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BULLETIN OF THE EUROPEAN COMMUNITIES

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European Atomic Energy Community

Commission of the European Communities

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1ST PART

DOCUMENTS, FACTS AND STUDIES

1. The Lomé Convention

The Lomé Convention

A new model for relations between Europe and the developing countries

1101. At the end of lengthy and sometimes tough negotiations, an agreement, hailed as an event of historic importance and a model of its kind, was concluded between the Community and forty-six African, Caribbean and Pacific countries:

The agreement is both those things, not only by its very nature, but in the way it was drawn up and in its substance: the new Convention embodies basic innovations and sometimes radical changes in the concept of cooperation between industrialized and developing countries as hitherto applied. This is especially so in the areas of financial and technical cooperation, industrial cooperation and the stabilization of export earnings.

For Europe, the signing of the Lomé Convention¹ comes during especially difficult days in her history, amid the harshest economic crisis in Europe since the Second World War. It is also noteworthy that at this particular point in time Europe was able to demonstrate her open attitude towards the outside world rather than withdraw into herself.

For Africa and the Caribbean and Pacific countries, the Convention highlights the economic, and political store they set by close cooperation with the Community, a cooperation which should mirror the growing economic interdependence of the two continents.

Never before has such a big group of industrialized and developing countries tried, as Europe and the ACP States have now done, to define jointly the terms of cooperation between them on a completely equal footing and for a long time to come. No previous negotiations have ever shown so patently that the labels of 'aid donors' and 'aid recipients' are things of the past.

Throughout the negotiations, both sides wanted to stake out a new world economic order, a new pattern of relations between the industrialized and developing countries.

To be sure, the new pattern calls upon Europe to make sacrifices, at least in the initial stages; for it is Europe who will open her huge market to the export potential of the ACP. This commercial accessibility will naturally entail economic structural changes which, though sometimes painful in the short-term, will be salutary in the long-term. This is what industrial cooperation really means! Europe, that is to say each European, by his contribution, will have to make a substantial financial effort in favour of the economies of the ACP countries.

Europe cannot remain an isle of prosperity in a world of poverty and squalor. She cannot turn her back on the fact that the inequalities of wealth are waxing rather than waning. She cannot ignore certain historical obligations nor certain constraints, which commit her to economic cooperation with the African, Caribbean and Pacific countries.

This is the meaning behind what is already known as the Lomé Convention. This is the hope inspiring the future cooperation between the Community and the forty countries of the ACP!

It will focus on four areas, two of which, as seen against the Yaoundé Convention, represent entirely new ventures:

- trade cooperation;
- stabilization of export earnings (including sugar);
- industrial cooperation;
- financial and technical cooperation.

¹ Concluded on 28 February 1975.

An appropriate institutional caucus (Council of Ministers, Committee of Ambassadors, Consultative Assembly, *ad hoc* Committees) will enable the necessary decisions to be taken and will facilitate the required meetings and consultations between administrative, economic and social bodies on both sides.

Trade cooperation

1102. On the trade side, the Lomé Convention is founded on the principle of free access to the Community market for products originating in the ACP States. Free access would place the ACP on the same footing as the Member States themselves. This is the essence of the specially advantageous scheme agreed with them.

In respect of agricultural products exported by the ACP which come under the CAP, the Community import scheme will virtually offer just as many advantages, since well nigh all of those goods will enjoy free access, with the rest covered by a preferential scheme.

As for the ACP commitments, the major new feature is that the EEC will relinquish the reciprocity required in trade concessions. But the ACP States have undertaken to guarantee the EEC a scheme no less advantageous than that of the most favoured nation in their trading, and not to apply discrimination between the Member States.

As previously, the EEC and its partners will continue to advise and consult one another on matters of joint interest or when the decisions of one party may involve the interests of the others.

Lastly, the Lomé Convention, like the Yaoundé Convention, offers scope for financing trade promotion for ACP products.

Stabilization of export earnings

1103. By setting up machinery to stabilize export earnings, the Convention has introduced

a major innovation into international economic relations. Apart from the IMF scheme of compensatory financing, where aims and methods differ, moreover, considerably from the stabilization machinery negotiated by the Community and the ACP States, this is the first time that the industrialized countries and the ACP commodity-exporting States have agreed to set up a scheme assuring the ACP a certain level of export earnings, by screening them from the fluctuations normally affecting them, due to the play of the markets or production hazards.

This system, which could be likened to a kind of insurance against bad years, assures transfers for ACP States exporting a dozen or so commodities, when their actual export earnings, derived over a year of exports to the Community, have dropped below a reference level. The various application terms for the scheme have been shaded to allow for the special position of the least developed island or landlocked States. When circumstances allow, the States that have received transfers will subscribe to the reconstitution of the resources put into the scheme by the Community, i.e. 375 million u.a. for the duration of the Convention. The least developed States, however, will be exempted from this obligation.

It is impossible to overrate the considerable political impact of this new factor, which offers an initial practical response, albeit a partial one, to a complex of disquiet which for decades has blocked the full development of congenial and stable relations between those who produce the raw materials and those who use them.

One of the most important questions in the ACP negotiations was that of sugar which represents for a number of ACP countries a commodity of extraordinary economic and social importance. It was the last point on which agreement was reached.

The agreement provides, in a special protocol, for an undertaking by the Community to pur-

chase and import at guaranteed prices cane sugar from certain ACP countries for an indefinite period. For their part, the ACP sugar producing countries undertake to supply specific quantities annually. They have also undertaken to supply specific quantities for the important period up to June 1975 to help with the present shortage of sugar within the Community, particularly in the UK.

As for prices, the Community has agreed to ensure a guaranteed price, related to Community prices, below which ACP cane sugar in the Community cannot fall. However, in order to enable the ACP countries to benefit from the current high price situation, it has been agreed that prices may be freely negotiated between sellers and buyers. In this context, special price arrangements for 1975 have been made between the Commonwealth ACP countries and the UK Government.

Industrial cooperation

1104. One of the most striking innovations of the new Convention is the importance attached to the theme of industrial cooperation, which is expounded in a special chapter, as officially requested by the ACP States at the meeting of Ministers in Kingston.

The place now assumed by industrial cooperation among the facets of cooperation can be seen firstly as reflecting, on the plane of EEC-ACP cooperation, the changes now coming over economic international relations, which tend to afford the developing countries an expanding role in industrial production. Moreover, for certain ACP partners who owing to their revalued resources, will henceforth command considerable own resources, the time-honoured form of financial cooperation will wane in importance. In seeking new substance to their relations with the Community, the negotiating par-

ties recognized industry as a highly promising sector for rejuvenated cooperation.

