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Bulletin

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PART ONE

SPECIAL FEATURES

Bulletin information service

Readers can obtain information on developments since this issue went to press (date of adoption of instruments by the Council, of opinions given by Parliament or the Economic and Social Committee, of publication in the Official Journal, etc.) by telephoning the document services of the Information Offices at the following numbers:

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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. Renewal of the ACP-EEC Convention

1.1.1. The negotiations for the conclusion of a new convention between the Community and the 64 ACP States, plus Angola and Mozambique,¹ which were opened officially in Luxembourg on 6 and 7 October 1983,² were completed on 22 November following a meeting between Mr Rabbie Namaliu, Minister for Foreign Affairs of Papua New Guinea and President of the ACP Council of Ministers, Mr Peter Barry, Minister for Foreign Affairs of Ireland and President of the Council of the European Communities, and Mr Edgard Pisani, Vice-President of the Commission with special responsibility for development.

At the meeting the Presidents confirmed the agreements reached *ad referendum* at negotiator level following the ministerial meeting held in Brussels from 9 to 12 October³ and concluded the negotiations on the two outstanding points—the issue of human rights and the definition of the concept of human dignity, and the volume of financing to be made available under the new Convention and its breakdown by method and instrument.

Regarding the first issue, the Preamble to the new Convention will contain an explicit reference to fundamental human rights, taken from the Charter of the United Nations. The parties will adopt a joint declaration in which the concept of human dignity will be defined and which makes an explicit reference to the parties' determination to do all in their power to eradicate apartheid.

The aid package available under the new Convention was set definitively at 8 500 million ECU, of which 7 400 million ECU constitutes the EDF allocation and 1 100 million ECU the EIB's own resources allocation.

This enabled the co-Presidents to declare the negotiations formally concluded and confirm that the Convention would be signed in Lomé, Togo, on 8 December.

It will now be possible to continue and step up cooperation which started more than a

quarter of a century ago. In a particularly unfavourable international economic climate, where most of the multilateral financing institutions are having their aid budgets drastically cut, it is important that the Community should maintain at the same level the financial contribution which it makes to the ACP countries under this agreement.

Under the new Convention what was achieved in earlier conventions is maintained and the basic principles of ACP-EEC cooperation are clearly reaffirmed, namely non-interference and mutual respect for the sovereignty of the parties; the main instruments of cooperation are extended and strengthened—trade regulations, Stabex, Sysmin, protocols and special trade arrangements. And yet it goes much further than merely maintaining acquired rights and established obligations.

Main features of Lomé III

1.1.2. The Convention has a new structure, in which the first chapter sets out clearly the objective of ACP-EEC cooperation so as to make it easily understandable to the layman.

The joint institutions, which are one of the special features of ACP-EEC cooperation, have been maintained. The role and oper-

¹ Since Angola has not yet signed the Convention, the ACP States are as follows: Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cap Verde, Central African Republic, Chad, Comoros, Congo, Djibouti, Dominica, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Ivory Coast, Jamaica, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Niger, Nigeria, Papua New Guinea, Rwanda, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Tanzania, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Vanuatu, Zaire, Zambia, Zimbabwe.

² Bull. EC 10-1983, points 1.2.1 to 1.2.4; see also Bull. 2-1984, points 2.2.32 and 2.2.33; Bull. EC 5-1984, points 2.2.39 *et seq.* Bull. EC 6-1984, point 2.2.42 *et seq.*; Bull. 7/8-1984, point 2.2.37; Bull. EC 9-1984, points 2.2.27 to 2.2.29; Bull. EC 10-1984, point 2.2.34.

³ Bull. EC 10-1984, point 2.2.35.

ation of these institutions is to be improved and their activities harmonized.

As regards the problems connected with programming, the dialogue and effectiveness, the text of the Convention ensures both the total independence of recipient countries and close convergence between Community aid and the national policies pursued by each of those countries.

In the chapter on financial and technical cooperation, the key item in the search for effectiveness is the entirely new programming process, which rests on true coordination of action between donors and the recipient country. Account is taken in the process of the recipient's choice of development strategy, and it enables us, in the light of shared experience and thoroughgoing exchanges of views, to identify not only projects and operations, but especially sectors on which to focus the Community's financial support, development objectives and priorities, and the most suitable ways and means of achieving them.

A special fund has been reserved for the resettlement of returnees and refugees, and two new chapters have been added on shipping and fisheries.

Among the various innovations, the new Convention acknowledges the importance of private investment as an essential complement to official development assistance.

In agricultural cooperation, more emphasis will be placed on the ACP States' food supplies, and the Community agrees to integrate its aid more closely into the ACP States' own food strategies and to step up its supplies of agricultural products available in the Community.

Campaigns with specific themes are to be launched, aimed at maintaining or restoring natural balances, the main one being drought and desertification control. Such operations normally call for a regional and

long-term approach, and require the solidarity of the international community.

In the commercial sphere, the Community has eased the rules of origin, offered better terms for imports of ACP rice and rum and improved the procedure for examining ACP requests for preferential access for their agricultural products. In addition, aid for ACP trade promotion has been extended to the services sector, notably tourism.

The system for the stabilization of export earnings from agricultural products (Stabex) has been extended and improved. Most of its mechanisms have been reviewed so as to contribute more effectively to the recovery of the agricultural commodities sectors in the ACP States, the deterioration of which is particularly alarming.

The mechanism and implementing procedures of Sysmin, the system for promoting mining activities, have also been improved, and from now on Sysmin will be open to a larger number of ACP ore-producing countries.

Cultural and social cooperation is an innovation in Community development cooperation. It is aimed at promoting the more self-reliant development of ACP States, focused on man and rooted in the culture of each people. Through cooperation, support will be given to the ACP States' policies and measures in order to enhance their human resources, increase their own creative capacities and promote their cultural identities. Criteria have also been laid down to ensure that the cultural and social dimension is taken into account more fully in projects and programmes in the various areas of cooperation.

As for the environment, the new Convention makes specific reference to the ecological aspect of development as it affects the objectives set and the main areas of cooperation.

2. Famine in Africa

The situation

1.2.1. The dramatic situation created by the drought in Ethiopia and many other African countries, particularly in the Sahel, which is threatening the lives of millions, has caused the Community to launch an emergency plan this month to follow on from the operations begun in April.¹

Speaking to Parliament, Mr Pisani said that in November the minimum monthly emergency food aid requirements were 18 000 tonnes for Mali, 29 000 tonnes for Niger, 72 000 for Ethiopia, 12 000 tonnes for Mauritania and 18 000 tonnes for Chad. Although Ethiopia's case was the most impressive because of the high proportion of the population involved, it was not the worst. The part of Africa that worried Mr Pisani most was, rather, Mauritania. His first message for Parliament was, therefore, that the situation was extremely grave—not just in this or that country, but grave everywhere from the Horn of Africa to Dakar. He had formed the impression that the continent was in a lengthy cycle of famine and food shortages which might last for years to come. It was not only a climatic disaster. There was a general worsening of the ecological situation, the repercussions of which would be felt over a long period.

The Community's immediate response

1.2.2. After providing Mozambique with rapid and substantial aid at the end of last year, the Community introduced its emergency plan for Africa in April, setting aside 85 million ECU for the purpose. It was thus able to provide a number of African countries with emergency aid in the form of foodstuffs, emergency transport, seeds and medical products valued at almost 23 million ECU, together with 220 000 tonnes of food aid worth over 62 million ECU. As a response to the worsening situation in recent weeks, the Commission adopted a further emergency plan on 31 October.¹ A sum of 60 million ECU has been earmarked

for this second plan, 35 million ECU of which is to be used for emergency aid and 25 million ECU as food aid (providing 100 000 tonnes to be added to the normal programmes).

The plan is first and foremost designed to aid Ethiopia, which will benefit from 18 million ECU in emergency aid and 5 million ECU (20 000 tonnes) in food aid. This brings the aid for this country in 1984 to 67 million ECU (23.5 million ECU for emergency aid, 2 million ECU of which is for aid to Ethiopian refugees, and 43.5 million ECU for food aid). Other countries which will receive aid under the plan are the Sahel countries: Mali is to receive 2 million ECU, Niger 3 million ECU, Burkina Faso 1 million ECU, Sudan 1 million ECU, Chad 5 million ECU, Mauritania 2 million ECU, Rwanda and Senegal 1 million ECU each, Zaire 500 000 ECU and Chad refugees in the Central African Republic and Sudan 500 000 ECU, making 17 million ECU in all in emergency aid for these countries. Emergency food aid has also been allocated to Sudan, Kenya, Mozambique, Chad, Niger, Mauritania and Mali.² The Commission's operations will be tightly coordinated with those of international agencies such as UNDR0 and WFP and the Member States (according to procedures for coordination already agreed on or adopted at the meeting of the Member States and the Commission's delegates held in Brussels on 13 November).

The need for longer-term measures

1.2.3. On 6 November Mr Pisani reported to the Council on the implementation of the emergency aid programme of 35 million

¹ Bull. EC 10-1984, point 2.2.41.

² At the European Summit in Dublin on 3 and 4 December, the Council was asked to take all possible steps in order to ensure that between now and the next harvest, aid amounting to 1.2 million tonnes would be provided by the Community and its Member States: Bull. EC 12-1984 (forthcoming).

ECU to help famine victims in Africa. He appealed to the Council to act logically, saying that it was not a matter, in the very serious situation existing today, of shuffling appropriations from one chapter to another for which they had not been intended in order to salve one's conscience, if, at the same time, one refused to provide the necessary funds for effecting structural change: such situations must also be provided for in medium- and long-term policy.

The Council adopted a resolution requesting the Commission to take the decisions needed to implement its emergency plan and stating its intention to pursue actively the Community's long-term efforts aimed at ensuring food security in the countries hit by famine.

The Council also considered a plan to combat exceptional drought in the Sahel and other countries such as Ethiopia. (This plan, known as the Orsec Plan, was originally proposed by France in June.¹) At the end of its discussions the Council adopted conclusions aimed at promoting better coordination between the Community and its Member States, in close collaboration with the Governments of the Sahel countries, the relevant agencies and other donors, in order to make future operations more effective and to use the available resources to optimum effect. This will be done through the systematic anticipation of critical situations and the assessment of aid requirements in emergencies, through 'pre-programming' and a coordinated plan of action by donors on the basis of known needs for the following year, and finally through the mobilization and notably the delivery of aid in good time and in a coordinated fashion. The Commission and the Member States held their first coordination meeting on 13 November, devoting it to the Sahel countries and Ethiopia. A second meeting, which will also cover Sudan, Kenya and Mozambique, will be held in December.

1.2.4. Mr Pisani also stressed the need for longer-term structural measures during Parliament's emergency debate on the famine in Ethiopia and the Sahel. He said that in

spite of the institutional constraints on the Community—in contrast with the freedom of action which the Member States enjoyed—it had nevertheless been able to release 35 million ECU in emergency aid in record time. He then spoke of the other difficulties to be faced: the unpredictability of the disaster and its magnitude, the availability of shipping space, the capacity of the ports to handle the aid, problems with land and air transport from the port of entry to distant places in the interior (here, he mentioned that some problems had been overcome through Community aid, which had provided new locomotives for the Djibouti-Addis Ababa railway and through lorries donated by Germany and Italy), the problem of insecurity and of monitoring the use to which food aid would be put.

He said that it was necessary to go beyond such an analysis, to be forward-looking and to start considering future action. Thanks to the aid that had been mobilized and the efforts of all the donors, there would be a brief respite of about three months. For a very short while, the appalling situation of the last few weeks would be alleviated, but that did not mean an end to the problem. Starting in December or January, the Commission would have to take the initiative for the fresh efforts that would be needed in the months ahead, from March or April.

Mr Pisani stated that still more had to be done and that the Community should be asking itself whether the system it was operating was adequate to the task in hand and whether errors were being made in administering the aid. First, an early warning system was needed in order not to be taken by surprise. Ongoing coordination was needed between the Commission and the Member States and between Europe and other aid donors. A 'crisis unit' had therefore been set up in the Commission. In addition, recipient countries should be asked to guarantee that the aid being provided would not be shunted off to areas which had no facilities for receiving it: the

¹ Bull. EC 6-1984, point 2.2.41.

countries themselves, in the light of their own food shortages and their own critical situations, should mobilize their resources in order to receive the aid and distribute it

properly. The Community's support for the food strategies being developed by four African countries—Kenya, Mali, Rwanda and Zambia—was part of this approach.

3. New arrangements for the supply of nuclear materials for peaceful uses under the Euratom Treaty: the Commission amends its proposal

1.3.1. As provided in Article 76 of the Euratom Treaty, the Commission sent the Council in December 1982, a proposal that the Treaty arrangements for the supply of nuclear materials for peaceful uses (Title Two, Chapter VI) be adapted to the changed circumstances of the 1980s.¹ The Commission let it be understood that if, during the discussions on its proposal, alternative procedures for implementing the new arrangements seemed preferable, it would take them into consideration.

The proposal has meanwhile been discussed in detail by all the Community institutions,² national authorities and industrial circles.

In the light of these discussions, the Commission sent the Council on 14 November a number of amendments to and clarifications of its initial proposal, without compromising the objective of the revision of the Treaty provisions in question, which is to enable the Community effectively to ensure regular and equitable supplies for all its users.³

Main features of the amended proposal

Scope

1.3.2. There is no change to the initial proposal in this respect, but the Com-

mission confirms that the new Chapter VI will apply exclusively to supplies 'for civil non-explosive purposes' and that implementing procedures will have to be adopted at the appropriate time in order to define precisely what the scope of the provisions will be in the nuclear-weapon Member States.

Unity of the market

1.3.3. The procedure for adopting at Community level special conditions relating to intra-Community transfers and to imports from outside the Community has been altered: this is not to be done by Commission Regulation subject to 'appeal' to the Council but by Council Regulation adopted unanimously on a proposal from the Commission.

Where the conditions in question are 'political', the Regulation will be based on a political consensus to be reached in advance by the Member States in order to reconcile the powers of the Member States in matters of non-proliferation with Community responsibility as regards supplies. A 'safe-

¹ OJ C 330, 16.12.1982; Bull. EC 12-1982, point 1.5.1 *et seq.*

² OJ C 172, 2.7.1984; OJ C 341, 19.12.1983; Bull. EC 9-1983, point 2.4.24.

³ COM(84) 606 final 2.

guard clause' has also been added allowing the Member States, provided that strict precautions are taken, to depart from the principle of the unity of the market in exceptional and unforeseeable circumstances.

Exports

1.3.4. The concept of the 'general interest of the Community' to be safeguarded in every instance of exportation outside the Community has been clearly spelt out. The Commission, when granting export authorization, will have to ensure compliance with international agreements entered into by the Community, with any solidarity measures that may have been decided by the Council and with the non-proliferation conditions laid down in a Regulation adopted unanimously by the Council. Adoption of such a Regulation—as in the case of the Regulation intended to ensure unity of the market, and for the same reasons—will have to be preceded by a political consensus between the Member States.

Supervision

1.3.5. The Commission proposes a simplified supervision system consisting in the notification of the existence of supply contracts, supplemented by certain particulars to enable the Supply Agency to discharge its economic responsibilities.

Role of the Supply Agency

1.3.6. The Supply Agency will be able to render assistance to operators at their request, in the negotiation and conclusion of supply contracts. In this respect the Commission has given the Agency a wider role to play than was allotted to it in the initial proposal.

Achievement of a consensus

1.3.7. After the Commission had transmitted its amended proposal to the Council, a consensus was in fact reached between the Member States concerning the non-proliferation precautions pertaining to intra-Com-

munity transfers, to imports and to exports outside the Community.¹ This will facilitate the successful completion of work on the revision of Chapter VI.


At a political cooperation meeting² on 20 November a 'Declaration of Common Policy on the consequences of the adoption of the London Guidelines by the 10 Member States of the Community' was issued.³ The main implications of the declaration are that:

- all the Member States have adopted the London Guidelines (hitherto, only six had done so);
- the Member States note that the Guidelines form 'a basic common discipline' for nuclear exports;
- the Member States note that, provided the Rome Treaties are observed, it is within their competence to effect transfers of materials, equipment and nuclear technology between Member States without restriction, subject to certain additional procedures which are described in detail in the declaration;
- the additional procedures concern the transfers of plutonium and of uranium enriched to over 20% (rules governing storage, certification of use, etc.); re-exportation to a non-Community State presupposes the consent of the Member State which separated the plutonium or enriched the uranium, with the proviso, in particular, that the consent of the Member State which supplied these materials may also be required; derogation is made in the case of very small quantities used for sensitive components of measuring instruments or of transfers which do not exceed 50 grams in one year.

¹ Point 1.3.

² Point 2.4.

³ The London Guidelines are a code of conduct whereby certain countries subject their exports of nuclear materials, equipment and technology to non-nuclear-weapon States to conditions designed to ensure non-proliferation (prohibition of explosive uses, physical protection, restrictions on transfers of sensitive materials). On 11 January 1978 most of these countries (including some of the Member States) officially informed the Director-General of the IAEA that they intended to follow these Guidelines, drawn up two years previously.



PART TWO

ACTIVITIES
IN NOVEMBER 1984

1. Building the Community

Economic and monetary policy

Council

2.1.1. At its economic and financial affairs meeting on 12 November the Council reached agreement¹ on the proposals for implementing the principles of budgetary and financial discipline defined by the European Council at Fontainebleau.² The proposals were passed on to the Ministers for Foreign Affairs, who approved them on 13 November in the form of 'draft conclusions' and sent them to Parliament as the Council's joint position for the discussions to be held with Parliament.

Economic situation

'Annual Economic Report 1984-85'

2.1.2. On 22 November the Economic and Social Committee delivered its opinion³ on the 'Annual Economic Report' for 1984-85.⁴

Economic Policy Committee

2.1.3. The Economic Policy Committee held its 151st meeting on 28 November, with Mr Byatt in the chair. It examined certain specific problems dealt with in the 'Annual Economic Review' for 1984-85.⁴

European Monetary System

Strengthening the EMS

2.1.4. On 29 November the Commission sent the Council a communication and a draft resolution comprising a set of measures aimed at a significant strengthening of the EMS.⁵ The measures have three objectives: economic convergence within the EMS, supported in particular by adjust-

ments to the medium-term financial assistance mechanism;⁶ resuming the financial integration process;⁷ and reinforcing the EMS mechanisms, in particular through wider use of the ECU.⁸

The proposals contained in the communication must be seen as part of the continued development of the EMS. The Commission considers it important therefore that the following matters should be kept under review, with a view to dealing with them in the near future: participation of sterling in the exchange-rate mechanism, narrowing of the fluctuation margin for the lira and study of the conditions for participation of the drachma; abolition of the ECU's present acceptability limit (50%); removal of the obstacles to full private use of the ECU in the Member States; and, lastly, adjustments to the Community's financial assistance instruments so as to give them a more specific role as instruments of convergence within the EMS.

Medium-term financial assistance

2.1.5. On 29 November the Commission sent the Council a proposal for a Decision⁹ concerning the extension of the machinery for medium-term financial assistance for two years, unless the definitive phase of the EMS is set up within that period.¹⁰

Monetary Committee

2.1.6. The Monetary Committee held its 307th meeting in Brussels on 20 November with Mr Camdessus in the chair, to prepare

¹ Point 2.3.4.

² Bull. EC 6-1984, point 1.1.2.

³ Point 2.4.6.

⁴ Bull. EC 10-1984, point 2.1.1.

⁵ COM(84) 678 final.

⁶ Point 2.1.5.

⁷ Bull. EC 4-1983, points 1.2.1 to 1.2.8.

⁸ Bull. EC 3-1982, points 1.4.1 to 1.4.4; Bull. EC 4-1983, point 1.2.9.

⁹ COM(84) 679 final.

¹⁰ OJ L 375, 31.12.1980; Bull. EC 12-1980, point 2.1.2; OJ L 368, 28.12.1982; Bull. EC 12-1982, point 2.1.2.

the ground for the Council's discussions on reinforcing the EMS (scheduled for 10 December). It also exchanged views on developments in the international economic and monetary environment and discussed preparation for the future work of the IMF Interim Committee and the IMF/World Bank Development Committee.

Internal market and industrial affairs

Free movement of persons and freedom to provide services

Mutual recognition of diplomas and access to occupations

Midwives

2.1.7. The Advisory Committee on the Training of Midwives held its inaugural meeting on 6 and 7 November. It adopted a work programme which, at the Commission's request, will relate mainly to the advisability of proposing to the Council the adoption of certain amendments to the Directives of 21 January 1980 concerning the freedom of movement of midwives and mutual recognition of diplomas in midwifery.¹

Dentists

2.1.8. The Advisory Committee on the Training of Dental Practitioners met on 20 and 21 November for a thorough discussion of the reports concerning basic and specialist dental training. Statements were also made on the aids provided by the Commission in the area of higher education, particularly for joint study programmes and short-term visits, and on examination and assessment methods for students in Germany and the United Kingdom.

Free movement of goods

General economic situation in Greece

2.1.9. On 28 November the Commission decided to extend until 31 December 1985 (the end of the transitional period for Greece) the derogatory measures authorized for 1984² to limit imports into Greece of a number of products—mainly for the construction industry (ceramic tiles, sinks, wash basins, cast-iron and steel baths, taps, cocks etc., furniture).

Removal of technical and administrative barriers to trade

Industrial products

2.1.10. On 23 November the Commission transmitted to the Council a proposal for a Directive relating to roll-over protection structures incorporating two pillars and mounted in front of the driver's seat on narrow-track wheeled agricultural or forestry tractors.³ This proposal is to form part of the body of legislation relating to roll-over protection structures on agricultural tractors and to supplement the Directives already adopted by the Council in the field of dynamic tests⁴ and static tests.⁵

The proposed Directive would remove technical barriers to trade due to disparities between national regulations on the subject and help improve road safety at work in the Community.

Foodstuffs

2.1.11. At its November session the Economic and Social Committee gave an opinion⁶ on the proposal for a Council Direc-

¹ OJ L 33, 11.2.1980.

² OJ L 23, 28.1.1984; OJ L 36 8.2.1984; Bull. EC 1-1984, point 2.1.7; OJ L 299, 17.11.1983; Bull. EC 10-1984, point 2.1.11.

³ COM(84) 400 final.

⁴ OJ L 220, 29.8.1977.

⁵ OJ L 179, 17.7.1978.

⁶ Point 2.4.30.

tive laying down the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs.¹

Business law

Companies

2.1.12. On 27 November the Council formally adopted a Directive² updating the amounts expressed in ECU in the fourth Council Directive of 1978 on the annual accounts of certain types of companies,³ to which it had given its approval in October.

Industry

Steel⁴

Council

2.1.13. On 22 November the Council briefly discussed⁵ the problem of Community exports of tubes to the United States.⁶ It deferred to its next meeting discussion of the situation of the market in scrap and coated sheet and the question of extending operating aids under the aids code.⁸

Crisis measures

Production quotas

2.1.14. In the context of the extension of the monitoring and production quota system⁹ and on the basis of forecasts produced in collaboration with the undertakings concerned, the Commission fixed on 20 November the provisional rates of abatement for the first quarter of 1985 (Table 1).¹⁰

These rates were made particularly severe for products in Categories Ia, Ib, Ic, III and IV in the hope of causing prices to harden somewhat; they also take account of the seasonal trough which is a feature of the

first few months of the year. The difference between the quotas for the first quarter of 1985 and those for the corresponding period of 1984 are attributable to a downturn in economic activity and the fact the quotas for the first quarter of 1984 included certain adjustments which the Commission was to grant in accordance with its Decision to extend the monitoring and quota system (Article 14b).⁹

2.1.15. On 16 November the Commission referred to the Council, for assent, and to the ECSC Consultative Committee, for a opinion, a Decision¹¹ it is considering taking to change the conditions on which additional quotas are granted, in view of the progress made in restructuring, as a result of which it is no longer necessary to offer an incentive.¹²

Coated sheet

2.1.16. The Commission adopted, for transmission to the Council and the ECSC Consultative Committee, a communication in which it proposes grouping together in a single category galvanized sheet (Category Ic) and other coated flat products (Category Id).¹³ It takes the view that the present classification in two categories does not take sufficient account of technological developments involving successive treatment by different processes and that it draws an artificial distinction between these products, thereby making reliable forecasts more difficult.

¹ OJ C 102, 14.4.1984; Bull. EC 4-1984, point 2.1.13.

² OJ L 314, 4.12.1984.

³ OJ L 222, 14.8.1978.

⁴ International relations are dealt with in the 'Commercial policy' and 'Relations with industrialized countries' sections of the 'Enlargement and external relations' chapter.

⁵ Point 2.4.17.

⁶ Point 2.2.19.

⁷ Point 2.1.16.

⁸ Point 2.1.43.

⁹ OJ L 29, 1.2.1984.

¹⁰ OJ L 305, 23.11.1984.

¹¹ COM(84) 633 final.

¹² Bull. EC 10-1984, point 2.1.23; Bull. EC 1-1984, point 1.2.1 *et seq.*

¹³ COM(84) 634 final.

Table 1 — Rates of abatement for the establishment of production quotas for the first quarter of 1985

	Production quota (%)	Part of the quota that may be delivered in the common market (%)
I a Hot-rolled wide strip, including hoop and sheet	45	50
I b Cold-rolled sheet	39	43
I c Galvanized sheet	17	23
I d Other coated flat products	+ 41	+ 43
II Reversing-mill plate	43	48
III Heavy sections	48	58
IV Wire rod	37	39
V Reinforcing bars	46	48
VI Merchant bars	40	40

Table 2 — Trends in production as a result of the quotas

	'000 tonnes						
	Quota					Production	
	I/84	II/84	III/84	IV/84	I/85	I/84	II/84
I a Hot-rolled wide strip, including hoop and sheet	5 078	4 213	3 927	4 356	3 927	5 146	5 448
I b Cold-rolled sheet	3 653	3 687	3 464	3 631	3 408	3 688	3 785
I c Galvanized sheet	846	905	894	958	884	931	974
I d Other coated flat products	846	823	696	806	818	750	758
II Reversing-mill plate	1 359	1 179	1 179	1 293	1 293	1 322	1 304
III Heavy sections	1 304	1 193	1 028	1 049	1 069	1 151	1 046
IV Wire rod	2 689	2 839	2 563	2 563	2 484	2 744	2 972
V Reinforcing bars	1 942	1 836	1 709	1 741	1 709	1 841	1 843
VI Merchant bars	2 372	2 265	2 119	2 265	2 192	2 359	2 249

Coated sheet is at present the only product for which the abatement rates are positive, as a result of steadily increasing demand (in the motor-manufacturing, household electrical and building industries). Generally speaking, producers have in recent years successfully specialized and adjusted their production to long-term trends in demand. This development, however, has prompted a movement towards investments which, in the Commission's view, is excessive. In October it already alerted producers to the risks of surplus capacity, chiefly in the tinplate and electrogalvanized sheet sectors.

Minimum prices and guarantee system

2.1.17. Having noted that the Decision of 23 December 1983 establishing a guarantee system and a system for the verification of the minimum prices¹ was, on the whole, being satisfactorily complied with by the undertakings concerned, and in view of the increase in the number of checks carried out by its officials and agents,² the Commission decided on 21 November to repeal,

¹ OJ L 373, 31.12.1983.

² OJ L 46, 16.2.1984.

with effect from 1 January 1985, the requirement that undertakings entrust the necessary verifications to an auditing company.¹

Restructuring

2.1.18. In view of the difficulties that certain Member States have encountered in the implementation of restructuring measures in the steel industry, the Commission sought the Council's assent to the extension for one year of the operating aids authorized until 31 December 1984 in the context of the aids code. Operating aids would thus cease at the same time as all the other aids to the steel industry.²

2.1.19. The reduction in production capacities for hot-rolled products which the Commission called for in June 1983³ (a cutback of 26.7 million tonnes by the end of 1985) will have reached nearly 22.8 million tonnes by the end of 1984 (Table 3).⁴

Certain restructuring plans provide for closures which will exceed the minimum reductions required, while new industrial structures will probably result in further capacity reductions. It should be possible to attain the figure of 30 million tonnes by 1986 and thereafter to progress towards the goal of 35 million tonnes.

Table 3 — Reduction in production capacities for hot-rolled products

('000 tonnes)

	Maximum possible production in 1980	Reductions		Closures at 31 December 1984	
		minimum required	identified (within each undertaking)	in volume terms	as a percentage of the minimum reductions required
Belgium	16 028	3 155	3 183	3 182	100.8
Denmark	941	66	66	66	100
Germany (FR)	53 117	6 010	6 922	6 295	104.7
France	26 869	5 311	5 311	3 631	68.4
Italy	36 294	5 834	3 860	3 494	59.9
Luxembourg	5 215	960	1 045	1 045	108.0
Netherlands	7 297	950	1 432	82	8.6
United Kingdom	22 840	4 500	4 229	4 101	91.1
Community total	168 601	26 736	26 048	21 896	81.9

Information technologies and telecommunications

2.1.20. On 6 and 7 November the Economic and Social Committee held a conference on 'Europe and the New Technologies'.⁵

Multiannual data-processing programme

2.1.21. On 22 November the Council formally adopted the Decision⁶ extending the first part of the multiannual programme (1979-83) in the field of data processing.⁷

Telecommunications

2.1.22. On 12 November the Council formally adopted two recommendations⁸ on the harmonization of standards for telecommunications equipment and the first phase of the opening-up of public-sector pur-

¹ OJ L 303, 22.11.1984.

² Point 2.1.43.

³ OJ L 227, 19.8.1983; Bull. EC 6-1983, point 1.1.1 *et seq.*

⁴ See also Bull. EC 6-1984, point 2.1.13.

⁵ Point 2.4.25.

⁶ OJ L 308, 27.11.1984.

⁷ Bull. EC 10-1984, point 2.1.29.

⁸ OJ L 298, 16.11.1984.

chases of such equipment, which it had approved in October.¹

Biotechnology

2.1.23. On 21 November the Economic and Social Committee endorsed the biotechnology research programme for 1985-89.²

Other industries

Forestry-based industries

2.1.24. The Advisory Committee on Community Policy regarding Forestry and Forestry-based Industries³ held its second meeting on 19 and 20 November. It discussed forest inventories, transport, the situation in the sawmilling industries and standards. These issues, together with forest resources, the flow of information and the Community wood deficit, will be further discussed at the Committee's next meeting, in June 1985.

Industrial innovation and the information market

Specialized information

2.1.25. On 27 November the Council adopted the five-year (1984-88) programme for the development of the specialized information market in Europe.⁴ The programme has an overall budget of 25 million ECU, and it represents a continuation of the successive three-year plans of action the last of which finished at the end of 1983.⁵ It provides for a more complete range of specialized information and easier access for the professional user by a more systematic application of new information technologies and by exploiting the economies of scale offered by the European market.

Utilization of research results

2.1.26. On 28 November the Commission made a call for proposals⁶ for the construc-

tion and operation of a pilot plant for flue-gas desulphurization, based on the MARK 13 A process developed at the Ispra Establishment of the Joint Research Centre.⁷ Proposals have to be submitted to the Commission by 31 March 1985.

Customs union

Simplification of customs formalities

Computerization of administrative procedures in intra-Community trade

2.1.27. As requested in the Council resolution of 15 May on the computerization of administrative procedures in intra-Community trade,⁸ the Commission sent the Council a communication on 20 November on the CD Project (Coordinated development of computerized administrative procedures),⁹ which forms part of the wider Caddia programme.¹⁰

The communication presents a framework for developing computerized systems for international trade between now and the early 1990s. It broadens the scope of the resolution adopted by the Council in May⁸ since it not only establishes guidelines for developing national computerized systems dealing with intra-Community trade but also covers systems for external trade and the link-up of Commission systems with those of the Member States.

The Commission proposes an overall approach to the problem, whereby the

¹ Bull. EC 10-1984, point 1.3.1 and 1.3.2.

² OJ C 182, 9.7.1984; Bull. EC 4-1984, point 2.1.25.

³ Bull. EC 6-1984, point 2.1.24.

⁴ OJ L 314, 4.12.1984; Bull. EC 5-1984, point 2.1.36.

⁵ OJ L 100, 21.4.1975; OJ L 311, 4.11.1978; OJ L 220, 6.8.1981.

⁶ OJ C 317, 28.11.1984.

⁷ Point 2.1.151.

⁸ OJ C 137, 24.5.1984; Bull. EC 5-1984, point 2.1.6.

⁹ COM(84) 556 final 2.

¹⁰ Cooperation in automation of data and documentation for imports/exports and agriculture (OJ C 112, 26.4.1984).

Community framework for computerizing customs procedures would cover six main fields: intra-Community trade, trade with non-member countries (imports and exports), interfaces with trading firms' and relevant Commission systems, link-up of systems and the establishment of common standards for data interchange.

The Commission points out that in the case of intra-Community trade the computerization proposals will have to be regarded as interim solutions until such time as internal trade is completely free of controls. Moreover, pending the removal of controls, care will have to be taken to see that customs barriers are not simply replaced by information technology barriers.

The new systems proposed by the Commission will offer clear advantages to all the parties mainly involved in international trade, namely:

- (i) the customs administrations (through a considerable speeding-up of customs clearance procedures, leaving staff free to concentrate more on high-risk consignments, more effective management of quotas and other tariff measures, faster collection and processing of import/export data, improvement of accounting procedures, and so on);
- (ii) trading firms (opportunities for on-line connection with the customs' computerized system or for using software—e.g. tapes or discs—to make periodic returns of data; opportunities in many cases for using simplified, computerized procedures and much easier access to information on tariffs and other matters essential for business);
- (iii) transport firms and the port and airport authorities (whose computerized systems will link up with those of the national customs administrations and provide easier access to information on customs procedures, the types of traffic dealt with at specific customs posts, and so on).

The systems will also benefit the European computer industry via the new opportunities that will be opened up by the adoption of common standards for data, messages and technical link-ups, and by the conse-

quent increase in demand for hardware and software.

