

## Prisoner freed after Parliament question

Three days after the European Parliament debated the case of Dr Yann Fouéré, the Breton nationalist imprisoned without trial since October last year, his release on bail was announced by the French Government. This was a surprise justification of the repeated efforts made by Welsh Socialist Member Tom Ellis to raise the matter in the Parliament as "the democratic forum for the protection of human rights within the European Communities".

The debate, on the first day of the Parliament's February sitting (Monday 9), produced sharp clashes between French and other Members. Pierre Giraud from the Socialist benches, Pierre Bourdelles from those of the Liberals, and the Abbé Laudrin on behalf of the European Progressive Democrats all argued forcibly that the problem was one for the French courts and not for the Community. This was also the attitude of the Commission, expressed by Commissioner Scarascia Mugnozza.

Tom Ellis, however, rejected both the claim that the matter was *sub judice* and that the Community had no competence in the matter. Dr Fouéré had been held under the special powers of the *Cour de Sureté de l'Etat*, which comes under the direct control of the French Ministry of the Interior; and "the *sub judice* principle is . . . spurious when applied to a judiciary under the control of the political executive". Moreover, Commissioner Sir Christopher Soames had told the House in 1973 that "every contra-vention of human rights, no matter where it may be, is abhorrent to me and my colleagues".

Yann Fouéré is a Breton with both French and Irish nationality, who is a vice-president of the Celtic League (a grouping of representative from Brittany, Cornwall, the Isle of Man, Ireland, Wales and Scotland). He is accused of possession of explosives — detonators discovered in a Breton farm — and of trying to revive a banned organisation, following explosions at the homes of three French parliamentarians during the summer of 1975.

The point to which Tom Ellis and others wished to draw attention was the length of time he had been imprisoned without trial. "Winston Churchill once said that the hallmark of a civilised nation was the way it treated its criminal accused," Scottish Member Winnie Ewing (Ind) told the House. Since 1424, in Scotland, there had been a limit of 110 days on the time a man could be held without the completion of his trial. "I suggest that this matter is a blot on the fair name of France . . . France might borrow a little

home-made Scots criminal law . . .". Irish EPD Member, and vice-president of the Parliament Michael Yeats reiterated: "Mr Fouéré should be released or brought to trial".

Much of the tension produced by the debate arose from Yann Fouéré's past. Pierre Giraud and the Abbe Laudrin hinted strongly that Dr Fouere had been a Nazi collaborator



Tom Ellis

during the war: "we should not waste our pity on these people", remarked Giraud. Tom Ellis pointed out, however, that Fouéré had been tried and acquitted on those charges in 1955, when a number of prominent resistance leaders testified to his integrity.

Whatever the guilt or innocence of Dr Fouéré, however, it now seems that the French Government, if not the Commission, has accepted the case made by Ellis.

## The greening of Europe

In the event, the British Government's paper on Direct Elections to the European Parliament was not so much "white with green edges", as, literally, white pages within a green cover. Camouflage it might well appear. For, reading between the lines, the government welcomes the fact that the preliminary negotiations have left a large number of decisions to the member countries.

Most comforting of all to most members of the Labour and Conservative parties is that the electoral system to be used is to be decided by the nine governments individually — though the Liberals take a different view — and the British Government does not expect early agreement after the first elections on a common European system; so the first-past-the-post system can, at present, be expected in this country. Then there is the option as to whether members of national parliaments can stand for the European Parliament and try to work a "dual mandate" (the consensus is that they can try, and a lot of good it will do them), and again it is left to the member countries to decide

what, if any, links shall exist between their MEPs and their national parliaments.

Almost the only major matter left for common agreement is how many members the elected parliament should have and how many from each country there should be. This is in fact currently the subject of frenzied calculation by slide-rule and calculator. The Green/White Paper agrees that there should, at this stage of the Community's development, be a minimum representation for each member country (i.e., that Luxembourg should have more than half a member, as its population would warrant). "On the other hand the relationship of their representation and that of the constituent parts of the larger Member States must be taken into account." In other words, the five million Scots' representation must be within numerically spitting distance of that of the five million Danes.

