March 1982—in time for the direct elections in 1984. Your Presidency and the 10 Foreign Ministers will discuss the question on 24 January.

Election to the European Parliament is also a vote for European politics. Let us not consider the new elections as a risk, but as a stimulus for a European policy that the people will understand and support. The European Parliament is the only parliamentary forum where question of common concern to Europeans are discussed from the European, and not from the national, point of view. It is therefore for you to define these interests. It is your duty to be and to remain the engine of Europe's unification endeavours, resisting all centrifugal tendencies with all the authority of a directly elected parliament. National governments, as well as national parliaments, should

not regard the European Parliament as a rival, but as a partner with whom it should cooperate in complete trust.

Today's debate opens the dialogue between the Council and the Parliament in this half of 1983. The matters on which the German Presidency will concentrate arise from the major problems facing us. There are four main tasks which we must tackle resolutely within the Community framework:

1. The fight against unemployment has top priority. There are more than 11 million people, nearly 10% of the working population, unemployed in the Community today. Young people under 25 represent 40% of the unemployed. If we want to maintain even existing employment levels we must create 1 million new jobs a year in the next few years. Even in the 'golden sixties' we only managed to create roughly 260 000 jobs a year in Europe. This shows the enormity of the task before us.

Of course employment policy is primarily a matter for the Member States. But the Community must prove that it can make an important contribution to this basic problem. The people of Europe, and particularly our young people, must see that the European Community is able to do something for their lives and their future prospects, that it is not a failure in this respect. The European Council has set the target: every young person under 20 must be found a training place or a practical apprenticeship. This is where the Social Fund must be used effectively. With more than 1 700 million ECU in commitment appropriations it now enables the Community to follow a constructive labour market policy.

We must also use education and vocational training policy to conquer youth unemployment. A joint meeting of the Ministers for Labour and Education should deal with the problems of the transition of young people from school to working life, and elaborate pilot schemes for preparing young people more adequately for the world of work. We need an effective common vocational training policy for the 1980s!

In the long run we can only create secure jobs if we again succeed in achieving strong and lasting growth. In this endeavour it is the small and medium-sized undertakings we need above all. You have declared 1983 the "Year of Small and Medium-Sized Undertakings"—and you were right to do so. Of all European undertakings, 95% are small and medium-sized undertakings; 30 million people, more than half the total workforce, are

¹ Bull. EC 11-1981, point 3.4.1.

employed in them. Small and medium-sized undertakings train more than 60% of our young people. Small and medium-sized undertakings are the chief agents of technical progress—of the 60 basic inventions of this century, 48, that is, 80%, came from small and medium-sized undertakings.

In Europe today we need an active policy to support small businesses, to open opportunities for the drive, the wealth of inventiveness and the ability to innovate which exists in small and medium-sized enterprises. Particularly in a period of great structural change the many small and medium-sized undertakings have a key role to play. With their personal responsibility, their readiness to take risks and show initiative, their high degree of adaptability and training capacity, the varied goods and services they have to offer, their wealth of ideas and creativity, they make a decisive contribution to economic growth and technical progress, to creating and preserving jobs and to the structural change we so much need. In Europe, we must create the basic political and economic conditions which will enable the dynamic forces in our economies to develop freely.

It is only in this way that we will achieve the fundamental improvement in the general economic situation in Europe which we are all seeking. The prospects are not bad: the outlook for a gradual economic recovery has become more favourable. But let us not deceive ourselves. It will need great efforts and common sacrifices to turn this prospect into reality. The sceptics must not be proved right. Europe must demonstrate that it has the strength and the staying power to achieve the upswing.

2. The Community's decisive contribution in this matter is to maintain and expand the common internal market. This is our second pressing task. Today it is more than ever important to preserve and liberate the growth potential in the free exchange of goods within the Community. The internal market is in serious danger from a protectionism that appears in many different guises. Non-tariff restrictions and subsidies which distort competition have increased dramatically. For this reason the German Presidency will make every effort to ward off these dangers to the internal market.