They will have to be designed to take account of existing customs procedures, which constitute an essential part of what has been built up in the Community. The existence of differing Member State computer systems and plans for computerization will necessarily constrain the way in which the systems can be implemented. Furthermore, lack of harmonization of national requirements in fields such as VAT, excise duties, trade statistics and so on will affect their efficiency. Lastly, a number of difficult legal problems will have to be resolved, notably in the matter of confidentiality and protection for data exchanged between systems.

Common Customs Tariff

Annual updating

2.1.28. On 27 November the Council adopted,¹ on a proposal from the Commission,² the updated version of the Common Customs Tariff applicable from 1 January 1985. The bringing forward of tariff cuts agreed in the Tokyo Round was confined to some 350 products or product groups affecting particularly the trade of the developing countries.³

Nomenclature

2.1.29. On 16 November the Commission adopted two Regulations for the purpose of ensuring uniform application of the Common Customs Tariff, classifying certain goods as follows:

- (i) under subheading 07.02 B: potatoes, sliced or chipped, cooked in fat or oil, frozen;⁴

¹ OJ L 320, 10.12.1984.

² Bull. EC 10-1984, point 2.1.34.

³ Bull. EC 10-1984, point 2.2.25.

⁴ OJ L 301, 20.11.1984.

(ii) under subheading 38.19 X: fine powder consisting of a mixture of manganous oxide and other substances.¹

2.1.30. The Committee on Common Customs Tariff Nomenclature also adopted a number of tariff measures, in the form of explanatory notes or agreements on the classification of goods, involving the following headings or subheadings: 12.03 E, 24.02 A, 25.07, 27.10 C II, 32.05 B, 38.19 X, 39.01 A, 42.02, 44.15, 60.05 B² and 23.03 B II.³

Economic tariff measures

Suspensions

2.1.31. In November the Council adopted a Regulation temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products.⁴

Tariff quotas

2.1.32. In November the Council adopted a number of Regulations opening, allocating and providing for the administration of Community tariff quotas in respect of the following products:

- wine of fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within CCT heading No 22.05, originating entirely in Greece (1985);⁵
- apricot pulp falling within CCT subheading ex 20.06 B II c) 1 aa), originating in Morocco (1985);⁶
- apricot pulp falling within CCT subheading ex 20.06 B II c) 1 aa), originating in Tunisia (1985);⁶
- wine of fresh grapes falling within CCT subheading ex 22.05 C, originating in Cyprus (1985);⁶
- liqueur wine falling within CCT subheading ex 22.05 C, originating in Cyprus (1985);⁶

- certain petroleum products falling within CCT Chapter 27, refined in Spain (1985);⁷
- other woven fabrics of cotton falling within CCT heading No 55.09, originating in Spain (1985);⁷
- prepared or preserved sardines falling within CCT subheading 16.04 D, originating in Tunisia (1985);⁶
- dried grapes falling within CCT subheading 08.04 B I, originating in Cyprus (1985);⁶
- salad beetroots falling within CCT subheading ex 07.01 G IV, originating in Cyprus (1985);⁶
- raw silk (not thrown) falling within CCT heading No 50.02 (1985);⁸
- yarn, entirely of silk, other than yarn of noil or other waste silk, not put up for retail sale, falling within CCT subheading ex 50.04 (1985);⁸
- yarn, spun entirely from waste silk other than noil, not put up for retail sale, falling within CCT subheading 50.05 A (1985);⁸
- certain wines having a designation of origin, falling within CCT subheading ex 22.05 C, originating in Yugoslavia (1985);⁶
- certain plywoods of coniferous species, falling within CCT subheading ex 44.15 (1985);⁸
- certain handwoven fabrics, including pile and chenille fabrics, falling within CCT subheadings ex 50.09, ex 55.07, ex 55.09 and ex 58.04 (1985);⁹
- 'Slijvovica' plum spirit falling within CCT subheading ex 22.09 C IV a), originating in Yugoslavia (1985);⁶

¹ OJ L 301, 20.11.1984.

² OJ C 305, 16.11.1984.

³ OJ C 317, 28.11.1984.

⁴ OJ L 307, 24.11.1984.

⁵ OJ L 299, 17.11.1984.

⁶ OJ L 306, 23.11.1984.

⁷ OJ L 310, 28.11.1984.

⁸ OJ L 299, 17.11.1984.

⁹ OJ L 304, 22.11.1984.

- certain tobaccos falling within CCT subheading ex 24.01 B, originating in Yugoslavia (1985);¹
 - apricot pulp falling within CCT subheading ex 20.06 B II c) 1 aa), originating in Israel (1985);¹
 - dried figs falling within CCT subheading ex 08.03 B, originating in Spain (1985);²
 - dried grapes falling within CCT subheading 08.04 B I, originating in Spain (1985);²
 - sweet peppers falling within CCT subheading 07.01 S, originating in Cyprus (1985);¹
 - certain hand-made products (1985);³
 - ferro-silicon falling within CCT subheading 73.02 C (1985);⁴
 - ferro-silico-manganese falling within CCT subheading 73.02 D (1985);⁴
 - ferro-chromium containing not more than 0.10% by weight of carbon and more than 30% but not more than 90% by weight of chromium (super-refined ferro-chromium) falling within CCT subheading ex 73.02 E I (1985);⁴
 - certain wines having a designation of origin falling within CCT subheading ex 22.05 C, originating in Algeria (1985);²
 - rosin, including 'brais résineux', falling within CCT subheading 38.08 A (1985);⁴
 - 2'-tert-pentylantraquinone falling within CCT subheading ex 29.13 F.⁵
- 2.1.33. In November the Council adopted two Regulations increasing the volume of the Community tariff quotas opened for 1984 for the following products:
- certain qualities of ferro-chromium falling within CCT subheading ex 73.02 E I;⁶
 - certain ferro-phosphorus falling within CCT subheading ex 28.55 A.⁶

Community surveillance of imports

2.1.34. In November the Council adopted a number of Regulations establishing ceilings and Community surveillance for imports of the following products:

- certain products originating in Malta (1985);¹
- certain textile products originating in Cyprus (1985);¹
- certain products originating in Yugoslavia (1985) (Decision of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council);¹
- certain products originating in Yugoslavia (1985).¹

General legislation

Reliefs from customs duty

2.1.35. On 21 November the Commission sent the Council a proposal for a Regulation⁷ amending the Council Regulations of 28 March 1983 setting up a Community system of reliefs from customs duty⁸ and of 28 June 1968 on the Common Customs Tariff.⁹

The Commission is proposing an increase of around 30% in the ceilings for the reliefs from customs duty and the flat-rate charge with regard to goods contained in travellers' personal luggage or sent in small consignments to private individuals.

¹ OJ L 306, 23.11.1984.

² OJ L 308, 27.11.1984.

³ OJ L 304, 22.11.1984.

⁴ OJ L 307, 24.11.1984.

⁵ OJ L 299, 17.11.1984.

⁶ OJ L 296, 14.11.1984.

⁷ OJ C 324, 5.12.1984; COM(84) 62 final.

⁸ OJ L 105, 23.4.1983; Bull. EC 3-1983, point 2.1.28.

⁹ OJ L 172, 22.7.1968.

Competition

Restrictive practices, mergers and dominant positions: specific cases

Prohibited horizontal agreements

Peroxides

2.1.36. On 26 November the Commission adopted a Decision prohibiting a long-standing arrangement between the main Community producers of hydrogen peroxide and its derivatives, sodium perborate and persulphates. The companies concerned are Solvay/Laporte Industries (which operate jointly in this industry under the name 'Interox'), Degussa, Air Liquide and PCUK (Produits Chimiques Ugine Kuhlmann), the latter now part of Atochem. Interox, the world's largest producer of hydrogen peroxide with more than a third of world capacity for this product, manufactures peroxide derivatives in more than 20 establishments inside and outside the Community. Degussa is the world's second-largest producer with factories in Germany and Belgium. These two groups, Interox and Degussa, hold the same world rankings—first and second respectively—in the sodium perborate sector.

The activities covered by the Decision constitute 'classic' antitrust infringements, namely market-sharing, quota systems and price-fixing. From 1961 until at least December 1980, when the Commission carried out surprise checks on a number of companies, the five producers applied a 'home markets' agreement under which each of them limited its sales of hydrogen peroxide and sodium perborate to one or more markets within the Community; the two French producers confined their activities to France, and Interox and Degussa sold only in those Member States in which they had production facilities.

The Commission found that as a result prices of hydrogen peroxide varied widely

not only between Member States but also within each national market, to the point where some customers were paying more than twice the price paid by similarly situated competitors.

This overall market-sharing agreement, which covered most of the Community, was complemented by a series of detailed 'national' agreements under which the markets allocated to certain producers were divided between them according to agreed percentages.

Interox and Degussa were also in frequent contact with each other to ensure that list prices were being observed.

In view of the gravity of these quota and price-fixing agreements, their long duration and the importance of the industry concerned, the Commission decided to impose heavy fines totalling 9 million ECU on those involved: 3 millions ECU on Degussa, 4 million ECU on Solvay, 2 million ECU on Laporte, 0.5 million ECU on Air Liquide and 0.5 million ECU on ATO. This is the highest total of fines ever imposed by the Commission in a competition case.

Permissible forms of cooperation

Authorization of exhibition rules

2.1.37. On 23 November the Commission decided¹ to renew until the end of 1993 the exemption granted in 1975² under Article 85(3) of the EEC Treaty in respect of the rules governing dental equipment exhibitions (Expo Dental) adopted by the Unione Nazionale Industrie Dentarie Italiane (Unidi). Unidi organizes Expo Dental, which are currently held every year. During the six months preceding them, exhibitors may not take part either directly or indirectly, through representatives or by advertising, in similar events organized in Italy.

¹ OJ L 322, 11.12.1984.

² OJ L 228, 29.8.1975; Bull. EC 7/8-1975, point 2.1.21.

Since the initial decision taken in 1975, exhibitors have been excluded from Expo Dental for infringing the rules. To ensure that the rules are applied objectively, the Commission has therefore prevailed upon Unidi to introduce an arbitration procedure which may be resorted to by exhibitors who are refused admission to, or are excluded from, Expo Dental.

Distribution

Unification of the motor car market in the interest of consumers (Alfa Romeo)

2.1.38. In the course of inquiries into the motor car market, the Commission has looked into the matter of difficulties experienced by customers wishing to buy Alfa Romeo vehicles with right-hand drive; the problem related particularly to delivery dates and availability, and mainly concerned United Kingdom nationals buying in Belgium and Luxembourg. Following representations by the Commission, Alfa Romeo has now changed its commercial policy on the sale and delivery of right-hand-drive vehicles in markets where the demand is ordinarily for left-hand-drive cars.

In a circular to its distribution network in Belgium and Luxembourg, the company has emphasized that no obstacles must be put in the way of orders for such vehicles. Prices and delivery dates are to take reasonable account of the specific costs and circumstances of supplying such vehicles. Where the customer does not present his order in person, the car may be bought on his behalf by a third party with the customer's signed authorization and a copy of the customer's identity card or passport. All contractual obligations concerning the guarantee and after-sales service will now be applicable to right-hand-drive cars.

These changes allowed the Commission to close its file on the matter. The Commission will not relax its efforts to create a true common market in cars. An important aspect of this policy is that, no matter where

they live in the Community, private individuals must be able to buy a car wherever they find the best terms.

Industrial and commercial property. Copyright

Restrictive royalty payments clause

2.1.39. The Commission has intervened against a royalty payments clause in licensing agreements which imposed continuous payments on licencees even where all the licensed patents had expired and all the transferred know-how had fallen into the public domain.

Such clauses were part of agreements between UARCO Inc., one of the leading US companies in the field of continuous business-form stationery, as licensor, and licensees in the United Kingdom, France, Belgium and Sweden (the latter also being the licensee for parts of the Community). They tend to create competitive disadvantages for licensees and therefore fall within Article 85(1) of the EEC Treaty.

Only where payments are spread beyond the lifetime of the licensed patents or the entry of the know-how into the public domain in order to facilitate royalty payments for the licensee might such clauses be compatible with Article 85(1).¹ UARCO subsequently tried to justify the clauses by claiming that the royalties were calculated on an instalment basis, but no evidence was found to support that assertion. Apart from an initial lump sum and some fixed minimum royalties, the only basis for payments was the number of products sold under licence. No other amount of money which was fixed or at least calculable in advance had been agreed upon between the parties.

Following the Commission's intervention, the agreements were terminated by UARCO. The Commission has been able to close the file without taking a formal

¹ See Article 3(4) of the block exemption Regulation for patent licensing agreements: OJ L 219, 16.8.1984; Bull. EC 7/8-1984, point 2.1.50.

decision, since the clauses complained of are no longer in force between the parties. In case of dispute, national courts will rule on the legal consequences in accordance with national law. They should also first examine whether and to what extent know-how has fallen into the public domain, as the Commission has already stated in the *Cartoux/Terrapin* case.¹

State aids

General aids

Netherlands

2.1.40. On 7 November the Commission decided not to raise any objection to an aid scheme for providing firms with information about modern data-processing methods, the scheme having been notified by the Dutch Government under Article 93(3) of the EEC Treaty.

Under this scheme, trade and industrial organizations are to be assisted to implement information programmes designed to draw the attention of managements, particularly of small and medium-sized firms, to the possibility of improving profitability through the use of modern computer-based techniques and systems.

Belgium

2.1.41. On 21 November the Commission decided not to raise any objection to Royal Decree No 123 of 30 December 1982 on the recruitment of unemployed persons for certain business expansion projects benefiting small and medium-sized firms.

This measure, which had not been notified to the Commission in advance, is directed at firms employing up to 100 persons and certain bodies assisting them. It covers only study and research activities relating to the development of new products or processes, access to external markets and energy or raw-material savings.

The firms or bodies concerned will be eligible to receive for two years aid covering part of the wage and social security costs of recruiting up to three workers. They will not be able to carry out more than two projects at any one time, and those projects must have different aims.

In notifying the Belgian Government of its decision, the Commission stipulated that aid for research aimed at developing external markets could be granted only for projects relating to non-Community markets.

Regional aids

Netherlands

2.1.42. The Commission decided on 21 November to terminate the procedure it initiated under Article 93(2) of the EEC Treaty in May 1982² in respect of the regional aid schemes notified by the Netherlands for the period 1981-85. It had informed the Dutch Government that it would terminate the procedure as soon as it implemented the Decree discontinuing the special regional premium (BRT) created under the Investment Account Act (*Wet Investeringsrekening*), and accounting for approximately half of the regional aid budget.

Once the procedure was initiated, the Dutch Government reduced its regional aid substantially,³ cutting the regional premium under the investment premium scheme (*Investeringspremierregeling*) in some regions and ending it in others and giving effect to the Act cancelling the regional planning premium (ROT) with retroactive effect from 16 September 1983. The Commission was informed by letter dated 3 September that the BRT had been discontinued.

These changes will bring about a major reduction in regional aid expenditure and

¹ Tenth Report on Competition Policy, point 129.

² OJ C 175, 13.7.1982; Bull. EC 5-1982, point 2.1.18.

³ Seventeenth General Report, point 246.

in the geographical spread of regional aid schemes in the Netherlands.

Industry aids

Steel

2.1.43. A number of Member States have informed the Commission that, in order to carry out their restructuring plans successfully, they would need to grant operating aid beyond the 31 December 1984 deadline laid down in the steel aids code.¹ Some have also pointed out that further aid needs to be provided to enable undertakings to continue their restructuring effectively, which has been held up by the deterioration in their financial position as a result of a less favourable market trend than had been expected when the code was introduced in 1981.

The Commission has therefore requested the Council to give its assent to an extension of the deadline for granting operating aid to 31 December 1985 (this date should not, in the Commission's view, be changed; it will coincide with that on which the aids code expires and will therefore mark the end of all steel aid) and to the introduction of a new timetable for the notification and authorization of aid supplementing that authorized on 29 June 1983² (the deadline for notifying additional aid plans would be one month after the Council's assent and that for authorizing them three months after notification). The test of financial viability as a condition of authorizing all steel aid is to be maintained.

On 22 November the Council meeting on policy for steel carried out its first detailed examination of the Commission's request.

Shipbuilding

2.1.44. On 22 November the Council adopted a directive extending until 31 December 1986³ the fifth Directive on aids to shipbuilding,⁴ which lays down rules governing the granting of State aids to the industry.

Netherlands, France

2.1.45. On 7 and 21 November respectively the Commission initiated the procedure laid down in Article 93(2) of the EEC Treaty in respect of aid plans notified to it by the Dutch and French Governments.

The Dutch plan provides for an average increase of 5% in the rate of production aid for the period from 30 June to 31 December 1984. The French plan provides for restructuring premiums of FF 300 million for a shipyard and for a cash injection of some FF 3 000 million for a large shipbuilding group.

In both cases the Commission considers that at the present stage the additional aid which the two Governments propose to grant fails to satisfy the conditions laid down in Article 6 of the Council Directive of 28 April 1981⁴ because it does not appear to be linked to restructuring measures designed to eliminate existing overcapacity. The Commission is also concerned that such aid may undermine Community shipbuilders' resolve to undertake the restructuring of the industry and may prejudice the measures already taken to cut overcapacity in other Member States.

Textiles and paper

France

2.1.46. On 21 November the Commission decided to initiate the Article 93(2) procedure in respect of State aids granted to a French manufacturer of textiles, wrapping and tissue paper, toys and other products. The Commission has established that this manufacturer—a conglomerate with more than 15 000 employees—has received several aids amounting to at least FF 480 million, and possibly as much as FF 640 million, since it filed for bankruptcy in 1981.

¹ OJ L 228, 13.8.1981; Bull. EC 6-1981, point 1.4.3.

² OJ L 227, 19.8.1983; Bull. EC 6-1983, point 1.1.1 *et seq.*

³ OJ C 86, 28.3.1984; Bull. EC 2-1984, point 2.1.48.

⁴ OJ L 137, 23.5.1981; Bull. EC 4-1981, point 2.1.20; OJ L 371, 30.12.1982; Bull. EC 12-1982, point 2.1.45.

These aids, which were granted via the Institut de développement industriel (IDI) and its offshoot, the Société de participation et de restructuration industrielle (Sopari), had not been notified to the Commission.

The Commission considers that such rescue aids are liable to distort competition and to affect trade to an extent contrary to the common interest. Furthermore, they appear to have been granted in contravention of the conditions set by the Commission when it approved a French aid scheme for the textile and clothing industry.

Financial institutions and taxation

Taxation

Indirect taxes

Turnover taxes

2.1.47. On 21 November the Economic and Social Committee delivered its opinion¹ on the proposal for a seventeenth Directive, concerning exemption from value-added tax on the temporary importation of goods other than means of transport.²

Tax-free allowances

Tax-free allowances for travellers

2.1.48. On 7 November the Commission, in order to take account of Parliament's opinion,³ amended⁴ its proposal for a Directive prolonging the derogation accorded to Ireland relating to the rules governing turnover tax and excise duty applicable in international travel.⁵ The new version proposes an increase in the relationship, expressed in percentage terms, between the unit value limit and the overall exemption and states expressly that the

derogation is to come to an end on 1 January 1989.

Direct taxes

Income tax and non-resident employed persons

2.1.49. On 12 November Mr Tugendhat reminded the Council of the importance which the Commission attached to its proposal for a Directive on more equitable tax arrangements for the incomes of persons working in one Member State and living in another.⁶ He stressed that adoption of the proposal would contribute to the establishment of a people's Europe as called for by the European Council meeting at Fontainebleau.⁷

Combating tax evasion and avoidance

2.1.50. On 29 November the Commission sent the Council and parliament a communication on Community action to combat international tax evasion and avoidance,⁸ the aim being to give a fresh impetus to such action at a time when the whole Community is facing an economic crisis with serious budgetary implications.

The Commission advocates the following measures: finding ways, with the Member States, of making full use of the possibilities for administrative assistance afforded by existing Directives; extending assistance in the recovery of tax claims to include direct taxes;⁹ and an early decision by the Council on certain proposals presented by the Commission. On the latter point, action is urged in particular on the request from the Nordic

¹ Point 2.4.30.

² OJ C 244, 13.9.1984; Bull. EC 7/8-1984, point 2.1.84.

³ OJ C 127, 14.5.1984; Bull. EC 4-1984, point 2.1.55.

⁴ OJ C 304, 15.11.1984; COM(84) 586 final.

⁵ OJ C 17, 24.1.1984; Bull. EC 12-1983, point 2.1.60.

⁶ OJ C 21, 16.1.1980; Bull. EC 12-1979, point 2.1.58.

⁷ Bull. EC 6-1984, points 1.1.1 to 1.1.9 (section 6); Bull. EC 9-1984, point 1.1.1 *et seq.*

⁸ COM(84) 603 final.

⁹ OJ L 331, 27.12.1979; Bull. EC 12-1979, point 2.1.55.

countries to participate in Community mutual assistance procedures;¹ the recommendation for a Decision authorizing the Commission to conduct negotiations on the multilateral Council of Europe convention on administrative assistance in tax matters;² and the proposal for an arbitration procedure for the elimination of double taxation in connection with the adjustment of transfers of profits between associated enterprises.³

Employment, education and social policy

Employment

Employment and the labour market

2.1.51. On 11 and 12 November the Director-General for Employment and the Director of the Employment Services of the Member States met to discuss employment policy for the coming years. Three main themes were discussed: action and priorities for job creation, adaptability of the labour market, and the role of the employment services.

The participants agreed that it was necessary to promote a dialogue on the general topical issues of employment policy, and expressed their approval of the operation of Misep (Mutual Information System on Employment Policies), which plays an important part in the coordination of policies at Community level.

2.1.52. On 21 November the Economic and Social Committee delivered an opinion⁴ endorsing the proposal to step up Community action to combat long-term unemployment.⁵

Impact of new technologies

2.1.53. On 15 and 16 November the Commission held a seminar in Luxembourg to study the social consequences of the intro-

duction of new technologies in banking, which was attended by experts from bankers' associations, trade unions representing bank employees, universities and research institutes. The discussions covered all the social aspects of the introduction of these technologies into the industry—which employs 1.7 million people throughout the Community—such as employment, vocational training, employee health and work organization.

Financial instruments

European Social Fund

2.1.54. On 28 November the Council approved the Fund Committee's rules of procedure, already endorsed by the Commission.⁶

Education and vocational training

Cooperation in education

2.1.55. The European Teacher Trade Union Committee, which represents over two million members and aims to ensure that matters concerning education and training are discussed at European level, held its annual meeting in Brussels on 12 and 13 November. The Committee gives priority to action to fight spending cuts in education, combat teacher and youth unemployment, or promote equal opportunities for all children and young people and guarantee access for adults to education and training.

2.1.56. The European Committee for School Television met in Brussels on 14 and 15 November; discussions centred around the scenario for a new series entitled 'Young Europeans—one year after school', com-

¹ Bull. EC 2-1980, point 2.1.31.

² Bull. EC 11-1983, point 2.1.58.

³ OJ C 301, 12.12.1976.

⁴ Point 2.4.30.

⁵ Bull. EC 9-1984, point 2.1.43.

⁶ Bull. EC 9-1984, point 2.1.46.

prising three programmes aimed at the 15-16 age group for broadcasting during 1985-86. The series is about the transition from school to working life, featuring real-life cases—at least one of them involving a young person who has received vocational training jointly financed by the European Social Fund.

Youth exchanges

2.1.57. On 16 November Parliament endorsed¹ the proposal for a Decision establishing a third joint programme to encourage the exchange of young workers within the Community.² Parliament favours the extension of the scope of the programme, in particular by the immediate inclusion of young people from Spain and Portugal and, at a later date, young people whose permanent place of residence is in a Member State but who are not nationals of a Community country. It also calls on Member States to bear a reasonable proportion of the costs not met by the Commission.

2.1.58. On 21 November the Economic and Social Committee also endorsed³ this proposal.²

European Centre for the Development of Vocational Training

2.1.59. The Management Board of the European Centre for the Development of Vocational Training met in Berlin on 22 and 23 November and again held wide-ranging discussions on the Centre's work programme for 1985.⁴ The programme exhibits close convergence with the activities of Commission departments over the coming year, especially as regards vocational training for young people and the promotion of training in new information technologies.

Living and working conditions and social protection

Fight against poverty

2.1.60. On 29 November, further to the undertaking given in the proposal made in

July,⁵ the Commission sent the Council a communication⁶ listing the specific areas and particular subthemes for the Community's second anti-poverty programme. The Commission takes the view that financial assistance should be directed mainly at combating poverty in underprivileged urban districts and impoverished rural areas and aim at alleviating the poverty problems of specific population groups, such as the long-term and the young unemployed, the elderly, single-parent families, second-generation migrants, refugees and returning migrants, and 'marginal' groups (e.g. gypsies, the homeless, drop-outs).

2.1.61. On 21 November the Economic and Social Committee unanimously endorsed⁷ a proposal for specific action to combat poverty for the period 1985-89,⁸ though regretting that only very limited appropriations were available for the programme.

Equality between men and women

2.1.62. On 15 November the Commission amended⁹ its proposal for a Directive on parental leave and leave for family reasons.¹⁰ The amendment extends the conditions of application of the proposed measures and expressly includes step-parents among those entitled to such leave, mainly to satisfy Parliament's wishes.¹¹

2.1.63. On 21 November the Economic and Social Committee delivered a favourable opinion¹² on the draft recommendation on the promotion of positive action for women,¹³ expressing the view that a direc-

¹ OJ C 337, 17.12.1984.

² OJ C 153, 13.6.1984; Bull. EC 5-1984, point 2.1.78.

³ Point 2.4.30.

⁴ Bull. EC 9-1984, point 2.1.49.

⁵ Bull. EC 7/8-1983, point 2.1.100.

⁶ COM(84) 681 final.

⁷ Point 2.4.30.

⁸ OJ C 208, 8.8.1984; Bull. EC 7/8-1984, point 2.1.100.

⁹ OJ C 316, 27.11.1984; COM(84) 631 final.

¹⁰ OJ C 333, 9.12.1983; Bull. EC 11-1983, point 2.1.80.

¹¹ OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.1.79.

¹² Point 2.4.29.

¹³ OJ C 143, 30.5.1984; Bull. EC 4-1984, point 2.1.65.

tive would be more appropriate for furthering the Commission's aims than a recommendation.

2.1.64. On 8 and 9 November a seminar took place in Dublin on the theme 'Equal opportunities in agriculture and in self-employed occupations: issues and options', organized jointly by the Irish Government and the Commission to discuss the proposal for a Council Directive on the application of the principle of equal treatment as between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood;¹ more general problems facing self-employed persons were also discussed.

2.1.65. A conference on equality of opportunity for girls and boys in education was held in Brussels on 27 and 28 November. This was the first time that senior Education Ministry officials and chairmen of equal opportunities agencies had met at Community level to discuss the important part played by schooling in promoting equal opportunities.

Those taking part in the conference put forward a range of proposals (covering school text books, teacher training, the opening-up of schools to the outside world, educational guidance and coeducation) which will be used as a basis for drafting a Council resolution on positive action in schools.

Social integration of the handicapped

2.1.66. On 21 November the Commission organized a plenary meeting in Brussels of the Community Network of Rehabilitation Centres. On the agenda was the development of the exchange programme and the circulation of the results of the network's activities.

Paul Finet Foundation

2.1.67. At its 60th meeting the Executive Committee of the Paul Finet Foundation

examined 208 applications and approved 180 grants totalling some BFR 3 million. Since its inception the Foundation has financed 13 661 grants, totalling BFR 136.8 million.

Health and safety

Public health

Informal meeting of Health Ministers

2.1.68. On 29 November Ministers of Health met informally in Brussels for the first time since 1978 and agreed to hold regular ministerial meetings in future—starting with one in the first half of 1985. Ministers discussed the development of Community-level cooperation on health, as provided in the social action programme adopted by the Council in June.² There was also discussion of the two Commission communications on health-related problems (drug addiction, smoking, infectious disease control)³ and the limitation of health-care costs.

Ministers fully endorsed the joint measures envisaged by the Commission on the three matters concerning which it has made specific proposals—a Community emergency health card,⁴ an action programme on toxicology for health protection⁵ and the protection of dialysis patients by minimizing exposure to aluminium.⁶

2.1.69. On 16 November Parliament delivered an opinion⁷ on the draft recommendation concerning the introduction of a European emergency health card, to be issued on request, for persons whose health is particularly at risk (i.e. those suffering from a serious or chronic illness).⁸ Viewing

¹ OJ C 113, 27.4.1984; Bull. EC 3-1984, point 2.1.76.

² OJ C 175, 4.7.1984; Bull. EC 6-1984, point 2.1.43.

³ Bull. EC 9-1984, point 1.2.1 *et seq.*

⁴ OJ C 21, 29.1.1984; Bull. EC 12-1983, point 2.1.83.

⁵ OJ C 156, 16.6.1984; Bull. EC 5-1984, point 2.1.86.

⁶ OJ C 202, 29.7.1983; Bull. EC 6-1983, point 2.1.93.

⁷ OJ C 337, 17.12.1984.

⁸ OJ C 21, 28.1.1984; Bull. EC 12-1983, point 2.1.88.

this as a highly important Commission initiative, Parliament expressed the hope that the provisions of the recommendation would be implemented as soon as possible.

Health and safety at work

2.1.70. On 22 November the Commission transmitted to the Council, Parliament, the Economic and Social Committee and the ECSC Consultative Committee the eighth progress report (covering 1983) of the Advisory Committee on Safety, Hygiene and Health Protection at Work.¹

2.1.71. An International Seminar on the Immunological System as a Target for Toxic Damage was held in Luxembourg on 6 to 9 November. It is one of a series organized by the Commission and the International Programme on Chemical Safety of UNEP/ILO/WHO in collaboration with the US Environmental Protection Agency and the National Institute of Environmental Health Sciences and with the participation of the International Society on Immunopharmacology.

The Seminar's principal objectives were to review current knowledge of the structure, function and dysfunction of the immunological system and the human health implications of immunotoxicity.

Health and safety (Euratom)

2.1.72. The Commission recently published a guide entitled *Radiation protection of the public in respect of consumer goods containing radioactive substances*.² This guide, which provides an interpretation of the provisions of Title II of the Council Directive of 15 July 1980 amending the Directives laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation,³ was compiled with the assistance of experts appointed in accordance with Article 31 of the Euratom Treaty. While it is addressed to all radiation protection experts, it is intended principally for the national authorities responsible for

authorizing the marketing of the goods referred to in Title II of the Directive.

Culture

Council

2.1.73. The second meeting⁴ of the Council and the Ministers for Cultural Affairs meeting within the Council was held on 22 November.⁵

Ministers approved a resolution drawing attention to the possibility of cultural workers having more access to the European Social Fund⁶ and agreed on a programme of work concerning cultural cooperation in the context of the Solemn Declaration on European Union.⁷ They also examined the possibility of a multilateral system of support for the European film and television programme industry⁸ and heard a report on progress in the implementation of the resolutions adopted in June (a meeting of the national authorities responsible for combating audio-visual piracy is to be convened by Italy during the first half of 1985).⁴ Ministers agreed to look into the feasibility of setting up a European information centre on stolen works of art in Florence on the basis of a proposal from the Italian Government.

The Council and Ministers took note of a Commission paper on problems encountered by artists wishing to exhibit in a Member State other than the one in which they live. They agreed to discuss private copying on the basis of a Commission green paper on copyright. They also expressed interest

¹ COM(84) 628 final.

² Report EUR 9290, Radiation Protection 31, available from the Office for Official Publications of the European Communities, L-2985 Luxembourg.

³ OJ L 246, 17.9.1980; Bull. EC 7/8-1980, point 2.1.54; Bull. EC 4-1984, point 2.1.69.

⁴ Bull. EC 6-1984, points 2.1.61 to 2.1.64.

⁵ Point 2.4.17.

⁶ Point 2.1.74.

⁷ Point 2.1.75.

⁸ Point 2.1.76.

in a document from the French delegation on the possibility of introducing uniform pricing arrangements for books.

Cultural workers and the European Social Fund

2.1.74. In their resolution on cultural workers and the European Social Fund the Council and the Ministers for Cultural Affairs meeting within the Council drew attention to the urgent need for measures to alleviate unemployment and underemployment among cultural workers.

They emphasized the importance of action to help young people develop their artistic skills and recognized the potential uses of new technology in the cultural sector. Lastly, they reminded Member States that they could submit projects for assistance from the Social Fund and requested the Commission to give close consideration under the present Social Fund Regulation to applications for vocational training and openings for artists and cultural workers.

European cultural cooperation

2.1.75. There was a lengthy discussion on the intensification of European cultural cooperation during which various schemes set in motion by the Commission were strongly encouraged.¹ A draft resolution on the subject was not adopted as one Member State entered a reservation.

However, Ministers did agree on a work programme for the specific cultural projects set out in the draft. Current projects are European Music Year, the European Community Youth Orchestra, the Theatre of Europe in Paris and Milan, young people's theatre, Eurojazz, the European Festival at Wiltz, Luxembourg, the European Film Festival, itinerant exhibitions of contemporary painting, and support for the translation of literary works.

Further preparatory work still has to be done on other projects involving the joint organization of national sculpture competitions, exchanges among cultural workers,

the encouragement of traditional song and dance, the promotion of the cultural heritage, the planning of itineraries for cultural tours between Member States, and the improvement of knowledge of languages and information on history and culture.

It was agreed to select a European City of Culture each year. Athens was chosen for 1985. Amsterdam has been nominated for 1986 and a German city will be proposed for 1987.

It was decided with the agreement of the Foreign Ministers meeting in the context of political cooperation to strengthen cultural cooperation in non-member countries, notably by providing material for European film weeks, which could combine cultural cooperation with the commercial promotion of films.

Support for the film and television programme industry

2.1.76. The Council and Ministers welcomed the progress made in the study of a multilateral support system for the programme industry. There is broad agreement on the need to act in the field of film production with the number of films made in the Member States having fallen by nearly half over the last ten years. The differences of opinion mainly concerned the nature of the fund, and its size and operation. It was agreed that the Commission would present a proposal in due course.