On the election timing, the Government still expresses caution about the May-June 1978 target, favoured, in principle, by most other governments, though suggesting that Parliament would like to get the matter settled soon (and concerned about getting it mixed up with devolution

islation). It also favours "simultaneous" voting (i.e., within a few days) rather than combining European elections with each country's general election, though the Green/White Paper notes that the Prime Minister stressed to his colleagues that Sunday voting was not possible in Britain. Perhaps one of the most intriguing suggestions is that the first European elections in Britain should coincide with local elections in May 1978; would that heighten interest in local elections or lower interest in European elections?

One other thing is clear, the British Government wants no discussion yet about increasing the powers of the European Parliament: elect it first, decide what it is to do later, is its view.

## **Brandt to stand**

The campaigning in the first direct elections got off to a dramatic start on February 6 when Willy Brandt, president of the German Social Democrats, declared himself a candidate. He was followed by first secretary of the French Socialist party Francois Mitterrand, who said he would stand provided there were no incompatibility with his other responsibilities; and by Dutch secretary of state for foreign affairs, Mr Brinkhorst.

So far, no major British politician has declared his candidature (Ted Heath has so far denied any intention of leaving Westminster for European responsibilities). The fact that two of Europe's leading Socialists have already thrown their hats into the ring, however, means that the danger of low interest and a low poll is rapidly receding.

## **A golden calf**

Agriculture Ministers are now finding it as difficult to reach a consensus on how far farm prices should be increased in 1976 as Parliament found in Strasbourg. The Ministers, supposed — but now unlikely — to reach agreement on the annual prices review by March 1, now have before them three differing sets of proposals, from the Commission the Parliament and COPA (representing farming interests in the Community).

The Commission proposed that support prices be raised on average by 7.5%. Parliament voted on Thursday, February 12 to support its agriculture committee's proposals for a higher 9.5% average increase, following a debate on Tuesday 10. COPA, which now claims to represent nine million farmers in the Community, had earlier called for increases averaging 10.6%. Britain's Minister of Agriculture Fred Peart thought all such levels of increase too high a price to be borne by the consumer.

The proposals before both Ministers and Parliamentarians were made more difficult because of Commission proposals at the request of the Council of Ministers, to begin phasing out the maze of border taxes which have been established to compensate farmers for parity changes between Member States' currencies. But even as these proposals, and in particular the phasing out of compensation for the D-mark revaluation, were being discussed in Parliament, exchange rates of the D-mark and other Community currencies were again fluctuating. Commissioner Lardinois was reduced to speaking of the system of monetary compensatory amounts in despairing terms: "we have just about reached the end of the system — the limit of what is feasible" and admitted that the system was so complex that "we can't explain it — even to financial experts". Conservative spokesman James Scott-Hopkins (UK) illustrated this complexity when he agreed with Jan de Koning (GD/NL), the rapporteur, and Michel Cointat (EPD/F) that the Commission's 7.5% proposed increase was not 7.5% at all but in fact 5.6% on average — and as such insufficient to recoup farmers for the cost increases in many products and many countries.

If support for the farmer was strongest from the right, from the Socialists came a strong counter-attack on behalf of the consumer. Many speakers, including the Communists, called the whole CAP into question. Socialist Cornelis Laban (NL) chose, in particular, to attack the

Community's policy over hoarding milk surpluses which were only made available for food aid when the Community couldn't make use of them itself.

A further sin of omission in the price review discussions was pointed out by Luigi Marras (Comm/It) — why had no one referred to the shortage of potatoes? To Lord Bruce of Donington (Soc/UK) the whole CAP was "a failure", evidenced by the fact that "the mountains of dried milk are growing, that the lakes of wines are deepening, that the mountains of butter are accumulating". In the autumn Conservatives, Christian Democrats, Liberals and Socialists had all deplored the fact that 75% of Community spending went on the CAP. The Conservatives had called it "a sacred cow". "What," he asked, "has happened to convert the sacred cow that they scorned and spurned last October into the golden calf to which they now bow down in worship? The answer is clear. There has been an intervention by the farmers' lobby, COPA, under the distinguished leadership of Sir Henry Plumb."