The provisions of the new Convention concerning industrial cooperation cover all the areas which spring to mind: development of infrastructure, help with the setting up of manufacturing companies, training, industrial studies and research, transfer and adaptation of technology, special efforts to help small and medium-sized concerns, industrial information and promotion drives. In so far as industrial cooperation involves financing on the part of the Community, it is governed by the provisions for financial and technical cooperation. Although it does not provide for any special amounts to finance industrialization projects, the Convention does cover certain financing techniques and methods which are very well tailored to the idiosyncrasies of operations in that sector.

It also sets up special structures to vitalize industrial cooperation. It is forming an *Industrial Cooperation Committee* which is to watch the activation of industrial cooperation, identify problems which might arise and recommend effective solutions. Part of the Committees' function will also be to guide and superintend the *Industrial Development Centre*, a completely new and strictly operational resource, to be run jointly by the ACP and the Community and be primarily responsible for industrial guidance, liaison and other industrial promotion activities.

The Convention has created a framework for industrial cooperation, which points the way to new and exciting developments. Much will later depend on how the partners succeed in attracting and integrating firms and entrepreneurs; for, in the last analysis, it is they who carry out industrial projects, assure the transfer of technical and managerial know-how and underwrite the marketing of products. Hopefully the Community partners are fully aware that the 'measures required to promote effective cooperation' which they are committed to apply,

will in fact have much less to do with granting even substantial advantages than with the stability and security of the working conditions which firms and entrepreneurs find in the host country.

Financial cooperation

1105. Besides swelling the funds at the Community's disposal for activating financial cooperation, the negotiators of the new Convention brought in major reforms in the stewardship and management of aid. Fresh guidelines have been deployed to provide an adequate answer to the new demands of development.

The Community will command an overall financial appropriation of 3390 million u.a.,¹ 3.7 times that for Yaoundé II, and broken down as under:

- (i) 3 000 million u.a. from the EDF, of which:
 - 2 100 million u.a. as grants,
 - 430 million u.a. as special loans,
 - 95 million u.a. as risk capital,
 - 375 million u.a. for stabilizing export earnings;
- (ii) 390 million u.a. from the EIB as commercial loans.

To this total, should be added 160 million u.a. granted in favour of the overseas countries, territories and departments, 10 million of which comes from EIB own resources.

The terms and conditions of the Community aid are still highly advantageous: of the 3 000 million from the EDF, grants take the lion's share (80%), although this is slightly down to allow for the borrowing capacity of certain ACP States.

The terms for the special loans have been standardized on the most advantageous terms (40 years, 10 years grace period, 1% interest), which is far more favourable than the Yaoundé Con-

vention, where the terms represented a top figure which was far from generally applied.

With very few exceptions, the EIB loans will carry an interest rate subsidy, lowering by 3% the rate of interest to be borne by the borrower.

Another very striking innovation of the new Convention is the heavier responsibility of the ACP States in the stewardship of financial cooperation. Active participation by the beneficiary States has been provided for at every stage of any project: programming, submission, appraisal, financing decision, execution and final assessment of results.

In this way a formula has been found by the Community, so that when a financing proposal fails to obtain a favourable opinion from the EDF the ACP States can put forward direct and verbal justifications for the project to Community representatives before the Committee issues its final opinion.

A number of provisions were likewise adopted which foster the participation in carrying out projects of companies and technical executives who are nationals of the beneficiary States.

Lastly, two more major innovations should be mentioned:

- the functions of the EDF paying agents, now performed by the European financial institutions, are to be transferred to the central banks or other national public or semi-public financial institutions of the ACP States;

¹ The unit of account is defined in a Community statement specifying that the amount of Community aid will have an equivalent value, in a European u.a. to be defined, of 3390 million SDRs at their value on 28 June 1974. But the statement requests the Council to adopt a decision before the Convention comes into force, clearly indicating whether, in defining the unit of account, the basis should be SDRs or a 'basket' of the Member States (EEC) currencies.

2. Inflation and its political impact

The Lomé Convention

- the powers of the national authorities in implementing financial cooperation will be amplified, which will proportionately lighten the administrative, financial and technical responsibilities of the Commission delegates.

The negotiators of the new Convention felt that the broad sector priorities confirmed by experience should be retained. This means that most weight will continue to be put on strengthening economic and social infrastructures, rural development and the training of manpower; it also means that direct action to promote industrialization, marketing and sales will be maintained and intensified. Finally it means that, as previously, special aid will be granted to ACP States in serious difficulty due to natural disasters or exceptional circumstances of a similar nature.

But upholding the priorities does not rule out major innovations in a number of sectors. Thus the new Convention provides for:

- greater support for regional and interregional cooperation, some 10% of the Community's overall financial resources being set aside for this purpose;
- more intense cooperation with twenty-four States regarded as among the least developed, who will be afforded special measures and the most advantageous financing terms;
- specific projects to help small- and medium-sized national firms, especially through the development banks, with broadly decentralized decision and implementation procedures;
- small-scale grassroots development schemes, mostly in rural areas, so as to meet, in practical terms, the special needs of basic communities.

1201. Speaking in Strasbourg on 21 January 1975 to the 21st joint meeting of the European Parliament and the Parliamentary Assembly of the Council of Europe,¹ which saw a debate on inflation and its political impact, Vice-President Simonet of the Commission had this to say:

'During the fifties and sixties we lived through a period of stability, or at least relative stability. Over those twenty years, the average rise in prices, in five-year periods, came out at about 3-4%. Today the average rate of inflation since 1967 reveals an almost continual acceleration in the rise of consumer prices, from 2.7% in 1967 to 13.2% in 1974.'

Why?

1202. The bounding inflation of recent years is apparently first of all due to what I would call "permissive conditions", followed by a sharper turn in the conflict between the aims of the various social and occupational strata of the population and the actual chances of fulfilling them.

We have also seen, over recent years, inflationary pressures swiftly relayed across the international scene.

The "battle of distribution"

The sharper conflict which I mentioned just now intensified the battle of distribution which emerged inside the industrialized countries, particularly those within the Community, and on a worldwide front.

Within our countries, this struggle is over the distribution of income or national product, meaning distribution between wages and profits, socio-economic categories, particular wage-earn-

¹ Point 2418.

ing groups themselves, income levels, sectors, regions and lastly individual and public requirements.

It can be seen in various processes, the most typical being the alignment of wage rises in the various economic sectors with those gained in sectors enjoying higher productivity. These claims for parity are proliferating and can be said even to have impinged on nearly every sector.