European Music Year 1985

2.1.77. In September 1982, on the basis of an idea suggested by Parliament in 1980 to promote European music,² the Community and the Council of Europe decided to set up a committee to organize a European Music Year.³

In preparation for this Year, more than 1 000 projects have been launched in 24

¹ Bull. EC 6-1983, point 1.6.1 (paragraph 3.3).

² OJ C 327, 15.12.1980.

³ Bull. EC 9-1982, points 1.2.9 and 2.1.113.

countries, including 850 under national programmes and about 100 resulting from individual initiatives sponsored by the organizing committee.

For their part, the Community and the Council of Europe have decided to cofinance some 30 multilateral projects in line with Music Year's objectives, which include training and music-making for amateurs and professionals, encouragement of creativity, and making music more accessible to everyone.

Regional policy

Impact of Community policies and measures in Northern Ireland

2.1.78. On 9 November the Commission adopted, for transmittal to the Council, a report concerning the impact of Community policies and actions in Northern Ireland.¹ The report is to be laid before Parliament, having been prepared in response to, *inter alia*, a resolution passed by the House on 29 March.²

The Commission has carried out a comprehensive in-depth examination of all Community measures planned or already under way in Northern Ireland. It outlines developments that would be beneficial to the region in such fields as new technologies, telecommunication and energy.

Northern Ireland receives aid from all the Community's Funds and instruments for economic development. In addition, in view of its special social and economic situation, Northern Ireland is accorded priority for Fund purposes, receives higher rates of aid and qualifies for a wide range of specific measures.

Community aid to Northern Ireland since 1973 totals UKL 525 million (approximately 882 million ECU), including UKL 167 million (274 million ECU) from the ERDF. The flow of structural aid from the Community is increasing, for in 1983 it totalled UKL 112 million (201 million ECU). Aid

from the EIB since 1973 totals UKL 143 million (231 million ECU); and up to July 1983 the United Kingdom Government had received UKL 292 million (516 million ECU) under the supplementary measures to help finance projects in Northern Ireland.

Coordination and programmes

Regional Policy Committee

2.1.79. The Regional Policy Committee, meeting on 16 November, elected Mr Miedema to succeed Mr Attali as Chairman, considered competition policy in conjunction with regional policy, and delivered opinions on the regional development programmes submitted by France ('second-generation' programme, 1984-88) and Italy (for Friuli-Venezia Giulia (1984-86).

The Committee delivered its opinion on 80 major infrastructure projects submitted for ERDF grants totalling 710 million ECU.

Financial instruments

European Regional Development Fund

ERDF grants

Fund Committee

2.1.80. The ERDF Committee at its meeting on 21 November delivered its opinion on the draft grant decisions under the third 1984 allocation of the ERDF quota section.

The Committee delivered its opinion on the proposals for ERDF assistance to the special programmes prepared for 'non-quota' specific measures, concerning the United Kingdom, Greece, the Federal Republic of Germany and the Netherlands.

¹ COM(84) 613 final.

² OJ C 117, 30.4.1984; Bull. EC 3-1984, point 2.4.23.

Quota section

2.1.81. On 7 and 29 November the Commission decided under Article 12 of the ERDF Regulation to grant 1.966 million ECU to finance seven studies closely connected with the Fund's operations in the United Kingdom. The studies concern the following sectors and areas:

- drainage and sewerage treatment facilities in Tayside, Scotland;
- the potential of Durham as a major tourist and conference centre;
- economic development and the expansion of industry, commerce and tourism in the South Tees area;
- work to improve access and facilities at the inland port of Gainsborough on the River Trent;
- provision of a second road crossing of the Severn Estuary;
- conversion and refurbishing of existing properties and creation of new small businesses in Sunderland;
- further development of a major tourism complex in Doncaster.

Business and innovation centres

2.1.82. As part of its strategy to promote industrial conversion, the Commission is encouraging the extension of business and innovation centres, which are regarded as useful agents for industrial conversion in the regions. The Commission agreed on 9 November to assist in the setting up of the European Business and Innovation Centre Network (EBN). This association was formed by the directors of some 40 business and innovation centres and similar organizations devoted to the spread of new ideas. Its main functions are to set up business and innovation centres in the Community; to encourage the professional practices best suited to their needs; to facilitate cooperation between members, mainly in marketing; and to provide services and assistance for the Commission.

Integrated operations

Preparatory studies

2.1.83. On 19 November the Commission decided to grant assistance for a study preparatory to an integrated operation in the mountainous central areas of the Emilia-Romagna region.

The study, to be directed and coordinated by the regional forestry agency of Emilia-Romagna, will devise measures for developing the areas concerned which will qualify for assistance from the structural Funds. Priority is to be given to forestry, farming, farm tourism, energy, small business and training schemes.

Disaster relief

2.1.84. On 8 and 21 November the Commission decided to grant emergency aid of 100 000 ECU and 200 000 ECU respectively for earthquake victims in the areas around Messina (Greece) and Zafferana Etnea (Sicily).

Environment and consumers

Environment

Information system on the state of the environment and natural resources

2.1.85. On 16 November Parliament gave its opinion¹ on the proposal presented by the Commission in October 1983 for a Council Decision adopting a work programme for the first phase of the plan to set up an information system on the state of the environment and natural resources in the Community.²

¹ OJ C 337, 17.12.1984.

² OJ C 291, 27.10.1983; Bull. EC 10-1983, point 2.1.82.

Prevention and reduction of pollution and nuisances

Freshwater and marine pollution

Protection of the North Sea

2.1.86. The Commission was represented at the first conference on the protection of the North Sea, which was held in Bremen on 31 October and 1 November on the invitation of the German Government.¹ All eight countries bordering the North Sea took part.

The participants agreed to coordinate their action to produce a more effective programme to combat pollution of the North Sea. Their final joint declaration lists the measures to be given priority in the coordinated programme: reduction of pollution from land-based sources, action to combat spills from shipping and preparation of a joint continuous monitoring and surveillance programme. The participants agreed to hold a second conference in the United Kingdom in 1986.

Air pollution

2.1.87. Parliament gave its opinion² in November on the proposal for a Directive on air quality standards for nitrogen dioxide.³ Both Parliament² and the Economic and Social Committee⁴ delivered opinions on the proposal for a Directive to limit emissions of pollutants from large combustion plants.⁵

On 22 November the Economic and Social Committee gave its opinion⁶ on the proposals for Directives on the lead content in petrol and on noxious emissions from motor vehicles.⁷

International cooperation

2.1.88. Commission representatives and an Austrian delegation held a further meeting in Brussels on 6 November in the series on cooperation on environmental issues started by the exchange of letters in 1978.⁸

They reviewed all the main environmental areas, notably air pollution, pollution by chemicals and, on an Austrian proposal, schemes to protect rivers and lakes.

Agriculture

Council

2.1.89. At its meeting on 12 and 13 November⁹ the Council again discussed in depth the reform of the common organization of the market in wine, but failed to reach an agreement.¹⁰

It also discussed the results to date of application of the superlevy on milk¹¹ and adopted a Regulation on income support for small dairy farmers during the 1984/85 and 1985/86 milk years.¹²

The Council also heard a statement by Mr Edgard Pisani on the immediate problems encountered in providing food aid for the famine victims in Africa, particularly in Ethiopia and the Sahel countries; he set out the Commission guidelines on how the CAP might help with food aid operations and described the links with development policy.¹³

Continuing its discussions on the revision of the Community's policy on agricultural structures, the Council noted that progress had been made on a number of points.

It also gave sympathetic consideration to the proposal for an amendment to the basic Regulation on oils and fats.

¹ Bull. EC 9-1984, point 2.1.65.

² OJ C 337, 17.12.1984.

³ OJ C 258, 27.9.1983; Bull. EC 9-1983, point 2.1.68.

⁴ Point 2.4.30.

⁵ OJ C 49, 21.2.1984; Bull. EC 12-1983, point 2.1.118.

⁶ Point 2.4.27.

⁷ OJ C 178, 6.7.1984; Bull. EC 5-1984, points 1.2.1 to 1.2.3.

⁸ Bull. EC 4-1978, point 2.1.57.

⁹ Point 2.4.17.

¹⁰ Point 2.1.92.

¹¹ Point 2.1.95.

¹² Point 2.1.100.

¹³ Point 1.2.1 *et seq.*

Lastly, the Council adopted the Regulation amending the general rules concerning the production refund for olive oil used in the manufacture of certain preserved foods and the Regulation determining the Community scale for grading pig carcasses.

Economic aspects of the common agricultural policy

Holdings and incomes

2.1.90. A survey of 34 000 farms keeping accounts has shown that the provisional income per annual work unit for 1982/83 was 8 800 ECU. As the comparable figure for 1981/82 was 7 500 ECU, the increase is 17%. Holdings in the smallest of the five economic size classes showed an average rise in income of 21%, while the increase for those in the largest class was well below average (10%).

Farmers growing cereals achieved particularly good results (+ 22%), as did wine-growers (+ 36%), specialized dairy farmers (+ 23%) and fodder growers (+ 29%). At the other end of the scale, fruit growers (+ 0%) and farmers engaged in growing field crops (+ 12%) and fattening cattle (+ 1%) experienced below-average rises in income.

The increase in incomes was lowest in the Netherlands (3%) and highest in Luxembourg (38%); in the other Member States the increase ranged from 4% in Ireland to 28% in Germany.¹

2.1.91. An update of existing information on farm incomes has been published in a booklet entitled *FADN—Farm accounts results*, covering the years 1978/79 to 1981/82.² The principal data and farm results represent some 3 000 000 holdings in the 10 Member States, subdivided by type of farming, economic size, utilized agricultural area and income bracket.

Market organizations

Adjustment of basic regulations

Wine

2.1.92. The reform of the market organization for wine was again the subject of intense debate at the various Council meetings. Ministers, however, were not yet able to find a consensus on the key problems, i.e. the introduction of a guarantee threshold accompanied by the automatic application of compulsory distillation and the phasing out of the use of sucrose for enriching table wines. The outstanding issues are to be put to the European Council meeting in Dublin on 3 and 4 December.

2.1.93. The Economic and Social Committee, meeting on 21 and 22 November, delivered a preliminary policy opinion³ on the Commission proposals for the reform of the wine market.⁴

Olive oil

2.1.94. The Commission laid down the rules for the application of the new production aid scheme for olive oil⁵ decided on by the Council in July.⁶ To ensure that a closer watch is kept on aid applications, the new scheme substantially alters the earlier arrangements, providing, among other things, for the setting up of special supervisory bodies, particularly in Italy and Greece, tighter checks and a system of specific sanctions.

Milk and milk products

2.1.95. At the Council meeting on 12 and 13 November Mr Poul Dalsager, Member of the Commission with special responsi-

¹ The results of this survey will be published in the 1984 *Report on the Agricultural Situation in the Community*.

² Available from the Publications Office in Luxembourg, Point 2.4.28.

³ OJ C 259, 27.9.1984; Bull. EC 9-1984, point 2.1.80; OJ C 278, 18.10.1984; Bull. EC 9-1984, point 2.1.82.

⁴ OJ L 258, 27.9.1984; OJ C 288, 1.11.1984.

⁵ OJ L 208, 3.7.1984; Bull. EC 7/8-1984, point 2.1.122.

bility for agriculture, reported on the progress made so far towards the target of reducing deliveries to dairies for 1984/85 by applying the new rules on milk and milk products, including the superlevy.¹ It was noted that, although some positive results had already been achieved, several Member States had been encountering major technical difficulties in implementing the system. Most of them were in favour of postponing the date of collecting the levy for the first time until after 31 December.

The Commission after looking into the situation again, finally decided on 30 November to extend the deadline for the first payment of the levy by 30 days, i.e. until 14 December.² On the other hand, it took the view that there was no reason for it to propose amendments to the new rules on milk and milk products, contrary to what some Member States were hoping. It also stated that it would initiate the infringement procedure in all cases of failure to apply the rules properly.

Cereals

2.1.96. The Commission proposed that the Council change the present arrangements for production refunds on starch and starch production³ by amending Regulations (EEC) Nos 2727/75 and 1418/76⁴ establishing the market organizations for cereals and rice and replacing the Regulations on starch production refunds.⁵ The policy pursued until now has been the granting of a flat-rate refund (amounting to about 10% of the value of the raw material) on the production of starch for whatever purpose. The Commission proposes that a distinction be made between the production of starch intended for uses protected under the Community agricultural rules (starch for food purposes) and the production of industrial starch, which does not enjoy any external protection, with the production refund being restricted to 'non-protected' starch.

Pigmeat

2.1.97. The Council, on 13 November, adopted the Regulation determining the

Community scale for grading pig carcasses.⁶ Its entry into force, scheduled for 1 January 1985, marks a new phase in the market organization. Based solely on the percentage of lean meat on carcasses, the new scale assures producers of a fair payment while at the same time making the market more transparent as regards trade in carcasses.

Market trends

Sugar

2.1.98. On the world market⁷ prices for white sugar and raw sugar are still low—partly because of large sugar surpluses (quantities over and above normal stocks), which are currently put at 13 million tonnes raw sugar equivalent. According to the first estimates available for 1984/85, world sugar production could reach 96.5 million tonnes raw sugar equivalent, while consumption is not expected to exceed production, so the surpluses are not likely to be reduced.

As regards the situation in the Community, the area planted with beet in 1984/85 is estimated at 1 722 000 hectares (3.1% more than last year).

Production of beet sugar in the Community, based on a yield per hectare of 6.94 tonnes, is currently estimated at 11.96 million tonnes, to which must be added 290 000 tonnes of cane sugar from the French overseas departments and 19 000 tonnes of sugar obtained from molasses; this brings total estimated production to 12.27 million tonnes of white sugar. Sugar consumption in the Community is unlikely to exceed the 1983/84 level and will thus be of the order

¹ Bull. EC 3-1984, point 1.2.4 *et seq.*

² OJ L 299, 17.11.1984; OJ L 307, 24.11.1984.

³ COM(84) 620 final.

⁴ OJ L 281, 1.11.1975; OJ L 166, 25.6.1976.

⁵ OJ C 341, 21.12.1984.

⁶ OJ L 301, 20.11.1984.

⁷ Bull. EC 4-1984, point 2.1.96; Bull. EC 5-1984, point 2.1.131.

of 9.4 million tonnes. Counting imports of preferential sugar, traditional external trade in sugar in the form of processed products and stocks carried over to 1984/85, total export availabilities—including C sugar—will, according to current estimates, be fairly close to the quantities actually exported in 1983/84.

Prices and specific measures

Milk and milk products

2.1.99. The measures for the disposal of butter stocks outside the Community decided on by the Commission in October¹ entered into force on 16 November. Previously, at a meeting of Australian and New Zealand representatives and a Commission delegation, the Commission side had stated that the Community hoped to tackle the specific problem of its large stocks rapidly; it did not intend to make any permanent change to its sales policy.

The GATT International Dairy Products Council, for its part, meeting again on 16 November, adopted a resolution in which it noted that the Community had given assurances that these measures would be repealed very shortly and urged the Community and all the participants in the International Dairy Arrangement to pursue a policy aimed at reducing stocks and thereby relieving pressure on the market, stressing that the exchange of detailed information and close cooperation between participants was more necessary than ever.

2.1.100. On 13 November the Council, acting on a proposal from the Commission,² amended the provisions concerning income support for small dairy farmers in 1984/85 and 1985/86,³ authorizing the Member States not to pay the aid to small producers not subject to the co-responsibility levy so as to take more account of the actual milk production figures and reserve the aid for farmers for whom milk production represented a vital source of

income. At the same time, the possibility of granting the aid to small producers who began milk deliveries after the start of 1983 was introduced.

2.1.101. The Council determined the 1985/86 guideline figure for the fat content which whole milk imported into Ireland and the United Kingdom from other Member States must have in order to be marketed in those two countries. The figure is 3.60% for Ireland and 3.90% for the United Kingdom.

2.1.102. On 29 November the Commission decided to reduce temporarily the level of the aid for liquid skimmed milk and skimmed-milk powder sold in liquid form for feed for animals other than calves.⁴ This measure reflects a certain tension on the market in fresh powder, tending to push up prices for milk powder for food aid supplies and calf feed.

2.1.103. On 30 November the Commission adopted a communication to the Council concerning the programme for the utilization of funds accruing from the milk co-responsibility levy for 1985/86;⁵ it concerns the allocation of the proceeds of the levy of 2% of the target price for 1985/86. An additional 1% is to be set aside to cover the cost of the supplementary reference quantity for the 1984/85 milk year. These funds will, therefore, be collected for a specific purpose in the course of the same year (see Table 4).⁶

¹ OJ L 279, 23.10.1984; Bull. EC 10-1984, point 2.1.99.

² Bull. EC 10-1984, point 2.1.100.

³ OJ L 298, 16.11.1984.

⁴ OJ L 312, 30.11.1984.

⁵ COM(84) 675 final.

⁶ The cost of this programme should be compared with the revenue available from the 1984/85 milk year, i.e. 545 million ECU.

Table 4 — Utilization of funds accruing from the co-responsibility levy

Measures	Allocations (million ECU)
Promotional measures within the Community	33.0
Assessment of promotion measures, especially for butter, in the Community	2.5
School milk	95.0
Butterfat for ice cream	35.0
Butterfat for pastry and bakery products	90.0
Concentrated butter	5.0
Promotion outside the Community	15.0
Improvement of milk quality	6.0
Skimmed-milk powder programme	242.0
Other measures	19.5
Total	545.0

Olive oil

2.1.104. In October the Council had fixed the representative market price and the threshold price for 1984/85 at 196.87 and 195.74 ECU per 100 kg respectively.¹ Based on these figures there is a consumption aid of 49.80 ECU per 100 kg, 2.49 ECU down on 1983/84 (52.29 ECU/100 kg). This cut is in line with the quotations for competing vegetable oils and the outlook for them on the Community market in 1984/85. The Council also decided that 4% of the aid should be retained for financing schemes to promote the consumption of olive oil.

Fruit and vegetables

2.1.105. The Commission adopted Regulations on 7 November fixing the reference prices for 1984/85 for cabbage lettuce, broad-leaved (Batavian) endives, artichokes, mandarins, including tangerines and satsumas, wilkings, other similar citrus hybrids and clementines.²

For the first three products this is the first time that a reference price has been set. In connection with the amendment of the *acquis communautaire* for fruit and vegetables, the Commission had informed the Council that it intended fixing reference prices for these products and apricots, in

order to alleviate the foreseeable difficulties of Community producers arising from the enlargement of the Community.

As for the reference prices for mandarins, other citrus hybrids and clementines, the adjustment results from the strict application of the amendment of the *acquis* which the Council adopted in October 1983.³

The Commission also adopted Regulations on 15 November fixing the reference price for sweet oranges for 1984/85 and the minimum price for selling blood oranges withdrawn from the market to processing industries and also a Regulation amending Regulation (EEC) No 2763/84 increasing for part of the 1984/85 marketing year the minimum size of apples allowed to be marketed.⁴

Structures

2.1.106. To facilitate discussions within the Council on the revision of the agricultural structures policy, the Commission

¹ OJ L 285, 30.10.1984.

² OJ L 291, 8.11.1984.

³ OJ L 325, 22.11.1983; Bull. EC 10-1983, point 1.1.1 *et seq.*

⁴ OJ L 298, 16.11.1984.

adopted proposals to the Council on 28 November concerning the future financing of the EAGGF Guidance Section and the foreseeable level of expenditure on structural policy over the next five years (1985 to 1989).¹

Forestry

2.1.107. The Commission proposed to the Council² that the 'common measure' for forestry in certain Mediterranean zones of the Community,³ which has proved very successful over the past five years but expires on 31 December, be extended until 31 December 1985 pending a favourable Council decision on the integrated Mediterranean programmes which should ensure that this scheme is continued from 1 January 1986.

Agricultural legislation

Veterinary and animal husbandry legislation

2.1.108. On 21 November the Economic and Social Committee delivered an opinion⁴ on the proposal made by the Commission in September concerning health problems affecting intra-Community trade in fresh meat.⁵

Plant health legislation

2.1.109. The Economic and Social Committee also gave its opinion⁴ on the Commission's June proposals to update and improve the plant health arrangements with a view to protecting the Community against the introduction or propagation of harmful organisms.⁶

Competition

2.1.110. Under Articles 92-94 of the EEC Treaty, the Commission decided to make no comment on the introduction of proposed schemes notified by:

Germany

Hessen: energy-saving measures;

Lower Saxony: development aid for exploitation of private woodlands.

Greece

Aids for farmers whose farms were damaged by bad weather between November 1982 and spring 1983;

Aid for tobacco, tomato, potato and cherry growers who suffered losses as a result of rain and diseases during spring and summer 1983;

Loans for young farmers as an incentive to buy land and houses.

2.1.111. Under the same review of new measures, the Commission decided to initiate the Article 93(2) procedure in respect of the following aids:

Greece

Aid for cherry growers;

National aids to cover the cost of transporting tobacco from the place of production to storage centres.

France

Aids granted by Onivins to table wine producers' groups;

Aids in the form of reduced-interest loans to pig farmers' solidarity funds.

Italy

Sicily: the measures complained of are contained in Regional Bills Nos 191 and 200 laying down measures to assist cooperatives, syndicates and groups of citrus fruit

¹ Point 2.1.115.

² OJ C 302, 13.11.1984; COM(84) 554.

³ OJ L 38, 14.2.1979.

⁴ Point 2.4.30.

⁵ OJ C 255, 22.9.1984; Bull. EC 9-1984, point 2.1.88.

⁶ OJ C 186, 13.7.1984; Bull. EC 6-1984, point 2.1.109.

growers and consist of aids granted in the form of subsidies and interest relief for the production, processing and marketing of citrus fruit;

Valle d'Aosta: bill laying down regional aid measures for agriculture; several of its provisions constitute infringements of the market regulations, others concern operating aids for processing and marketing, the rate of which could exceed the limits generally permitted; some measures will be reviewed by the Commission at a later date under Article 93(1).

Sicily: in Regional Act No 583-548 on assistance in respect of credit for industry, commerce, craft industries, fishing and cooperation, the following measures are complained of:

five-year loans (Section 33) for financing stocks and for purchasing equipment and buildings;

financing of leasing operations, to assist cooperatives and groups of cooperatives (Sections 35, 36 and 37);

working credits for production and service cooperatives working mainly with public and local bodies (Section 39).

The Commission is reserving its position on the following measures provided in Section 33: reduced-rate operating credits for a period of 12 months for the treatment, processing and sale of agricultural products.

2.1.112. With regard to the late notification by France of an aid for Languedoc-Roussillon wine-growers, the Commission decided to initiate the procedure laid down in Article 169 of the Treaty for failure to observe Article 93(3).

Under the first sentence of Article 93(3), the Commission recommended that Greece refrain from giving effect to an aid scheme for the production of potatoes in certain regions.

European Agricultural Guidance and Guarantee Fund

Guarantee Section

2.1.113. The Commission adopted a proposal for a Council Regulation on 26

November¹ amending the general rules for the financing of intervention by the EAGGF Guarantee Section.²

The proposal introduces a provision whereby, under certain conditions, the Community financing of the interest rates for funds tied up when intervention agencies buy products into intervention may be reduced from 1985 onwards.

2.1.114. The Commission also adopted a Regulation on 21 November fixing the prices to be used for calculating the value of agricultural products in intervention storage to be carried forward to 1985.³

Guidance Section

2.1.115. Since 1980 the EAGGF Guidance Section has been financed from a five-year allocation. The Commission had already noted that this system had become incompatible with the budget procedure,⁴ particularly following the agreement reached in June 1982 by the three institutions on measures to improve that procedure.⁵ Meanwhile, a wide-ranging debate on budgetary discipline on the one hand and better programming of all the structural Funds aimed at improving their efficiency on the other has continued.

The discussions on budgetary discipline have now been virtually concluded, and there are signs of agreements in the Council on the Commission proposals for revision of the Community's agricultural structures policy.⁶

In this connection, on 28 November the Commission adopted a proposal for a Regulation⁷ to be sent to the Council repealing the current provisions of Regulation (EEC)

¹ COM(84) 661.

² OJ L 216, 5.8.1978.

³ OJ L 303, 22.11.1984.

⁴ Preliminary draft 1984 budget: COM(83) 180 final, Vol. 7, p. A26.

⁵ OJ C 194, 28.7.1982.

⁶ OJ C 347, 22.12.1983; Bull. EC 9-1983, points 1.2.1 to 1.2.10.

⁷ COM(84) 682 final.

No 729/70¹ providing for a five-year allocation. However, it has also produced a series of estimates relating to EAGGF Guidance Section expenditure for the next five years (1985 to 1989) under the multiannual indicative programming system. The proposal is accompanied by another proposal for a Council Regulation amending Article 16 of Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed² by including an estimate of their cost for the same five-year period.

Fisheries

Resources

Internal aspects

Community measures

TACs and quotas for 1984

2.1.116. On 13 November the Council amended³ for the sixth time,⁴ on a proposal from the Commission,⁵ Council Regulation (EEC) No 320/84 fixing TACs and quotas for 1984,⁶ so as to increase the TACs and quotas for cod in the St Pierre and Miquelon zone and for common sole in the English Channel.

Prohibition measures

2.1.117. On the basis of information received from the national authorities concerning the exhaustion of certain quotas, the Commission banned:

- on 28 October vessels flying the flag of the United Kingdom from fishing for hake in Division IIa (EC zone) and IV,⁷ on 28 October from fishing for common sole in Division VIII f and g⁷ and on 15 November in Division Vb (EC zone) and VI,⁸ and on 19 November from fishing for saithe in

Divisions IIa (EC zone), IIIa, IIIb, c and d (EC zone) and IV;⁹

- on 12 November vessels flying the flag of Denmark from fishing for haddock in Divisions IIa (EC zone) and IV;¹⁰ and on 30 November from fishing for hake in Divisions IIIa, IIIb, c and d (EC zone) and for sprat in Divisions IIa (EC zone) and IV;¹¹
- on 26 November vessels flying the flag of Belgium from fishing for sole in Division VIII f and g;⁸
- on 24 November vessels flying the flag of the Netherlands from fishing for plaice in Division IIIa (Skagerrak);⁸
- on 28 November vessels from all Member States from fishing for saithe in Divisions IIa (EC zone), IIIa, IIIb, c and d (EC zone) and IV.¹²

2.1.118. The Commission decided to initiate the procedure provided in Article 169 of the EEC Treaty in respect of Member States which had exceeded their quotas for 1983 and 1984. It also planned to initiate the same procedure in respect of certain member countries which are not observing the control measures for fishing activities laid down in Council Regulation (EEC) No 2057/82 of 29 June 1982.¹³

National measures

Protection of local stocks

2.1.119. On the basis of Article 19 of Regulation (EEC) No 171/83 of 25 January 1983,¹⁴ the Commission approved the

¹ OJ L 94, 28.4.1970.

² OJ L 51, 23.2.1977.

³ OJ L 298, 16.11.1984.

⁴ Bull. EC 9-1984, point 2.1.98.

⁵ COM(84) 582 final.

⁶ OJ L 37, 8.2.1984.

⁷ OJ L 291, 8.11.1984.

⁸ OJ L 307, 24.11.1984.

⁹ OJ L 301, 20.11.1984.

¹⁰ OJ L 293, 10.11.1984.

¹¹ OJ L 313, 1.12.1984.

¹² OJ L 308, 27.11.1984.

¹³ OJ L 220, 29.7.1982.

¹⁴ OJ L 24, 27.11.1983.

national measures adopted before that date by the following Member State:

France

Four decrees made on 4 July 1953 laying down rules governing inshore sea fishing in the four Atlantic maritime regions within the 12-mile zone and six decrees and orders on fishing in French territorial waters or in part of those waters.

External aspects

Bilateral relations

Sweden

2.1.120. On completion of the consultations between the Community and Sweden which led to the definition of reciprocal fishing rights for 1985, the Commission sent two proposals for Regulations to the Council on 29 November¹—one allocating catch quotas between Member States for vessels fishing in Swedish waters and the other laying down fishing conditions in Community waters applicable to vessels flying the flag of Sweden.

Greenland

2.1.121. The Commission transmitted a proposal to the Council on 29 November for the allocation between Member States of the 1985 catch quotas of the Community in Greenland waters.² This proposal is based on the fishing agreement signed on 13 March between the Community, Denmark and the Local Government of Greenland,³ and represents one of the interim measures to be taken pending the ratification by all Member States of the Treaty providing for Greenland's withdrawal from the Community.

Canada

2.1.122. On 6 November the Council adopted a Regulation on the conclusion of an Arrangement between the Community

and the Government of Canada on the establishment of a scientific observation programme in the Regulatory Area of the NAFO Convention (Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries).⁴ The Arrangement has been in force provisionally since July.⁵

Multilateral relations

2.1.123. The Commission attended the annual meeting of the North-East Atlantic Fisheries Commission, which was held in London from 27 to 29 November.

2.1.124. The Commission represented the Community as an observer at the fourth extraordinary meeting of the International Commission for the Conservation of Atlantic Tunas in Las Palmas, Spain, from 7 to 13 November.⁶

Markets and structures

Market organization

The situation of the herring market

2.1.125. The Commission adopted for transmittal to the Council the second part of the report on the situation of the herring market in the Community,⁷ which supplements last May's report.⁸ It deals in particular with the evaluation of the available resources and the quality requirements of the processing industry.

Prices and specific measures

2.1.126. On 14 November the Commission amended⁹ Regulation (EEC) No

¹ COM(84) 674 final.

² COM(84) 638 final.

³ Bull. EC 2-1984, point 1.4.1 *et seq.*

⁴ OJ L 292, 9.11.1984.

⁵ Bull. EC 7/8-1984, point 2.1.155.

⁶ Bull. EC 7/8-1984, point 2.1.160.

⁷ COM(84) 629 final.

⁸ Bull. EC 5-1984, point 2.1.159.

⁹ OJ L 297, 15.11.1984.

3137/82 of 19 November 1982 laying down detailed rules for the granting of financial compensation in respect of certain fishery products.¹ The amending instrument simplifies the scheme for the application of the margin of tolerance by producers' organizations and harmonizes the procedure for issuing the documents required for sales by a producers' organization in a Member State other than that in which it has been recognized.

2.1.127. In November Parliament delivered its opinion² on a proposal to introduce a system of annual quotas for imports of salted and dried cod (amending the basic Regulation on fishery products).³

Structures

Implementation of structural directives

2.1.128. On 28 November the Commission approved⁴ draft measures to promote the temporary or permanent cessation of fishing by certain fishing vessels in Greece pursuant to Council Directive 83/515/EEC of 4 October 1983 concerning certain meas-

ures to adjust capacity in the fisheries sector.⁵

2.1.129. On 30 November the Commission approved⁴ a specific programme for fishery products presented by Greece under Council Regulation (EEC) N0 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed.⁶

2.1.130. Under Council Regulation (EEC) No 2908/83 of 4 October 1983 on a common measure for restructuring, modernizing and developing the fishing industry and for developing aquaculture,⁵ the Commission decided on 28 November to finance 172 projects for the construction of vessels, 188 for the modernization of vessels, 18 for aquaculture installations and 4 for artificial reefs. The total aid granted amounts to approximately 29 million ECU (Table 5).⁷

¹ OJ L 335, 29.12.1982.

² OJ C 337, 17.12.1984.

³ OJ C 267, 6.10.1984; Bull. EC 9-1984, point 2.1.106.

⁴ OJ L 322, 11.12.1984.

⁵ OJ L 290, 22.10.1983.

⁶ OJ L 51, 23.2.1977.

⁷ Bull. EC 6-1984, point 2.1.123.

Table 5 — *Decision to grant aid in the context of a common measure for restructuring, modernizing and developing the fishing industry and for developing aquaculture (Regulation (EEC) No 2908/83)*

	Projects submitted		Projects accepted		
	Number	Aid requested (million ECU)	Number	Aid in national currency	Aid in million ECU ¹
Belgium	12	3.1	8	80 252 525	1.778
Denmark	132	15.6	52	14 407 341	1.767
Germany	8	0.8	6	1 376 504	0.615
Greece	42	2.6	39	133 735 465	1.496
France	104	10.0	63	41 189 835	5.992
Ireland	12	0.7	11	326 259	0.450
Italy	269	54.3	133	16 001 752 841	11.563
Netherlands	11	0.9	11	2 343 066	0.927
United Kingdom	76	8.3	59	2 698 586	4.601
Total	666	96.3	382	—	29.189

¹ September 1984 conversion rate.

Competition

Federal Republic of Germany

2.1.131. The Commission took note of the German Government's intention to grant an aid of 5% for investment projects forming part of a multiannual programme for the development of aquaculture as provided for in Article 3 of Council Regulation (EEC) No 2908/83 of 4 October 1983 on a common measure for restructuring, modernizing and developing the fishing industry and for developing aquaculture.¹

2.1.132. The Commission decided to terminate the scrutiny procedure provided in Article 93(2) of the Treaty in respect of a German aid to encourage the redeployment of the fishing fleet towards new areas and towards species underused or unused up to now for human consumption.²

Transport

Council

2.1.133. The Council met on 8 November³ to consider how to give effect to the decisions of principle adopted on 10 May.⁴ In a significant step towards a common transport policy it gave political approval to all the measures decided on.

The Council reached agreement on weights and dimensions for commercial road vehicles. It confirmed its decision to adopt its first directive on this matter in December and undertook to settle all outstanding issues concerning drive axle standards for five- and six-axle vehicles by 31 December 1985.