But still more is needed: we must not only preserve the common market, we must expand it further. There are still border controls and formalities which hinder free trade within the Community. The cost of the time spent in customs clearance in Community goods traffic is estimated at 36 000 to 37 000 million German marks a year. A consignment going from Holland to Naples with a travelling time of 26 hours takes roughly an additional 10 hours for customs clearance at borders.

We shall give our support to a Council Decision on measures to simplify border formalities between Member States on roads, railways and inland waterways.

The common transport policy is closely connected with the expansion of the internal market. It is important to find a new direction for the Community's concept of transport policy.

We have no chance of coming out of the recession if we compartmentalize our markets. Protection against one another is not going to create jobs.

Free world trade is also vitally important to the Community. The European Community is by far the largest importer and exporter in the world. In Europe every fifth job depends on external trade.

We Europeans know better than anyone that trade barriers cost jobs. No other region relies so heavily on the maintenance of free trade as ours. It is in our own interests to remain on the side of free world trade.

3. Our third priority task is to complete the Community's enlargement towards the south through the simultaneous accession of Portugal and Spain. The Community and its Member States are politically committed to this contribution to the stabilization of the young democracies of the Iberian peninsula. We will keep our word.

The European Council has set the pace and the direction for negotiations with the two countries and for adjustment of the *acquis communautaire*. In practical terms, this means that we must not concentrate on the accession negotiations alone; we must concentrate at the same time on the necessary preparatory measures in the common agricultural policy. This is particularly true of Mediterranean agricultural products. It is essential that we work out solutions which conform to the free market as far as possible, which limit the danger of overproduction and provide a guarantee that enlargement in general can still be financed. There is one thing of which there can be no doubt: in a time of inevitable reductions in national budgets the Community must also show that it is capable of using its revenue economically.

4. Fourthly, we are required to take resolute action on the budget. The 1983 budget entered into force on time. The improved budget procedure has stood the test: together, by strict economy, we have created more scope for structurally effective expenditure, particularly in the areas of labour market and regional policy. We should now bring the budget compensation for the United Kingdom and the related reduction for Germany to a successful conclusion.

In the near future the Commission will be submitting more extensive proposals for the reform of the Community's system of own

resources; the Presidency will start consultations at once. However, experience has shown that it will not be possible to solve such a complex problem within a year. It took from 1962 to 1970 to establish the system of own resources. It will require great efforts on the part of all the Community institutions and the Member States to reform it. But this task cannot be shirked; we must tackle it with determination.

In addition to these four priorities our Presidency has other important tasks.

I shall mention first of all the need for increased coordination of economic, monetary and financial policy.

In addition we must make careful use of the financial instruments available to the Community. In Copenhagen the European Council approved a comprehensive strategy and asked the Council of Ministers to take decisions by the end of March. Commission proposals have been submitted and the Council's discussions have begun.

This House is expecting the Community to provide more loans, particularly to the less prosperous countries. The Community's true credit instrument is the European Investment Bank. After its capital was doubled in 1981 it still has considerable scope for giving credit. The "New Instrument", the Community loan, will have to play an ancillary role in promoting investment. This House delivered its opinion on the new Commission proposal in December. The Council will also take a decision on it before the end of March.

The Community's most important instrument of structural policy, the Regional Fund, has now reached an amount of over 2 000 million ECU in commitment appropriations, not least thanks to the decisions of this House. In the next six months it is again due for reform. The main aim of our reform will be to concentrate its resources. We can only talk about a meaningful reform of the Regional Fund if the Fund's resources are concentrated on the really disadvantaged regions.

The European Monetary System has proved itself in difficult times. The relatively high exchange rate stability between the EMS currencies is not least due to the discipline which the system imposes on each of its members. The close cooperation between monetary authorities must now be increased still further and the system must be strengthened by a policy of stability in the Member States. I am thinking here not only of the interest rate policy, but also of consolidating national budgets in order to achieve the convergence in economic policies which will in turn make it possible to extend the European Monetary System. There are again difficult decisions to be taken on steel. It is agreed that the structural crisis in the

European steel industry cannot be overcome without further drastic reductions in capacity. At the same time, it is essential that we remove subsidies which distort competition. We see this as one of the Community's particularly important tasks in the months to come.