On the world scale, the battle of distribution is being waged between countries and economic regions, some countries having a dominant position in the world economy or on certain markets. Here developments in the terms of trade and in methods of financing external deficits are very revealing.

Liquidity and the course of inflation

The second factor which I alluded to a few moments ago is the medium-term link between the course of inflation and liquidity developments.

If there is no corresponding increase in liquidity, there can be no medium-term inflation. Disproportionately swollen liquidity is an open door to inflation; it allows the never-ending conflict between aims and needs on one side and the chances of fulfilling them on the other, to fuse into an inflationary process.

Over the last twenty years liquidity has expanded more rapidly than the real national product, even allowing for the greater number of economic agents and the changes in the customary methods of payment. But mainly as a result of the deficit in the United States' balance of payments, international liquidity began its massive flood from 1970 on.

This torrent appreciably weakened the balance-of-payments constraint on domestic economic

policies. It encouraged the internal liquidity of the European countries to overexpand and bred inflationary solutions to the battle of distribution. And, finally, the international spread of inflation did not come about solely through the trend in international liquidity; the worldwide interdependence of prices was equally responsible.

International spread of inflation

Until the second half of the sixties, there were still some "poles of stability", such as the United States and Germany, plus Belgium, Switzerland and the Netherlands. But since the system of floating exchange rates was introduced in 1971, we have been caught up in a new process, whereby isolated efforts towards stabilization are scarcely effective any longer and, if anything, tend to work themselves out, in the medium-term, in adjustments in the relevant exchange rates.

Apart from this, sizeable increases in raw material costs have helped to send up prices. Their mechanical effect on price levels in the Community countries can be put at between 3 and 4% meaning that if we try to distinguish between the rise in oil product prices and the increase in other raw material costs, the figures show 2 to 3% for oil products as against 1% for raw materials.

Petrodollars

A major new threat has loomed up over the international financial horizon, with the pressure on the stability of the international monetary economy from huge amounts of capital, which come and will go on coming from the surpluses amassed by the oil-producing countries; we still do not know for certain what will happen to this liquidity, which we hope some day will be stabilized, that is to say invested.

Our inapt socio-political structures

1203. To define the relationship between inflation and all of our socio-political structures, the first thing to note is that most of our institutions and political procedures were designed, a long time ago, in economic and political conditions very different from those prevailing today.

The result is misalignment on more than one side. In the first place, a basic problem arises regarding inflation, i.e. the major priorities. The last twenty years have been an age of growth. We took it to be an acquired right and something which was always to be accepted. The education of our minds and our students, the training to some extent of our union leaders, politicians and businessmen has been substantially coloured by this question of priorities and I think that, as a matter of course, growth has been affected by this overall concept which goes to the roots of our civilization, and has culminated in a chain of developments and problems each more intolerable than the last.

Let me mention first three of them. Unequal distribution of incomes and wealth; inadequate public facilities; and environmental problems.

Then there is an ingrained tendency to get the consumption growth rate up to a level which, as I said earlier, exceeds the actual physical potential of our economies.

The net result of these conflicting aims is to outstrip the real potential which had been considered as already secured.

So inflation is really an offshoot of the unresolved conflicts between objectives and aspirations, heightened sometimes by inadequate knowledge of the processes which develop and spread it. Resolving the conflict between objectives is now even more complicated because of the fact that our western societies offer citizens

two avenues to express their aims. First there is the time honoured one, to which this house gives voice, through the political parties, either by using the right of control accruing to them in Parliament, or in forming the mandatory channel to executive power.

But beside these normal traditional channels through the political institutions representing our democratic societies, others have developed over the years which can serve to express, more or less systematically, the sometimes immoderate aims of our people. I am thinking here of the various social groups which have grown up and have been institutionalized, the most powerful, the most legitimate of which are the trade unions or employers' associations. Over recent years the various social groups have thus gained the opportunity of influencing the working of the economy so extensively that they can prevent the attainment of basic objectives planned politically, even when they have been tacitly or explicitly approved by the highest political authority.

In most countries, there is no process compelling the freely elected representatives of the various political and social groups to agree, without disrupting economic and social life, on aims and objectives and on how to apply their resources.

This being so, the pressure of inflation serves *a posteriori* as a knife to trim the aims and objectives down to the actual potential, even though everyone now acknowledges and denounces the fact that it works unfairly and harmfully.

But it has become even harder to master inflation because a number of rules and constraints have gone by the board. I mean the productivity rule, the balance of payments constraint and the more or less automatic mechanism which, up to a few years ago, governed international monetary relations.

On the other hand, what I would term the already existing autonomies, i.e. both sides of

industry and in some countries the central banks, have been maintained.

Then the social partners often reject responsibility for full employment and the public authorities on whom it rebounds cannot at the same time follow that objective and aim for economic stability, especially by combating inflation.

Finally, a last aspect concerns the relationships between the various bodies taking decisions crucial to the development or, on the contrary —which should be the case—the control of inflation.

These bodies by and large recognize the need to pursue the various objectives of social and economic policy simultaneously.

Nevertheless their action often favours one or other of these objectives. The monetary authorities will tend to emphasize price stability and the unions will put more weight on raising wages, while the employers' associations and company groups will go for growth.

The result is a chain of immoderate reactions between these decision centres, which inevitably leads to inflationary turmoil.

I will not dwell on the diagnosis or the causes of the complaint. I will simply put forward in conclusion a few ways to a cure.

Possible cures

1204. As matters stand most of the fire power and the traditional weapons against inflation are still in the hands of the Member States.

They still bear the crucial responsibilities concerning the trend of internal liquidity, public finance, employment, guidance of growth, competition, regional development and the development of industrial sectors.

But experience has shown that the stage of semi-integration or unaccomplished integration,

which the Community is now passing through, is an unstable one, and in fact, in the long-term, one which is untenable. It negates effective action against inflation. Certain methods can no longer be employed without jeopardizing the present state of integration. I am thinking of customs duties and how they are handled. Moreover, international interdependence restricts the scope for individual action by governments. Existing socio-political machinery no longer allows us to act forcefully or effectively enough. Furthermore, the semi-integration stage to which I have alluded, always harbours a certain tendency towards a break-up. This is a danger which Parliament must bear in mind. I know this to be so. You only have to look at the wider disparities in the trends of liquidity and prices, balance-of-payments figures, and capital movements which run counter to the objectives stated scarcely four years ago by the members of the Community when they passed their resolution on economic and monetary union with its implication, *inter alia*, that their economic policies would make for convergence.

There is therefore a greater need of supplementary remedies. And if they are to be clear-cut, they will require completely new thinking on our part. To secure non-inflationary growth, we shall have to think and act very differently.