The Council also took note of the interim reports from two high-level groups set up in May—one on inland transport, the other on air transport.⁴

Operation of the market

Rhine navigation

2.1.134. On 8 November the Council decided on joint action by the Member

States party to the Revised Convention for the Navigation of the Rhine with a view to the adoption by the Central Commission for the Navigation of the Rhine of a resolution concerning the conditions for issuing the certificate that a vessel belongs to the Rhine navigation fleet.⁵

International cooperation

2.1.135. On 16 November the Commission reported back to the Council⁶ on the talks on inland transport between Mr Contogeorgis and the Austrian authorities.⁷

Energy

Council

2.1.136. At a meeting of Energy Ministers on 13 November³ the Council adopted conclusions on Member States' energy policies,⁸ a resolution on their energy-saving programmes⁹ and a Decision concerning the granting in respect of 1984 of support to Community projects in the hydrocarbons sector.¹⁰ The Council discussed energy prices¹¹ and natural gas.¹² It was unable to adopt a proposal for a Regulation on Community financial support in favour of industries producing solid fuels,¹³ as the Member States' positions in this matter had not changed.

¹ OJ L 290, 22.10.1983.

² Bull. EC 6-1984, point 2.1.125.

³ Point 2.4.17.

⁴ Bull. EC 5-1984, point 2.1.161.

⁵ Bull. EC 1-1983, point 2.1.101.

⁶ COM(84) 643 final.

⁷ Bull. EC 10-1984, point 2.1.129.

⁸ Point 2.1.137.

⁹ Point 2.1.138.

¹⁰ Points 2.1.141 and 2.1.142.

¹¹ Point 2.1.139.

¹² Bull. EC 10-1984, point 2.1.131.

¹³ OJ C 232, 30.8.1983; Bull. EC 7/8-1983, point 2.1.188; OJ C 264, 3.10.1984; Bull. EC 9-1984, point 2.1.112.

Finally, there was an exchange of views on the energy implications of certain questions, notably lead in petrol.

Formulating and implementing a Community energy policy

Structural change in Member States' energy policies

2.1.137. The Council continued its discussions, in the light of the guidelines it had formulated at its previous meeting in May,¹ of Member States' energy policies and the progress made as regards the long-term energy objectives. At the close of these discussions, it adopted conclusions in which it 'reaffirmed the importance ... of appropriate and common long-term energy objectives as a framework for both national and Community action'.

The Council asked the Commission to suggest new objectives for the next 10 years which would reflect the results of the detailed review of Member States' energy policies and the study of options for energy supply and demand up to the year 2000. The Commission's proposals, however, would have to be sufficiently flexible to allow of adjustment to any changes in the energy market which might occur between now and the turn of the century.

2.1.138. The Council adopted a resolution setting out guidelines for a basic energy-saving programme recommended to all Member States² and noted that the Commission would shortly transmit a study on the energy-saving implications of Member States' current legislation and practice in the transport sector.

Energy pricing

2.1.139. The Council carried out an initial review of a Commission report on the application, in the Member States, of energy-pricing principles, especially in the gas and electricity industries.³

Specific problems

Solid fuels

2.1.140. On 21 November the Economic and Social Committee delivered its opinion⁴ on the amended proposal for a Regulation concerning financial support by the Community for industries producing solid fuels.⁵

Oil and natural gas

2.1.141. The Council examined a communication from the Commission on the programme of support for Community projects in the hydrocarbons sector.⁶

It adopted a Decision, in respect of 1984, on the granting of financial support (about 35 million ECU) to Community projects in this sector.⁷

2.1.142. On 26 November the Commission sent the Council a proposal for a Regulation on a programme of support for technological development in the hydrocarbons sector.⁸ Designed to replace the basic Regulation of 9 November 1973,⁹ this reflects 10 years' experience⁶ in applying the old Regulation, and accords with the Community's current strategy.

Nuclear energy

2.1.143. On 14 November the Commission amended the proposal it made in December 1982 on the revision of Chapter VI of Title Two of the Euratom Treaty.¹⁰

2.1.144. On 27 November the Commission transmitted to the Economic and

¹ Bull. EC 5-1984, point 2.1.175.

² Bull. EC 2-1984, point 2.1.153; Bull. EC 5-1984, point 2.1.176.

³ Bull. EC 9-1984, point 2.1.111.

⁴ Point 2.4.30.

⁵ OJ C 264, 3.10.1984; Bull. EC 9-1984, point 2.1.112.

⁶ Bull. EC 5-1984, point 2.1.179.

⁷ Bull. EC 7/8-1984, point 2.1.174.

⁸ OJ C 325, 6.12.1984; COM(84) 658 final.

⁹ OJ L 312, 13.11.1973.

¹⁰ Point 1.3.1 *et seq.*

Social Committee (for its opinion) and to the Council (for information) a communication on the Community's illustrative nuclear programme (PINC), in which it analysed the situation of the nuclear industry in the Community and forecast medium- and long-term trends.¹ As regards the next 10 years, the Commission is proposing the following objectives for the development of nuclear energy: by 1985, between 40 and 50% of total electricity should be generated from nuclear fuel, and in the longer term (beyond the year 2000) the proportion should be even higher—generated to an increasing extent in new, fast-reactor power stations, which use uranium's energy potential much more fully.

Energy saving and rational use

2.1.145. On 20 November the Commission sent the Council a communication on a European policy for the rational use of energy in the building sector,² in which it pointed out that the sector accounts for 38% of overall energy consumption and 50% of total potential energy savings. It sets out a number of guidelines for action, based on previous programmes already carried out: promoting the thermal auditing of buildings; technical improvements and regulations; optimum use of funds; and user information and behaviour.

Alternative energy sources and energy saving

Demonstration projects

2.1.146. On 14 November the Commission decided, pursuant to Council Regulation No 1971/83 of 11 July 1983³ and Regulation No 2125/84 of 23 July 1984⁴ on the granting of financial support for pilot industrial and demonstration projects relating to the liquefaction and gasification of solid fuels, to grant financial support totalling 20 293 413 ECU to three demonstration projects, three pilot industrial projects and three feasibility studies.

2.1.147. Under Council Regulation No 1972/83 of 11 July 1983⁵ and No 2126/84 of 26 July 1983⁴ on the granting of financial support for demonstration projects relating to the exploitation of alternative energy sources and to energy saving and the substitution of hydrocarbons, the Commission also decided in November to grant financial support to:

68 energy-saving projects (26 180 221 ECU);

39 solar energy projects (5 574 323 ECU);

36 wind power projects (8 587 057 ECU);

30 projects for the utilization of biomass and the energy use of waste (11 139 194 ECU);

26 hydroelectricity projects (5 090 985 ECU);

11 projects on the substitution of solid fuel for oil and gas (12 814 256 ECU); and

9 projects on combined heat and power (5 576 314 ECU).

Research and development

Council

2.1.148. At its meeting on 6 November the Council conducted a detailed examination of ways and means of ensuring a satisfactory development of the common research and development policy while taking account of the exceptional financial and budgetary constraints under which the Community is currently operating.

In line with the conclusions of the European Councils at Stuttgart⁶ and Fontainebleau,⁷ the Council confirmed that scientific and technical activities should be maintained as high priorities for the Community and that the goals and criteria set out in the frame-

¹ COM(84) 653.

² COM(84) 614 final.

³ OJ L 195, 19.7.1983; Bull. EC 7/8-1983, point 2.1.191.

⁴ OJ L 196, 26.7.1984; Bull. EC 7/8-1984, point 2.1.176.

⁵ OJ L 195, 19.7.1983; Bull. EC 7/8-1983, point 2.1.192.

⁶ Bull. EC 6-1983, point 1.5.4.

⁷ Bull. EC 6-1984, point 1.1.6.

work programme for 1984-87¹ should be used as the basis for programme decisions. The Council also reaffirmed its agreement to a gradual increase in expenditure for the Community's scientific and technical activities.

The Council was unable to reach a decision at this meeting, but was to do so on the following eight programmes at its next meeting—in December: radiation protection,² Brite (basic research into industrial technology),³ stimulation,⁴ biotechnology,⁵ non-nuclear energy,⁶ reactor safety,⁷ fusion⁸ and radioactive waste.⁹

Development of the common policy

International cooperation

2.1.149. In November the Commission asked the Council to conclude two agreements—the first between the Community and the Kingdom of Sweden on three concerted-action projects in the field of hearing impairment, thrombosis and diabetes, and nutrition,¹⁰ carried out as part of the R&D programme in the field of medical and public health research (1982-86);¹¹ the second between the Community and the Swiss Confederation on R&D in the field of wood as a renewable raw material.¹²

In November the Commission also asked the Council for authorization to open negotiations on behalf of the European Economic Community and Euratom for framework agreements on scientific and technical cooperation with Sweden and Switzerland.¹³

Scientific and technical objectives

Improving the management of raw materials

2.1.150. New organic reagents enabling oxidized and complex lead and zinc ores to be concentrated and enriched by flotation

were recently developed under the R&D subprogramme on metals and mineral substances.¹⁴ Ores of this type do not lend themselves to conventional flotation methods. An application for a patent has been lodged.

Improving the management of energy resources

Development of a flue-gas desulphurization process and construction of a pilot desulphurization plant

2.1.151. A flue-gas desulphurization process has been developed by the JRC Ispra Establishment as part of the hydrogen research programme.

The MARK 13 A process is a new way of desulphurizing flue gases without producing residual water. It produces sulphuric and hydrobromic acid—chemical products which can be marketed and reused.

The process is based on the principle of bringing the flue gases into contact with an aqueous solution containing a small quantity of bromide. This substance reacts with the sulphur dioxide and water to form sulphuric and hydrobromic acid, which, once formed, remain in solution. The hydrobromic acid is then reconverted into bromine by electrolysis, and hydrogen is formed as a secondary by-product.

Part of the acid mixture comes into contact with a contraflow of hot gases to be desul-

¹ OJ C 208, 4.8.1983; Bull. EC 6-1983, point 2.1.248.

² OJ C 179, 6.7.1983; Bull. EC 6-1983, point 2.1.279.

³ OJ C 230, 27.8.1983; Bull. EC 6-1983, point 2.1.271.

⁴ OJ C 142, 29.5.1984; Bull. EC 4-1984, point 2.1.132.

⁵ OJ C 182, 9.7.1984; Bull. EC 4-1984, point 2.1.25.

⁶ OJ C 218, 13.8.1983; Bull. EC 6-1983, point 2.1.262.

⁷ OJ C 250, 19.9.1983; Bull. EC 6-1984, point 2.1.264.

⁸ OJ C 198, 27.7.1984; Bull. EC 5-1984, points 2.1.194 to 2.1.196.

⁹ OJ C 166, 26.6.1984; Bull. EC 4-1984, point 2.1.129.

¹⁰ COM(84) 607 final.

¹¹ OJ L 248, 24.8.1982.

¹² COM(84) 615 final.

¹³ COM(84) 656 final; COM(84) 657 final.

¹⁴ OJ L 174, 21.6.1982.

phurized. The water and hydrobromic acid are then evaporated, thus producing concentrated sulphuric acid. This means that all the reaction products (bromine and water) are generated by the process itself and that there are no solids needing to be removed.

The main advantage of the process, then, is that it is not hampered by the difficulties inherent in a large number of competing processes, which require the transport and storage of large quantities of solid matter such as limestone and gypsum. Highly concentrated, but almost pure, sulphuric acid, and not gypsum, is the by-product of the Ispra process. More than 90% of the sulphur dioxide is likely to be removed.

As things now stand, the MARK 13 A process, which can already match its major competitors, and is perhaps even cheaper, is still undergoing further development.

The Commission has published in the Official Journal a call for proposals for the construction and operation of a pilot plant for flue-gas desulphurization based on the Community's MARK 13 A process.¹

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2.1.152. The Economic and Social Committee gave its opinion in November² on two proposals for Council Decisions—one adopting a research and training programme (1985-89) in the field of controlled thermonuclear fusion, the other relating to a tritium-handling laboratory.³ It also endorsed the proposal for a Council Decision concerning an R&D programme for the optimization of the production and utilization of hydrocarbons (1984-87).⁴

Improving living and working conditions

Environment

2.1.153. It was possible to examine all of the results so far obtained from the subprogramme on climatological research falling within the R&D programme in the field of environmental protection and climatology

(1981-85)⁵ at a symposium recently held at Sophia-Antipolis, France. The results were examined from two points of view: a study of changes in the world's climate and the modelling of this for forecasting purposes, and the promoting of European research in this area and the encouragement of cooperation and communication between European research workers.

Noteworthy scientific results have been published, especially as regards climatic changes which could be caused by the heating up of the atmosphere ('greenhouse effect') due to the accumulation of carbon dioxide arising from the combustion of fossil fuels. This is an important matter in that basic resources such as water and food also depend upon climate. The forecast disturbances could affect not only temperatures but also the hydrological cycle, and this could make certain regions such as southern Europe, which already have problems in this area, both warmer and drier.

Health and safety

2.1.154. There is an urgent need to assess the risk of exposure by man to radionuclides, but this is not possible purely by means of animal experiments. Patients to whom thorotrast (thorium dioxide) has been administered as a tracer in the radiography of the vascular system are one of the four populations that have been exposed to substantial doses of radionuclides. It is estimated that before the harmfulness of thorotrast was recognized, between 10 000 and 20 000 patients were exposed to this product between 1930 and 1950 in Germany alone. Equivalent numbers of patients were treated in other countries.

The Commission participated in a study of the epidemiology of these patients which began in Germany in 1967 and continued

¹ OJ C 317, 28.11.1984; OJ S 231, 30.11.1984.

² Point 2.4.30.

³ OJ C 198; 27.7.1984; Bull. EC 5-1984, points 2.1.194 to 2.1.196.

⁴ OJ C 154, 14.6.1984; Bull. EC 5-1984, point 2.1.197.

⁵ OJ L 101, 11.4.1981.

as part of the radiation protection research programme.

The results obtained so far have been summarized in a report recently published by the Commission (EUR 9504 E). More specifically, it has been possible to compare the data acquired in Germany with those obtained from similar studies carried out in Denmark, Japan and the United States. All of the data received clearly show a greatly increased risk of liver cancer and of myeloproliferative disorders (different types of leukaemia).

Cirrhosis of the liver and bone marrow failure were also noted. Naturally, there are differences between the disease spectra studied in the various countries, which reflect the influence of other factors such as diet.

The data acquired so far constitute an important basis for any evaluation of the

hazards due to radionuclides, and especially those relating to the liver.

Improving the efficacy of the Community's scientific and technical potential

2.1.155. On 23 November the Commission amended,¹ to take account of Parliament's opinion,² its proposal for a Council Decision adopting a Community plan to stimulate European cooperation and scientific and technical interchange (1985-88).³ Parliament is to be informed of the results of the review of the plan that the Commission is to undertake during its second year.

¹ OJ C 324, 5.12.1984.

² OJ C 315, 26.11.1984.

³ OJ C 142, 29.5.1984; Bull. EC 4-1984, point 2.1.132.

2. Enlargement and external relations

Enlargement and bilateral relations with applicant countries

2.2.1. On 12 and 13 and on 26 to 28 November the Council discussed what the Community's stance was to be in the final phase of the negotiations with Spain and Portugal on a number of major items¹ (agriculture,² fisheries, industrial tariff dismantling).

From these meetings the President of the Council concluded that there were a number of problems with a political aspect still outstanding, especially reform of the common organization of the market in wine, on which agreement on the other dossiers

depended. The Council referred the wine problems to the forthcoming Dublin meeting of the European Council.

The Council informed the Spanish and Portuguese Foreign Ministers of the progress made and the arrangements agreed upon for continuing negotiations after the European Council meeting.

Portugal

Accession negotiations

2.2.2. The Community transmitted to Portugal a statement on processed agricultural products.

¹ Point 2.4.17.

² Point 2.1.92.

Portugal presented its reply to this statement and two further statements on sugar and vegetable oils.

Pre-accession aids

2.2.3. Parliament gave a favourable opinion¹ on 16 November on specific financial aid for improving agricultural and fishery structures in Portugal,² but regretted that only 500 000 ECU was earmarked for the fisheries sector.

Parliament also adopted a resolution on the fisheries sector in Portugal.³

Bilateral relations

2.2.4. On 26 November the Council authorized the Commission to negotiate two protocols concerning trade and imports of motor vehicles.

Spain

Accession negotiations

2.2.5. At its meeting on 19 and 20 November in Brussels, the European Parliament—Spanish Cortes Joint Committee had a long discussion with Mr Marín, Spain's State Secretary for relations with the Community, and Mr Natali, Commission Vice-President.

The Committee, which expressed its concern over the extent of the many problems still outstanding, also examined the institutional aspect of accession, especially Spanish participation in the European Parliament.

Commercial policy

Contribution to the reversal of protectionist trends

2.2.6. On 8 November the Council took a formal decision to speed up the Tokyo

Round tariff reductions, as agreed at its 22 and 23 October meeting.⁴

Implementing the common commercial policy

Commercial policy instruments

Import arrangements in respect of State-trading countries

2.2.7. On 16 November the Commission transmitted to the Council, as it has to each year, a proposal for a Decision establishing the import quotas to be opened for the coming year by the Member States in respect of State-trading countries⁵ in accordance with the Council Regulation of 14 November 1983.⁶

Easing of restrictive measures

2.2.8. Under the Council Regulation of 14 November 1983 on import arrangements for products originating in State-trading countries and not liberalized at Community level,⁶ the Commission took the following measures:

- opening of quotas:

Italy-Poland: unwrought aluminium, not alloyed, containing 99.99% aluminium;⁷

France-German Democratic Republic: porcelain or china household articles;⁸

Italy-People's Republic of China: ladies' hand-embroidered silk, woven night-dresses;⁹

Italy-Hungary: trinitrotoluene (TNT);¹⁰

- adjustment of quotas:

¹ OJ C 337, 17.12.1984.

² OJ C 171, 30.6.1984; Bull. EC 6-1984, point 2.2.5.

³ Point 2.4.15; OJ C 337, 17.12.1984.

⁴ Bull. EC 10-1984, point 2.2.5.

⁵ COM(84) 645 final.

⁶ OJ L 346, 8.12.1983.

⁷ OJ C 309, 20.11.1984.

⁸ OJ C 313, 24.11.1984.

⁹ OJ C 316, 27.11.1984.

¹⁰ OJ C 318, 29.11.1984.

*France-German Democratic Republic: textile products.*¹

Trade protection

2.2.9. The trade protection measures taken in November are shown in Table 6.

Treaties and trade agreements: extension or automatic renewal

2.2.10. On 22 November the Council authorized the extension or automatic renewal of certain trade agreements between Member States and other countries for which the date of expiry or the date for giving notice falls between 1 January and 1 April 1985 (fourth batch for 1984).²

2.2.11. On 14 November the Commission sent the Council a proposal for a Decision authorizing the automatic renewal or maintenance in force of certain friendship, trade and navigation treaties and similar agreements concluded between Member States and non-member countries.³

Export credits

2.2.12. On 27 November the Council adopted a Directive concerning the reciprocal obligations of export credit insurance organizations of the Member States acting on behalf of the State or with its support, or of public departments acting in place of such organizations, in the case of joint guarantees for a contract involving one or more subcontracts in one or more Member States.⁴

2.2.13. With a view to the opening of negotiations at the beginning of December for an agreement on aircraft with the other participants in the Arrangement on Guidelines for Officially Supported Export Credits,⁵ the Council reached agreement in principle, on 12 November, on the Community's position as regards large aircraft.

¹ OJ C 313, 24.11.1984.

² OJ L 308, 27.11.1984.

³ COM(84) 610 final.

⁴ OJ L 314, 4.12.1984.

⁵ Bull. EC 10-1983, point 2.2.10.

Table 6 — *Trade protection measures*

Council	Commission
<i>Anti-dumping proceedings</i>	<i>Anti-dumping proceedings</i>
<i>Definitive anti-dumping duty</i> on imports of: <ul style="list-style-type: none"> dense sodium carbonate originating in the United States of America OJ L 311, 29.11.1984 (provisional duty: OJ L 206, 2.8.1984)	<i>Notice of initiation</i> of proceeding concerning imports of: <ul style="list-style-type: none"> standard wood board originating in Bulgaria, Czechoslovakia, Poland, Romania, Spain, USSR or Yugoslavia OJ C 305, 16.11.1984
<i>Amendment of definitive anti-dumping duty</i> on imports of: <ul style="list-style-type: none"> certain ball bearings originating in Japan and exported by NTN Toyo Bearing Co. Ltd OJ L 307, 24.11.1984 (definitive duty: OJ L 193, 21.7.1984)	<i>Surveillance measures</i> <i>Extension of Community surveillance</i> of imports of: <ul style="list-style-type: none"> certain textile products originating in Argentina OJ L 305, 23.11.1984 (introduction of surveillance: OJ L 376, 31.12.1982; OJ L 187, 12.7.1983; OJ L 351, 14.12.1983)

Sectoral commercial policy measures

Iron and steel products

Steel: external measures

1985 arrangements

2.2.14. In accordance with the negotiating guidelines given it by the Council,¹ the Commission opened negotiations with 14 countries² with a view to the arrangements for 1984 being extended for 1985. The Commission proposed to the other countries that the terms of the new arrangements should be substantially the same as those of the current ones. However, should they include reference quantities, the figure for 1985 should be slightly higher than that for 1984, in order to allow for the slight increase in apparent consumption in the Community in 1984. Initial negotiating meetings took place with all the other countries involved. With three of them (Australia, South Korea and Poland) agreement has already been reached.

Steel Arrangement with the United States

2.2.15. On 22 November the Council decided to terminate the 1982 exchange of letters with the United States concerning Community exports of steel tubes.³

Textile products

Agreements and arrangements with non-member countries

MFA countries

2.2.16. Consultations with Hong Kong which took place in Brussels on 14 November resulted in agreement on the introduction of a new, regional quantitative limit on exports of corsetry to the United Kingdom.

Mediterranean preferential countries

2.2.17. Management problems relating to the arrangement with Spain were discussed in Madrid on 7 and 8 November, the Commission briefed the Spanish authorities in detail on the textile arrangements to be applied by Spain after accession.

2.2.18. Consultations were also held with Turkey on 27 November to examine certain problems arising from the management of the agreement on cotton yarn.

Relations with industrialized countries

United States

2.2.19. When the voluntary restraint arrangement concerning Community exports of tonnage steels to the United States was made in October 1982,⁴ steel pipes and tubes were excluded. They were covered by a separate exchange of letters, which stated that consultations could be requested if United States imports from the Community exceeded 5.9% of consumption.

As the Community's share of the US market substantially exceeded this figure, especially in 1984, the requisite consultations took place, between Mr Haferkamp and Mr Davignon for the Commission, and Mr William Brock, Representative for Trade Negotiations, and Mr Malcolm Baldrige, Secretary of Commerce, for the United States. A compromise was reached along the following lines: the market share would be 7.6% (instead of 5.9%); there would be a subceiling for oil country tubular goods; the 7.6% limit would not apply to exports

¹ Bull. EC 10-1984, point 2.2.10.

² Austria, Finland, Norway, Sweden, Australia, Brazil, South Africa, South Korea, Spain, Bulgaria, Czechoslovakia, Hungary, Poland, Romania.

³ Point 2.2.19.

⁴ OJ L 307, 1.11.1982; Bull. EC 10-1982, point 1.3.1 *et seq.*

under contracts already signed as part of a major project or to exports by Community manufacturers to their US subsidiaries; the United States would also accept additional Community exports where a situation of short supply was deemed to exist.

The compromise would apply for two years from 1 December 1984.

On 27 November, however, the United States Government rejected this compromise, which the Council had mandated the Commission to negotiate on 22 November. Under the powers it has to restrict steel imports under the Trade and Tariff Act,¹ it placed a complete embargo on imports of Community steel pipes and tubes until 31 December 1984 and imposed for 1985 a limit of 5.9% of United States consumption.

Meeting on 26 to 28 November,² the Council expressed its deep regret at the United States Government's attitude, and decided to terminate unilaterally the exchange of letters of 21 October 1982 on steel pipes and tubes.³ It instructed Mr Davignon to take the necessary action.

On 28 November Mr Davignon stated that the Community would be exercising its full rights under the GATT.

Canada

2.2.20. On 27 November the first Community/Canada Business Cooperation Conference took place in Toronto. The Conference was organized by the Commission in the context of the 1976 EEC-Canada Framework Agreement for commercial and economic cooperation⁴ in order to inform businessmen of the opportunities for, benefits of and techniques used in mutually profitable business cooperation. Over a dozen senior business executives from Europe and Canada presented their insights and experience in the areas of investments, joint ventures, technology and know-how transfers, marketing and sales, physical distribution and financing between European and Canadian companies. Mr Ivor Richard attended the Conference.

2.2.21. On 29 and 30 November the 23rd round of Community/Canada high-level consultations took place in Ottawa. The discussions covered economic, energy and trade policy issues. The Canadian side described the ongoing policy reviews which the new Government is engaged in. Regarding bilateral issues, the Canadians expressed particular concern about increasing imports of Irish beef into Canada and about the Commission decision not to propose a further derogation for imports of Canadian seed potatoes into Italy. The Commission delegation reiterated its concern regarding the provisions in the new Canadian import legislation on anti-dumping procedures for irrevocable tenders and on the acceptance of undertakings. Two other areas in which the Commission delegation urged Canada to remove obstacles to trade were alcoholic beverages and footwear.

2.2.22. Consultations under Article XIX of the General Agreement took place on 28 November regarding the extension of Canadian import restrictions for footwear beyond 1 December 1984. The Commission side insisted on full compensation by Canada for the trade loss suffered by the Community as a result of these restrictions.

2.2.23. The fourth round of negotiations with the Canadian Government concerning the Euratom-Canada Agreement⁴ took place in Brussels on 19 and 20 November.

The two delegations reached agreement on the text of an exchange of letters to amend and supplement certain clauses of the Agreement, which will be signed when both parties' internal approval procedures have been completed.

European Free Trade Association

2.2.24. At the invitation of Swiss Federal Councillor Dr Kurt Furgler, President of the EFTA Council, Mr Thorn and Mr Hafer-

¹ Bull. EC 10-1984, point 2.2.17.

² Point 2.4.17.

³ OJ L 307, 1.11.1982.

⁴ Bull. EC 3-1984, point 2.2.23.

kamp met the EFTA Ministers at their half-yearly Council meeting in Geneva on 5 and 6 November.

Both sides summed up efforts made so far to implement the Joint Declaration made in Luxembourg,¹ and each stressed the importance of new initiatives towards closer cooperation.

In the initial phase both sides agreed to give priority to these topics: technical barriers to trade; simplification of administrative formalities and procedures at borders; simplification of the origin rules.

Regarding the removal of technical trade barriers, the Community and EFTA agreed to draw up common standards in every possible sphere within the European Committee on Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC).

As for simplifying border formalities, discussions are in progress on easing transit and examining ways of cutting down administrative procedures. The question of future cooperation on research and development was also tackled.

Joint Committees

2.2.25. The EEC-Norway, EEC-Finland and EEC-Iceland Joint Committees met on 27 and 28 November. Apart from some specific problems on all sides, there was general agreement that the free trade agreements had met the objectives of cooperation better than expected, and all parties again expressed satisfaction at the new impetus given to inter-European cooperation at the Luxembourg meeting in April.¹

Switzerland and Sweden

2.2.26. In November, following exploratory talks which enabled areas to be identified in which mutually beneficial scientific and technical cooperation would be possible, the Commission asked the Council to give it a mandate to negotiate two framework agreements with Switzerland and Sweden.

Relations with other countries and regions

Countries of the Gulf and the Arabian Peninsula

2.2.27. On 7 and 8 November a first informal contact between representatives of the Commission and of the Gulf Cooperation Council took place in Bahrain to explore the possibility of opening negotiations for a cooperation agreement.

Asia

Association of South East Asian Nations

2.2.28. The Asean and Community Foreign Ministers held their fifth meeting in Dublin on 15 and 16 November, reaffirming the broad consensus between them on current political issues, particularly the situation in Kampuchea and Afghanistan.

Ministers agreed to discuss guidelines for future cooperation at a ministerial meeting on economic questions to be held when the first five-year period of the Agreement expires. They also agreed to look into ways of strengthening financial cooperation on the basis of a study which would take account of the experience of the European Investment Bank in non-Community countries.

Finally, they stressed the important role of science and technology, investment and training in the cooperation context.

2.2.29. In the course of the meeting, a protocol² was signed extending the EEC-Asean Cooperation Agreement³ to Brunei Darussalam.³

¹ Bull. EC 4-1984, point 1.2.1 *et seq.*

² OJ C 304, 15.11.1984; COM(84) 601 final.

³ OJ L 144, 10.6.1980.

India

2.2.30. A conference on technology transfer and investment took place in Berlin on 26 and 27 November under the ongoing programme of industrial cooperation between the Community and India and the 1981 Commercial and Economic Cooperation Agreement.¹ The participants included industrialists, research workers, representatives of financial institutions and officials from both the Community and India. The discussions provided an opportunity to formulate further cooperation activities with India, especially with a view to assisting small businesses.

Latin America

Venezuela, Colombia and Peru

2.2.31. Mr Thorn paid an official visit to Venezuela, Colombia and Peru from 28 October to 4 November. He was received by the respective Heads of State, Mr Jaime Lusinchi, Mr Belisario Betancur and Mr Fernando Belaunde and by members of their governments.

This was the first official visit by a President of the Commission to Latin America. The object was to demonstrate the importance which the Commission and the Community attach to their relations with Latin America and to establishing a closer relationship between the two regions.² It also provided an opportunity to discuss bilateral issues and a number of regional questions, in particular the Community's relations with Central America³ and with the Andean Group.⁴ Certain more specific subjects were discussed too, among which the general problem of Latin America's debt and the Community's support for the Contadora process.³

The opportunity was taken to remind the Andean Group countries of the benefits which they stand to gain in ratifying without delay the Framework Agreement concluded with the Community in December 1983.⁴ The Community itself ratified the

Agreement in June⁵ and in this context has already arranged for preliminary practical steps (seminars on investment and agrifood production).

State-trading countries

Romania

2.2.32. The Joint Committee set up under the EEC-Romania Agreement of 1985,⁶ whose task it is to administer the bilateral agreements (trade in textile products, trade in industrial products, Arrangement on Romanian exports of iron and steel products), met for the fourth time on 8 and 9 November, in Bucharest.

The delegations were led by Mr Haferkamp for the Community and Mr Vasile Pungan, Romania's Minister of Foreign Trade.

The Joint Committee adopted several recommendations designed to stimulate trade. The Commission will recommend to the Council that a number of quotas be increased and certain import restrictions lifted. The Romanian side will request its authorities to show flexibility in respect of compensation and ensure that imports from the Community do not lag behind those from other members of GATT.

The Commission indicated its concern at the growing imbalance in trade between the EEC and Romania, to the Community's disadvantage (Romanian imports have declined sharply over the last three years and amounted to less than a third of its exports in the first quarter of 1984). The Commission insisted that a consolidation of bilateral relations would depend largely on a recovery of Community exports to Romania.

¹ OJ L 328, 16.11.1981.

² Bull. EC 4-1984, point 1.3.1 *et seq.*

³ Bull. EC 9-1984, point 1.3.1 *et seq.*

⁴ Bull. EC 10-1983, point 2.2.38; Bull. EC 12-1983, point 2.2.45.

⁵ Bull. EC 6-1984, point 2.2.36.

⁶ OJ L 352, 29.12.1980.

Development

Council

2.2.33. The Council meeting on 6 November¹ focused on the famine in Africa and measures to combat the exceptional drought in the Sahel.² The Council reviewed the results of the food strategies which four African countries have adopted,³ took note of a Commission study on the nutritional value (cost-effectiveness) of the various products supplied by the Community as food aid, and discussed the communication received from the Commission in October on the environment and development.⁴ It also confirmed the general guidelines put forward by the Commission for financial and technical aid in 1985 to non-associated developing countries, pending the opinion to be delivered by Parliament. The meeting also heard a statement by Mr Pisani on the innovative features of the future Lomé Convention, as regards development.

The environment and development

2.2.34. On 6 November the Council and the Representatives of the Governments of the Member States took note of the communication on the environmental dimension of the Community's development policy sent by the Commission in October.⁵ It then adopted a resolution emphasizing the need to support the new provisions on the matter in Lomé III and provide a broader foundation for campaigns on specific themes which are aimed at protecting the environment and its resources.

Negotiations for a new ACP-EEC Convention

2.2.35. After a meeting on 22 November the Presidents of the ACP and EEC Councils and Mr Pisani made an official statement to the effect that the negotiations for the new ACP-EEC Convention had been concluded and that it would be signed in Lomé on 8 December.⁶

Generalized tariff preferences

Scheme for 1985

2.2.36. Acting on the proposals made by the Commission in July,⁷ which Parliament⁸ and the Economic and Social Committee had meanwhile endorsed,⁹ the Council gave its agreement in principle to the various regulations and decisions governing the generalized tariff preferences to be applied by the Community in 1985.

Formal adoption by the Council will not take place until Parliament and the Economic and Social Committee have given their opinion on the Commission's proposal of 9 November that Greenland be included among the beneficiaries of the GSP, as a result of its withdrawal from the Community and its new status as a Danish dependent territory.¹⁰

After the discussion in the Council, the Commission said it regretted that it had not been possible to make improvements to the preferences for China and Central America, and hoped that for 1986 the Council would draw the proper concrete conclusions from its policy declarations.

Commodities and world agreements

Cocoa

2.2.37. The second meeting of the UN conference to negotiate a fourth International Cocoa Agreement was held in

¹ Point 2.4.17.

² Point 1.2.1 *et seq.*

³ Point 2.2.42.

⁴ Point 2.2.34.

⁵ Bull. EC 10-1984, point 2.2.33.

⁶ Point 1.1.1 *et seq.*

⁷ OJ C 294, 5.11.1984; Bull. EC 7/8-1984, points 2.2.38 to 2.2.41.

⁸ OJ C 337, 17.12.1984.

⁹ COM(84) 630 final.

¹⁰ Bull. EC 10-1984, point 2.2.45.

Geneva from 8 October to 2 November.¹ It was attended by representatives of 32 producer countries and 36 consumer countries; substantial progress was made in clarifying the participants' positions.