Structural adjustment is also needed in the field of energy, research and innovation. The European Council in Copenhagen laid great stress on this; the European Parliament has also called for it repeatedly.

We must not relax our efforts to save energy and use oil substitutes. The Community's multiannual programme for demonstration projects to promote alternative energies has shown its worth. The common energy policy requires progress to be made in coordination between the Member States. In future more stress should be laid on coal policy than has been the case until now.

Environmental protection is an important task for the German Presidency. Nobody denies the need for a common environmental policy, and there is a large measure of agreement on the goals to be pursued.

The most important things are to keep air and water pure and to ensure ecological compatibility. We must find practical, feasible regulations which permit environmental protection and harmonious economic development in all Member States.

Despite its undisputed successes the common agricultural policy suffers from some defects. This House has been among those who have drawn attention to these defects and been increasingly critical of them. The common agricultural policy is about to reach the limits of what we can finance. For this reason expenditure on the CAP should not grow any faster than the Community's own income.

Since 1979 it has been possible to reduce the percentage of agricultural expenditure from 74% to 62%; this is a considerable achievement. However, we will only be able to continue this success if we can restore market equilibrium for the main surplus products. The preconditions for this are a cautious pricing policy and an extension of producers' co-responsibility.

The foundations of the common agricultural policy must be preserved. The common agricultural policy has guaranteed us supplies of high quality food and shielded us from the many disturbances on the world markets. It remains a fundamental element in holding the Community together.

In March we must take the annual decisions on agricultural prices and related measures for 1983. I realize that they will be difficult decisions: we have had good harvests and hold large stocks, both inside and outside the Community. World

market prices are tending to fall. On the other hand, farmers' incomes have again improved in the past year. The Presidency will make every effort to ensure that the price decisions are taken in good time, in accordance with the Treaties.

Despite considerable efforts on the part of the Commission and many Member States, in 1982 we did not succeed in adopting rules for a common fisheries policy. This is regrettable, particularly since it has not only dealt a blow to the conservation of our common fish stocks, but also obstructed negotiations with non-member countries. Fishing will now have to be continued according to national regulations agreed with the Commission. The Presidency is assuming that the Member States will abide by these regulations and avoid disputes with one another. In close cooperation with the Commission it will continue its efforts to find a solution which everyone can support.

This morning the Council Presidency held further talks here at the seat of the European Parliament with the President of the Commission and the Danish Foreign Minister during which all the issues to be resolved for the purpose of settling the differences of opinion regarding a common fisheries policy were discussed in detail. These talks will be continued and in so doing other Member States will of course be contacted. These are not fresh negotiations: no one wants to untie the package so laboriously put together on 21 December 1982. However, we want to bring about the necessary overall agreement by means of further clarification. The Council Presidency, the Commission and the Danish Government are resolutely determined to reach a final settlement within the Council on 25 January 1983.

For years the European public has been distressed at the annual killing of baby seals in Canada and Norway. The European Parliament appealed to the Council on 11 March 1982 to decide on a ban on imports of baby seal pelts. The Canadian Government is aware of the seriousness of this matter and has offered to negotiate with the European Community. The Environment Council decided on 21 December to accept this offer. At the same time it called upon the Member States to take all appropriate legally feasible measures to stop the importation of baby seal pelts into the Community. The Council will look at this question again at the start of the hunting season and decide whether the negotiations with Canada have produced a satisfactory outcome. If this is not the case, the Presidency advocates an immediate import ban on baby seal pelts before the start of the hunting season.

I appeal to all those concerned to face up to their responsibility for the animal world; a humane society means dealing humanely with animals too.

The Community is a valued and acknowledged international negotiating partner. In recent years its international image has constantly improved. Today, we Europeans can build on a substantial nucleus of common European positions.