Perhaps the fear of an even more serious economic and political crisis than the one facing us today will create the political climate required to set up the machinery making possible a sound and effective stabilization policy in the Community.

The required remedies would appear to lie on three levels.

New financial instruments

First of all new instruments should be created on the monetary side of our economies. This pri-

marily means creating the possibility of effectively controlling the trend of liquidity in the Member States.

This is a vital prerequisite for any non-inflationary growth policy.

Several things must be done here. The first is to *define rules for handling the amount of money in circulation*, the idea being to make the growth of liquidity dependent upon the economy's potential developmental capacity. I can assure you that this simple rule will need a massive dose of political will. But it is not beyond our powers. This new approach has already been taken recently in two countries: in Germany the Federal Bank has announced that, with stability the objective, an approximate 8% growth in the monetary base during 1975 appears acceptable and even necessary. In Switzerland the National Bank has declared that it intends to bring the growth of the monetary base back to about 6% for 1975.

The second requirement in overhauling our economic policy is to *monitor the sectoral distribution of created liquidity*, meaning the credits granted to the economy, the public authorities and the outside world. The main point is to avoid inflationary pressures deriving from the monetary financing of public deficits. Here we might take our cue from the example of the Netherlands. The public services, including provincial and local, could be required to contract debts solely with a public credit institution acting within the framework of directives from the monetary authorities.

After talking about it for many years, it is now imperative for the Community countries to get down to preparing and applying a *common strategy for capital movements*. The aim is to avoid overratic swings in exchange rates triggered by abrupt shifts of masses of capital, which have had a damaging and sometimes devastating impact on the monetary stability of some countries, as we have seen.

Coordination of national policies

The disparities between the political and economic development of the Member States highlight their failure, I am sorry to say and you will be too, to coordinate their policies at Community level. This is no great surprise, if we remember that the public authorities are no longer able to maintain sufficient control over economic and social development in their countries. At the moment this trend is co-determined by the decisions of a certain number of social groups.

As was recently emphasized in the report to the Council and Commission on the Community's medium-term economic situation and prospects, past experience has shown that rigidly national approaches to prices and incomes policies were rarely, if ever, successful. The main criticism, in my view, is that such approaches are too one-sided. Fresh attempts should be made which aim at a broader view, embracing the mutual exchange of information and a process of aligning viewpoints covering not only prices and incomes, but taking in economic policy as a whole and including norms for public finance, monetary policy, vocational training and the restructuring of sectors.

Some experiments along these lines have already been started in certain countries, both within the Community and outside it. The *dialogue between public authorities and social groups* must be established at national as well as at Community level.

It should not merely set objectives. It should also define the lines of action. A first step in this direction was recently taken by the Community's social partners at the Conference of 16 December 1974, attended by the organizations of both sides of industry together with the Council, the Member States' Permanent Representatives and the Commission. During the proceedings, the social partners expressed the wish to have a comprehensive debate on the

Community's economic and social situation with the Ministers of Economy and Finance and the Ministers for Social Affairs.

But all this must be backed up by a sister plan embodying structural changes whose effects will only be felt later on.

The plan should first of all tackle the increasing rigidity of labour, which is obstructing the necessary adjustments to the production and distribution machinery. Mobility between sectors and occupations must therefore be encouraged. A specific policy here seems to be the best way of absorbing sectoral unemployment.

Secondly, it is important that an economic view should prevail in the competition sphere. This applies particularly to the surveillance of concentrations and multinational companies.

Thirdly, we must promptly move towards strengthening consumption policy. This is particularly necessary in the Community.

Lastly, I do not think that we can shirk a reappraisal of the quality of growth.

It would certainly be easier to scrutinize these problems if we had a functional classification of internal demand, showing how far the various sectors of the national economy, (households, public services, and firms) help to meet the different needs and fulfill the different functions essential to a society.

So it is important to command an overall view of how our economy works.

Regarding external relations, several moves are imperative. They involve measures to stabilize the revenue of the developing countries rather than safeguard their prices. We should therefore work out amounts of aid in terms of raw material prices as well. At all events, we should pay more attention to compatibility between raw material prices, Member States' export prices, exchange rates and the development objectives of those countries.

Finally, it is imperative to study in more detail how far wider use of indexing mechanisms, applied as supplements to a consistent programme of non-inflationary growth, could play a key part, discourage inflationary expectations, relieve the impact on employment and the growth of other anti-inflation measures, make the longer-term investment of savings more attractive and finally protect purchasing power.

In conclusion, I would say that realism, and this is nothing new to politicians, is a *sine qua non* for any effective policy. In this connection, it must be noted that as regards anti-inflationary policy, in view of the more or less satisfactory results recorded in some countries, a certain "enlightened scepticism" prevails; and one hears too often that nothing can be done, because this is something against which the States are powerless, either individually or all together.

I think that a politician's first job is to combat this kind of scepticism.

The second conclusion which I draw from this communication is that the Community accounts for a quarter of the national product of all the free market-economy countries and 40% of external world trade. Member States would have a greater chance of regaining non-inflationary growth if they acted together and in practical fashion. This is the only approach which will make the Community's economic weight in the world felt so as to have a stabilizing effect on the international environment, and no longer merely undergo the effects of outside stabilizing factors.

3. Research and development

R & D: energy and radioactive waste

Energy and radioactive waste

1301. A proposal for a programme of research and development action in the energy sector and a proposal for a programme concerned with the management and storage of radioactive waste were approved by the Commission on 8 January 1975.

These programmes, which will be spread over four and five years respectively, provide for a total Community expenditure of about 74 million u.a. In both cases the context is the attainment of the 'objectives of an energy policy for the Community' adopted by the Council on 17 December 1974,¹ and the energy research and development programme forms part of the programme of action presented in the Communication entitled 'Energy for Europe: research and development' and approved by the Commission on 17 July 1974.² The proposal relating to radioactive waste is embodied in the programme of action on the environment, which was approved by the Council on 22 November 1973.³

Programme of research and development action in the energy sector

1302. The document presented by the Commission consists on the one hand of an outline programme confirming and clarifying the guidelines given in its Communication of 17 July 1974 entitled 'Energy for Europe: research and development', and on the other hand of proposals for actions to be carried out over the next four years, at a total cost of some 55 million u.a., in five of the strategic sectors selected, namely energy economy, production and use of hydrogen, solar energy, geothermal energy and systems analysis.