The consumers' group was unanimously behind the proposal made by the Community (which accounts for more than 35% of the world's consumption and holds 60% of the consumers' votes in the present Agreement, in which the United States does not participate) to introduce into the new agreement a stabilization mechanism consisting mainly of a buffer stock supplemented by other measures based on withdrawals from the market. In the opinion of the consumer countries, prices should be stabilized around a reference level reflecting long-term market trends; this was put at USD 1/lb.

The producer countries' side (which includes Ivory Coast, the world's largest producer and not a party to the present Agreement, though taking an active part in the negotiations), while willing to accept the principle of supplementary market withdrawal machinery, was still not prepared to drop its original proposal for export quotas. The producers also suggested a price bracket ranging from USD 1.1 to 1.6/lb, i.e. an average of USD 1.35/lb, as the one to be aimed at.

Jute and jute products

2.2.38. The 1982 International Agreement on Jute and Jute Products, which came into force provisionally in January 1984,² is due to enter into force definitively in the near future. The Commission accordingly proposed to the Council on 19 November that the Community and its Member States conclude and ratify the Agreement.³

2.2.39. FAO's Intergovernmental Group on Jute, Kenaf and Allied Fibres held its 20th meeting in Rome from 12 to 15 November. Representatives of the Commission and several of the Member States attended. The Group examined the situation of the jute market, where there is

an acute shortage of the raw material, the difficulties resulting from this and the immediate and medium-term outlook. The Community's spokesman gave his views, as did those of the jute-producing countries; the latter also wanted the problems of long-term supply to be examined by the Group.

Progress in setting up the new International Jute Organization and its repercussions on the Group's future activities were also discussed.

Natural rubber

2.2.40. The International Natural Rubber Council held one of its regular meetings from 12 to 16 November in Kuala Lumpur. As the 1979 International Natural Rubber Agreement is due to expire on 22 October 1985, a preparatory discussion on its renegotiation was held on the occasion of this meeting, so that the Council was able to take a number of decisions on the structure, duration and timetable of the conference (probably 22 April to 10 May 1985).

In order to ensure continuity in international cooperation on natural rubber, the Council agreed to extend the 1979 Agreement at its next session.

Campaign against hunger⁴

Special programme to combat hunger in the world

2.2.41. On 30 November the Commission presented to the Council an interim report on the execution of the special programme to combat hunger in the world up to 31 July 1984.⁵ This programme was approved in July 1983,⁶ and a 50 million ECU appro-

¹ Bull. EC 5-1984, point 2.2.46; Bull. EC 7/8-1984, points 2.2.43 and 2.2.44.

² Bull. EC 1-1984, point 2.2.30.

³ COM(84) 618 final.

⁴ See also point 1.2.1 *et seq.*

⁵ COM(84) 660 final.

⁶ OJ L 196, 20.7.1983; Bull. EC 7/8-1983, point 2.2.65; Bull. EC 12-1983, point 2.2.49.

priation was entered in the 1983 budget (Article 958) to cover it.

The first part of the report described the measures taken by the Commission and the recipient States: 19 operations, representing a commitment of more than 49 million ECU, were funded.

These resources were allocated to two types of operation: measures to increase the level of self-reliance in food (61%) and measures to protect natural resources (39%).

The funds were distributed geographically as follows: ACP States (chiefly for food strategies) 70%; other developing countries (principally Haiti, Nepal and Bangladesh) 30%. Some 80% of the appropriations committed went to countries in the least-developed category.

In the second part of the report, the Commission set out the general approach envisaged for using appropriations under Article 958 of the 1984 budget. The Commission's proposals, in general, aim at continuity with operations launched in 1983, with a larger share of the appropriations being allocated to developing countries in Latin America and Asia and to operations in eastern and southern Africa.

Support for food strategies

2.2.42. On 6 November the Council held a thorough discussion of experience so far in the support given by the Community, with the collaboration of the Member States and other donors, to the food strategies being implemented by four African countries (Kenya, Mali, Rwanda and Zambia), aimed at developing their self-sufficiency and food security.¹ The results were judged generally encouraging, and the Council concluded by agreeing that such strategies should be pursued in the next Lomé Convention and that the approach should, as far as possible, become generalized.

Food aid

Emergency operations²

2.2.43. In November the Commission decided on the following emergency food aid operations, from the 1984 budget appropriation:

Kenya	5 000 t of cereals
Kenya (via WFP)	2 158 t of cereals
Sudan	10 000 t of cereals
Sudan (via NGOs)	500 t of cereals 60 t of milk powder 60 t of dried fish
Kampuchea (via NGOs)	1 200 t of cereals
Tanzania (via Licross)	600 t of cereals 150 t of vegetable oil 150 t of beans
Lebanon (via UNRWA)	250 t of skimmed-milk powder 100 t of butteroil
Burundi	730 t of cereals 400 t of beans 100 t of vegetable oil
Ethiopia	10 000 t of cereals
Mozambique	10 000 t of cereals
Ethiopia (via UNHCR and CRDA)	10 000 t of cereals

¹ Bull. EC 6-1984, point 2.2.49.

² Point 1.2.2.

Niger	9 000 t of cereals
Chad	9 000 t of cereals
Mali	8 000 t of cereals
Mauritania	8 000 t of cereals

Emergency aid

2.2.44. As a move towards easing the plight of drought victims in Africa, on 30 October the budgetary authorities approved a transfer of 32 million ECU to Article 950 of the budget. In November 15 million ECU from this sum was allocated to Ethiopia and the rest to countries in the Sahel and other parts of Africa also suffering from the effects of drought.¹

Stabex

1983 report

2.2.45. On 19 November the Commission sent to the Council its report on the operation during 1983 of the export earnings stabilization system set up by the Lomé Convention and the Decision on the association of the OCT with the Community.²

ACP protocols

Sugar

2.2.46. Under the Protocol on sugar between the ACP States and the Community, the Community undertakes to purchase at guaranteed prices approximately 1.3 million tonnes of white sugar equivalent from certain ACP States in the event that the latter fail to sell their product on the Community market.

If a country fails to deliver its agreed quantity of sugar, under the protocol the Commission may, in consultation with the countries concerned, decide to reallocate the shortfall. On 12 November the Commission therefore decided to reallocate 25 500 tonnes of sugar a year out of the agreed quantity for Trinidad and Tobago,

which had failed to deliver this quantity, without invoking *force majeure*.

Financial and technical cooperation

ACP States and OCTs

2.2.47. In November the Commission took decisions involving the allocation of fourth and fifth EDF resources totalling 62 420 523 ECU to finance projects, programmes and emergency aid operations administered by it in the following sectors:

	ECU
Industrialization	4 180 000
Rural production	25 943 523
Education and training	5 430 000
Transport and communications	12 259 000
Fairs and exhibitions	1 608 000
Trade promotion	10 000 000
Emergency aid (for Ethiopia)	3 000 000
	62 420 523

Non-associated developing countries

2.2.48. On 6 November the Commission decided—with the endorsement of the Committee on Aid to Non-associated Developing Countries—to finance the following projects out of the Community budget (projects in China—1983 appropriations, project in Nepal—1984 appropriations):

Nepal—Nepal Administrative Staff College (parallel financing with the United King-

¹ Point 1.2.1 *et seq.*

² COM(84) 622 final.

dom): total cost 6.5 million ECU; EEC contribution 5 million ECU;

China—fruit cultivating and preservation techniques (cofinancing with Italy): total cost 4.35 million ECU; EEC contribution 1.6 million ECU;

China—flood forecasting and management of Beijiang River (autonomous project): total cost 5.5 million ECU; EEC contribution 1.7 million ECU.

These latest commitments take total financial and technical assistance to non-associated developing countries since 1976 above the 1 000 million ECU mark. This form of cooperation was first launched in that year with an appropriation of 20 million ECU. Since then the sums earmarked have grown steadily, to reach 218 million ECU in 1984.

Relations with NGOs

2.2.49. In the period 1 January to 30 November a total of 26 400 000 ECU was committed by the Commission for the cofinancing of 229 developing country projects presented by 107 NGOs.

The Commission also contributed 2 800 000 ECU to 57 campaigns informing the European public about development issues.

Visits

2.2.50. Mr D. Norman, Minister of Agriculture of Zimbabwe and Chairman of the SADCC Agriculture Ministers, visited the Commission on 19 and 20 November. He underlined how important it was for Zimbabwe to be authorized to start exporting beef to the Community under the Beef Protocol as soon as possible. Other issues, including Community assistance to southern Africa (particularly as regards food security and agricultural development policies), were also discussed.

International organizations and conferences

United Nations

FAO

2.2.51. The 86th session of the FAO Council, held in Rome from 19 to 30 November, gave rise to a wide-ranging discussion on the situation regarding the world's food and agriculture, which is dominated by the disastrous state of affairs in many African countries—in particular Ethiopia.

In this context, the Community representative referred to the amount of humanitarian aid already provided or under way for those countries and said that so far the Community was responsible for the largest share of the aid given to Ethiopia. He also announced the new plan introduced by the Community at the beginning of November.¹

The other main subjects discussed concerned the follow-up to the World Conference on Fisheries Management and Development² and topics connected with forests, in particular the designation of 1985 as International Year of the Forest. The Community also expressed its position on these various points.

General Agreement on Tariffs and Trade

2.2.52. The 40th session of the GATT Contracting Parties took place in Geneva on 26 to 30 November. This session was of particular importance for its review of the progress made in the work programme resulting from the GATT ministerial meeting of 1982.³

¹ Point 1.2.1 *et seq.*

² Bull. EC 7/8-1984, point 2.1.159.

³ Bull. EC 11-1982, point 1.1.1 *et seq.*; point 3.4.1.

In addition to announcing a proposal for the elimination or liberalization of a number of quantitative restrictions maintained by some Member States and confirming the acceleration of Tokyo Round tariff concessions,¹ the Community made a major contribution to progress in the 1982 ministerial work programme in areas such as agriculture, services, exchange-rate fluctuations and trade in counterfeit goods. The Community supported a call for continuing efforts to make further progress on the work programme and, against this background, welcomed the idea of a GATT meeting in the course of 1985 to assess the extent to which a consensus had emerged on starting a new round and what the subject and timing of such negotiations should be.

It was further agreed to set up appropriate machinery to enable work to proceed within the GATT framework on trade in services. The Contracting Parties also decided to set up a group of experts, including an expert designated by WIPO, to examine trade in counterfeit goods. Further, the Contracting Parties recognized that exchange-rate fluctuations can and do affect international trade and that the relationship between exchange-market instability and trade should be kept under consideration.

Committee on Government Procurement

2.2.53. The Committee on Government Procurement held a further meeting in Geneva on 13 to 15 November.² The main purpose of the meeting was to take stock of the current negotiations designed to improve and extend the Government Procurement Code. In addition, the Committee began its review, for 1983, of the statistics which the signatories are obliged to provide every year.

Committee on Trade in Agriculture

2.2.54. Because of difficulties in interpreting the basic rules, and the various disputes opposing the United States to the Community's common agricultural policy, many of the Contracting Parties to the General

Agreement came to consider that the operation of GATT rules applicable to agriculture needed to be improved.

The ministerial meeting of the Contracting Parties in November 1982³ therefore set up a Committee on Trade in Agriculture, with the task of making appropriate recommendations to bring agriculture more fully into the multilateral trading system by improving the effectiveness of GATT rules and through their common interpretation, to improve terms of access to markets, and to bring export competition under greater discipline.

After two years of intensive discussions, in which the Community took an active part, the Committee (chaired by Mr Aert de Zeeuw, the Netherlands Director-General of Agriculture) put forward a number of recommendations and obtained their approval at the annual session of the Contracting Parties in November 1984.

These recommendations add up to a new work programme devoted to a thorough examination of how to solve the problems of trade in agricultural products as a whole, on the following bases:

- as regards measures concerning imports, an approach involving quantitative restrictions (such as those allowed as derogations, like the waiver enjoyed by the United States) being made more fully subject to existing rules, and also suitable sets of rules being worked out for other measures, such as voluntary restraint or minimum price agreements, variable-rate duties or non-bound tariffs;
- as regards subsidies affecting trade in agricultural products, including export subsidies and other export aids, including subsidized credit, two parallel and alternative approaches, one based on improving the existing framework, the other consisting of a general prohibition with exceptions;

¹ Bull. EC 10-1984, point 2.2.5.

² Bull. EC 9-1984, point 2.2.45.

³ Bull. EC 11-1982, point 3.4.1.

- making technical barriers to trade, including public health or plant health regulations, subject to improved procedures, so as to limit the harm they cause to trade.

In addition the policies and measures adopted by the Contracting Parties should be reported and examined regularly so as to ensure the transparency of their effect on trade.

The Committee on Trade in Agriculture was therefore kept in being to carry out this work programme. It is to report on progress in November 1985.

International Dairy Products Council

2.2.55. The International Dairy Products Council held a further meeting in November, at which it adopted a resolution.¹

Organization for Economic Cooperation and Development

Education Committee

2.2.56. The Education Committee met at ministerial level in Paris on 20 and 21 November. Discussions centred on the major challenges in education facing OECD member countries and the problem of enhancing the quality of education and training during and after compulsory schooling.

Council of Europe

2.2.57. The Council of Europe's Committee of Ministers held its 75th session on 21

and 22 November. It approved the proposals in the report adopted by the Parliamentary Assembly, meeting from 26 September to 4 October, on the future of European cooperation. This calls for a Commission of Eminent European Personalities to be set up under the chairmanship of Mr Emilio Colombo, former Italian Minister of Foreign Affairs, to chart the prospects for European cooperation beyond the present decade.

Diplomatic relations

2.2.58. The President of the Council and the President of the Commission received the following ambassadors, who presented their letters of credence, to take effect on 26 November: HE Mr Tomas A. Tomasson, Head of the Mission of the Republic of Iceland to the European Economic Community; HE Mr Mahdi Masud, Head of the Mission of the Islamic Republic of Pakistan to the European Communities; and to take effect on 27 November: HE Mr Pulat Tacar, Permanent Delegate of the Republic of Turkey and Head of Mission to the European Communities; HE Mr Vitthya Vejjajiva, Head of the Mission of the Kingdom of Thailand to the European Communities.

¹ Point 2.1.99.

3. Financing Community activities

Budgets

General budget

1985 budget

First reading of draft budget by Parliament

2.3.1. On 14 November the draft general budget of the Communities for 1985 was given its first reading by Parliament,¹ which very closely followed the proposals tabled by its Committee on Budgets. These diverge from the budget established by the Council on three major points:

- establishment of a budget covering 12 months (observance of the principle of budget annuality): Parliament accordingly added 1 315 million ECU for EAGGF Guarantee Section expenditure; in addition, forecast expenditure was increased by 1 283 million ECU, corresponding to the co-responsibility levy on milk products to be collected in 1985; the Commission and the Council classified this as 'negative expenditure', but Parliament entered it under revenue with a concomitant increase in Guarantee Section expenditure;
- entry on the expenditure side of the compensation for the United Kingdom and the Federal Republic of Germany: in adopting this amendment Parliament marked its disagreement with the conclusions reached at the Fontainebleau European Council;² 1 515.9 million ECU in expenditure was scheduled, broken down as follows: 250 million ECU for urban renewal, 350 million ECU for transport, 350 million ECU for employment and 565.9 million ECU for energy strategy;
- determination of the increase in non-compulsory expenditure at an appropriate level in relation to compulsory expenditure: according to Parliament's classification, increases in non-compulsory expenditure amount to 373.3 million ECU for payments and 773.8 million ECU for commitments;

under the Council's and Commission's classification, the increases approved by Parliament in non-compulsory expenditure amount to 589 million ECU, far exceeding Parliament's margin of manoeuvre of 241 million ECU as calculated by those two institutions.

The main increases relate to the following sectors:³

- *Social Fund.* 100 million ECU in commitments and 52 million ECU in payments;
- *Regional Fund.* 71 million ECU in commitments, plus an additional increase of 90 million ECU in commitment appropriations for the Mediterranean programmes;
- *Agricultural structures.* 35 million ECU in commitments and 28 million ECU in payments, mainly for the processing and marketing of agricultural products, modernizations of farms, forestry measures and agricultural structures in the less-favoured areas, such as the Mediterranean (Greece in particular) and Northern Ireland;
- *Energy, research and investment.* 92 million ECU in commitments and 60 million ECU in payments, mainly for technological development projects for hydrocarbons, thermonuclear fusion (JET), information technologies (Esprit Programme), advanced communications technologies in Europe (Race Programme) and the Joint Research Centre in Ispra (fusion, nuclear fission and environment programmes);
- *Transport.* 70.2 million ECU in commitments and 14.2 million ECU in payments; these increases reflect the priority granted to transport infrastructure projects;
- *Development aid.* 93.6 million ECU in commitments and 55.6 million ECU in payments for cooperation with non-associated developing countries; 54.9 million ECU in commitments and 48.9 million ECU in pay-

¹ Point 2.4.13; OJ C 337, 17.12.1984.

² Bull. EC 6-1984, point 1.1.9 (Section 1).

³ A table showing appropriations at the various stages of the budgetary procedure and including the first reading of the draft budget by Parliament was published in Bull. EC 10-1984, point 2.3.2 (Table 4).

ments to finance specific and exceptional measures for developing and other non-member countries; and 30 million ECU in payments for food aid.

2.3.2. With regard to revenue, Parliament adopted a draft amendment intended to ensure, in view of the shortfall of own resources currently available, that the revenue and expenditure sides of the budget would be balanced by means of advances from Member States on new Community own resources. The sum of 2 830.90 million ECU, corresponding to expenditure exceeding own resources available within the 1% VAT limit (1 315 million ECU for the EAGGF Guarantee Section and 1 515.9 million ECU for special measures for the United Kingdom and the Federal Republic of Germany) was entered in a new chapter as Community revenue.

None the less, in its final resolution Parliament asked, following an amendment from the European Democratic Group, that the date for the introduction of new own resources should be brought forward to 1985 so that the budget could be financed in full without having to have recourse to advances from the Member States.

Second reading of draft budget by Council

2.3.3. On 29 and 30 November the Council gave its second reading to the draft budget for 1985,¹ on the basis of the amendments and proposed modifications resulting from Parliament's first reading.

Before starting work, the Council met a delegation from Parliament led by its President. The Parliamentary delegation defended the positions taken by Parliament on its first reading, particularly as regards observance of the principle of annuality and the entry of the compensation for the United Kingdom and the Federal Republic of Germany on the expenditure side.

Following its deliberations, the Council reached the following main conclusions:

- with regard to the financing of the common agricultural policy, the Council, referring to the declaration made at its 2 and 3 October meeting,¹ agreed to enter, between brackets, additional revenue and expenditure, of 1 315 million ECU, which, because of its special characteristics, is not included in the budget total;
- for non-compulsory expenditure, the Council agreed to increases of 405.17 million ECU in commitments and 183.44 million ECU in payments in relation to the draft produced by the first reading;
- it refused to enter the compensation for the United Kingdom and the Federal Republic of Germany on the expenditure side.

Among the main increases compared with the first reading, the Council agreed to enter 50 million ECU in the reserve (Chapter 100) as commitment appropriations for the integrated Mediterranean programmes. It also allowed increases in commitment appropriations of 50 million ECU for the ERDF and 70 million ECU for the Social Fund. Lastly, it agreed to an increase of 13.5 million ECU in appropriations for aid to disaster victims in developing and other non-member countries, together with an additional 30 million ECU in commitments and 12 million ECU in payments for non-associated developing countries, mainly intended for Central America following the San José Conference.²

Given the maximum rate of increase for non-compulsory expenditure, this leaves Parliament with a margin of manoeuvre for its second reading of 15.96 million ECU for commitments and 57.61 million ECU for payments.

Budget discipline

2.3.4. On a number of occasions during the month the Council examined the technical aspects of applying the principle of budgetary and financial discipline confirmed by the Fontainebleau European

¹ Bull. EC 10-1984, point 2.3.2.

² Bull. EC 9-1984, point 1.3.1 *et seq.*

Council last June.¹ The United Kingdom has demanded a decision on this matter before it will pay over the refundable advances to cover supplementary and amending budget No 1/1984.²

At its economic and financial affairs meeting on 12 November the Council reached agreement on texts giving effect to the principle of budget discipline, but it left it to the Foreign Ministers to decide what should be the status of the legal instrument.

Following a lengthy discussion, during which nine Member States came out in favour of 'conclusions' and only one in favour of a 'resolution', draft conclusions, with political but no legal value, were adopted. This draft was sent to Parliament on 13 November as the Council's common position for the *ad hoc* meeting on 21 November.

At its November part-session Parliament adopted a resolution 'on matters connected with the establishment of the Community budget (budget discipline).³ By 203 votes to 7, with 22 abstentions, it rejected the unilateral establishment by one arm of the budgetary authority of measures relating to budget discipline. It demanded that the reference framework for determining maximum expenditure be established jointly by itself and the Council. Lastly, it expressed concern that the system, in the form proposed by the Council, might prevent proper application of Article 203 of the Treaty (establishment of the maximum rate for non-compulsory expenditure and exceeding of the 'statistical rate').⁴

At the *ad hoc* meeting between the Council, the enlarged Bureau of Parliament and the President of the Commission on 21 November, views continued to diverge. The Council again made the point that its text was an internal document for which it alone was responsible and that, at the present stage in the proceedings, it was merely common ground and not a formal decision.

The Parliamentary delegation rejected this interpretation and reiterated that the unilateral establishment of the reference frame-

work necessary for determining the maximum amount of the budget and the undertaking not to exceed this prevented Parliament from exercising its right, if the situation so required, of negotiating an increase in the 'statistical rate'. In addition, it felt that the Commission's right of initiative would also be seriously affected if an unduly rigid framework was imposed. Parliament accordingly asked to be involved in defining the reference framework.

The President of the Commission took the view that, if the Council regarded its text as an internal document and if no joint reference framework could be agreed between the Council and Parliament, then Parliament could decide on its own reference framework, and the Commission would have to take account of both when drawing up its preliminary draft budget.

Following the meeting with the enlarged Bureau of Parliament, the Council continued discussions on this matter at a Foreign Ministers' meeting from 27 to 29 November. The President of the Commission and Mr Tugendhat again asked the Council to give serious consideration to the reservations lodged by Parliament and suggested some amendments providing for Parliament to be consulted before any decision is taken on the reference framework for fixing annual budgetary expenditure.

At the end of this Council meeting, one Member State remained opposed to any change in the draft conclusions reached on 13 November. The others were in favour of a change along the lines requested by Parliament, but most were also prepared to adopt the original text. In order to leave open the possibility of an amendment to the text, four Member States then opposed the adoption of the draft conclusions. This led the Council to refer the matter to the Dublin European Council.

¹ Bull. EC 6-1984, point 1.1.2.

² Bull. EC 10-1984, point 1.1.1 *et seq.*

³ OJ C 337, 17.12.1984.

⁴ 'Statistical rate': maximum rate of increase in non-compulsory expenditure, assessed on the basis of Article 203(9) of the Treaty.

For its part the Commission reiterated its position in the following statement:

'The Commission deplors the fact that yesterday's Council meeting was unable to reach agreement on budget discipline.

As a conciliatory move and with a view to avoiding any direct clash between the Council and Parliament which would be likely to bring the Community to a complete standstill, the Commission had proposed two improvements to the draft under discussion which appeared acceptable to all Member States with one exception. These conciliatory moves in no way meant that the Commission was dropping its reservations on the Council's text.

The general public does not understand this institutional squabbling.

The Commission wants the Community to function properly. For this, situations must be clearcut and each institution's role must be fully respected. This morning there is one last chance, and we are going to make the members of the Council aware of their responsibilities. They cannot disregard Parliament's prerogatives, nor the Commission's right of initiative, nor the interests of a living and dynamic Community.

The message is clear.'

Budget discharge

2.3.5. On 14 November Parliament refused to grant the Commission a discharge for its implementation of the 1982 general budget.¹ In April it had deferred granting this discharge and asked the Commission to clarify a number of points.² The Commission's replies were sent on 2 August.³

Financial operations

ECSC

Loans raised

2.3.6. In November the Commission made two private placings in French francs and guilders for the equivalent of 15.8 million ECU.

Loans paid out

2.3.7. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission paid out loans in November for a total of 47.39 million ECU broken down as follows:

Industrial loans

2.3.8. Industrial loans (Article 54) totalling 16 million ECU were paid out to help finance the following projects:

Federal Republic of Germany

Industriekreditbank AG, Düsseldorf: promoting consumption of Community coal.

France

Compagnie française des aciers spéciaux, Paris: installation of a new axle foundry at the Dunes works, Dunkirk.

Richement steelworks power station: modernization of the power station.

Conversion loans

2.3.9. Conversion loans (Article 56) totalling 27.66 million ECU were paid out to help finance the following projects:

Federal Republic of Germany

Multiregional loans to small and medium-sized firms: Bank für Gemeinwirtschaft AG, Frankfurt/Main; Dresdner Bank AG, Frankfurt/Main; Industriekreditbank AG, Düsseldorf; Saarländische Investitionskreditbank AG, Saarbrücken.

Subsidized housing

2.3.10. Loans for the building of subsidized housing amounted to 3.73 million ECU, of which 110 000 ECU was for mineworkers and 3.62 million ECU was for steelworkers.

¹ Point 2.4.12; OJ C 337, 17.12.1984.

² OJ L 173, 30.6.1984; Bull. EC 4-1984, points 2.3.5 and 2.4.10.

³ Bull. EC 7/8-1984, point 2.3.13.

EEC-NCI

Loans raised

2.3.11. In November the Commission made two private placings in marks and guilders for the equivalent of 34.5 million ECU, and a USD 100 million public issue. Representing the equivalent of 138.5 million ECU, this five-year loan was issued at par with an interest rate of 11½%.

The Commission also made two public issues denominated in ECU. The first, for 50 million ECU, was on the Dutch market. It was issued at par for six years with an interest rate of 10.125%. It will be redeemed in three equal annual instalments from 1988 onwards. The second, for 200 million ECU, was on the American market and will run for 12 years. Issued at 99½%, it bears interest at 9⅞%. It will be redeemed in ten equal annual instalments from 1 December 1987 onwards. This is the first issue denominated in ECU on the American market and also the first issue on this market not denominated in dollars. It marks a further step in the Commission's efforts to develop the use of the ECU.

Loans granted

2.3.12. Loans were concluded in November for a total of 93.1 million ECU, of which 35 million ECU was under NCI II,¹ 14.4 million ECU under the first tranche of NCI III² and 43.7 million ECU under the second tranche of NCI III.³ They break down as follows:

Energy

Italy

ENEL: 14.4 million ECU constituting the second instalment of a loan to a scheme for installing solar panels in dwellings and service-sector buildings to produce hot water; the scheme covers the entire country, with priority being given to the Mezzogiorno.

Greece

Public Power Corporation: second 19 million ECU loan for working a lignite mine north of Ptolemaïs to supply the Amynteon power station; second 16 million ECU loan to build a 2 × 300 MWe power station fired by lignite from the above mine.

Telecommunications

France

Caisse nationale des télécommunications: 43.7 million ECU loan for installing a satellite communications system offering communications facilities between companies.⁴

¹ OJ C 116, 30.4.1982.

² OJ L 164, 23.6.1983.

³ OJ L 208, 3.8.1984.

⁴ Point 2.4.33.

4. Political and institutional matters

Political cooperation

2.4.1. On 12 November the Foreign Ministers issued the following statement on Chile:

'The Ten deplore the increase of violence in Chile. They are firmly convinced that the dialogue between the Chilean Government and the democratic opposition is the way to achieve a consensus in the country. They strongly denounce the abandonment of that dialogue in favour of measures which seriously prejudice fundamental individual liberties contained in the United Nations Declaration of Human Rights.

The proclamation of a state of siege deprives Chilean citizens, *inter alia*, of the protection of the judicial system as well as of a transition to pluralistic democracy.

The Ten express their profound concern about this situation and its victims and express their conviction of the necessity for the establishment, at the earliest possible moment, of all democratic liberties in the country.

The Ten are also concerned at the restrictions which the Chilean Government has placed on the return to their country of a very large number of Chileans. They hope that the Chilean Government will reconsider its policy on this matter and review the cases of those citizens forbidden to return to Chile.'

2.4.2. On 20 November the Ministers held a short political cooperation meeting in Brussels. They adopted the fourth Community analysis of national reports on the implementation of the Code of Conduct by European Community companies with subsidiaries in South Africa (July 1981 - June 1983).¹ They decided to lay this paper before Parliament and publish it. The following statement was made to the press:

'The Ten discussed the fourth Community analysis of national reports on the implementation of the Code of Conduct by European Community companies with subsidiaries in South Africa. They decided to transmit the analysis to the European Parliament. The reports cover periods from July 1981 to June 1983. In all, the responses of 224 companies employing 141 679 black workers are analysed.

Since the Code of Conduct was adopted in 1977 important developments have taken place in lab-

our practice in South Africa. The racial features have been removed from parts of the legislation dealing with labour matters and freedom of association has been extended to all black workers. Accordingly, the influence of registered and non-registered black trade unions has increased markedly. The growth of trade union activity in European Community companies was a notable feature of the period under review and the Ten are pleased to note that European Community companies again showed an increased willingness to recognize black unions. The Ten regard a conciliatory and encouraging attitude to unions by employers as important if progress is to be made towards the achievement of internationally accepted standards of industrial relations.

The Ten notes that there had been a slight fall in the percentage of workers paid above the level recommended in the Code of Conduct. This is apparently due to recession in the South African economy. However, they also noted that the lot of the lowest-paid workers appeared to have improved, although there is still scope for persuading companies which have not yet done so to observe the guidelines recommended by the Code.

The Ten welcome the contribution which companies can make in redressing in part the inequities of the educational system in South Africa. They note that training and educational activities could be expanded and could enable black workers to occupy skilled positions which are, at present, being filled by importation of workers from abroad.

The three members of the Ten whose companies have most subsidiaries in South Africa have appointed attachés to their embassies in Pretoria who have specific responsibility for labour matters related to the Code of Conduct.'

2.4.3. The Ministers also adopted a declaration of common policy on the consequences of the adoption by the 10 Member States of the Community of the London Guidelines for the Export of Nuclear Material, Equipment and Technology.² The declaration makes transfers of all nuclear materials between Member States conditional upon the implementation of physical protection measures and, in the case of sensitive materials, upon special arrangements for storage, an attestation of

¹ Point 3.4.1.

² Also point 1.3.7.

use and the consent of the Member State of origin for retransfers within the Community.

2.4.4. Finally, the Ministers expressed their deep concern at the increase of tension in Central America since the early days of the month and expressed the hope that the relevant parties would exercise the utmost restraint and that the Central American countries would soon reach full agreement on a final text of the Contadora Act.

2.4.5. On 28 November the Ten issued the following statement on the situation in Bolivia:

'The Ten are following with concern the present political situation in Bolivia. They reaffirm the importance which they attach to the maintenance of democratic government in that country.'

2.4.6. During its November part-session Parliament passed resolutions on the murder of Father Jerzy Popieluszko and the situation in Chile.¹

European policy and relations between the institutions

European policy

Ad hoc Committee on Institutional Affairs

2.4.7. The *ad hoc* Committee on Institutional Affairs met regularly in October and November. It twice consulted Mr Pierre Pflimlin, President of Parliament, and Mr Altiero Spinelli, Chairman of Parliament's Committee on Institutional Affairs and the mover of the draft Treaty establishing the European Union approved by Parliament in February.²

In the interim report to the European Council in Dublin it recommended that an inter-governmental conference be convened in the near future 'to negotiate a draft European Union Treaty, on the basis of the *acquis communautaire*, [the interim report] and

subsequent documents which the Committee will submit to the European Council, the Solemn Declaration on European Union, and guided by the spirit and the method underlying the draft Treaty adopted by the European Parliament.³

Ad hoc Committee on a People's Europe

2.4.8. The *ad hoc* Committee on a People's Europe met for the first time on 7 November. Mr Adonnino (Italy) is chairman of the Committee, and his fellow members are Mr Thuysbaert (Belgium), Mr Christensen (Denmark), Mr Neusel (Federal Republic of Germany) Mr Kranidiotis (Greece), Mr Gallo (France), Mr Ó Tuathail (Ireland), Mr Hansen (Luxembourg), Mr Wellenstein (Netherlands) and Mr Williamson (United Kingdom). The Commission is represented by Mr Noël, its Secretary-General.

The Committee concentrated on practical measures affecting Europeans (crossing frontiers, tax-free allowances, free movement, equivalence of degrees, diplomas etc.) and will not turn until later to the symbolic measures suggested by the European Council (European anthem and flag, an ECU coin). At the end of November it adopted an interim report to the Dublin European Council to which it will add its practical conclusions in the first half of 1985.

Relations between the institutions

Budget discharge

2.4.9. In a resolution passed on 14 November Parliament for the first time refused to grant the Commission a discharge in respect of the implementation of the 1982 Community budget.⁴

¹ Point 2.4.16; OJ C 337, 17.12.1984.

² Bull. EC 2-1984, point 1.1.1 *et seq.*

³ Point 3.5.1.

⁴ Point 2.4.12; OJ C 337, 17.12.1984.

Relations between Council and Parliament

2.4.10. Parliament's enlarged Bureau and the 10 Foreign Ministers of the Community met on 20 November at the initiative of the President of Parliament. Mr Thorn and Mr Andriessen were also present. Two main subjects were discussed: improvement of the conciliation procedure between Parliament and Council¹ and revitalization of the European economy to deal with the problem of unemployment.

On the question of conciliation, Mr Peter Barry, the Council President, suggested that the forthcoming meetings of the Conciliation Committee should take place within the system set up by the 1975 Declaration, incorporating some aspects of the draft Declaration proposed by the Commission in 1981 and approved by Parliament in December 1983.²

However, the current conciliation procedure was not changed since one Member State opposed any extension.

Institutions and organs of the Communities

Parliament³

Strasbourg: 12 to 16 November

2.4.11. The November part-session was mainly devoted to consideration of budgetary issues, namely the first reading of the 1985 budget, the discharge for 1982 and budget discipline. The two latter debates (and the votes that concluded them) saw the House taking a distinctly harder line on interinstitutional relations with respect to its supervisory powers and to its actual budgetary rights; the targets for its attacks were the Commission on the question of the 1982 discharge and the Council on the issue of budget discipline.