Nowadays European political cooperation and the Community's external relations are much more closely aligned on each other than they were only a few years ago. With its common external economic policy the Community is making an important contribution towards the stabilization of the world economy.

- European political cooperation has become one of the central features of the external policy of the Member States of the European Community. Today the Ten coordinate their views regularly on all significant questions of world policy. At conferences and in the United Nations the Ten increasingly endeavour to speak with a single voice. And these endeavours, which unhappily do not always succeed, will be resolutely pursued during Germany's Presidency.

At a time of growing tension and uncertainty throughout the world, the need for coherent and united action on the part of the Member States and the Community in international matters is greater than ever.

Only in close collaboration with our friends and allies throughout the world, but particularly with the USA, will we be able to meet the great economic and political challenges of our time. A strong and united Europe which defends its own interests in a firm and constructive alliance is a valuable and reliable partner to the US too.

A number of problems which previously plagued Europe-United States relations have now been resolved or taken in hand:

- The difficulties connected with the steel problem and the natural gas pipeline sanctions have been overcome. We have reached agreement on the conclusion that trade with the Eastern Bloc, which should be conducted in an economically reasonable manner, without preferential treatment, on the basis of strictly balanced advantages and taking Western security interests into account, can exercise a stabilizing influence on East-West relations.

- Talks between a US Government delegation and the Community on agricultural trade problems have initiated a search for mutually acceptable, pragmatic solutions. And in so doing even the Americans acknowledge that the basic principles of the common agricultural policy were not at issue as they form an essential pillar in the Community edifice.

The desire of both parties to work out solutions on the basis of partnership, and the knowledge that we are dependent on one another, have once again been demonstrated.

During our Presidency of the Community we shall seek to defuse further the conflicts of opinion which have come to mar transatlantic relations, and to achieve close coordination between Europe and the United States.

An imbalance has arisen in our trade with Japan which the Community can no longer accept. It must be righted, not by cutting back on our imports but by stepping up our exports. We have a right to expect Japan to make its markets more accessible than has hitherto been the case. In so doing it would be fulfilling its responsibility towards the open world trading system. At the same time it would be making a contribution on behalf of the free world which would be commensurate with Japan's great capabilities and potential. On 5 January I had an in-depth discussion with the Japanese Foreign Minister, Mr Abe, on these problems.

Alongside the Europe-US-Japan triangular relationship, the development of East-West relations, a fateful issue for our continent, will make great demands on our attention. The attitude of the Ten towards the Eastern Bloc is marked by a firmness in the defence of our own interests and principles combined with a willingness to negotiate and cooperate. We have also been following this line in our constructive cooperation in the Madrid CSCE follow-up conference, which is due to be resumed in February 1983. We expect to know in the next few months whether our goal of a successful outcome in Madrid can be achieved. Together with their friends and allies, the Ten will continue to work in Madrid for the adoption of a substantial and balanced final document which also contains a precise mandate for a Conference on Disarmament in Europe (CDE). The purpose of such a CDE is, in a initial phase, to work out confidence-building measures for the whole of Europe from the Atlantic to the Urals.

The Ten have from the outset spoken out clearly on events which place East-West relations under strain, be it the persecution of dissidents, the invasion of Afghanistan or repression in Poland. We have clearly identified the responsibility for these events and left no doubt that they cannot fail to influence the quality of East-West relations. Conversely, we are prepared to step up the dialogue and cooperation to the extent that signs of readiness to make concrete improvements become visible in the Eastern Bloc. We shall react positively to positive signs.

It is therefore up to the Soviet Union and its allies in the Warsaw Pact to create conditions for their declared wish to improve East-West relations. We expect the Soviet Union to give way at last to the wishes of the overwhelming majority of nations and withdraw its troops from Afghanistan.

As the European Council in Copenhagen confirmed, the Ten are prepared to support any realistic efforts to achieve a comprehensive settlement which could be worked out on the basis of respect for the independence, sovereignty and non-alignment of Afghanistan, and would refer in this context to their proposal of 30 June 1981.