Outline programme

1303. The energy problem is so vast, costly and highly diversified that it can be mastered only by dint of an all-embracing endeavour integrating the joint efforts, the national programmes and the research projects in industry. Energy R & D will provide the first-ever opportunity—as part of the gradual effort to evolve a joint R & D policy—to fit a wide range of projects into an overall strategy. This strategy will, in particular, enable the best use to be made of national and Community resources, both human and financial.

It is in this spirit that the Commission proposes:

1. coordinating the national programmes for energy R & D (about 1000 million u.a. in 1974) so as to avoid unnecessary duplication and fill any existing gaps;
2. carrying out research of Community interest whenever necessary;
3. encouraging the alignment of certain research projects of more direct interest to industry or to a limited number of Member States;
4. promoting exchanges of information on the results of research, and in particular on techniques suitable for industrial application.

To this end, the Commission proposes the co-ordination of the relevant national R & D programmes, with the aid of CREST and in accordance with a strict timetable, and also the execution of projects of Community interest the necessity for which has already been highlighted, in particular where:

- (i) owing to the scale of the manpower and financing they require, the projects in question

¹ Bull. EC 12-1974, points 1201 and 1202.

² Bull. EC 7/8-1974, points 1101 and 1102, and Supplement 5/74 — Bull. EC.

³ OJ C 112 of 20.12.1973.

(e.g. thermonuclear fusion) cannot be carried out on national bases;

- (ii) these projects satisfy collective needs shared by the member countries (e.g. reactor safety);
- (iii) these projects necessitate a long-term effort (e.g. solar and geothermal energy);
- (iv) the market forces do not provide the necessary incentive (e.g. energy economy).

The Commission is therefore putting forward for immediate consideration the five actions set out in detail below and is indicating the sectors in which new proposals will be presented in 1975, namely the conversion of solid fossil fuels into hydrocarbon fuels (for which a four-year programme is planned) and new five-year programmes, covering the period 1976-80, on thermonuclear fusion and on biology and health physics.

The carrying out of these programmes will necessitate the application of all the implementing procedures adopted by the Community (direct action, indirect action, concerted action, support for innovation, etc.) and, owing to the great diversification of the programmes will call for the participation of all the partners concerned in the Community. In this respect the Commission proposes that the management and implementation procedures usually employed at Community level be adapted to each individual action, care being taken that the research potential (universities, research centres, JRC, semi-public centres, private undertakings, etc.) in the Community countries is induced to give the action the widest possible support.

The Commission intends to rely, through the appointment of project leaders selected from among the most highly qualified national or JRC experts, on a broad decentralization of the tasks and responsibilities within the Member States.

Apart from the direct actions carried out by the JRC, most of the actions require the financing to

be shared between the Communities and the national partners, the contributions from the partners concerned in the Member States being fixed in each case according to the specific nature of the action and of the partners selected.

The Commission intends to cooperate closely in energy R & D with non-member countries and international organizations. Such an outward-looking approach would, moreover, be in line with the Council Resolutions of 14 January 1974.¹

On that occasion the Council emphasized that it must be possible to associate non-member countries, especially European ones, with these actions whenever it is necessary or desirable to do so; it also asked that consultations be put in hand for the purpose of securing a common attitude of the Member States towards collaboration with or under the aegis of international organizations. The Commission considers that the field of energy research lends itself well to the application of these principles.

The Commission intends, in particular, to perform these tasks of international collaboration with the aid of CREST.

Energy economy

1304. A substantial R & D effort is necessary in order to attain the energy economy objectives adopted by the Council on 17 December 1974 under the action programme on the rational utilization of energy.²

The Commission proposes the following activities in particular:

1. the holding of symposia bringing together the scientific and technical experts of the Com-

¹ Bull. EC 1-1974, points 1401 to 1406, and Supplement 14/73 — Bull. EC.

² Bull. EC 12-1974, point 1203.

munity; the first such symposium could take place in the second half of 1975;

2. financial aid to encourage technological innovations, particularly when they call for collaboration between Member States;

3. improvement of information exchanges and the setting-up of a system for the dissemination of research results, particularly with a view to the optimum application of inventions.

An R & D programme defining all projects susceptible of execution at Community level will stem from the work of the Committees provided for under the action programme on the rational utilization of energy. Nevertheless, it seems advisable to launch rapidly a few specific projects in the four fields defined in the action programme and for which the R & D effort is recognized as an absolute priority.

These projects will be carried out by means of indirect action and the Commission proposes that an amount of 11.38 million u.a. be entered in the Communities' budget for the period 1975-78.

Production and use of hydrogen

1305. The large-scale production of hydrogen, either by thermochemical dissociation of water brought about by direct use of the nuclear heat from a high-temperature reactor (HTR) or by means of electrolysis using 'off-peak' electricity, would result in greater flexibility of the energy distribution system and a higher load factor in the nuclear reactors, besides providing an alternative fuel to gaseous hydrocarbons in all applications other than electricity generation (chemical industry, metallurgical industries, etc.).

The Community programme breaks down into three main projects:

1. hydrogen production based on thermochemical and hybrid cycles (using both thermochemical and electrolytic processes);

2. electrolytic hydrogen production (aimed particularly at increasing the efficiency of present-day electrolytic cells);

3. use of hydrogen, covering, in particular, storage techniques, safety aspects and plant maintenance.

The amounts which should be entered in the Communities' budget total 13.24 million u.a. for the period 1975-78.

The JRC activities in this field will be continued and incorporated technically into the overall programme.

Solar energy

1306. The development of technologies which make possible the economic exploitation of solar energy will have the effect of lessening the dependence on imported supplies, reducing the problems of pollution and facilitating the development of an industry with a large potential market outside the Community.

The programme proposal comprises the following six projects:

1. the design of flat-surface energy collectors and their application to residential buildings;
2. The design of low-power (1-10 kWe) facilities and a 1 MWe pilot facility;
3. photovoltaic conversion;
4. photobiological and photochemical conversion;
5. photosynthesis of organic substances;
6. solar radiation data network.

The Commission proposes that an amount of 14.68 million u.a. be entered in the Communities' budget for the period 1975-78. This programme would have to be carried out through indirect action, the JRC's current activities being continued and its programme incorporated technically into the programme proposed.

Geothermal energy

1307. The exploitation of geothermal energy (steam and hot water) could, even in the short-term, provide an appreciable contribution to the energy balance sheet at regional level. To this end, an immediate R & D effort is called for in the fields of exploration and use technology. In the longer-term, the development of techniques for exploiting hot, dry rocks could significantly increase the energy contribution and also extend interest in the exploitation of geothermal energy to countries which do not possess any natural sources of steam or hot water.