The other discussions, especially those on the famine in Ethiopia and the Sahel, also reflected this tougher attitude.

No discharge granted for 1982

2.4.12. Mrs Bodil Boserup (*Com/DK*), rapporteur for the Committee on Budgetary Control, contended straightaway that the House ought to refuse the Commission the discharge for 1982, so that this might serve as a warning to the new Commission. She then expounded several arguments in support of this view: the Commission had disregarded Parliament's rejection of draft supplementary budget No 1 in December 1982;⁴ it had refused to organize a 'Christmas butter' operation, even though the House had recommended it in October 1982;⁵ it had failed to implement food aid policies effectively; it had not made adequate use of the appropriations available as a result of Parliament's amendments to the 1982 budget. Emphatically supporting the conclusions of the Boserup report, the Chairman of the Committee on Budgetary Control, Mr Aigner (*EPP/D*), reiterated that if the Commission were granted a discharge Parliament's position would be weakened.

For the Commission, Vice-President Tugendhat rebutted the Committee's argu-

¹ OJ C 89, 22.4.1975; Bull. EC 2-1975, point 2501.

² Supplement 3/82 — Bull. EC; Bull. EC 12-1981, point 1.3.1 *et seq.*; Bull. EC 12-1983, point 2.4.11; Bull. EC 6-1984, 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 337, 17.12.1984, and the reports of the proceedings are contained in OJ Annex 2-318. The political groups of members are indicated in brackets by the following abbreviations: *Soc* = Socialists; *EPP* = European People's Party-Christian Democrats; *ED* = European Democratic Group, *Com* = Communists and Allies; *Lib* = Liberals and Democrats; *EDA* = European Democratic Alliance; *Rainbow* = Rainbow Group; *ER* = European Right, *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.

⁴ OJ C 13, 17.1.1983; Bull. EC 12-1982, point 2.4.3.

⁵ OJ C 292, 8.11.1982; Bull. EC 10-1982, point 2.4.18.

ments, pointing out that to use the discharge resolution as a vehicle for general criticism of the Commission's record was an abuse of the Community's procedure. Concerning the Commission's failure to act on Parliament's amendments, he stated that the Joint Declaration of June 1982 ('the triologue agreement')¹ specifically recognized that a legal basis was necessary to implement budget appropriations, so that the Commission was stranded when no such basis existed. In regard to supplementary and amending budget No 1/1982, Mr Tugendhat reminded the House that in rejecting it² Parliament had clearly not questioned the sums involved but the methods of granting the 'compensation' for the United Kingdom and the Federal Republic.

As for the 'Christmas butter' operation, Mr Tugendhat maintained that Parliament had not insisted on any particular scheme for disposing of surplus butter and that had the Commission followed Parliament's advice on the conduct of agricultural policy the cost to the Community would have increased by some 2 500 million ECU a year. Concerning the special food programme to combat hunger in the world, Mr Tugendhat explained that the Commission was operating in partnership with independent countries 'whose political objectives and standards of administration can differ from ours' and that the Commission was short-staffed in that area. He went on to say that this programme was introduced in 1983 and did not appear in the 1982 budget, which is what this discharge was concerned with. He also argued that the case of the Milk Marketing Board, where the Commission had overruled the Financial Controller's withholding of approval for EAGGF expenditure in 1978 and 1979, was in no way connected with the discharge for 1982. Finally, referring to what he called 'this apparent thirst for more information', Mr Tugendhat found it astonishing that the Committee on Budgetary Control had never examined the Commission's replies to Parliament's April resolution.³

The refusal to grant a discharge did not secure unanimous support from the politi-

cal groups. Mr Klaus Wettig (*Soc/D*) said that the Socialists were not all of one mind as to whether the discharge should be refused, even though they firmly believed that the Commission's budgetary policy had undermined Community financial policy. In calling for the refusal, Mr Konrad Schön (*EPP/D*) held that the House was not indicting four years of Commission stewardship—which would be tantamount to a motion of censure—but simply refusing the discharge for a limited and specific period. Mr Robert Chambeiron (*Com/F*), however, wholeheartedly commended the Boserup report, pointing out that nothing had been done to recover the overpayments to the United Kingdom, and felt that the Commission's attitude warranted a vote in favour of the report. Mr Jean Mouchel (*EDA/F*) announced that this group would refuse the discharge on two counts that implied more than just careless management: the Commission had paid funds to the British exchequer when Parliament had frozen them during the discussion on the 1982 supplementary budget; the Commission had overruled its Financial Controller, when he claimed 750 million ECU from the British Government for infringing the Community milk market regulations; and, what was more, Mr Tugendhat had robbed Parliament of its budgetary powers by not allowing it access to information on this case that he had nevertheless promised to provide. Mr Piet Dankert (*Soc/NL*) also took the view that the Commission's payment to the United Kingdom of compensation refused by Parliament constituted a political act. However, since this Commission was bowing out in six weeks and the situation was the result of the action of a single Member, he should face the music.

Mr Chrysanthos Dimitriadis (*ER/G*) declared that Parliament, with its responsibility for the budget, could not exonerate the Commission by granting the discharge

¹ Bull. EC 6-1982, point 1.1.1 *et seq.*

² OJ C 68, 14.3.1983; Bull. EC 2-1983, point 2.4.8.

³ OJ C 127, 4.5.1984; Bull. EC 4-1984, point 2.4.10.

when the Commission had provocatively ignored the House.

By contrast, the European Democrats, in the person of Mr Richard Simmonds (*ED/UK*), believed that in supporting the rapporteur Parliament would be 'wasting, abusing and destroying the potential power of refusal of discharge', a resource which must be used only if 'dishonesty, incompetence or malpractice can be proved'. Mr Giorgio Rossetti (*Com/I*) found that the Commission's reply refuted some of the criticisms but not all; he considered that the findings of the Boserup report did not warrant refusal of the discharge, because the Commission's term was about to end and because the resolution went too far. Mrs Christiane Scrivener (*Lib/F*) agreed that the motion went far beyond an appraisal of the 1982 discharge and amounted to a general political reprimand, a disguised and deliberate motion of censure, which was not the object of such a procedure.

Taking a political and institutional view, the Commission President, Gaston Thorn, warned Parliament against a misuse of procedure because the discharge concerned only the Commission's implementation of the budget for 1982. Yet some of the criticisms had nothing to do either with that budget or with 1982. He also considered that the report was an ill-substantiated appraisal in that neither the Court of Auditor's observations nor what the Commission had in fact done justified a position so radical as to refuse the discharge for 1982. The European institutions were delicate beings, and too much damage had been done by what he called unnatural alliances. Parliament and the Commission had better things to do than indulge in recriminations over the past at the risk of weakening their resolve to fight the vital battles of the future side by side. There were enough challenges ahead—concerning budget discipline and other issues too—for them to be intent on mustering their strength rather than dividing it.

After point 6 of the resolution refusing the discharge had been adopted by 230 votes to

82 with 24 abstentions, the whole resolution—with an amendment limiting its effect to 1982 and deleting any mention of the Commission's general stewardship of Community affairs over the last four years—was passed by 219 votes to 102 with 33 abstentions. The European Democrats, the Liberals and the Greek and Italian Communists did not vote in favour of refusing the discharge. Earlier, in the explanations of vote, Mrs Simone Veil (*Lib/F*) had announced the Liberal's abstention on this spurious censure motion that made the Commission a scapegoat instead of the Council. Mr Egon Klepsch (*EPP/D*) had announced that he would vote for refusing the discharge since any overall negative assessment of the Commission had been dropped from the resolution.

Mr Rudi Arndt (*Soc/D*) had taken the same decision for precisely the same reasons, while Mrs Lizin (*Soc/B*), who was also speaking for Mr Van Miert, said that the Belgian Socialists would abstain since it was with the Council that they must settle their accounts. Mrs Carla Barbarella (*Com/I*) had announced that she would not vote for a resolution that was liable to cause unnecessary political strain, while Mr Richard Simmonds (*ED/UK*) said no on behalf of the Conservatives to what was an 'emasculated report'.

After the final vote Mr Thorn declared that Parliament had barked up the wrong tree; but he did not intend to add pointless words to pointless votes; the Commission would continue to do its duty.

1985 budget

2.4.13. Attacking the Council for not adhering to the principle of a 12-month budget by deferring until the autumn its decisions on how to meet agricultural expenditure in November-December 1983, Mr Ove Fich (*Soc/DK*) said that all foreseeable expenditure and all foreseeable revenue must be entered in the 1985 budget immediately instead of putting off the problems until the autumn of next year. Furthermore, the compensation to the United Kingdom

must be entered on the expenditure side, broken down according to the funding of specific operations under Community policies, and not given back by means of tax relief, as the Council would have it. Acceptance of these two points would mean additional expenditure of 2 800 million ECU compared with the draft budget established by the Council; this would exceed available own resources and should, said Mr Fich, be covered by advances from the Member States against future own resources by the same method the Council had used for the 1984 supplementary budget.

In conclusion he pointed out that apart from the EAGGF Guarantee Section and the British 'rebate', where the expenditure was already allowed for by the Council, the Committee on Budgets, in proposing an increase in non-compulsory expenditure of 385 million ECU for payments, was respecting the own resources ceiling and thereby intended to establish its own priorities, without Council interference. The budget rapporteur for institutions other than the Commission, Mr David Curry (*ED/UK*), called for reform, self-discipline and more efficient working methods.

Mr Rudi Arndt (*Soc/D*) took issue with the farming lobby represented in Parliament, which was partly responsible for a situation where agricultural spending could not be met from current revenue because of the scandalous subsidies paid to support surplus production. Mr Petrus Cornelissen (*EPP/NL*) and Mr Piet Dankert (*Soc/NL*), the latter insisting that the refund to the United Kingdom be organized on the expenditure side, demanded that a budget be produced covering the full 12 months. This view was endorsed by Lord Douro (*ED/UK*), who proposed that own resources be increased before 1 November 1985 or, if necessary, a VAT ceiling of 1.2% be set for 1985. Three other speakers found the draft unacceptable for different reasons: Mrs Carla Barbarella (*Com/I*) contended that the attempt to impose budgetary discipline contrary to the spirit and the letter of the Treaties was illegal, as was the compensation to the United Kingdom, which

negated the Community concept of own resources; Mrs Christiane Scrivener (*Lib/F*) rebutted the argument of 'the House's usual detractors' that Parliament's proposed increases in compulsory expenditure would necessitate advances from the Member States; Mr Jean-Claude Pasty (*EDA/F*) was angry about the arrangement for the compensation to the United Kingdom: it was tantamount to authorizing a Member State to pay itself out of the own resources that it was required to pay into the Community budget; nor was there any point in presenting a 10-month budget, which meant an intolerable factor of uncertainty for the efficient operation of the common agricultural policy, the only truly common policy the Community had.

Like the previous speakers, Mr Robert Chambeiron (*Com/F*) condemned the cosmetics of the draft budget presented by the Council. Urging more imagination in the search for new resources, he suggested taxing imported vegetable oils and fats and exports of capital out of the Community. It passed his understanding how the Community could be about to reimburse the United Kingdom three times what it spent on food aid. Mr Egon Klepsch (*EPP/D*) followed up these attacks on the Council and condemned any bid to limit Parliament's budgetary powers. He asserted that the compensation to the United Kingdom must clearly be classified as non-compulsory expenditure and must therefore be included in the calculation of Parliament's margin.

The only group spokesman to take a different line was Mr Jens Peter Bonde (*Rainbow/DK*), who attacked the Fich report for thinking in terms of a margin of manoeuvre for Parliament wider than the margin calculated by the Council. This meant an unacceptable increase in non-compulsory expenditure. He also criticized the Committee on Budgets for having pierced the 1% ceiling and announced that he would not support the resolution moved by Mr Fich.

The main area of spending in which faults were found was agriculture. Many speakers,

like Mr André Rossi (*Lib/F*), Mr Gene Fitzgerald (*EDA/IRL*), Mr Pol Marck (*EPP/B*), Mr Louis Eyraud (*Soc/F*) and several others as well considered this budget to be altogether unrealistic as regards agriculture, reduced, as they saw it, to short commons. By contrast, Mr John Tomlinson (*Soc/UK*) held that Mr Fich's proposed budget was wrong in that it was 'structured to maintain the appetite of agriculture'. It was a scandal to finance mounting stocks while major areas of the world were suffering starvation, malnutrition and deprivation. He demanded that there be no additional spending on agriculture. He would not be voting for the resolution.

In his speech for the Council, the President, Mr Jim O'Keefe, Minister of State at the Irish Department of Foreign Affairs, expressed his sadness at hearing members' accusations of 'irregularity' and 'illegality' concerning the draft budget. As regards agricultural expenditure, the Council had made a choice which did not imperil the other common policies. Concerning the compensation to the United Kingdom, he pointed out that after lengthy negotiations the Council had arrived at a solution that had the merit of being 'simple, transparent, effective' in resolving the problem on the revenue side.

At the close of the debate Mr Tugendhat said how pleased he was that so many speakers had condemned this 'decimalized' budget. He hoped that the budgetary procedure could be concluded 'in a spirit of peace and harmony'.

At the end of the debate the resolution was passed with an amendment tabled by the European Democrats to the effect that 'the date for creating new resources should be brought forward to the year 1985', which would obviate the need to call on the Member States for advances to finance the compensation to the United Kingdom and Germany and agricultural expenditure. Parliament followed the guidelines of its Committee on Budgets by adding to the Council's draft 373.3 million ECU in appropriations for payments, 773.8 million ECU

in appropriations for commitments plus 1 300 million ECU for agricultural expenditure for 1985 and 1 500 million ECU for the British and German 'refunds' entered on the expenditure side.

2.4.14. Parliament gave opinions on a number of Commission proposals, including:

(i) a Decision establishing a third joint programme to encourage the exchange of young workers within the Community;¹

(ii) a recommendation concerning the adoption of a European emergency health card;²

(iii) a Decision on the adoption of a work programme for the first phase of the application of an information system on the state of the environment and natural resources in the Community;³

(iv) a Directive on air quality standards for nitrogen dioxide;⁴

(v) a Directive on the limitation of emissions of pollutants into the air from large combustion plants;⁴

(vi) a Regulation on the conclusion of the Agreement in the form of an exchange of letters between the EEC and the Portuguese Republic concerning the implementation of specific financial aid for improving agricultural and fisheries structures in Portugal;⁵

(vii) Regulations fixing the Community's generalized tariff preferences scheme for 1985.⁶

2.4.15. Parliament also passed resolutions concerning:

(i) the fisheries sector in Portugal with a view to its accession to the EEC: having emphasized the special situation of certain fishing zones beyond the 12-mile limit—while rejecting any idea of creating exclusive Portuguese zones—Parliament recognized the need to give Portugal as

¹ Point 2.1.57.

² Point 2.1.69.

³ Point 2.1.85.

⁴ Point 2.1.87.

⁵ Point 2.2.3.

⁶ Point 2.2.36.

much help as possible to modernize its structures;

(ii) the famine in Ethiopia and the Sahel: appalled by the famine which threatens nine million lives and welcoming the aid already provided by the Community, the House urged the Commission to increase aid and to coordinate Community relief actions with those of other aid donors; it also called on the Community to make long-term provision for cereals stocks in Africa which would be available for use at any time;¹

(iii) budget discipline: reiterating its strong opposition to the possibility of one arm of the budgetary authority (the Council) unilaterally adopting measures relating to budget discipline, Parliament considered that all such measures must be agreed jointly by the two arms of the budgetary authority (the Council and Parliament), with full respect for the Community's obligations arising from legislation in force and with due allowance for the need to develop new or existing Community policies; believing that the majority voting rule laid down for budget decisions should be upheld, the House considered it vital to have joint agreement by Parliament and the Council on legislative acts of the Community which have financial implications particularly over a number of years.

2.4.16. In the fields of political cooperation and human rights, Parliament passed resolutions on:

(i) the murder of Father Popieluszko: finding that the Minister of the Interior and the

Polish security services bore considerable responsibility for this appalling crime, Parliament called on the Polish authorities to conduct a thorough and rapid investigation with a view to identifying all those directly or indirectly responsible and to mete out exemplary punishment to those found guilty; the House also expressed the hope that the Polish Government would reopen a dialogue with the *Solidarnosc* movement, which represents a large part of the Polish population;

(ii) the situation in Chile: concerned over the spreading violations of human rights in Chile and noting the international reactions to the situation, Parliament urged the Foreign Ministers and the Governments of the Member States to express through concrete actions and statements their condemnation of General Pinochet's anti-democratic system.

Council

2.4.17. The Council held 11 meetings in November. 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.

¹ Point 1.2.1 *et seq.*

Table 7 — Council meetings in November 1984

Number, place and date of meeting	Subject	President	Commission	Main items of business
960th Brussels 6 November	Development cooperation	Mr O'Keefe	Mr Pisani	Famine in Africa ¹ Food strategies ² Plan to combat exceptional drought in Sahel ¹ Nutritional value of food aid Aid to non-associated developing countries

Number, place and date of meeting	Subject	President	Commission	Main items of business
961st Brussels 6 November	Research	Mr Bruton	Mr Davignon	Lomé III: new approach to development ³ Environmental considerations in Community development policy ² R&D programme ⁴ European synchrotron facility Videocommunications project
962nd Brussels 8 November	Transport	Mr Mitchell	Mr Contogeorgis	Implementation of decisions of principle adopted on 10 May 1984 ⁵ Inland and air transport ⁵
963rd Brussels 12 and 13 November	Foreign affairs	Mr Barry	Mr Thorn, Mr Natali, Mr Davignon, Mr Pisani	Accession negotiations ⁶ Implementation of conclusions of Fontainebleau European Council ACP-EEC negotiations ³
964th Brussels 12 November	Economic and financial affairs	Mr Dukes	Mr Tugendhat, Mr Haferkamp, Mr Davignon	Budgetary discipline ⁷ Export credits ⁸ Financing the agricultural structures policy
965th Brussels 12 and 13 November	Agriculture	Mr Deasy	Mr Dalsager	Wine ⁹ Structural policy Food aid Oils and fats Sheepmeat and goatmeat Veterinary questions Milk ⁹
966th Brussels 13 November	Energy	Mr Spring	Mr Davignon	Member States' energy policies ¹⁰ Energy prices ¹⁰ Financial support for industries producing solid fuels Oil and gas ¹⁰ Energy implications of certain aspects of measures to combat air pollution Natural gas Energy-saving programmes in Member States ¹⁰
967th Brussels 22 November	Industry/steel	Mr Bruton	Mr Davignon	Pipe and tube exports to USA ¹¹ Steel industry: internal aspects, restructuring and amending aids code ¹² Situation in scrap market

Table 7 (continued)

Number, place and date of meeting	Subject	President	Commission	Main items of business
968th Brussels 22 November	Culture (Ministers meeting within Council)	Mr Nealon	Mr Thorn	Cultural workers and European Social Fund ¹³ Strengthening European cultural cooperation ¹³ Multilateral system of support for European film and television programme industry ¹³ Implementation of resolutions of Representatives of Governments of Member States Private copying Free movement of works of art Book trade policy European Foundation
969th Brussels 26 to 28 November	Foreign affairs	Mr Barry, Mr O'Keefe	Mr Thorn, Mr Haferkamp, Mr Natali, Mr Davignon, Mr Tugendhat, Mr Dalsager	Accession negotiations ⁶ Preparations for European Council Famine in Africa ¹ Annual report on European Union Integrated Mediterranean programmes Community exports of steel pipes and tubes to USA ¹¹ Generalized preferences for developing countries: Community scheme for 1985 ² Budgetary discipline ⁷ Law of the sea Scientific and technical cooperation with Japan
970th Brussels 29 and 30 November	Budget	Mr O'Keefe	Mr Tugendhat	Meeting with Parliament delegation 1985 budget ⁷

¹ Point 1.2.1 *et seq.*² Development.³ Point 1.1.1 *et seq.*⁴ Research and development.⁵ Transport.⁶ Enlargement and bilateral relations with applicant countries.⁷ Financing Community activities.⁸ Commercial policy.⁹ Agriculture.¹⁰ Energy.¹¹ Relations with industrialized countries.¹² Competition.¹³ Culture.

Commission

Activities

2.4.18. Three main issues dominated the Commission's meetings in November: discussions within the Council on the recurring aspects of enlargement (agriculture, wine and fisheries) and industrial problems (high tariffs and the motor and steel industries); budgetary discipline, for which the Commission proposed that the draft Council conclusions be supplemented to take account of the main requests made by Parliament; and lastly, preparations for the European Council, which was sent a communication on the Community's economic and social situation and the Commission's annual report on European Union.

Decisions, communications and proposals

2.4.19. In the light of the wide-ranging discussions on its December 1982 proposal to adapt the system for the supply of nuclear materials for peaceful uses,¹ the Commission adopted an amended proposal,² which should make it possible to achieve the aim of revising Chapter VI of Title Two of the Euratom Treaty. The Community's third illustrative programme analysing the situation in the nuclear industry and outlining likely medium- and long-term developments was also presented to the Council.

On the monetary front, the Commission adopted the draft of a Council resolution advocating a set of modest but significant measures to boost the European Monetary System (increasing economic convergence, relaunching the move towards financial integration, reinforcing the EMS mechanisms, in particular by extending the use of the ECU).

The Commission decided to extend the exceptional measures authorized for 1984 until the end of 1985 (end of the transitional period for Greece) with a view to restricting imports into Greece of certain products, mainly relating to the construction industry.

Council assent was requested for the extension of certain time limits laid down in the aids code for the steel industry.

In response to a request from Parliament the Commission sent it a report on the impact of Community policies and actions in Northern Ireland.

Lastly, the Commission put before the Council a proposal to modify the existing arrangements for starch and starch products.

Discussions, policy debates and work in hand

2.4.20. The Commission examined the milk and milk products situation eight months after introduction of the new rules. It considered that there was no need to put any proposals to the Council for changes to the basic Regulation, despite the wishes of some Member States. It also decided to institute infringement proceedings in all cases of incorrect application. In addition it decided to postpone by one month (till mid-December) the deadline for payment to the Community of the superlevies on excess production.

¹ Bull. EC 12-1982, point 1.5.1 *et seq.*

² Point 1.3.1 *et seq.*

Court of Justice¹

2.4.21. New cases

Case	Subject	Basis
ECSC — Steel		
263/84 — Alphasteel Ltd v Commission ¹	Individual Commission Decision of 8 October 1984 granting the applicant a reduction in the abatement rate and fixing new production quotas for the third quarter of 1984	Article 33 ECSC
264/84 — Alphasteel Ltd v Commission ¹	Individual Commission Decision of 5 October 1984 notifying the applicant of production quotas granted for the fourth quarter of 1984	Article 33 ECSC
265/84 — Badische Stahlwerke AG v Commission ²	Commission Decision of 27 September 1984 imposing a fine on the applicant for exceeding production quotas in the first quarter of 1983	Article 33 ECSC
268/84 — Ferriera Valsabbia SpA v Commission ³	Commission Decision of 27 September 1984 imposing a fine on the applicant for exceeding the production quota in the second quarter of 1982	Article 33 ECSC
282/84 — Metalgoi SpA v Commission	Commission Decision of 22 October 1984 concerning an application for adjustment of production quotas for the second quarter of 1984	Article 33 ECSC
Customs union		
252/84 — Collector Guns GmbH & Co. KG v HZA Koblenz	What minimum features must an article (pistols and holsters) exhibit for classification as a 'collector's piece of historical interest' under CCT heading No 99.05?	Article 177 EEC
Social policy		
262/84 — V.M. Beets-Proper v F. Van Lanschot Bankiers NV ²	Does Council Directive 76/207/EEC allow the Member States the freedom not to include among the conditions of employment in respect of which equal treatment for men and women must be laid down an express or implied condition concerning the termination of the contract of employment on the ground of the age attained by the employee, where that condition relates to the age at which the employee becomes entitled to a pension?	Article 177 EEC

¹ For more detailed information, see the material 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).

Case	Subject	Basis
Social security 254/84 — G.J.J. de Jong v Bestuur van de Sociale Verzekeringsbank	Interpretation of 'periods to be taken into account as insurance periods' pursuant to Annex VI, 1, 2 (c) to Regulation (EEC) No 1408/71	Article 177 EEC
261/84 — C. Scaletta v Union Nationale des Fédérations Mutualistes neutres de Belgique ⁴	Interpretation of Article 59 of Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 in respect of procedures concerning notification of transfer of residence from one Member State to another	Article 177 EEC
Agriculture		
250/84 — Società Eridania Zuccherifici Nazionali SpA and Others v Cassa Conguaglio Zucchero, Ministero delle Finanze and Ministero del Tesoro	Validity of Articles 24 and 28 of Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector	Article 177 EEC
257/84 — Ireland v Commission ⁵	Application for a declaration that by failing to put a proposal to the Council for an amendment to Council Regulation (EEC) No 856/84 amending Regulation (EEC) No 804/68 (common organization of the market in milk products) concerning the guaranteed total quantity for Ireland, the Commission has failed to act	Article 175 EEC
266/84 — Denkvit France Sàrl v Fonds d'Orientation et de Régularisation des Marchés Agricoles (FORMA) ³	Interpretation of Article 15 of Regulation (EEC) No 1380/75 (rules for the application of monetary compensatory amounts) laying down a time limit for claims for payment of monetary compensatory amounts	Article 177 EEC
278/84 and 278/84R — Federal Republic of Germany v Commission	Annulment of Articles 1, 2 and 3 of Regulation (EEC) No 2677/84 on transitional measures in readiness for the revaluation of the representative rate for the German mark on 1 January 1985 and application for suspension of implementation	Article 173 EEC
279, 280, 285 and 286/84 — Fa W. Rau Lebensmittlewerke and Others v Commission	Claim for compensation for any damage suffered by the applicants in respect of their sales of fresh butter and margarine on account of the sale of Christmas butter at a reduced price	Article 215 EEC
281/84 — Zuckerfabrik Bedburg AG, Lehrter Zucker AG and Lippe-Weser Zucker AG v Council and Commission	Claim for compensation for losses already suffered and which will be suffered in future by the applicants through the application of Regulation (EEC) No 855/84 on the calculation and the dismantlement of the monetary compensatory amounts applying to certain agricultural products and Regulation (EEC) No 2677/84 on the transitional measures in readiness for the revaluation of the representative rate for the German mark on 1 January 1985	Article 215 EEC

Case	Subject	Basis
235/84 — Groupement Agricole d'Exploitation en Commun (GAEC) de la Ségaude v Council and Commission	Claim for compensation for losses suffered through the implementation of Decision No 84/361/EEC concerning an aid granted to farmers in the Federal Republic of Germany	Article 215 EEC
Commercial policy		
256/84 — Koyo Seiko Co., Ltd v Council and Commission ⁶	Annulment of Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore	Article 173 EEC
258/84 — Nippon Seiko KK v Council ⁵	Annulment of Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore	Article 173 EEC
260/84 — Minebea Co., Ltd v Council and Commission ⁵	Annulment of Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on certain ball bearings originating in Japan and Singapore in respect of the applicant's exports from Japan	Article 173 EEC
Administrative questions		
267/84 — P.J. Card and Others v Commission ⁷	Annulment of various Commission decisions notified to the applicants by the Director of the JET Joint Undertaking and compensation for the loss suffered by them by reason of unlawful recruitment procedures	Article 152 Euratom

Disputes between the Community and its staff

v Commission: 269/84⁸ and 269/84R, 277/84⁷

v Parliament: 259/84⁵

v Economic and Social Committee: 270/84 and 270/84R

¹ OJ C 318, 29.11.1984.

² OJ C 324, 5.12.1984.

³ OJ C 323, 4.12.1984.

⁴ OJ C 317, 28.11.1984.

⁵ OJ C 326, 7.12.1984.

⁶ OJ C 316, 27.11.1984.

⁷ OJ C 335, 15.12.1984.

⁸ OJ C 334, 14.12.1984.

2.4.22. Judgments

Date and case	Held
ECSC—Steel	
27.11.1984, 50/84—SRL Bensider and Others v Commission ¹	The application is dismissed as inadmissible (Decision of 23 December 1983—production certificate and accompanying documents)
Free movement of goods	
6.11.1984, 177/83—Theodor Kohl KG v Ringelhan & Rennett SA and Ringelhan Einrichtungen GmbH ²	The prohibitions contained in Article 30 of the EEC Treaty apply to a Member State's legislation on unfair competition in so far as it makes it possible to prohibit the use, by an undertaking established in another Member State, of a distinctive symbol lawfully used in that other Member State, on the sole ground that the symbol was formerly used by a group of undertakings to which it belonged, in common with an undertaking established in the first Member State which has since been wound up, and that the symbol might therefore be regarded by the public as a reference to the defunct undertaking or group
Customs union	
13.11.1984, 98/83 and 230/83—Van Gend en Loos NV and Expeditiebedrijf Wim Bosman BV v Commission ³	The applications are dismissed (annulment of the Commission Decisions of 10 January 1983 finding that the remission of import duties in regard to the applicant firms was not justified)
15.11.1984, 236/83—University of Hamburg v HZA München-West ⁴	The phrase 'scientific instruments and apparatus' in Regulation (EEC) No 1798/75 is to be interpreted as meaning that components, accessories, etc. may be imported free of duty where the main instrument is or has been admitted free of duty
27.11.1984, 99/83—Claudio Fioravanti v Amministrazione delle Finanze dello Stato ⁵	Where by reason of an offence or irregularity committed in the course of a Community transit operation, duties or other charges which may be chargeable are not collected, recovery of those duties and charges shall be effected by the State in which the offence or irregularity was committed, in accordance with the laws of that Member State
Freedom of establishment and freedom to provide services	
6.11.1984, 182/83—Robert Fearon and Co. Ltd v the Irish Land Commission ⁶	Article 52 of the Treaty does not prevent a Member State from making exemption from compulsory acquisition measures adopted under legislation governing the ownership of rural land subject to a requirement that nationals of other Member States who have taken part in the formation of a land-owning company reside on or near the land, if that residence requirement also applies to nationals of that Member State and if the powers of compulsory acquisition are not exercised in a discriminatory manner

Date and case	Held
<p>State aids</p>	
<p>14.11.1984, 323/82—Intermills SA v Commission⁴</p>	<p>Commission Decision 82/670/EEC of 22 July 1982 on aid granted by the Belgian Government to a paper-manufacturing undertaking is void</p>
<p>Social security</p>	
<p>13.11.1983, 191/83—Felice Antonio Salzano v Federal Employment Office (Child Allowance Department)⁷</p>	<p>There is no suspension of entitlement to family allowances payable in pursuance of Article 73 of Regulation (EEC) No 1408/71 in the country of employment of one of the parents when the other parent resides with the children in another Member State and pursues there a professional or trade activity but does not receive family allowances for the children, the reason being that not all the conditions laid down by the legislation of the Member State for the actual receipt of such allowances are satisfied</p>
<p>29.11.1984, 181/83—A. Weber v Bestuur van de Nieuwe Algemene Bedrijfsvereniging¹</p>	<p>The contingencies referred to in Article 47(1) of Regulation (EEC) No 1408/71 do not include an invalidity benefits scheme in which the amount of benefits is unrelated to the duration of the insurance periods and which, for the calculation of the loss of earnings, is based primarily on the wage received in the occupation usually carried on by the party concerned and therefore takes into account either the fixed wage last received by the person concerned in that occupation before he became incapacitated for work or the average wage received by him over a certain number of days (which must not fall more than two years before he became incapacitated for work)</p>
<p>Agriculture</p>	
<p>13.11.1984, Joined Cases 256, 257, 265, 267/80, 5 and 51/81 and 282/82—Birra Wührer and Others v Council and Commission³</p>	<ol style="list-style-type: none"> 1. The application by Riseria Modenese in Case 267/80 is dismissed 2. The Community is to pay the other applicants amounts equivalent to the production refunds for maize gritz and broken rice used by the brewing industry that they would have received if, in the periods commencing on 1 August and 1 September 1975 and terminating on 19 October 1977, the use of maize and rice for that purpose had conferred an entitlement to the same refunds as the use of maize for the manufacture of starch 3. The amounts to be paid are to bear interest at 6% as from the date of this judgment, which shall also be the date to be taken for the purposes of the conversion of the said amounts into national currency
<p>13.11.1984, 283/83—Firma Racke v HZA Mainz³</p>	<p>Consideration of the matters raised disclosed no factor of such a kind as to affect the validity of Regulation (EEC) No 167/76</p>

Date and case	Held
<p>27.11.1984, 232 and 264/81—Agricola Commerciale Olio and Others and SAVMA v Commission⁵</p>	<p>1. Commission Regulation (EEC) No 2238/81 of 3 August 1981 repealing Regulation (EEC) No 71/81 on the sale of olive oil held by the Italian intervention agency is void</p> <p>2. Commission Regulation (EEC) No 2239/81 of 3 August 1981 reopening the sale by tender of olive oil held by the Italian intervention agency is void</p>
<p>Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters</p> <p>27.11.1984, 258/83—Brennero v Wendel⁵</p>	<p>1. The second paragraph of Article 38 of the Brussels Convention must be interpreted as meaning that a court with which an appeal has been lodged against a decision authorizing enforcement given under the Convention can make enforcement conditional upon the provision of security only when it gives judgment on the appeal</p> <p>2. The second paragraph of Article 37 of the Convention must be interpreted as meaning that an appeal on a point of law and, in Germany, a <i>Rechtsbeschwerde</i> can be lodged only against the judgment given on the appeal</p>
<p>Infringements</p> <p>14.8.1984, 164/84—Commission v Federal Republic of Germany</p>	<p>Order for removal from the Court register (arbitrary discrimination and covert restriction on imports of game)</p>

Disputes between the Community and its staff

v Commission

29.11.1984, 265/83—Judgment for the applicant¹

v Parliament

9.10.1984, 188/83—Application dismissed

v Court of Auditors

16.10.1984, 257/83—Judgment for the applicant

Orders for removal from the Court register

25.10.1984, 158 to 167/83—P. Colombo and Others v Commission

14.11.1984, 87/83—Hemjska Industrija Zorka-Sabac v Council

19.11.1984, 217/84—M. Simeoni v Commission

¹ OJ C 340, 20.12.1984.