In the disarmament and arms control area, not least, we expect the Soviet Union to respond to the West's genuine wish to negotiate and also show a serious willingness to reach a conclusion and compromise in the current negotiations (MBFR, INF, START, CDE). The Ten are at one in their view—and I should like to confirm this today—that arms control and disarmament are indispensable and integral features of their security and peace policy. The basis for this policy is the ban on the use of force in Article II(4) of the UN Charter. Accordingly, the use of all weapons must be ruled out, except that in defence against attack. This must apply both to the nuclear and to the conventional sector. In their efforts to obtain disarmament the Ten attach high priority to progress in concrete arms control and disarmament negotiations. They are aiming at results on the arms control front which respect the principle of equality and parity, and which must be verifiable.

Despite all setbacks and disappointments, in the interests of the peace and survival of Europe our aim must continue to be the furtherance of *détente* and cooperation and progress with disarmament.

It is consistent with this endeavour that all East European proposals be given serious and careful scrutiny and every negotiating opportunity exploited.

We will therefore give the most careful analysis to the latest suggestions from the Warsaw Pact countries—regardless of the polemical terms in which they are couched—and assess them without preconceptions. We will pursue our peace policies in a constructive spirit. The failure of any genuinely serious peace initiative will not be attributable to us.

The Ten's common security interests require close coordination within the framework of European political cooperation, in the London Report of November 1981 and the Italo-German initiative on European Union. Europe must not become the object of the power politics of foreign powers but must be the subject of an active common security and peace policy. We must strive for a European security policy which is governed by the interests of the Member States.

There are particularly close relations linking the Community and the southern and eastern Mediterranean States. The Community's overall Mediterranean approach and a network of agreements with the Maghreb and Mashreq

countries, Israel, Malta, Cyprus and Turkey make provision for this. The new financial protocols must be quickly translated into concrete projects, so that they can promote the economic development of the region. The financial protocols will have to be renegotiated in the case of Malta and Cyprus. We are aware of the anxieties which the southern extension of the Community is causing to our Mediterranean partners in particular; I am convinced that the Council will continue to make every effort to meet their understandable concern.

We are following developments in our association with Turkey with sympathy and concern. We hope and expect that the continuation of the democratic process which has been initiated will make it possible to breathe new life into the association with this important partner. The necessary adjustments to economic realities in the Member States must not have a detrimental effect on the application of the Association Agreement.

We are about to embark on the fourth renegotiation of our association with the African, Caribbean and Pacific States. This association, acknowledged by the world as an exemplary model of cooperation, is to be continued. The renegotiation is due to begin in the autumn of 1983. The Community must therefore determine the guidelines for its negotiating stance during the coming six months. The aim, more than ever, will be to promote stable economic development in the ACP States. It should first and foremost serve the people and help to free them from hunger, misery, sickness and inadequate education. In this way the most favourable conditions will be created for the attainment of human rights.

The development of the Third World in peace and in economic and social stability remains a crucial question for the future of mankind, and one on which the fate of Europe also depends. Crises in the Third World carry with them the risk of escalation into world conflicts. They provide foreign powers with the opportunity or pretext for power-political expansion or for direct intervention. They endanger the independence and economic development of the States concerned. Genuine non-alignment helps the Third World States to preserve their independence and to resist the dangers of foreign domination. Regional groupings and regional cooperation which we support, also promote international stability and the economic independence and development of the participating States.

The most important precondition for the development of the Third World in stability and independence is the elimination of hunger and poverty. The Community's development policy must therefore remain a vital factor in the common Third World policy. The Community's development policy and the cooperation of the

Member States must be extended and their efforts made more effective.

We in Europe have close cooperation links with the countries in the South-East Asian community of States. The European Community and Asean are the two most successful regional groupings in the world. They have both drawn close together, economically and politically.