The Commission's programme comprises the following five projects:

1. the collection and collation of geothermal data;
2. the improvement of exploration techniques;
3. The utilization of low-enthalpy hot water sources;
4. the utilization of steam sources and the stimulation of hot rocks;
5. the training of specialists.

An amount of 11.72 million u.a. in respect of this programme, which is to be carried out by means of indirect action, will be entered in the Communities' budget for the period 1975-78.

Systems analysis for devising models

1308. The aim of systems analysis is to identify the potential role and status of a new technology, such as the use of solar energy, against the economic, social and ecological background of society. The methodology, which must rely on mathematical models and broad data-bases has for the most part still to be developed.

The Commission proposes that this action be embarked upon at two levels, namely:

1. the collection of data and the study of strategic models for the short-term problems;
2. the study of dynamic models applicable to medium- and long-term problems.

This work will be carried out primarily by qualified institutions existing within the Community. An amount of 3.94 million u.a. in respect of this strategic sector will be entered in the Communities' budget for the period 1975-78.

Proposal for a programme relating to management and storage of radioactive waste

1309. The management of the radioactive waste thrown up during nuclear fuel reprocessing, which will be carried out on a large scale, is giving and will continue to give rise to major problems in the densely populated countries of the Community. These problems are particularly acute in the case of waste materials with a high specific radioactivity or long half-life. It is therefore essential to have effective means of destroying the waste or of isolating it from the environment—after suitable conditioning and, possibly, transport—for periods which in some cases can be measured on the geological time-scale.

It is also necessary to develop at the same time a legal, administrative and financial framework for the management of radioactive waste with due regard for the safety of the public and the protection of the environment.

The programme proposed by the Commission comprises:

1. work on the conditioning of radioactive waste for storage or disposal purposes;

4. Recycling and international monetary problems

R & D: energy and radioactive waste

2. work on storage and a Community action on the disposal of radioactive waste in geological formations;
3. strategic studies for the purpose of assessing the value of an advanced-management model (actinide separation and transmutation);
4. studies aimed at identifying and proposing solutions for problems raised by radioactive-waste management which cannot be solved within the framework of the present international legal, administrative and financial measures;
5. a study of the principles which should govern radioactive-waste management at the technical level.

With this in view, the Commission proposes that an amount of 19.16 million u.a. be entered in the Communities' budget for the period 1975-79 to enable this programme to be carried out by means of indirect action.

1401. During 1974, several official proposals had been put forward to solve the interlinked problems of recycling the surpluses of the oil-producing countries and financing the external deficits of certain countries importing energy products. The proposals, together with other monetary problems, were discussed early in 1975 at a series of meetings, in particular the meetings of the *Group of Ten* and the *IMF Interim Committee*.

1402. The preliminary work before the two meetings started in London on 6 January with a session of the *Monetary Committee*¹ which was followed the day after, again in London, by the 46th *Finance Ministers' Conference* chaired by Mr Denis Healey, the British Chancellor of the Exchequer and attended by Vice-Presidents Hafnerkamp and Simonet of the Commission. Besides the problems of recycling the discussions covered the economic outlook and certain matters involved in reforming the international monetary system.

On the strength of the draft Resolution on recycling which the Commission laid before the Council in December 1974,² the Finance Ministers worked out a common position on matters to do with recycling the surpluses accumulated by the oil-producing countries, with special reference to the proposals put forward by Dr Kissinger, Mr Simon and Mr Van Lennep, within the OECD, and those offered by Mr Healey and Mr Witteveen which would expand the role of the IMF, i.e. the 'oil facility'. This position generally found a favourable hearing at the series of international meetings which followed in Washington.

¹ Point 2205.

² Bull. EC 12-1974, point 2201.

1403. Meeting in Washington on 14 and 16 January,¹ the *Group of Ten* agreed on setting up a Solidarity Fund within the OECD, whose main purpose would be to enable members of the OECD, who would moreover be following a policy of boosting production and saving energy, to finance their external deficits.² The arrangements have three key features:

- they are provisional and will run for two years,
- they will form a last line of defence, a 'safety net', for countries in difficulty after exhausting all other financing possibilities, hence the somewhat stringent conditions for granting the loans,
- it is based on the solidarity of all members of the Fund. Each country will be given a quota, determined as a ratio of its economic weight, which will serve to fix the limit of its indebtedness and the limit of its guarantee obligations. The aggregate of the quotas, i.e. the volume of the Fund, will be some US \$25 000 million.

It has not yet been decided whether to finance the Fund by direct subscriptions from the participants or by loans jointly guaranteed on the financial markets, or again by a combination of both methods.

The technical work was assigned to a new *ad hoc* Group, set up within the OECD, continuing and embodying the original Group, with additional support, which had been assigned to carry out the technical studies for the *Group of Ten* meeting in January. The new body, which will henceforth represent all the Community countries, will have to submit its conclusions in time for them to go before the OECD Council of Ministers by the end of February 1975 at the latest.

1404. The *Interim Committee of the Board of Governors of the IMF*,³ meeting in Washington on 15 and 16 January decided⁴ to renew for

1975, but in an amplified form, the 'oil facility' scheme adopted by the IMF in June.⁵ The IMF is empowered to contract external loans with countries having external surpluses, whether they are oil-producers or not, to the extent of 5 000 million SDRs, in addition to the credits not used in 1974. On account of the cost of the resources to finance them, the rates applicable to loans approved under this scheme by the Fund will approximate closely to market conditions. Techniques are now being studied to relieve the interest burden on credits granted to developing countries.

Regarding the matters concerning the functioning of the IMF and reform of the international monetary system, agreement was reached to raise the total of Member States' quotas by 39 000 million SDRs, i.e. an average of 32.5%, but staggered according to whether the quota belongs to an industrial, developing or oil-producing country.

The need to give the SDR a central role in the international monetary system as soon as possible was reaffirmed. But the Committee was unable to adopt a common viewpoint on the link which should or should not be forged between the creation of SDRs and aid to the devel-

¹ The *Group of Ten* is made up of countries party to general loan agreements, namely: Federal Germany, Belgium, Canada, France, Italy, Japan, the Netherlands, the United Kingdom, Sweden and the United States.

² Point 1405.

³ Bull. EC 10-1974, point 1401.

⁴ Point 1406.

⁵ The 'oil facility' and the loan agreement attached to it, form a recycling mechanism enabling the IMF to borrow funds for reloan, on request, to countries with external payment deficits primarily due to the higher cost of oil. On 31 December 1974, the countries party to the loan agreement had undertaken to provide the IMF with 3 050 million SDRs. On the same date, the IMF had granted credit, under the 'oil facility', for a total of 1 716 million SDRs.