² OJ C 316, 27.11.1984.

³ OJ C 323, 4.12.1984.

⁴ OJ C 326, 7.12.1984.

⁵ OJ C 335, 15.12.1984.

⁶ OJ C 317, 28.11.1984.

⁷ OJ C 324, 5.12.1984.

Court of Auditors

2.4.23. On 22 November the Court of Auditors adopted its annual report on the implementation of the general budget of the European Communities for 1983 and the operations of the European Development Fund. The report was transmitted to the Community institutions on 30 November. It will be published in the Official Journal on 31 December, accompanied by the replies of the institutions, in all the official Community languages.

Economic and Social Committee

221st plenary session

2.4.24. The Economic and Social Committee held its 221st plenary session in Brussels on 21 and 22 November with Mr Gerd Muhr in the chair.

The Committee mainly discussed the Annual Economic Report 1984-85 in the presence of the Irish Finance Minister. It also adopted an initial 'policy' opinion on reform of the organization of the market in wine and adopted an opinion on lead in petrol under the emergency procedure.

2.4.25. On 6 and 7 November the Committee had held a conference on 'Europe and the New Technologies' with 650 participants from most branches of industry and agriculture, research and administration. The conference was intended to stimulate awareness of the fact that there could be no turning back from the new technologies being introduced in every field, and it demonstrated the need to assess the effects in relation to the reorganization of work and environmental protection.

The participants considered the impact of the new technologies and outlined ways of developing a more effective social policy. They expressed their desire to see the Community play a more active part in a coordinated European strategy. Those taking part in the conference included Mr Etienne Davignon, Vice-President of the Com-

mission, Mr Ivor Richard, Member of the Commission, Mr Gerd Muhr, Mr Pierre Pflimlin, Mr John Bruton, Irish Industry Minister and current President of the Council, Mr Karl Rodenstock, former Chairman of the Federation of German Industry (BDI), Mr Georges Debunne, Chairman of the European Trade Union Confederation, Mr Umberto Colombo of the European Committee on Science and Technology and Lord Pennock of Unice.

Opinions

Annual Economic Report 1984-85

2.4.26. By 58 votes to 46 with 13 abstentions the Committee endorsed the Commission's analysis contained in its Annual Economic Report 1984-85,¹ and the overall strategy proposed to speed up growth and reduce unemployment.

As regards employment measures, the Committee noted that a temporary wage freeze creates few if any jobs. It also suggested that it should be left to the two sides of industry to solve the problem of reducing working time. The Committee considered that the measures for the business sector were interesting in principle and suggested that, in view of the great diversity of tax provisions in the Member States, there should be a minimum level of harmonization accompanied by a study of ways to encourage investment.

The Report was very well received by the Groups representing employers and various interests. Only the Workers' Group—which objected to some of the approaches adopted in the Report, but saw its proposed amendment rejected—considered that the Report was an endorsement of a monetarist policy which had produced increased unemployment and inadequate growth. It also felt that some of the proposals in the Report deliberately challenged labour legislation and social welfare measures.

¹ Bull. EC 10-1984, point 2.1.2.

Lead in petrol

2.4.27. In considering the proposal made by the Commission in May,¹ the Committee advocated the sale of lead-free petrol from 1 January 1986 instead of 1 July 1989 and a reduction in the lead content of petrol used by existing vehicles to 0.15 g/l instead of 0.40 g/l.

On the question of emissions of pollutants, the Committee considered that the Community could achieve better results than required under present US standards and at a lower cost. It advocated the application of US standards to large vehicles from 1988/90 instead of 1989/91 and asked that the application of the limits proposed by the Commission for other vehicles be brought forward by one year.

The Committee suggested that the Commission should study technical possibilities of bringing vehicles into line with US emission standards by 1990 using devices other than catalytic converters. Lastly, it hoped that tax incentives would be introduced to encourage the use of lead-free petrol and that the Governments of the Member States would promote the use of vehicles which conform to future emission standards.

Reform of the common organization of the market in wine

2.4.28. The Committee adopted an initial 'policy' opinion on the Commission's proposals,² which it supported with the exception of the proposed guarantee thresholds. It asked the Council not to take a decision on the new Regulations until it had been informed of the outcome of consultations with the various sectors of the wine trade.

Positive action for women

2.4.29. The Committee approved the Commission proposal on positive action for women.³ It endorsed the principle behind such action since it was in women's interests and, although costs were high, they would be repaid in the long term. It accepted the idea of a compulsory quota of women in

the field of training and hoped that the Commission proposal would be adopted in the form of a directive.

Opinions adopted without discussion

2.4.30. The Committee also adopted opinions on the following without discussion:

- the list of simulants to be used for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs:⁴ the Committee endorsed the proposal and requested harmonization of materials at Community level; it sought a simple procedure, involving permitted lists, which would offer the consumer a guarantee as to both the health effects of the materials and their influence on the taste of food;
- the third programme to promote youth employment:⁵ the Committee supported the idea of extending the programme to young job-seekers with practical working experience;
- action to combat poverty:⁶ the Committee stressed the need for coordinated measures, uniform statistical criteria and the creation of a mechanism to support the launching of official operations;
- action to combat long-term unemployment:⁷ the Committee feared that the proposed measures were too piecemeal to deal with the seriousness of the situation;
- the seventeenth VAT harmonization Directive (exemption on the temporary importation of goods other than means of transport):⁸ the Committee expressed satisfaction with the proposal but criticized the fact that more determination was not shown generally in pursuing the objective of greater freedom of movement of goods;

¹ OJ C 178, 6.7.1984; Bull. EC 5-1984, point 1.2.1 *et seq.*

² OJ C 259, 27.9.1984; Bull. EC 9-1984, point 2.1.80; OJ C 278, 18.10.1984; Bull. EC 9-1984, point 2.1.82.

³ OJ C 143, 30.5.1984; Bull. EC 4-1984, point 2.1.65.

⁴ OJ C 102, 14.4.1984; Bull. EC 4-1984, point 2.1.13.

⁵ OJ C 153, 13.6.1984; Bull. EC 5-1984, point 2.1.78.

⁶ OJ C 208, 8.8.1984; Bull. EC 7/8-1984, point 2.1.100.

⁷ Bull. EC 9-1984, point 2.1.43.

⁸ OJ C 244, 13.9.1984; Bull. EC 7/8-1984, point 2.1.84.

- limitation of emissions of pollutants into the air from large combustion plants:¹ in approving the Commission proposal the Committee stressed the need to ensure application of directives already adopted by the Council, coordination with energy policies and dissemination of information to the public;

- protective measures against the introduction into the Member States of organisms harmful to plants and plant products:² the Committee considered that certain checks must be maintained at borders within the Community (the Commission's view being that checks should generally be carried out at the place of destination) and recommended caution in this area;

- intra-Community trade in fresh meat:³ the Committee felt that the proposal was a considerable step forward in the hygienic control of meat production and added a further parameter to the present criterion of 'visual cleanliness';

- financial support by the Community in favour of industries producing solid fuels:⁴ the Committee did not feel able to support the amended proposal since the changes made went against its opinion on the initial proposal⁵ (when it had suggested granting aid towards reducing coal stocks, advocated a relaxation of aid criteria and suggested an increase in the level of Community aid to investment); the Committee was also opposed to the creation of an advisory committee, taking the view that the ECSC Consultative Committee could give an opinion on applications for investment aid;

- a research and training programme (1985-89) in the field of controlled nuclear fusion and the realization of a tritium-handling laboratory:⁶ the Committee considered that Community efforts to develop fusion energy are justified and a noteworthy example of European cooperation; it also emphasized the importance of safe handling of tritium, which is one of the major safety problems associated with fusion energy;

- a research programme (1985-89) in the field of biotechnology:⁷ the Committee endorsed the programme subject to certain

specific recommendations being taken into account;

- a research programme (1984-87) for the optimization of the production and utilization of hydrocarbons:⁸ the Committee endorsed the programme but criticized the inadequate level of financing proposed.

European Investment Bank

Operations in November

2.4.31. Loans announced by the European Investment Bank in November for investments within the Community totalled 953.5 million ECU,⁹ broken down as follows: 533 million ECU in Italy, 310.7 million ECU in France, 65 million ECU in Greece and 44.8 million ECU in Germany. Of the total amount, 58.2 million ECU was provided from the resources of the new Community borrowing and lending instrument (NCI).¹⁰ Outside the Community, the Bank lent 70 million ECU for investments in Spain and 37.4 million ECU for investments in ACP States.

Community

Italy

2.4.32. LIT 740 000 million was lent in Italy, including LIT 30 000 million from NCI resources. LIT 510 000 million was granted for infrastructure works, particularly in the Mezzogiorno, and LIT 175 000 million for investments in the energy sector

¹ OJ C 49, 21.2.1984; Bull. EC 12-1983, point 2.1.118.

² OJ C 186, 13.7.1984; Bull. EC 6-1984, point 2.1.109.

³ OJ C 255, 22.9.1984; Bull. EC 9-1984, point 2.1.88.

⁴ OJ C 264, 3.10.1984; Bull. EC 9-1984, point 2.1.112.

⁵ OJ C 232, 30.8.1983; Bull. EC 7/8-1983, point 2.1.188.

⁶ OJ C 198, 27.7.1984; Bull. EC 5-1984, points 2.1.194 to 2.1.196.

⁷ OJ C 182, 9.7.1984; Bull. EC 4-1984, point 2.1.25.

⁸ OJ C 154, 14.6.1984; Bull. EC 5-1984, point 2.1.197.

⁹ The conversion rates at 28 September used by the EIB in statistics for the fourth quarter were 1 ECU = BFR 45.31, DKR 8.20, DM 2.23, DR 92.16, FF 6.86, HFL 2.52, IRL 0.72, LIT 1 388, LFR 45.31, UKL 0.59, USD 0.74.

¹⁰ OJ L 298, 20.10.1978; Bull. EC 10-1978, point 2.1.10.

to help reduce the Community's dependence on imported oil. Finally, LIT 55 000 million went towards the application of advanced technology in industry.

In the infrastructures sector, LIT 510 000 million was granted for telecommunications, a motorway, a new business district in Naples and environmental improvement in the Gulf of Genoa: LIT 350 000 million went towards the development of the telecommunications network in the Mezzogiorno, especially in Campania, Basilicata, Apulia, Calabria and Sicily; LIT 85 000 million was granted for the improvement of north-south communications through the completion of the motorway linkup between Milan and Naples via a bypass near Rome; LIT 55 000 million financed the provision of basic infrastructure in the new business district of Naples, the construction of which forms part of a whole city planning venture; finally, a LIT 20 000 million loan was granted to reduce water pollution along the Savona coastline by updating sewage treatment facilities.

Projects in the energy sector received LIT 175 000 million: LIT 95 000 million for investments designed chiefly to reduce oil consumption and enhance the utilization of alternative sources of energy; LIT 60 000 million for the construction or extension of four hydroelectric power stations in Emilia-Romagna, Friuli and Lombardy; LIT 20 000 million from NCI resources to finance the installation of solar panels in residential and office buildings throughout Italy; a further LIT 15 000 million towards the full restoration of electricity-generating, transmission and distribution plant and equipment damaged by the 1980 earthquake in Campania and Basilicata; and LIT 80 000 million towards the completion of the main pipeline for imports of natural gas from Algeria and the upgrading of the linkup between the Mezzogiorno and the gasline networks in northern Italy.

As for industry, LIT 55 000 million was lent to Rockwell CVC SpA to help finance the application of advanced technology at a plant producing axles for commercial vehicles at Cameri in Piedmont.

France

2.4.33. FF 2 130 million was lent in France, including FF 300 million from NCI resources. FF 1 100 million (FF 800 million from the EIB and FF 300 million from the NCI) was granted for the construction of three satellites, each equipped with six transponders to provide communications facilities within and between companies, three for telephone traffic and one for television transmissions. Part of the new satellite capacity will be devoted to improving communications with France's overseas departments. Costed at FF 3 000 million and due for completion towards the end of 1986, the project also includes a reference and systems management centre at Mulhouse, 100 unmanned earth stations for the business service, 80 stations for video broadcast reception and connection of subscribers to the network. Companies from 10 countries, including seven Community ones, are providing know-how and equipment for this advanced technology project.

FF 500 million was granted in the form of a 15-year global loan (credit line) to the Caisse d'aide à l'équipement des collectivités locales (CAECL) for small and medium-sized equipment for local authorities. Most of the funds will go to departmental road networks, port equipment and rural electrification.

FF 330 million lent to the Caisse nationale des autoroutes (CNA) will be passed on to the Société des autoroutes Paris-Rhin-Rhône (SAPRR) to finance construction of the 96-km Mâcon-Châtillon section of the A40 motorway, which will link the A6 Paris-Lyons motorway with the Mont Blanc tunnel and the Italian border. The project is costed at FF 6 000 million and is due for completion in 1989.

Finally, FF 200 million, also in the form of a 15-year global loan to CAECL, has been granted for projects by municipalities, departments, regions, urban areas, joint or intermunicipal consortia, and districts. In line with Community objectives, the investments financed will involve the use of

renewable energy sources (geothermal energy, biomass), the replacement of oil by fuels such as coal, electricity transmission, the recovery of heat from industrial plant, from the incineration of household waste or from thermal or nuclear power stations, heat distribution networks or the construction of small hydroelectric power stations.

Greece

2.4.34. DR 6 000 million was lent for infrastructure projects in Greece: DR 2 800 million to fund improvements to the main east-west highway linking Thessaloniki to Alexandroupolis and Turkey, the upgrading of feeder roads, and roadworks designed to relieve traffic congestion at the approaches to Thessaloniki; DR 2 000 million towards strengthening, aligning and standardizing national and provincial roads in mainland Greece and certain islands, with a view to regional development; and finally, DR 1 200 million for sewerage and sewage treatment works to reduce pollution in Thessaloniki, Volos, and Aghios Nikolaos in Crete; the facilities will restore the quality of the bay water in all three localities and should permit the resumption of inshore fishing and bathing.

Germany

2.4.35. DM 100 million went to energy projects in Germany:

- DM 80 million for the construction of a second unit at the Neckarwestheim nuclear power station in Baden-Württemberg; this project, due for completion in 1988/89, involves a 1 230-MW unit, mainly for the local network, equipped with a pressurized water reactor and a cooling tower;
- DM 20 million for the construction of a district heating transmission line from Fenne to Saarbrücken; apart from the 8.40 km main transfer line, the works also include two branch lines and two heat-exchange stations for the transfer of industrial waste heat to the Saarbrücken district heating system; this project forms part of a larger scheme in the Saarland and will help

reduce air pollution and develop new technology in the field of energy conservation.

Outside the Community

Mediterranean countries

2.4.36. As part of pre-accession financial cooperation with Spain, for which a further 250 million ECU was allocated for the period from July 1984 to the end of 1985, the Bank granted four global loans totalling 70 million ECU:

- the Banco de Crédito Industrial (BCI) will onlend 40 million for small and medium-scale ventures in industry and related services: a total of 25 million ECU will help fund ventures in the industrial regions and 15 million ECU will go to ventures in the less-developed regions;
- the Banco Hipotecario de España (BHE) will onlend 15 million ECU for small and medium-scale tourism ventures in regions away from the major Mediterranean coastal resorts;
- the Banco de Crédito Local de España (BCLE) will onlend 15 million ECU to support small infrastructure schemes by local authorities in the less-developed areas and the islands.

ACP States

2.4.37. Under the second Lomé Convention the Bank lent 13.4 million ECU to Cameroon for the Hévéa-Cameroun development company (Hevecam), which in the past 10 years has planted 15 000 hectares of rubber trees at an estate 25 km from Kribi and 250 km from Douala. The loan is for the third phase of this agri-industrial complex, which involves the planting of an additional 1 600 hectares, the first tapping of 9 400 hectares of rubber trees, the installation of additional processing lines to boost daily throughput capacity to 64 tonnes of latex and 32 tonnes of coagulum, and various investments including 500 hectares of small-holder plantations. The EIB is financing the treatment plant and ancillary equipment,

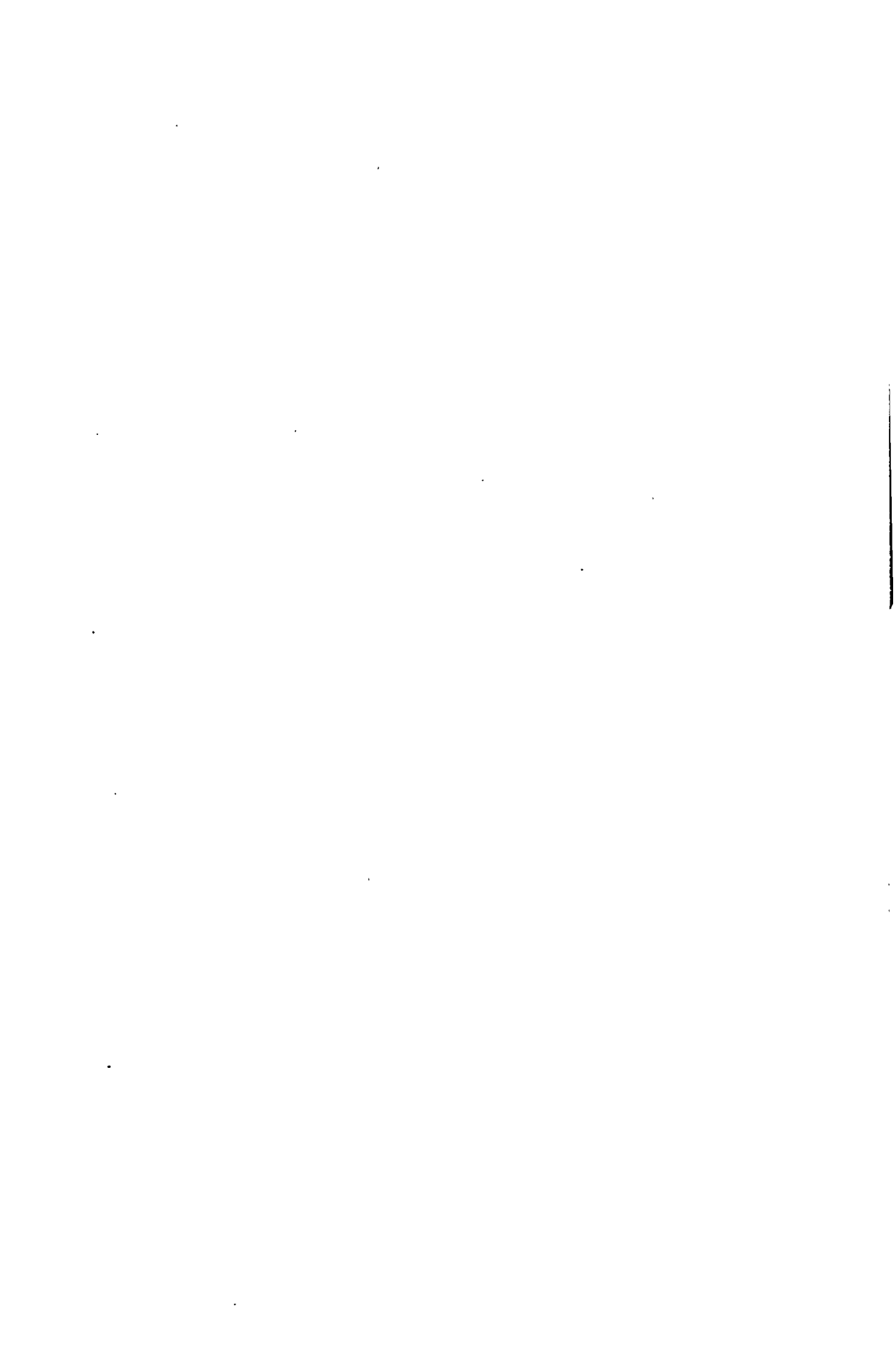
installation of which will be phased over the period up to 1989.

12 million ECU was granted to the Ethiopian Government from risk capital administered by the Bank to rehabilitate a textile mill at Bahr Dar on the shores of Lake Tana some 550 km north-west of Addis Ababa to meet local demand for cotton fabrics. The scheme includes the overhaul of existing plant, the replacement of obsolescent equipment of premises to rehabilitate and modernize existing facilities. The project also includes a staff training programme and measures to improve working conditions.

In Guinea 7.5 million ECU was lent for the introduction of a new process to improve the quality of alumina produced at Fria-Kimbo, 150 km north-west of Conakry, by Friguia, a semi-public company in which the State holds a 49% stake. The new production process will enable the Kimbo plant to turn out sandy alumina on a steady basis. The investment will appreciably reduce dust emissions and thus improve the environment and working conditions.

In Tanzania the Bank lent the State 3.5 million ECU from risk capital for onlending to Morogoro Canvas Mill Limited for the acquisition abroad of raw materials (dyes and chemicals) and spares required for launching production at the mill at Morogoro, 180 km west of Dar es Salaam. In tandem with the EIB loan, the European Development Fund is providing 2.2 million ECU to ensure ongoing technical assistance. The Morogoro mill, built with financial backing from the EIB and the EDF, boasts a capacity of 7.5 million metres of canvas a year. It will absorb about 10% of national cotton fibre production, especially qualities of fibre which prove somewhat difficult to export, and provide employment for nearly 900.

In Tonga 1 million ECU was lent from risk capital for small and medium-sized firms: 700 000 ECU to the Tonga Development Bank for shares or loans and 300 000 ECU to the State to increase its holding in the Bank's share capital.





PART THREE

DOCUMENTATION

1. ECU

Values in national currencies of one ECU

30 November 1984 ¹	
Belgian franc and Luxembourg franc (convertible)	44.9108
Belgian franc and Luxembourg franc (financial)	45.0408
German mark	2.23327
Dutch guilder	2.51911
Pound sterling	0.601256
Danish krone	8.04526
French franc	6.84273
Italian lira	1 382.08
Irish pound	0.718932
Greek drachma	91.2870
United States dollar	0.721807
Swiss franc	1.83678
Spanish peseta	124.512
Swedish krona	6.35804
Norwegian krone	6.44754
Canadian dollar	0.954374
Portuguese escudo	119.820
Austrian schilling	15.6921
Finnish mark	4.63833
Japanese yen	178.250
Australian dollar	0.841856
New Zealand dollar	1.48185

¹ OJ C 321, 1.12.1984.

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

November 1984	
National currency	Value in national currency of one ECU
Belgian franc and Luxembourg franc	44.9008 ¹ 46.4118 ²
Danish krone	8.23400 ¹ 8.41499 ²
German mark	2.57524 ¹ 2.52875 ³ 2.54273 ⁴ 2.51457 ²
Greek drachma	77.2479 ¹ 90.5281 ²
French franc	6.93793 ⁴ 6.49211 ¹ 7.10590 ⁵ 7.86866 ²
Irish pound	0.725690 ¹ 0.750110 ²
Italian lira	1 341.00 ¹ 1 432.00 ²
Dutch guilder	2.75563 ¹ 2.72149 ³ 2.73327 ⁴ 2.70981 ²
Pound sterling	0.618655

¹ For seeds.

² For other products.

³ For cereals and durum wheat.

⁴ For milk and milk products.

⁶ For pigmeat and wine.

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 5-1984

Point 2.1.142

Commission Decision of 2 May 1984 concerning the State aids provided for by Law No 97 of the Region of Sicily of 6 May 1981 on measures to encourage productive sectors of agriculture and various agricultural standards

OJ L 305, 23.11.1984

Commission Decision of 2 May 1984 on State aids under Sicilian Regional Law No 87 of 5 August 1982 providing for measures in respect of agricultural loans and urgent assistance for certain sectors of agricultural production

OJ L 311, 29.11.1984

Bull. EC 6-1984

Point 2.1.112

Commission Decision of 30 May 1984 concerning the aids provided for in Law No 105 of 5 August 1982 of the Region of Sicily amending the regional budget and the budget of the State forests of the Region of Sicily for 1982

OJ L 311, 29.11.1984

Bull. EC 7/8-1984

Point 2.1.172

Revised forecasts for the outlook for the Community solid fuels market in 1984

OJ C 297, 8.11.1984

Points 2.2.38 to 2.2.41

Commission proposals to the Council fixing the Community's scheme of generalized tariff preferences for 1985

OJ C 294 of 5.11.1984

Bull. EC 9-1984

Point 2.1.9

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for lifting and mechanical handling appliances;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to electrically operated lifts;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for appliances using gaseous fuels, safety and control devices for these appliances and methods of surveillance of them;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to appliances using gaseous fuels for instantaneous production of hot water for sanitary purposes;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for construction plant and equipment;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of compressors;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of welding generators;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of power generators;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of powered hand-held concrete-breakers and picks;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers;

Council Directive of 17 September 1984 on the approximation of the laws of the Member States

relating to electro-medical equipment used in human or veterinary medicine.

OJ L 300, 19.11.1984

Point 2.1.32

Commission Decision of 12 September 1984 on the Belgian Government's proposal to prolong the textile and clothing industry aid scheme

OJ L 312, 30.11.1984

Points 2.4.16 to 2.4.22

Opinions adopted by the Economic and Social Committee during its session on 26 and 27 September

OJ C 307, 19.11.1984

3. Infringement procedures

Initiation of proceedings for failure to implement directives

3.3.1. In November the Commission sent letters of formal notice for failure to incorporate directives into national law (the Commission not having been informed of national implementing measures) in the following cases:

Internal market and industrial affairs

- Council Directive of 31 March 1982¹ on the approximation of the laws of the Member States relating to methods of testing the biodegradability of non-ionic surfactants and amending the Directive of 22 November 1973² (Belgium, France, Italy, Luxembourg).
- Council Directive of 31 March 1982¹ amending the Directive of 22 November 1973 on the approximation of the laws of the Member States relating to methods of testing the biodegradability of anionic surfactants² (Belgium, France, Italy, Luxembourg).

Reasoned opinions

3.3.2. The Commission delivered 12 reasoned opinions in the following cases:

External relations

- Cooperation agreement between France and the USSR in disregard of the obligations deriving from the Council Decision of 22 July 1974 establishing a consultation procedure for cooperation agreements between Member States and third countries³ (France).

Internal market and industrial affairs

- Discriminatory provisions in the laws relating to several occupations (Italy).

Agriculture

- Importation of pasteurized milk (United Kingdom).
- Failure by the Greek intervention agency to respect the rights of tenderers for a quantity of 30 000 tonnes of common wheat (Greece).

¹ OJ L 109, 22.4.1982.

² OJ L 347, 17.12.1973.

³ OJ L 208, 30.7.1974.

- Restrictions on the importation of beef/veal (Greece).
- Import licence for milk products (United Kingdom).

Environment, consumer protection and nuclear safety

- Failure to incorporate correctly into national law the Council Directive of 18 September 1979¹ amending for the sixth time the Council Directive of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances² (Federal Republic of Germany, Italy).
- Failure to incorporate correctly into national law the Council Directive of 2 April 1979 on the conservation of wild birds³ (Federal Republic of Germany, Ireland).
- Failure to inform the Commission of national measures to give effect to the Council Directive of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer⁴ (France).

Financial institutions and taxation

- Incorrect application of the sixth Council Directive 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 assessment — tax position of notaries and bailiffs⁵ (Netherlands).

Proceedings terminated

3.3.3. The Commission decided not to continue the following infringement proceedings:

Cases in respect of which a reasoned opinion had been sent

Customs union

- Simplified clearance procedures for steel products (Federal Republic of Germany).

Internal market and industrial affairs

- Discriminatory measures in respect of international fairs and exhibitions (Federal Republic of Germany).

- Import price guarantee (United Kingdom).
- Incorrect application of the Council Directive of 25 July 1978 concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualifications of practitioners of dentistry, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services⁶ and of the Council Directive of 25 July 1978 concerning the coordination of provisions laid down by law, regulation or administrative action in respect of the activities of dental practitioners⁶ (France).
- Failure to apply the Commission recommendation of 3 July 1981 to the Member States on the obligation to publish price lists and conditions of sale and on prohibited practices in the steel trade⁷ (Greece, Italy).
- Incorrect application of the Council Directive of 21 December 1976 coordinating procedures for the award of public supply contracts⁸ (Italy).

Agriculture

- Payment of the intervention price for olive oil (Greece).

Transport

- Incorrect application of the Council Regulation of 25 March 1969 on the harmonization of certain social legislation relating to road transport⁹ (Italy).

Financial institutions and taxation

- Incorrect application of the Council Directive 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 assessment — place of taxation of services supplied in connection with the hiring out of movable tangible property⁵ (Federal Republic of Germany, France, Italy).

¹ OJ L 259, 15.10.1979.

² OJ 196, 16.8.1967.

³ OJ L 103, 25.4.1979.

⁴ OJ L 33, 8.2.1979.

⁵ OJ L 145, 13.6.1977.

⁶ OJ L 233, 24.8.1978.

⁷ OJ L 184, 4.7.1981.

⁸ OJ L 13, 15.1.1977.

⁹ OJ L 77, 29.3.1969.

4. Implementation of Community Code of Conduct by companies with subsidiaries in South Africa

Fourth Community analysis July 1981 to June 1983

3.4.1. At a political cooperation meeting on 20 November the Ten adopted the fourth Community analysis (July 1981 to June 1983) on the implementation of the Community Code of Conduct for companies with subsidiaries in South Africa. The text is reproduced below.

Introduction

Trade union membership among blacks increased substantially during the period under review. The ILO estimates that by the end of 1982 there were 545 000 blacks in trade unions, an increase of over 50% on the figures for the previous year. This increase has taken place despite a rise in unemployment among blacks.

Changes in industrial relations matters during the period include the elimination of 'job reservations' in the Labour Relations Act, although discrimination on grounds of race continues to be a feature in the Mines and Works Act. Also, the Supreme Court found in a binding decision (i) that the Government had erred in insisting that unions register on a racial basis and (ii) that unions were entitled to register on an open basis catering for all races.

Despite these changes, trade unions still encounter serious difficulties in organizing their activities. Union leaders have been imprisoned without trial and one, Dr Neil Aggett of the African Food and Canning Workers Union, died in detention in Feb-

ruary 1982. At the subsequent inquest, evidence of torture was adduced. In the Ciskei, the South African Allied Workers' Union was banned following amendments to legislation there and many trade unionists were arrested and tortured.

The number of strikes and the number of workers involved increased during 1982. According to official figures, the number of working days lost increased by over 50%. Most strikes concerned wage disputes while dismissals and layoffs were also significant causes.

Among developments in the Ten, it is worth noting that the Governments of the Federal Republic of Germany and the Netherlands appointed social attachés to their embassies in Pretoria with responsibility for increasing contacts with companies and trade unions. The United Kingdom has had a social attaché at its embassy for a number of years.

Analysis of reports

In the third Community analysis of national reports on the implementation of the Code of Conduct, the periods covered ranged from mid-1980 to the end of 1981. In 1983 the Ten began a process of harmonization of the reporting periods so that all reports will eventually cover common periods from 1 July to 30 June each year.

This fourth analysis is of reports covering periods from July 1981 to 30 June 1983. A summary of the national reports analysed is given in the table below.

Country ¹	Period covered	Numbers of company reports analysed	Numbers of black employees
Belgium	1.7.1982-30. 6.1983	5	not stated
Denmark	1.7.1982-30. 6.1983	2	204
Germany(FR) ²	1.7.1981-31.12.1982	51	21 100
Greece ³	1.7.1981-30. 6.1982	2	35
France	1.7.1982-30. 6.1983	7	2 230
Italy	1.7.1982-30. 6.1983	2	1 050
Netherlands	1.7.1981-30. 6.1982	17	4 468
	1.7.1982-30. 6.1983	16	4 060
United Kingdom	1.7.1981-30. 6.1982	130	134 000
	1.7.1982-30. 6.1983	139	113 000
Total	at 30.6.1983	224	141 679

¹ Ireland and Luxembourg do not have companies reporting under the Code.

² The first report from the Federal Republic of Germany to adopt the standard reporting period will cover the period to 30 June 1984.

³ The Greek report is also valid to 30 June 1983.

Reports were filed by over 90% of companies expected to do so. The present analysis reports on conditions in 224 companies employing approximately 141 679 black workers. The Governments of the Ten are encouraging those firms which have not yet done so to submit reports under the Code.

The national reports of Denmark, the Federal Republic of Germany, the Netherlands and the United Kingdom are publicly available.

Relations within companies

The increased importance of trade unions and the increased readiness of Community companies to cooperate with them is apparent. The number of German companies reporting cooperation with trade unions rose from 7 to 15. The number of UK companies now giving formal recognition to independent black unions or established registered unions has risen to 39, a substantial increase from the 1981 figure of 17 and the 1982 figure of 25. The number of British companies prepared to negotiate with registered or unregistered trade unions also increased from 38 in 1982 to 55 in 1983.

Twenty-two German companies, employing 65% of the workforce in German enterprises, informed their employees that they were prepared to cooperate with unions. Among the 15 German companies at present cooperating with unions, union activities were facilitated in a variety of ways including:

- allowing meetings during working hours;
- assistance in preparing union information;
- partial or full exemption from work for shop stewards;
- deduction of union dues from wages.

The Netherlands reports note that Dutch firms accept the principle that employees are entitled to determine their own form of representation and that they were generally willing to negotiate with unionized employees. In addition, six Dutch firms, including the five which employ 400 or more black workers, state their willingness to negotiate with unregistered trade unions where these could show that they had sufficient support in the workforce.

The two Greek firms report that the employees of one firm, a bank, do not belong to any union, nor have they expressed any wish or made any request to belong to one. No trade union caters for employees in the other firm's business—an airline.

Both of the reporting Danish companies fully recognize the right of blacks to membership of a trade union. In the seven French companies union membership is open to all employees. The five Belgian companies also recognize the rights of their

workers to a free choice of trade union. One Italian company reports that its employees are unionized and the same company also liaises with its employees through a workers committee.