The Asean States have developed into a united regional grouping which plays an independent and positive role in the strivings for peace and stability in South-East Asia. Just as the European Community exercises stabilizing influence in a perilous and insecure world, the Asean States have themselves succeeded in increasing the economic and political strength of their region. We attach great importance to the fourth EEC-Asean Ministerial Conference scheduled for the first half of 1983. Through this meeting, which follows on naturally from the previous Ministerial Conferences in Brussels (1978), Kuala Lumpur (1980) and London (1981), suitable emphasis will again be placed on the quality of the relationship between the Community and Asean in the economic and political sphere. We shall do everything possible to bring this meeting to a successful conclusion.

Together with the Asean States, the Ten deplore the continuing presence of Vietnamese forces in Cambodia. Here again a small, independent State has been attacked and invaded by a foreign power without regard for international law. This is threatening world peace and international security, is causing untold grief to the population of the country and is raising acute problems for neighbouring States. We have accordingly endorsed the Asean position on the Cambodia question.

In other crisis-stricken regions of the world, too, the Ten are attempting to contribute to a peaceful resolution of conflicts. In the Middle East, despite the continuing seriousness of the situation, the Ten are observing a more realistic assessment by the parties concerned of the possibilities for settling the Arab-Israeli conflict. The initiative of the US President of 1 September of last year indicated one feasible means of achieving this. In Fez the Arab States approved the principles of a negotiated peace. A serious discussion has begun on how this principle is to be translated into specific action.

The concern now is to use all political means in order to overcome the stagnation in the peace process. The Ten are aware of the fact that there is an indissoluble connection between peace in this region and their own security. They are therefore prepared to back the peace process with concrete contributions of their own wherever the parties desire this.

We remain convinced: if there is to be a comprehensive, just and lasting peace then the right of self-determination of the Palestinian people must be honoured in the same way as the claim of all the States in the region, including Israel, to a secure existence. Only a renunciation of violence by all the parties concerned can produce a climate of trust which will bring the parties to the negotiating table. A state of peace in the Middle East also entails the restoration of peace and the unity of Lebanon. The precondition for this is the withdrawal of all foreign troops, which would enable the Lebanese Government to exercise its sovereign rights fully over the whole territory of Lebanon.

The Ten are resolutely in favour of an early peaceful settlement of the war between Iran and Iraq, which has now been continuing for over two years and has claimed heavy sacrifices on both sides. They are ready to support the peace initiatives and to help with the reconstruction of the two countries.

We also hope to be able to resume the dialogue with the Arab Gulf States, which this illustrious assembly has so effectively supported.

The Ten observe the growing tensions in southern Africa with increasing concern. Only last month we had cause to condemn strongly a South African attack on Lesotho and the dreadful consequences. The escalation of violence, which we repudiate, whatever side is responsible, makes the urgent need for a removal of the causes of conflict in this region all the clearer. The Ten are resolved to continue consistently to advocate peaceful transition with the aim of completely abolishing racial discrimination in South Africa, and early independence for Namibia in accordance with the plan under Security Council Resolution 435.

The traditionally friendly relations between the Ten and the Latin American States, which have also weathered difficult times, are and remain an important element in European foreign policy. The Federal Government will use its Presidency to focus the Community's attention more sharply on these countries. Then Ten deeply regretted the fact that the Falklands conflict upset relations both in the bilateral sphere and on a region-to-region basis. The German Presidency will therefore promote the cause of intensifying the dialogue with Latin America, in order to clear away misunderstandings and foster the realization among Latin Americans that Europe does have due regard for Latin American interests. The imminent resumption of the institutionalized dialogue with the Latin American Group in Brussels and of the negotiations with the Andean Pact, together with the extension and practical application of existing cooperation Agreements,

should make this clear and improve the conditions for interregional cooperation.

The Ten view developments in Central America with concern. The political tensions in this region carry with them the risk of unforeseeable critical escalations. The countries of the European Community accordingly welcome initiatives from States of the region, such as the peace plan by the Foreign Minister of Honduras, the San José declaration of 4 October 1982 or the effort by Mexico and Venezuela. There is cause for deep scepticism over developments in Nicaragua, which is moving further and further away from its original goals of pluralism, a mixed economy and non-alignment to become the focal point of critical developments in Central America.