⁶ Bull. EC 6-1974, point 1301.

oping countries. Attitudes to the gold question were at variance and sometimes conflicting. The only points of overall agreement were on doing away with the official price and the obligation to pay for part of the quotas in gold.

The IMF management was asked to propose the amendments to the Articles entailed by the Committee's decisions, to study the possibility of more effective action by the Fund in financing buffer stocks of primary products, and to make a start on converting the *Interim Committee* into a *Permanent Council*.

Documentary annex

1405. The following Communiqué was published after the meetings of the Group of Ten:

Communiqué of the ministerial meetings of the Group of Ten

'1. The Ministers and Central Bank Governors of the ten countries participating in the General Arrangements to Borrow met in Washington on 14 and 16 January, 1975, under the Chairmanship of Mr Masayoshi Ohira, Minister of Finance of Japan.

The Managing Director of the International Monetary Fund, Mr H.J. Witteveen, took part in the meetings, which were also attended by the President of the Swiss National Bank, Mr F. Leutwiler, the Secretary-General of the OECD, Mr E. Van Lennep, the General Manager of the Bank for International Settlements, Mr R. Larre, and the Vice-President of the Commission of the EEC Mr W. Haferkamp.

2. After hearing a report from the Chairman of their Deputies, Mr Rinaldo Ossola, the Ministers and Governors agreed that a solidarity fund, a new financial support arrangement, open to all members of the OECD, should be established at

the earliest possible date. Each participant will have a quota which will serve to determine its obligations and borrowing rights and its relative weight for voting purposes. The distribution of quotas will be based mainly on GNP and foreign trade. The total of all participants' quotas will be approximately \$25 billion, for a period of two years.

3. The aim of this arrangement is to support the determination of participating countries to pursue appropriate domestic and international economic policies, including cooperative policies to encourage the increased production and conservation of energy. It was agreed that this arrangement will be a safety net, to be used as a last resort. Participants requesting loans under the new arrangement will be required to show that they are encountering serious balance-of-payments difficulties and are making the fullest appropriate use of their own reserves and of resources available to them through other channels. All loans made through this arrangement will be subject to appropriate economic policy conditions. It was also agreed that all participants will jointly share the default risks on loans under the arrangement in proportion to, and up to the limits of, their quotas.

4. In response to a request by a participant for a loan, the other participants will take a decision, by a two-thirds majority, on the granting of the loan and its terms and conditions, in the case of loans up to the quota, and as to whether, for balance-of-payments reasons, any country should not be required to make a direct contribution in the case of any loan. The granting of a loan in excess of the quota and up to 200% of the quota will require a very strong majority and beyond that will require a unanimous decision. If one or more participants are not required to contribute to the financing of a loan, the requirements for approval of the loan must also be met with respect to the contributing participants.

5. Further work is needed to determine financing methods. These might include direct contributions and/or joint borrowing in capital markets. Until the full establishment of the new arrangement, there might also be temporary financing through credit arrangements between central banks.

6. Ministers and Governors agreed to recommend the immediate establishment of an *ad hoc* OECD Working Group, with representatives from all interested OECD countries, to prepare a draft agreement in line with the above principles. In their view this work should be concluded in time to permit approval by the OECD Council by the end of February, 1975.'

1406. The IMF Interim Committee issued the following Communiqué:

**Press communiqué of the Interim Committee
of the Board of Governors
on the international monetary system**

'1. The Interim Committee of the International Monetary Fund held its second meeting in Washington on 15 and 16 January 1975. Mr John N. Turner, Minister of Finance of Canada, was in the chair. Mr H. Johannes Witteveen, Managing Director of the International Monetary Fund, participated in the meeting. The following observers attended during the Committee's discussions of the matters referred to in paragraphs 2, 3, and 4 below: Mr Henri Konan Bedie, Chairman, Bank-Fund Development Committee; Mr Wilhelm Haferkamp, Vice President, EC Commission; Mr Mahjoob A. Hassanain, Chief, Economics Department, OPEC; Mr René Larre, General Manager, BIS; Mr Emile Van Lennep, Secretary-General, OECD; Mr Olivier Long, Director-General, GATT; Mr Robert S. McNamara, President, IBRD.

2. The Committee discussed the world economic outlook and against this background the international adjustment process. Great con-

cern was expressed about the depth and duration of the present recessionary conditions. It was urged that anti-recessionary policies should be pursued while continuing to combat inflation, particularly by countries in a relatively strong balance of payments position. It was observed that very large disequilibria persist not only between major oil exporting countries as a group and all other countries, but also among countries in the latter group, particularly between industrial and primary producing countries. Anxiety was also voiced that adequate financing might not become available to cover the very large aggregate current account deficits, of the order of US \$ 30 billion, in prospect for the developing countries other than major oil exporters in 1975.

3. The Committee agreed that the oil facility should be continued for 1975 on an enlarged basis. They urged the Managing Director to undertake as soon as possible discussions with major oil exporting members of the Fund, and with other members in strong reserve and payments positions, on loans by them for the purpose of financing the facility. The Committee agreed on a figure of SDR 5 billion as the total of loans to be sought for this purpose. It was also agreed that any unused portion of the loans negotiated in 1974 should be available in 1975. The Committee agreed that in view of the uncertainties inherent in present world economic conditions, it was necessary to keep the operation of the oil facility under constant review so as to be able to take whatever further action might be necessary in the best interests of the international community. It was also understood that during the coming months it would be useful to review the policies, practices, and resources of the Fund since it would be appropriate to make increased use of the Fund's ordinary holdings of currency to meet the needs of members that were encountering difficulties.

4. The Committee emphasized the need for decisive action to help the most seriously affected

developing countries. In connection with the oil facility, the Committee fully endorsed the recommendation of the Managing Director that a special account should be established with appropriate contributions by oil exporting and industrial countries, and possibly by other members capable of contributing, and that the Fund should administer this account in order to reduce for the most seriously affected members the burden of interest payable by them under the oil facility.

5. The Committee considered questions relating to the sixth general review of the quotas of members, which is now under way, and agreed, subject to satisfactory amendment of the Articles, that the total of present quotas should be increased by 32.5% and rounded up to SDR 39 billion. It was understood that the period for the next general review of quotas would be reduced from five years to three years. The Committee also agreed that the quotas of the major oil exporters should be substantially increased by doubling their share as a group in the enlarged Fund, and that the collective share of all other developing countries should not be allowed to fall below its present level. There was a consensus that because an important purpose of increases in quotas was strengthening the Fund's liquidity, arrangements should be made under which all the Fund's holdings of currency would be usable in accordance with its policies. The Committee invited the executive Directors to examine quotas on the basis of the foregoing understandings, and to make specific recommendations as promptly as possible on increases in the quotas of individual member countries.