## **Democracy in Spain**

With four questions on the Community's relations with Spain on the order paper on Wednesday, it was not surprising that Parliament exercised its right at the end of Question Time to have a full, emergency debate on the subject. What worried certain sections of the left was the resumption of the trade talks with Spain which had been broken off after Parliament's vote against them in September (see EPR no. 18). Was this the first step towards Spanish membership of the Community? Could it really be said that the new Spanish regime was any better than the old?

Other political groups, however, urged patience. It was a pity, Norbert Hougardy (Bel) remarked for the Liberals, that the debate had not been held over until March, by which time the Spanish Foreign Minister, the Count of Motrico, would have met the Commission. "We Liberals have full confidence in Sir Christopher Soames." Lord St Oswald (UK) for the Conservatives and Kai Nyborg (Dk) for the Progressive Democrats both emphasised that excessive criticism of the new Spanish leaders from outside was likely to be counter-productive. "The wealth of advice that their country has lately been offered from abroad," said Lord St Oswald, "has been as incoherent as it has been self-assured."



*Francois Mitterrand*



*Willy Brandt*

It was left to Commissioner Sir Christopher Soames, in summing up, to return the debate to the practical situation. Two things had to be kept separate: "It is right to resume the opening of trade negotiations, but . . . we are not contemplating at the moment any change of an institutional character in the relationship between Spain and the Community."



## Birds are big business

If two million birds are killed every year then there must be big business involved somewhere, suggested Willi Müller (Soc/Ger) speaking in support of Hans Jahn (CD/Ger) who once again called for better protection of songbirds and migratory birds in the Community. Mr Jahn said he had received "parcels and parcels of mail" and three and a half million Italians had signed petitions. Parliament itself had a year previously called for a ban on trapping with nets, a shorter hunting season, a ban on imports of dead songbirds and import controls on live birds and an end to cruelty to cage-birds. The situation was serious. Eleven species had been wiped out in only twenty years and the ecological equilibrium was in jeopardy. Mr Müller spoke of added dangers from pesticides and insecticides; Tom Normanton (Con/UK) the plight of cage-birds. Even Commissioner Scarascia Mugnozza was moved: "I live in the Adriatic; I know what it means to have huge flocks of birds arriving tired to be met by crowds of people standing there with guns poised to kill them . . .".

Tom Normanton called for support for wildlife preserves. A directive was in preparation, replied the Commissioner, using information from the German Zoological Society. This would involve a general rule for live birds with a ban on the hunting of and trading in given species. There would be a list of exceptions in the case of birds representing, for example, a threat to agriculture. Where the species itself was under threat, there would be special protection both for the birds themselves and for their habitat.

## Cubans v. powdered milk

What is the Community doing about the situation in Angola? Lord Oswald (Con/UK) asked Luxembourg Prime Minister and President in Office of the Council of Ministers, Gaston Thorn, on February 11. "The way you put the question," Mr Thorn replied, "seems to imply that we should take some direct action. That's just what we want to avoid at all costs." The Community had, however, given important aid: some powdered milk had been sent to the international committee of the Red Cross for distribution in Angola.

But this did not satisfy Lord St Oswald. "With the greatest respect . . . one cannot fight Cuban armed forces with powdered milk." "What about the British mercenaries!?" interjected Mrs Goutmann (Comm/F). Mr Thorn was not to be drawn on either count, but expressed the opinion that the Parliament would be returning to the matter before long.