The special programme for Central America, in which this House played such an active part, should be swiftly translated into effective assistance for the beneficiary States.

Allow me to conclude with a few words on cooperation by the Ten in international organizations and conferences and their participation in international multilateral measures.

The German Presidency intends to devote quite specific attention to such cooperation. This will apply in particular to the United Nations and its numerous specialized agencies. The contribution Europe is able to make to resolving the acute world problems and to building a better world order will hinge essentially on the solidarity of our behaviour and actions within such organizations.

The Unctad Conference begins in Belgrade on 6 June. In that context the EEC has a decisive role to play as the Third World's major trading partner and the major donor of official development aid. In the present state of the world economy, the stable further development of many countries in the Third World is considerably threatened. In Belgrade we will primarily be involved with problems of indebtedness and commodities. There too, it is necessary to resist protectionist tendencies and to put into practice the decisions taken by the GATT Ministerial Conference. Mutual give-and-take and cooperation amongst partners are called for. For that reason we deplore the delay in initiating global negotiations.

We shall strongly advocate further strengthening of the Ten's cooperation in the United Nations and the reinforcing of the Community's constructive role in the world organization. Moreover, we know that we are as one in the determination of all our partners to strengthen the United Nations and to safeguard its universal character so that the aims of the Charter—the maintenance of peace and security, the abandonment of the use of force, economic and social progress, self-determination and human rights—may be realized world-wide.

When Germany last took on the Presidency of the EEC, as President of the Council, I stood before this distinguished assembly on 4 July 1978 and voiced the following conclusions regarding the coming first direct election to the European Parliament:

“A Parliament elected directly throughout the Community will carry a new political weight. The European Parliament has always been a power

which has prompted the Council to embark upon its dealings with an eye to the future of Europe. Nor will this be otherwise, I am sure, during the coming months of the German Presidency.”

In the same spirit, in my role as President of the Council I would ask you today to demonstrate your trust and your willingness for close and profitable cooperation between Parliament and Council.

Publications of the European Communities

Publications of the European Communities

1 — 1983

Introductory note

This catalogue includes the newly published monographs and series issued during the period to which it relates by the institutions of the European Communities, and also their current periodicals. Publications of which English versions have been issued are listed only in that language; otherwise another version, but only one, is included, in the following order of choice:

French	Spanish
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IT: 1 - 12

which means that the Italian version is described in the Italian catalogue of January under No 12. This number is specific to each catalogue; it is a sequence number printed in consecutive order, opposite each entry in the classified list.

Arrangement

The catalogue is divided into three parts, as follows:

Part I — The classified list provides a subject classification of the titles included under 20 headings each divided into subheadings (see below).

Under each subheading, monographs and series are listed first in alphabetical order; there then follows a similar list of periodical titles.

Full entries for monographs and series appear only once; otherwise cross-references are given to the full entries identifying them by the sequence numbers already described. Periodical titles appear in the classified list only as cross-reference entries, full entries being found in Part II.

Part II — Periodicals presents full details of each current Community periodical, listed alphabetically.

Part III — The indexes of titles and series are listed alphabetically and cross-refer using the abovementioned

sequence numbers to the entries in Part I of the monthly catalogue. These indexes cumulate throughout the year.

How to obtain publications

Publications may be priced for sale, gratis, or of limited distribution. Those of the last two classes may be obtained from the issuing institutions, or, where they are published by the Information Offices of the Commission, from those offices, whose addresses are given in the lists on pp. 4 and 5. Publications of limited distribution are, however, generally only for the attention of governments of Member States, Community departments and other authorities concerned.

Orders for priced publications should be directed to the Sales Offices listed on the last page.

All orders should quote the full title, as well as the ISBN or ISSN where such a number precedes the prices in the catalogue.