The liaison committee remains the predominant form of organization for employees although its role in some companies is being superseded by trade unions. Seventy-seven British firms now report liaison committees, compared with 91 in 1981 and 99 in 1982. The workers in 24 of the 51 German companies are represented by such committees, as are the employees of both Danish firms and two of the French firms. Liaison committees are also active in many Dutch firms, particularly the larger ones.

Migrant labour

Migrant labour is used by a minority of companies reporting under the Code. The Danish, Greek and Italian companies employ no migrant workers. The workforce of the only Belgian company using migrant labour consists entirely of migrants. Of the two French companies employing migrant labour, one is situated close to a 'homeland' whence the workers travel daily. Two Dutch firms reported using a small number of migrant workers. Of the 15 German firms employing migrants, six firms employed 90% of the total; and one British firm accounted for over 70% of the migrants employed by the 42 British companies using migrant labour.

In many cases migrant workers receive the same treatment as permanent staff, while several firms provide extra facilities such as subsidized transport, extra leave, etc., to alleviate the problems of migrants. Some firms have stated that they intend to phase out the use of migrant workers.

Pay

The Code recommends that all employers should pay minimum wages at least 50% above the amount required to meet the minimum needs of a family.

The reports indicate that most employees are paid wages above this minimum level and that most companies abide by the Code's recommendation. Firms encompassing 69% of workers in all German subsidiaries pay their employees above the recommended level; 90.1% of blacks employed by British firms and 85% of those working for Dutch firms are also paid above this level. One Danish, all Belgian and six French companies also pay all their employees above the recommended level.

There was, however, a slight fall in the percentage of employees of German and British firms who were paid above the recommended norm. In the case of British firms, this appears to have been caused, at least in part, by the recession in the South African economy.

One hundred and thirty-five employees (3.3%) of Dutch companies and 1 400 employees (1.3%) of British companies received wages below the amount considered adequate to meet the needs of a family. Over 60% of the British employed workers in this category are in a single company. In many cases these employees, mostly in the mining, construction, agricultural and service sectors, were new recruits or trainees. Some of the employees were women who were not the sole income earners in a family.

Wage structure and black African advancement

The overwhelming majority of companies accept the principles of equal pay for equal work and equality of job opportunities. There were only 6 firms which either did not accept them or else did not state their policy.

However, equal access by blacks to job opportunities is often circumscribed by their lack of qualifications or skills as a result of inferior education and training. Many companies seek to remedy this deficiency by the provision of suitable training either on the job or in institutions outside the firm. Most of the Dutch companies provide such training, as do 131 British, 31 German, 6 French, 1 Belgian and all the Italian and Danish firms. Approximately one third of the companies which filed reports increased the training offered in the period under review. One Italian company and three German firms reported the construction of new training centres. Several firms reported that they provided scholarships to university, technical college or other third-level institutions to some of their employees.

Many companies said that they had a deliberate policy of advancement of black Africans and cited instances of such promotion. However several companies also perceived a shortage of skilled labour and recruited skilled workers and managers from abroad to fill particular needs, but the number is declining.

Fringe benefits

Almost all companies reported providing fringe benefits in addition to wages. The majority of companies contribute to pension and insurance schemes and provide assistance to employees to

purchase accommodation. The range of benefits provided by different companies includes contributions to study costs, subsidized travel, low-cost meals, bonus payments, sports facilities and legal advice. Several companies report their involvement in community projects, whose benefits are not restricted to their own workforce.

Desegregation at places of work

A majority of companies report that partial or complete desegregation had been achieved at the workplace. Desegregation of social and works amenities was reported by a smaller number of firms, which nevertheless constituted a majority. Among the reasons cited for continued segregation are unchanged statutory provisions and controls, the nature of older buildings and the preferences of employees. However, some progress has been made during the period by many of the firms whose facilities are still not fully desegregated.

Conclusion

A rapid increase in the growth of trade union membership has been a feature of the period under review. There has also been a welcome increase in the preparedness of subsidiaries of companies in the Ten to recognize and negotiate with both registered and non-registered trade unions. Given the ambivalent attitude of the South African authorities to the development of trade union rights for black workers, it is considered that employers will have to maintain a conciliatory and encouraging attitude if progress is to be made towards the achievement of internationally accepted standards of industrial relations.

The recession in the South African economy has been partly responsible for the slight drop in the percentage of workers paid above the level recommended in the Code of Conduct. However, the relative lot of the lowest-paid workers appears to have improved slightly although there still remains a small percentage who are paid wages below what is regarded as the poverty level, i.e. the minimum subsistence requirement for a family. It is clear, therefore, that there is still scope for persuading companies which have not yet done so to meet the wage guidelines recommended by the Code.

Because of the inequity of South Africa's educational system, training and education provided by companies plays an important role in upgrading the skills of black workers and in enabling them to compete on equal terms for available job opportunities. The further room for improvement in training and development of black workers is demonstrated by the shortage of skilled workers, which companies have continued to meet by recruitment abroad.

5. Interim report by the *ad hoc* Committee on Institutional Affairs

Report to the European Council
(Dublin, 3 and 4 December 1984)

Preface¹

3.5.1. After the Second World War Europe made a very promising start by setting up, firstly with the ECSC and then with the EEC, an unpreceded construction which could not be compared with any existing legal entity and which in its originality answered the complex and deeply felt needs of our citizens.

The Member States became caught up in quarrels which made them lose sight of the considerable economic and financial advantages which they would obtain from the realization of the common market and of European economic and monetary union.²

Although the partners had decided to complete this construction as from the Summit in The Hague in 1969, it is now in a state of crisis and suffering from serious deficiencies.

After 10 years of crisis, unlike Japan and the United States, it has not yet got back to a growth rate which would enable it to reduce the disturbing figure of 13 million unemployed.

In this state of affairs Europe is faced with ever more important challenges both in the field of increasing industrial and technological competition from outside and in the struggle to maintain the position of political independence which historically it has held in the world.

Faced with these challenges, Europe must recover its faith in its own greatness and launch itself on a new common venture — the setting up of a political entity — which, if a dogmatic approach is to be avoided, must be based on clearly defined priority objectives and must provide itself with the means of achieving them.³

A true political entity^{4,5}

It is not enough to draw up a simple catalogue of measures to be taken — even if they are precise and concrete — since such exercises have often been attempted in the past without achieving results. We must now make a qualitative leap and present the various proposals in a global manner,

thus demonstrating the common political will of the Member States. In the last analysis that will must be expressed by the formulation of a *true political entity*^{4,5} among European States: i.e. a European Union

- with the power to take decisions in the name of all citizens, by a democratic process according to their common interest in political and social development, economic progress and security,⁶ and according to procedures which could vary depending on whether the framework is that of intergovernmental cooperation, the Community Treaties, or new instruments yet to be agreed;
- in keeping with the personality of each of the constituent States.

Priority objectives

A. A homogeneous internal economic area

(a) *Through the completion of the Treaty*

(1) By creating a genuine internal market

The aim is to bring about economic and monetary union and to create the fully integrated internal market envisaged by the Treaty of Rome and called for since 1972, thus allowing Europeans to benefit from the dynamic effects of a single market with immense purchasing power. This would mean more jobs, more prosperity and faster growth and thus make the Community a reality for its citizens.

This involves:

- the effective free movement of European citizens;⁷
- pending the adoption of European standards, the immediate mutual recognition of national stan-

¹ See Mr Møller's observations annexed.

² Mr Papanitiou entered a reservation, stating that the advantages resulting from economic integration are unequally divided and could also disguise losses for the less-prosperous regions.

³ Mr Møller felt that the difficulties facing the construction of Europe resulted from a failure to implement the existing Treaties fully and could be remedied by the strict application of the Treaties. He considered that the achievement of the European Union as already foreseen in existing statements was the objective.

⁴ Reservation entered by Mr Papanitiou, who suggested replacing 'A true political entity' by 'A true economic and political entity'.

⁵ Mr Møller considered that the expression 'a true political entity' should be replaced by the expression 'the European Union'.

⁶ Mr Møller considered that the point 'security' should be limited to the political and economic aspects of security.

⁷ To be dealt with further by the Committee for a People's Europe.

dards by establishing the simple principle that all goods lawfully produced and marketed in a Member State must be able to circulate without hindrance throughout the Community, and by introducing a single customs document as planned for 1987;

- the early introduction of a common transport policy;
- the creation at an early date of a genuine common market in insurance;¹
- the opening-up of access to public contracts;¹
- an application of national and Community competition rules, adapted to the new industrial situation;
- the creation of conditions which will favour cooperation between European undertakings and in particular the elimination of taxation differences that impede the achievement of the Community's objectives;
- the strengthening of European financial integration, *inter alia*, through the free movement of capital, hand in hand with the building up of a European Monetary System;¹
- the development, in close consultation with the Community industries and bodies concerned, of Europe's scientific and technological potential, at the level of the regions and of the Community.²

(2) Through the promotion of economic convergence³

- the promotion of solidarity amongst the Member States aimed at reducing structural imbalances which prevent the convergence of living standards, through the strengthening of specific Community instruments and a judicious definition of Community policies;
- the effective pursuit of integration and the strengthening of Community institutions that underlies it require positive action to counter the tendencies to inequality and promote the convergence of living standards.

(b) *Through the realization of the EMS*

The European Monetary System, which was created and set up pending restoration of the conditions for the gradual achievement of economic and monetary union, is one of the achievements of Europe over the last decade. It has enabled the unity of the common market to be preserved, reasonable exchange rates to be maintained and the foundations for the Community's monetary identity to be laid.

The time has come, however, to forge ahead towards monetary integration through

- closer coordination of economic, budgetary and monetary policies with the aim of true convergence of economic performances;

- the promotion of the role of the ECU in transactions between central banks and the development of the use of the ECU in private transactions;

- participation in the EMS by all Community Member States and the opening up of the EMS to States applying for membership. This will include special financial measures for the benefit of countries with weak economic structure joining the exchange rate mechanism of a strengthened EMS, if they join;

- the strengthening of the EMCF by giving it effective powers, and the promotion of the ECU as an international reserve currency. Only by this route can steps be taken towards developing the EMS into a common independent central bank system and eventually the creation of a European Monetary Fund and a common currency.^{4,5}

Discussion will continue in the Committee on this point.

(c) *Through mobilization of the necessary resources*

Intensifying the efforts already undertaken, framing new policies and delegating new powers to the Community⁶ will often, but not always, entail additional expenditure which will necessitate transfers of resources. These transfers will only be feasible if they are subject to strict budgetary control and if the implementation of these new policies at Community level is reflected in savings in each Member State.⁶

¹ Reservation entered by Mr Papantoniou, who considered that the introduction of these policies should take account of the particular situation of national economies.

² Mr Møller stressed the following points:
• The large number of national State aids which distort competition should all be removed with rigour and resoluteness.

• The dismantling of all the measures in the agricultural area which have in recent years been introduced with the intention of renationalizing the common agricultural policy.

• The necessary transparency in nationalized industries should be introduced in order to safeguard the principles laid down in the Treaties.

³ Reservation by Mr Papantoniou, who argued that the text should stress more explicitly the need to reinforce the policies aiming at economic convergence, and should give a more comprehensive definition of their scope.

⁴ Reservation by Mr Papantoniou on the inclusion of references to 'effective powers', common independent central bank system, European Monetary Fund and common currency.

⁵ Mr Rifkind entered a reservation on the reference to a common independent central bank system, to a European Monetary Fund and to a common currency.

⁶ Mr Møller considered that the increase in the VAT ceiling agreed by the European Council at Fontainebleau would scarcely be sufficient for the promotion of news policies.

B. Promotion of the common values of civilization

The European Union contemplated will not rest simply on an economic community. The logic of integration has already led European States to cooperate in fields other than economic ones and will continue to lead them still further along that path. Accentuating this essential process will give a European dimension to all aspects of collective life in our countries.¹

To that end a number of measures must be undertaken, wherever possible in close cooperation with European countries which are not members of the Community and with the Council of Europe.

These measures are:

1. Measures to protect the environment through the harmonization of plans to combat pollution of the seas, rivers and air.
2. Gradual achievement of a European social area.
3. Intensification of European judicial cooperation.
4. Measures to combat organized crime and terrorism.
5. Protection of human rights throughout the world.
5. The promotion of European cultures, in particular through the European Foundation and the European University Institute. Common measures will have to be initiated, particularly to encourage transnational cooperation in the field of audio-visual communication.

C. The search for an external identity²

Europe's external identity can be achieved only gradually, within the framework of common action and political cooperation in accordance with the rules applicable to each of these. It is increasingly evident that interaction between these two frameworks is both necessary and useful. They must therefore be more closely aligned. The objective of European political cooperation must remain the systematic formulation and implementation of a common external policy.³

Similarly in the case of defence, although the aim of European Union is indeed the cohesiveness and solidarity of the countries of Europe within the larger framework of the Atlantic Alliance, it will only be possible to achieve that aim in a series of stages and by paying special attention to the differing individual situation, including the situ-

ations of the two nuclear powers which are members and of certain member countries facing specific security problems.⁴

(a) External policy

It should first of all be noted that there already exist common policies provided for by the Treaties which have an external dimension, and external policies such as the development policy and the commercial policy.

In particular, Community development policy must be intensified, without prejudice to the traditional actions of the Member States.

On the diplomatic front several measures could be considered initially which might allow progress to be made towards finding a common voice.

1. Strengthening political cooperation structures by:
 - creating a permanent Political Cooperation Secretariat to enable successive Presidencies to ensure greater continuity and cohesiveness of action; the secretariat would to a large extent use the back-up facilities of the Council;
 - regularly organizing EPC working meetings at the Community's places of work, while meetings of Ministers should also be arranged in the Member States' capitals.
2. Improving political cooperation activities by:
 - an explicit undertaking by the Member States to promote EPC by agreeing to a formalization of the commitment to a prior consultation procedure;
 - seeking a consensus in keeping with the majority opinion with a view to the prompt adoption of common positions and to facilitating joint measures;
 - adopting a common position in multilateral and inter-regional relations, particularly at the United Nations.

3. Member States and the Community should examine on a case-by-case basis the desirability of a common representative at international institutions, especially in the UN framework and in the countries where only a few Member States are represented.

¹ The Committee wishes to examine in greater detail a number of measures referred to here.

² Mr Møller entered a general reservation on all of section C. He considered that, instead of structural changes, it is necessary to have a new pragmatic development of European political cooperation on the existing base, which has already shown itself to be effective. Particularly in relation to security, it should be confined to political and economic aspects.

³ Reservation entered by Mr Papanoniu.

⁴ Senator Dooge did not agree to the inclusion of this paragraph.

4. Codification of EPC rules and practices.¹

(b) *Security and defence*²

The aim is to encourage greater awareness on the part of the Member States of the common interests of the future European Union in matters of security.

Any discussion of this question will need to take account of:

- (a) the frameworks which already exist (and of which not all partners in the European Community are members) such as the Atlantic Alliances and the WEU;
- (b) the differing capacities and responsibilities and the distinctive situations of the Community Member States.

Several measures could be considered, for example:

- extending and strengthening consultations on political and economic aspects of security problems as part of political cooperation;
- a commitment by the Member States to design, develop and produce together the weapons systems necessary for their security and, more generally, high-technology materials;
- the intensification of the efforts to define and establish common standards for materials.

The means: efficient and democratic institutions³

European Union—like the Community today—needs institutions which are entirely at the service of the common interest. Their functioning and behaviour must clearly reflect the original nature of their purpose within the framework of their specific powers, it is in the first place for the institutions to comply with and apply the rules of the Treaties.

(a) *Easier decision-making in the Council*, which means primarily changes in practice and certain adjustments to existing rules:

- less bureaucracy within the institutions, as national authorities have, through their experts, gained too much ground over the last 10 years;
- adoption of new general voting principles:
 - the only decisions which must be unanimous will be those concerning new areas of action or new accessions;
 - other decisions will be taken by a qualified or simple majority.^{4, 5, 6}

- while introducing, in return, an appropriate procedure under which, for a transitional period, a Member State could plead a vital interest,⁷ provided it can objectively justify it to the Council which, in turn, must ensure with the help of the Commission that the vital interests of the Community as a whole are respected.^{4, 5, 6}

- in order to ensure the implementation of certain decisions, the use in exceptional circumstances of the method of differentiated Community rules, provided such differentiation is limited in time and based solely on economic and social considerations.^{5, 8}

- the trend towards the European Council's becoming simply another body dealing with the day-to-day business of the Community must be reversed. Heads of State and of Government should play a strategic role and give direction and political impetus to the Community. For this purpose two European Council meetings a year should suffice.

It will now be useful for the Committee to discuss the practical implications of the above proposals and of other proposals which would improve decision-making in the Community.

(b) *A strengthened Commission*

The Commission guarantees autonomous representation of the common interest. Wedded to the general interest whose guarantor it is, the Com-

¹ Mr Papantoniou entered a reservation on points 1, 2, 3 and 4 of the section on external policy.

² Senator Dooge did not agree to the inclusion of the text on security and defence.

³ Reservation entered by Mr Møller on this chapter.

Mr Møller considers that the problems faced by the Community are not due to the failure or imperfections of the institutions of the Community system. On the contrary, it may be said that the gradual deviation and derogations from these fundamental principles together with a lack of political will to take decisions are the root of many of the problems of today. It is necessary to put the Community house in order in the sense that existing common policies and common actions are brought into line with the fundamental principles of the Treaty. New common policies are required and the necessary financial means should be put at the disposal of the Community. Following this the balance between the institutions should be re-established by respecting the distribution of competences between them as laid down in the Treaties.

⁴ Reservations by Mr Papantoniou on the second and third indent. He argued against the adoption of a new general principle for voting, and in favour of maintaining the right of each Member State to invoke a vital interest.

⁵ Reservation entered by Mr Møller.

⁶ Mr Riskind entered a reservation on this text, but accepted the principle of a more frequent use of majority voting, and of other reforms which would improve decision-making in the institutions.

⁷ Mr Andriessen, Mr Dondelinger, Mr Herman, Mr Ruhfus and Mr Van Eckelen abstained from taking up a position on the recognition in this form of the invocation of the vital national interest. They are awaiting the final report.

⁸ Reservation by Mr Papantoniou, who proposed to add two further conditions for the utilization of the method of differentiation: namely that it does not apply to established common policies and that it excludes decisions having budgetary implications.

mission cannot be identified with individual national interests.

If it is to carry out fully the tasks entrusted to it, which make it the lynchpin of the Community, its powers must be increased.

In the first place its autonomy must be confirmed so that it can be completely independent in the performance of its duties in accordance with the obligation specifically imposed upon it and on each of its Members individually.

To this end it is proposed that the President of the Commission be designated by the European Council.

The other Members of the college shall be appointed by common accord of the Governments of the Member States, acting on a proposal from the President-designate.¹

The Commission must not include more than one national from any Member State.

At the beginning of its term of office the Commission should receive a vote of investiture on the basis of its programme.²

Similarly, the Commission must now be acknowledged as an organ with full powers of initiative, implementation and administration.

*(c) The European Parliament as a guarantor of democracy in the European system*³

A Parliament elected by universal suffrage cannot, if the principles of democracy are logically applied, continue to be restricted to a consultative role or to having cognizance of only a minor part of Community expenditure. That dooms it to oblivion or overstatement, and more often than not to both.

An enhanced role will be sought for it in three areas:

- by effective participation in legislative power, in the form of joint decision-making with the Council;⁴
- by increasing its supervision of the various policies of the Union and its political control over the Commission and over cooperation in the external policy field;
- by giving it responsibility in decisions on revenue as the coping-stone of the establishment of a new basic institutional balance, which will develop in line with the system of own resources.

These developments should go hand in hand with increased representativeness of Parliament itself through the standardization of voting procedures.

*(d) Court of Justice*⁵

The legally binding nature of the Community gives the Court of Justice of the European Communities an essential role to play in the progress towards European Union. The Court ensures compliance with the rights and obligations laid down in the Treaties. The Community legal system may be strengthened by extending the powers of the Court of Justice.

The method^{6,7,8}

The Committee's proceedings, which will have to be supplemented in the coming months, already show that an intergovernmental conference should be convened in the near future to negotiate a draft European Union Treaty, on the basis of the *acquis communautaire*, the present document and subsequent documents which the Committee will submit to the European Council, the Solemn Declaration on European Union adopted in Stuttgart, and guided by the spirit and the method underlying the draft Treaty adopted by the European Parliament.

The drafting, signing and ratification of a treaty will inevitably take time. However, the mere decision by Heads of State and of Government to convene the Conference would have highly symbolic value and would constitute the founding of European Union.

¹ Mr Rifkind entered a reservation on this sentence, holding to the view that while the President-designate should be closely involved, the responsibility for appointing Commissioners should rest with Governments.

² Reservation by Mr Papanтониou, who suggested replacing the text of the four (preceding) paragraphs by the following text: 'To this end it is proposed that the President of the Commission (which should be composed of one Member per Member State), after being designated unanimously by the European Council, should be consulted by the Governments of the Member States prior to the nomination of the Commissioners'.

³ Mr Rifkind entered a reservation on this section, arguing that the conciliation procedure should be improved and extended, as proposed in the Solemn Declaration on European Union adopted in Stuttgart in June 1983.

⁴ Reservation entered by Mr Papanтониou, who suggested replacing the text of this indent by 'an improvement in the conciliation procedure and an extension of its field of application.'

⁵ Reservation entered by Mr Papanтониou, who observed that this subject was not discussed in the Committee, which should therefore return to it.

⁶ Mr Rifkind entered a reservation on the whole of this section on the grounds that it is premature in an interim report to call for an intergovernmental conference.

⁷ Reservation entered by Mr Møller, who considers that it is premature to make proposals on the means.

⁸ Reservation entered by Mr Papanтониou, who pointed out that the Committee should deal with the question of the method in its final report after receiving the reaction of the European Council.

Annex

Observations by Mr Møller

I am not convinced that the overall approach in the interim report is the right one. I agree that the Community needs a new impetus. But in my opinion this should encompass the following items:

A more efficient decision-making process respecting the distribution of powers between the institutions as laid down in the Treaty. The blurring of the powers should stop and be replaced by the clear logic in the Treaty.

Re-establishment of the fundamental aim of bringing about an efficient production structure by rejecting distorting factors. The gradual introduction of a quota system, production thresholds and so on poses a danger to this principle.

Development of new common policies to supplement the common agricultural policy. Further financial means will have to be placed at the disposal of the Community.

Intensification and strengthening of our consultations within the framework of European political cooperation with a view to identifying areas of common interest and agreeing on a growing number of common positions.

Development on a European scale of new activities for which participation should not be limited to the present members of the Community.

Members of the *ad hoc* Committee on Institutional Affairs

Mr Dooge, representative of Mr FitzGerald, Prime Minister of Ireland (Chair)

Mr Andriessen, representative of Mr Thorn, President of the Commission

Mr Dondelinger, representative of Mr Santer, Prime Minister of Luxembourg

Mr Faure, representative of Mr Mitterrand, President of the French Republic

Mr Ferri, representative of Mr Craxi, Prime Minister of Italy

Mr Herman, representative of Mr Martens, Prime Minister of Belgium

Mr Møller, representative of Mr Schluter, Prime Minister of Denmark

Mr Papantoniou, representative of Mr Papan-
dreou, Prime Minister of Greece

Mr Rifkind, representative of Mrs Thatcher, Prime Minister of the United Kingdom

Mr Ruhfus, representative of Mr Kohl, Chancellor of the Federal Republic of Germany

Mr Van Eekelen, representative of Mr Lubbers, Prime Minister of the Netherlands

Publications of the European Communities

Publications of the European Communities

11 – 1984

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
German	Portuguese
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Where other language versions also exist, cross-references are provided by means of a code (those codes should not be used for ordering purposes):

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

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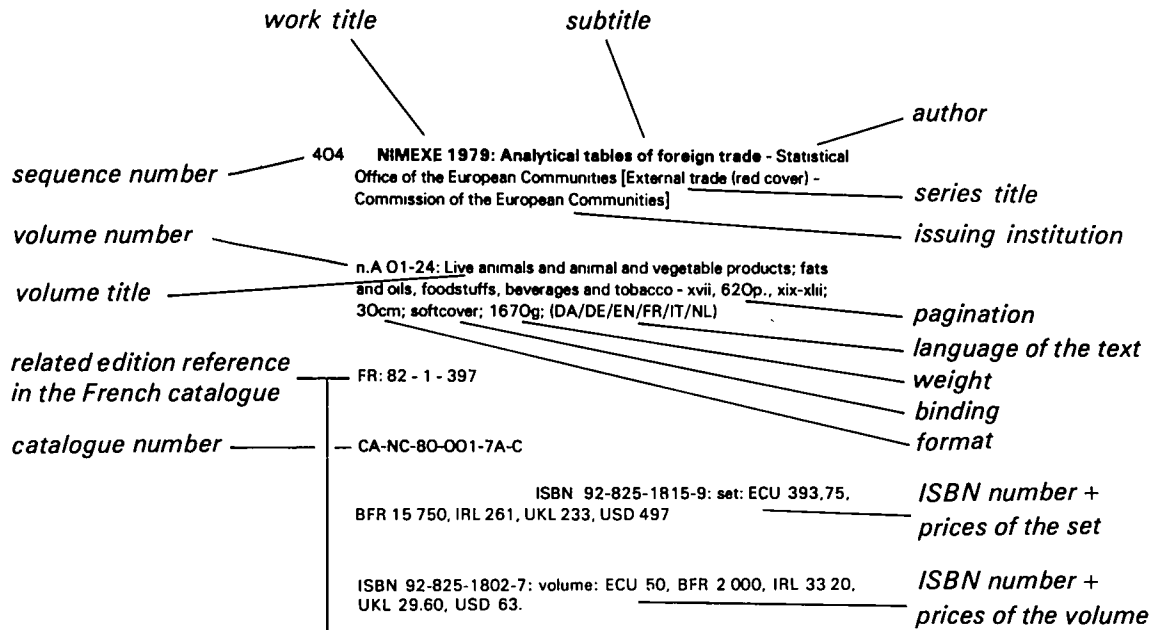
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GR	Greek	NL	Dutch
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DM	German mark	LIT	Italian lira
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ESC	Portuguese escudo	UKL	Pound sterling
FF	French franc	USD	US dollar



397 NIMEXE 1979: Tableaux analytiques du commerce
extérieur - Office statistique des Communautés européennes
[Commerce extérieur (couverture rouge) - Commission des
Communautés européennes]

n.A O1-24: Animaux vivants et produits des règnes animal ou
végétal, graisses et huiles, aliments, boissons et tabacs - xvii,
62Op., xix-xlii; 30cm; broché; 167Og; (DA/DE/EN/FR/IT/NL)

EN: 82 - 1 - 404

CA-NC-80-001-7A-C ISBN 92-825-1815-9: ensemble:
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ISBN 92-825-1802-7 volume: Écu 50, BFR 2 000, FF 288.

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1 General, political and institutional matters

MONOGRAPHS AND SERIES

- Financial report: European Coal and Steel Community: 1983** 14
- 1 **Index: Bulletin des Communautés européennes - Commission des Communautés européennes**
1983 - iv, 98p.: 25cm: broché: 200g: (FR)
CB-40-84-375-FR-C ISBN 92-826-4423-0: ECU 7,64,
BFR 350.
- 2 **Synopsis of the work of the Court of Justice of the European Communities in 1983 - Court of Justice of the European Communities**
1983 - 93pp.: 25cm: stapled: 180g: (EN)
DA:84 - 11 - 2. DE:84 - 11 - 2. FR:84 - 11 - 1. GR:84 - 11 - 1.
IT:84 - 11 - 1
DX-40-84-682-EN-C ISBN 92-829-0082-7: free of charge.

PERIODICALS

30 jours d'Europe.
Avrupa.
Background Report.
Berichte und Informationen.
Bulletin of the European Communities.
COM Documents.
COM Documents.
COM Documents: Monthly catalogue.
Committee Reports of the European Parliament.
Communauté européenne: Lettre d'information du Bureau de Genève.
Communauté Européenne Informations.
Comunidad europea.
Comunidades Europeias: Informação.
Comunità europea.
Debates of the European Parliament.
Dokumente und Publikationen.
Échos de l'Europe.
Economic and Social Committee: Bulletin.
EF-avisen.
EG Magazin.
EIB-Information.
Eorascáil.
Eur info.
Europa.
Europa-Informationen für die Jugendpresse.
Europa van morgen.
Europe 83.
European File.
European news.
European Parliament.
Fiches pédagogiques "30 jours d'Europe".

Information on the Court of Justice of the European Communities.
Informations de l'Eurostat.
Informazioni.
Informazioni documenti.
Informazioni rassegna periodica.
Official Journal of the European Communities, series C: Information and Notices.
Official Journal of the European Communities, series L: Legislation.
Press Release.
Ευρωπαϊκή Κοινότητα.

2 Customs union

MONOGRAPHS AND SERIES

- 3 **Clasificación de productos químicos en el arancel de aduanas de las Comunidades europeas - ix, 297p.: 30cm: brochado: 790g: (ES) [Comisión de las Comunidades europeas]**
CB-40-84-892-ES-C ISBN 92-826-5082-6: ECU 8,80,
BFR 400.

3 Agriculture, forestry and fisheries

MONOGRAPHS AND SERIES

- Agricultural prices 1972-1983: 1983** 34
- Community survey of orchard fruit trees 1982: 1982** 36
- 4 **Directory of European Agricultural Organizations - Statistical Office of the European Communities - 718p.: 22cm: softcover: 950g: (EN)**
EX-38-83-524-EN-C ISBN 92-830-0032-3: ECU 67,10,
BFR 3100, UKL 39.
- 5 **The farm accountancy data network: Farm accounts results 1978/79-1981/82 - Statistical Office of the European Communities - 78pp.: 30cm: stapled: 220g: (EN)**
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CB-40-84-901-EN-C ISBN 92-826-5078-8: ECU 5,50,
BFR 250, IRL 4.10, UKL 3.30, USD 4.50.
- Maladie du cyprès (Coryneum cardinale)** 25
- Some important parasitic infections in bovines considered from economic and social (zoonosis) points of view** 29
- Yearbook of fishery statistics: 1984** 40

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Agricultural Markets: Prices.
Agricultural prices.
Agricultural statistics: Crop and animal production.

Animal production.
 Crop production.
 EC-agricultural price indices (Output and Input).

4 Law

MONOGRAPHS AND SERIES

Association of the overseas countries and territories: Compilation of texts (VII - 1 January 1983 - 31 December 1983) 15

- 6 **Directory of Community legislation in force and other acts of the Community institutions: 5th edition - All Institutions**
 n.I: Analytical register - 758pp., all pages included: 30cm: softcover: 1915g: Position as at 1 January 1984 (EN)
 DA:84 - 11 - 6. DE:84 - 11 - 6. FR:84 - 11 - 6. IT:84 - 11 - 7. NL:84 - 11 - 7
 FX-17-83-001-EN-C ISBN 92-825-4803-1: volume: *Volume I*
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PERIODICALS

Information on the Court of Justice of the European Communities.
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 Official Journal of the European Communities, series L: Legislation.
 Reports of Cases before the Court of Justice.

5 Social affairs

MONOGRAPHS AND SERIES

- 8 **Cost containment in health care: the experience of twelve European countries (1977-1983) - 152pp.: 30cm: softcover: 395g: (EN) [Document - Commission of the European Communities]**
 FR:84 - 10 - 9
 CB-41-84-272-EN-C ISBN 92-825-5093-1: ECU 12,50, BFR 550, IRL 8.90, UKL 7.20, USD 10.

A guide to current sources of wage statistics in the European Community 37

- 9 **Overview: Disability and employment - Croxen, Mary (Dr.) - 86pp.: 30cm: softcover: 245g: (EN) [Document - Commission of the European Communities]**
 DE:84 - 11 - 12. FR:84 - 11 - 8
 CB-41-84-820-EN-C ISBN 92-825-4558-3: ECU 8,31, BFR 375, IRL 6.10, UKL 5.00, USD 6.50.

- 10 **Prospects for workers' cooperatives in Europe - [Document - Commission of the European Communities]**
 n.I: *Overview* - 97pp.: 30cm: softcover: 265g: (EN)
 CB-25-84-001-EN-C ISBN 92-825-4989-5: volume:
 ECU 8,80, BFR 400, IRL 6.50, UKL 5.30, USD 7.50: *Volume I*
 ISBN 92-825-4992-5: set: ECU 32,98, BFR 1500, IRL 24.10, UKL 19.60, USD 27.00: *Price for the volumes I, II and III inclusive.*

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Structure of earnings 1978/79 - Principal results: n.3 38

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Euro-Abstracts, Section II: Coal - Steel.

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Information Bulletin of the Steel Industry Safety and Health Commission.

Unemployment: Monthly bulletin.

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- 13 **Europe Transport: Observation of Transport Markets: Annual report - Directorate- General Transport: Commission of the European Communities**

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 BFR 225, IRL 3.60, UKL 3.00, USD 4.50.

8 Competition

9 Taxation

10 Economic affairs

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Balance of payments methodology of France: 1984 35

- 14 **Financial report: European Coal and Steel Community - Commission of the European Communities**
 1983 - 69pp., 19ill. (col.), 12graphs (col.): 30cm: softcover: 175g: (EN)
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PERIODICALS

Balances of payments: Quarterly data.
 European Economy.
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 Results of the business survey carried out among managements in the Community.

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- 15 **Association of the overseas countries and territories: Compilation of texts (VII - 1 January 1983 - 31 December 1983) - Council of the European Communities - 45pp.: 21cm: stapled: 65g: (EN)**
 DA:84 - 11 - 15. DE:84 - 11 - 15. FR:84 - 11 - 14. GR:84 - 11 - 15.
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The Courier: Africa-Caribbean-Pacific - European Community.
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14 Regional policy

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- Clasificación de productos químicos en el arancel de aduanas de las Comunidades europeas** 3
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