## More français

Do the French — and others caring about the sanctity of their language — need to worry? The Community institutions' almost 2000 full and part-time interpreters and translators will soldier on. Ministers in Council and Members of Parliament will be able to speak in their own language and laws will continue to be translated into all languages in future as at present. Thus Commissioner Borschette reassured Lord Reay (Con/UK) during Question Time on Wednesday, February 11. So much for the official reply. Mr Borschette then added that in view of the costs of using the six community languages (interpreting alone costs £12.5 million a year and one in four Community officials works in the language

services) money could be saved by using the main languages only. But when Tom Normanton (Con/UK) suggested using Esperanto this was too much for the Commissioner: the Commission, he said, "has never investigated this passionate question. Personally," he said, "Europe will only have a value if everyone expresses himself in his own language." There were smiles, however, when Luxembourg member Colette Flesh rose to her feet asking whether the Commissioner was thinking of increasing the number of official Community languages, "since some Members of Parliament (such as Luxemburgers) cannot here in this Parliament express themselves in the language they use in their national Parliaments".

In the end Mr Borschette came up with a better idea not, one might add, altogether acceptable in the Elysee. There was, he said, already "un gentleman's agreement" to drop interpreting in some languages. Anyone else for français?

## A sweeter-smelling rose

"So far, in Europe we have been concerned mostly with elite opinion," said Lord Ardwick, bringing the debate on Commission President Ortoli's 'state of the Community' statement down to earth. "I am reminded of a theatre manager in Manchester who used to divide his audience into four classes. There were, he said, the cognoscenti, the illuminati and the dilettante — and those who paid to go in. In the past we have been concerned with the first three classes, but now we have to spread the European gospel to the masses, to those who pay to go in. . . . As we proceed to direct elections, we must explain to people not merely how this Parliament works, but how the Community as a whole works."

It was time, said Lord Ardwick, to end the "confusion of names" which "makes the work of spreading enlightenment very difficult". As examples he cited the two European courts, the Economic and Social Committee and the economic and social committees of the European Parliament. "When a non-English colleague says 'what a good job the President of our Commission is doing' we do not know at first whether he is referring to Mr Ortoli or to the job that Willie Hamilton is doing in the Procedure Committee over which he is presiding."

Now, to add to the confusion, said Lord Ardwick, in addition to the Council of Ministers (to say nothing of the Council of Europe) there was the European Council. A German colleague, had told him that for Germans it is very easy to distinguish between *Europa-Rat* and *Europäischer Rat*. "Easy for whom? Is it easy for all Germans?" he asked. Quoting Shakespeare — "that which we call a rose by any other name would smell as sweet" — he suggested that the European Council be given a clearer name: "The High European Council". "I think," he concluded to applause from other Members, "that this European rose would smell even sweeter with a name which avoided confusion with the lesser roses of the Council of Ministers and the Council of Europe."

## Migrant workers worst off

More than 5 million are now unemployed in the Community. But this horrifying figure conceals worse hardship. As the economic recession has deepened it has been migrant workers who are the first to be thrown out of work, then sent back home with their

families. According to Communist Luigi Marras (It) the problem has been most acute in Germany where some 47 million migrant workers have been made redundant. Other members, too, have expressed concern, and many supported Mr Marras in demanding in an oral question on Monday, February 9 that the Commission speed up both the provision of Community funds and the drawing up of a statute for migrant workers.

Commissioner Scarascia Mugnozza replied that he shared Members' concern. Consultation with migrant workers representatives would continue but the statute could not be drawn up by the Commission as the draft had been blocked in the Council with only Luxembourg, Ireland, Italy and the Netherlands voting in favour. The implementation of an action programme depended on individual member states.

Luigi Girardin (CD/It), however, accused the Commission of duping both Parliament and public opinion over the statute. Franco Concas (Soc/F) thought the action programme insufficient to solve "this burning matter". To force Member States to take action there should be a binding regulation, not a mere directive. "We shall fight so that in the future there will be a statute," he said.

## Latin America

Relations between Europe and South America had deteriorated, said Giovanni Boano (CD/It) in a report presented on Friday, February 13. His suggestion for a new model of general technological cooperation and the offering of aid was supported by the House. Commissioner Sir Christopher Soames agreed that there had been misunderstandings. Relations with South American countries would better be handled on a regional basis as bilateral relations with individual member states has resulted in a slightly unbalanced situation. The Commission had, however, responded promptly to the Guatemalan disaster and had already sent about £100,000 through the International Red Cross.