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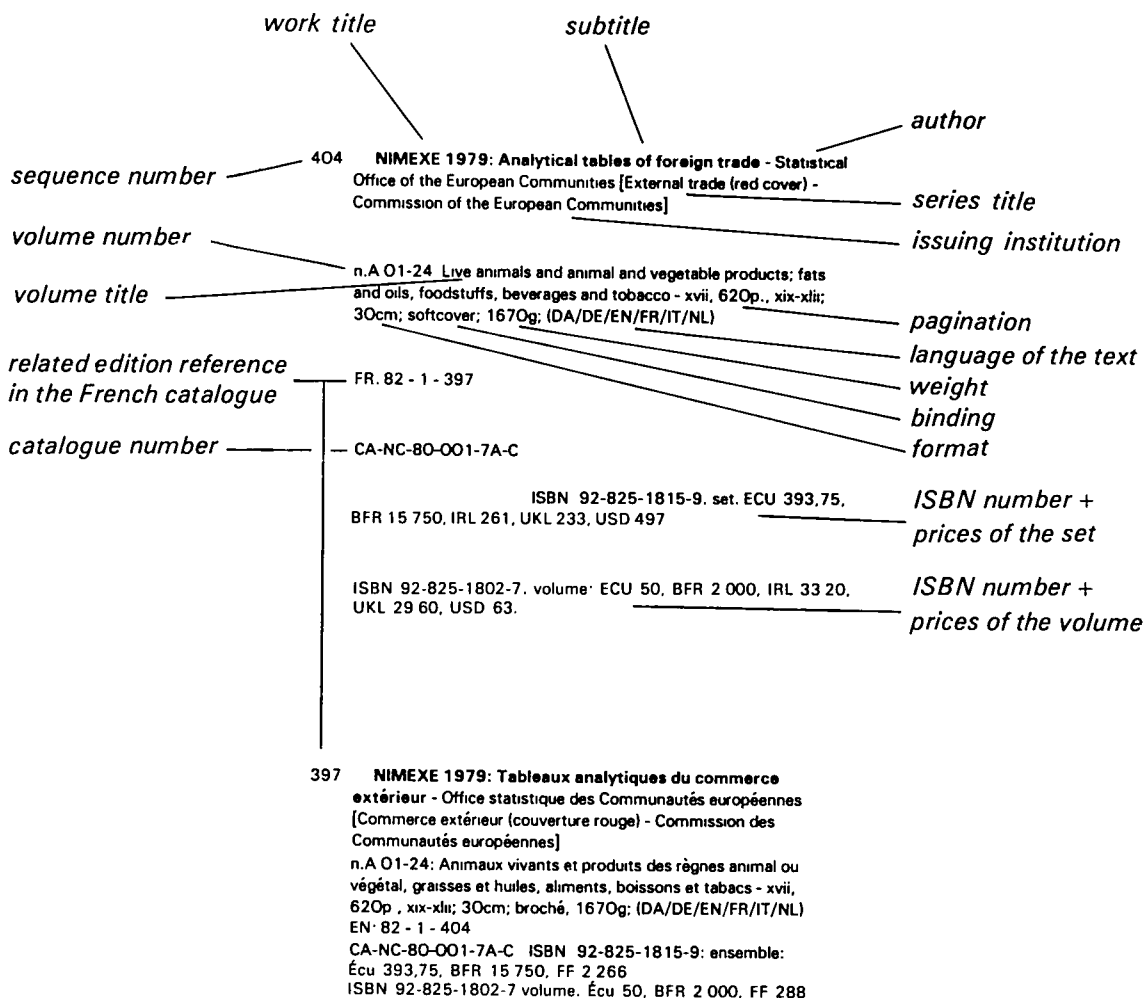
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DE	German	IT	Italian
GR	Greek	NL	Dutch
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FR	French	PT	Portuguese

A string of such symbols separated by diagonal strokes denotes a publication in which different language versions of the same text appear under one cover.

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DKR	Danish crown	IRL	Irish pound
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DR	Greek drachma	PTA	Spanish peseta
ESC	Portuguese escudo	UKL	Pound sterling
FF	French franc	USD	US dollar



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6 Tertiary sector

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9 Taxation

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