## Whose fish?

The European Commission is taking the opportunity of the likely increase in maritime limits to take another look at the Community's fishing policy, it emerged in debate on Thursday, February 12. But, Sir Christopher Soames indicates, there is already a Community policy, drawn up when 12 miles was the general limit. So the Commission will put forward new proposals.

But they appear unlikely to satisfy John Prescott (Soc/UK). Quotas in the interests of conservation had been tried and had failed to prevent fish stocks from falling, he stated. The only alternative, he argued, is the use of exclusive fishing areas by coastal states, and suggested that for this a limit of 100 miles would be appropriate. Alex Fletcher (Con/UK) said that to increase limits generally to 200 miles could make for even more conflict than at present, which made it all the more necessary that the Council should agree — as the Commission proposed — that maritime waters and fishing limits were a matter where the Community had legal competence. Besides, he added, there was not only a matter of conflicts between member states but within member states, instancing the fact that English West Country fishermen resented Scottish as well as French fishermen.

# Unofficial Journal

Before the British Labour Party took up its seats in the European Parliament, it was common for the eighteen Conservatives to find themselves *en route* between Westminster and Strasbourg some four to six times a week in the attempt to keep up the party's voting strength in both places. All this was supposed to end in July last year, when the delegation was carefully chosen to pair 12 Labour Members with 12 Conservatives.

Neither the Government nor the Opposition Chief Whip, therefore, were particularly popular with European Parliament Members on Tuesday, February 10 when all pairing arrangements were called off for the vote on the Dock Work Regulation Bill that evening. Most Conservative Members managed to fly out for the important debate in Strasbourg during the day on the annual Agricultural Price Review, and then back to Westminster for the division: among them John Osborn, who must surely get some kind of award for devotion to party duty during his honeymoon. Most Labour Members, however, advised not to put the Government's continued existence at the mercy of fog, snow, charter planes, etc., delayed their arrival in Strasbourg to Wednesday. But Tom Ellis (Wrexham) decided to beard the wrath of Mellish, and flew out on Monday to put his question to the Commission on the imprisoned Breton nationalist Yann Fouere: a decision which the Labour Whips would do well not to criticise in view of the dramatic consequences (see front page).

## Come in Boyd-Carpenter

In any case, the transport problems of the British delegation to the European Parliament, hitherto irritating, in February began to border on the farcical. Following November and December's adventures with the Civil Aviation charter plane, a number of Members had vowed to stick in future to scheduled flights. News broke during the sitting, however, that the one company capable of taking the delegation to Strasbourg, British Midland, was about to discontinue services; and even Air France — which runs a twelve-seater *Mystere* to London — refused to take an ITN film to London as freight on the Tuesday, making it necessary for Labour Member Tam Dalyell (who admittedly had an interest as one of those appearing) to carry it in his suitcase.

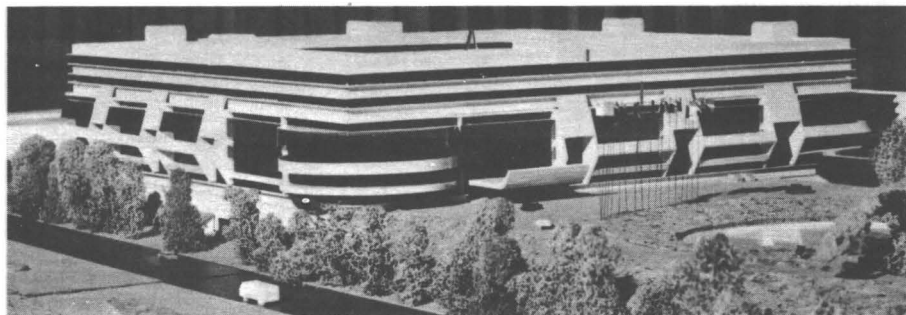
Which leaves the charter after all. But as Parliament's sitting ended promptly at 10.15 on Friday morning, giving everyone the hope of being back home by midday, news came through that the plane was still fast on the ground at Stanstead with engine trouble. The philosophical went out for a good lunch. The angry — among them Conservatives Ralph Howell and Elaine Kellett-Bowman — immediately set about telephoning chairman of the Civil Aviation authority, Lord Boyd-Carpenter. Parliament Vice-President Lord

Bessborough reminded the CAA that "when we had that trouble of the bus running into the plane a year or two ago, you got us another one". "Is that Mr Wilson?" came a voice from the next room (but it was the wrong one). Labour Member Willie Hamilton momentarily gained more support for his best-known cause than probably ever before with the suggestion that they should immediately send for the Queen's flight. There were ugly rumours that it would be a case of taking the bus to Basle.

As it happened, the CAA plane landed in Strasbourg just as the scheduled flights were taking off at 4.15 in the afternoon; and one or two Members no doubt actually reached that evening's constituency functions.

## Press showers

All these transport difficulties have added further spice to the debate on the Parliament's future seat. Faced with a possible recommendation by Political Affairs Committee rapporteur Schelto Patijn (of direct elections fame) that there should be a permanent move to Brussels, the protagonists of Strasbourg are beginning to step up their campaign. Apart from a lavish reception by mayor Pflimlin on Tuesday, the February sitting saw the first official press tour of the new *Maison de L'Europe*, a dramatic structure which for the past few years has been rising beside the old, decaying building now in use (designed in 1948 to last ten years).



A model of the new Strasbourg building.

As the partisans of Strasbourg are very well aware, the options for the Parliament narrow with every month. The only other chamber currently available, at the Parliament's headquarters in Luxembourg, is already too small for the existing 198 Members, and will certainly be impossible for the directly elected 355 (or more) in 1978. But no other building has as yet been started; whereas the Strasbourg building will probably be ready at the end of this year. *Force-majeur*, it is reckoned, will ensure a Strasbourg victory, despite the exorbitant rent (see last month).

As it happened, the press are reported to have been "dazzled" by what they saw of the new building — as much, no doubt, by the discovery that there are to be special press showers as by the political arrangements.

## Bodmin for Europe

It has not taken long for the example of Willy Brandt, who announced his candidature for direct elections to the European Parliament on February 6 (see page 1), to spread. Probably the first

British politician in the field is Ian McWatt, currently the mayor of Bodmin, who declared himself a potential Conservative candidate for the European seat of Cornwall a few hours later. Mr McWatt is not unknown in Europe already, if only because he has worn the fine mayoral chain of Bodmin at receptions throughout the Community. As one delegate to the Congress of Europe in Brussels irreverently remarked: "everyone can recognise the mayor of Bodmin; but which is the King of the Belgians?"

## Thistles and whisky

If there were any doubt that the SNP is the only British political party currently in the black, the visit to the European Parliament's February sitting in Strasbourg of Douglas Henderson (SNP chief whip and Member for East Aberdeenshire) and George Reid (Member for Stirling East and Clackmannan) would have ended them. At the two receptions organised by SNP European Parliament Member Winnie Ewing — the one for Parliament Members, the other for the press — the bottles of whisky emptied as if they had held the local Riesling instead. On Wednesday, virtually everyone in the Parliament bar sprouted SNP "thistle" badges, and one solid Strasburger waiter could be seen with "it's Scotland's oil" stickers covering the entire back of his coat. Some lucky Danes even got expensive-looking SNP key-rings.

Despite the oil badges, the visitors

made great efforts to be "communa-taire". French Socialist President of the Parliament, Georges Spénale, was reminded that the "aulde alliance" had once involved a kind of common citizenship; and Mrs Ewing promised the press conference that an independent Scotland would not leave Europe.

## Songbird

On top of all this, a remarkable victory for Winnie Ewing was recorded during the February sitting at an unofficial allcomers Irish song contest. Hearing that Fianna Fail Member James Gibbons was by way of being an expert in the field, she laid him a Scots to an Irish pound that she would come up first with a tune or words the other didn't know. For hours, it is reported, neither gave an inch; then Gibbons was floored by one which Winnie had known since she was a child.

She attributes her victory to the influence of her father, whose repertoire was enormous. Her own, she believes, is well over 2000.

K. P. G.