6. (i) The Committee considered the question of amendment of the Articles of Agreement of the Fund. It was agreed that the Executive Directors should be asked to continue their work on this subject and, as soon as possible, submit for consideration by the Committee draft amendments on the following subjects:

(a) the transformation of the Interim Committee into a Permanent Council at an appropriate time, in which each member would be able to cast the votes of the countries in his constituency separately. The Council would have decision-making authority under powers delegated to it by the Board of Governors.

(b) Improvements in the General Account, which would include (i) elimination of the obligation of member countries to use gold to make such payment to the fund as quotas subscriptions and repurchases and the determination of the media of payment, which the Executive Directors would study, and (ii) arrangements to ensure that the Fund's holdings of all currencies would be usable in its operations under satisfactory safeguards for all members.

(c) Improvements in the characteristics of the SDR designed to promote the objective of making it the principal reserve asset of the international monetary system.

(d) Provision for stable but adjustable par values and the floating of currencies in particular situations, subject to appropriate rules and surveillance of the Fund, in accordance with the Outline of Reform.

(ii) The Committee also discussed a possible amendment that would establish a link between allocations of SDRs and development finance, but there continues to be a diversity of views on this matter. It was agreed to keep the matter under active study, but at the same time to consider other ways for increasing the transfer of real resources to developing countries.

7. The Committee also agreed that the Executive Directors should be asked to consider possible improvements in the Fund's facilities on the compensatory financing of export fluctuations and the stabilization of prices of primary products and to study the possibility of an amendment to the Articles of Agreement that would permit the Fund to provide assistance

5. International facets of energy problems

Recycling — Monetary problems

directly to international buffer stocks of primary products.

8. There was an intensive discussion of future arrangements for gold. The Committee reaffirmed that steps should be taken as soon as possible to give the Special Drawing Right the central place in the international monetary system. It was generally agreed that the official price for gold should be abolished and obligatory payments of gold by member countries to the Fund should be eliminated. Much progress was made in moving toward a complete set of agreed amendments on gold, including the abolition of the official price and freedom for national monetary authorities to enter into gold transactions under certain specific arrangements, outside the Articles of the Fund, entered into between national monetary authorities in order to ensure that the role of gold in the international monetary system would be gradually reduced. It is expected that after further study by the Executive Directors, in which the interests of all member countries would be taken into account, full agreement can be reached in the near future so that it would be possible to combine these amendments with the package of amendments as described in paragraphs 6 and 7 above.

9. The Committee agreed to meet again in the early part of June, 1975 in Paris, France.'

1501. In January both the Commission and the Council took up various international facets of the energy problems facing the Community; the Commission sent in several Communications to the Council prior to the latter adopting an initial position at its session of 20 January 1975.

In the communiqué issued after that meeting, the Council, on the strength of a Commission Communication, approved the procedures of the Nine for preparing Community positions or joint action to do with the questions down for discussion within the International Energy Agency.

The Council also reviewed practical problems involved in working out a joint position for the dialogue between consumer and producer countries. The focal points of these preparations are the purpose and subject matter of the dialogue, and the question of who is to attend the conference. It was agreed that the Council would deal further with these matters in February. The foregoing discussions bore on two Communications laid before the Council on 13 January.

Proceedings of the International Energy Agency and preparation of consumer/producer dialogue

1502. There follows the complete text of the first Communication which covers the proceedings of the International Energy Agency and preparations for the 'dialogue' between the oil producers and the oil consumers.

'Since the end of December 1974 the International Energy Agency's proceedings have been stepped up particularly as a result of the outcome of the meeting between President Ford and President Giscard D'Estaing. Special stress must be laid in this connection on the importance and urgency of the preparation of the dialogue between the oil-consuming and the oil-producing countries. The preparatory meeting with the producer countries is planned for March.

With regard to a number of matters being dealt with at these proceedings there are already Community guidelines and decisions (e.g. the Council Resolution of 17 September 1974, the Resolution on 1985 Community energy policy objectives of 17 December 1974, and various Decisions, Resolutions, Directives and Regulations on information, fuel efficiency, stockpiling and research in the energy field). It is, moreover, obvious that pretty well all, if not indeed all, the Agency's proceedings are of particular interest to the Common Market within the meaning of Article 116 of the Treaty of Rome.

It follows that as regards the fields already covered by Community decisions only Community positions in line with those decisions can be adopted in the IEA. On all other matters of particular interest to the Common Market it is essential that the Member States taking part in the IEA's activities should conduct a common action in accordance with Article 116.

To ensure that the Community arrangements work properly, the traditional procedure for preparing discussions in the OECD context should henceforth be made to apply to the meetings of the different IEA bodies, that is, there should be prior meetings between qualified officials of the nine Member States and of the Commission.

As concerns the matters tackled by the Agency on which there has not yet been a definite Community decision, the Commission is required under Article 116 to submit to the Council proposals with respect to the scope and implementation of the joint action referred to in the Article. The most urgent of these matters have to do, as noted in the first paragraph, with the preparation of the dialogue between the consumer and the producer countries. Consequently, the Commission submits to the Council, together with this Communication, a paper on the procedure for this dialogue.

Over and above points concerning the actual holding of the dialogue, attention will have to be given to the fields where satisfactory progress must be achieved before the dialogue with the producer countries opens, including in particular:

- (i) mounting of concerted energy conservation programmes;
- (ii) expedited development of new energy resources.

The Commission will be submitting to the Council at the earliest possible date proposals with regard to:

- (a) short-term reduction of oil consumption;
- (b) principles of a Community energy resources development policy.'

Practical details with regard to the dialogue between consumer and producer countries

1503. There follows the Commission's Communication to the Council on the practical details of the dialogue between consumer and producer countries:

'The subjects which may be expected to be dealt with in the coming dialogue between the consumer and the producer countries very much concern the Community, either as affecting existing common policies or as being of particular interest to the Common Market. The Commission would accordingly submit the following Proposal to the Council with respect to the practical details of the dialogue.

In its Proposal the Commission has borne in mind that the preparatory proceedings by the industrialized countries are being conducted in parallel via different organizations: the industrialized parties concerned belong variously to the Community, the International Energy Agency

and, in monetary matters, the Group of Ten. The liaison and coordination problems posed by this state of affairs will need to be dealt with by joint efforts on the part of all concerned including the Community itself.

Preparatory stage of preparatory meeting planned for March 1975

1504. It is necessary—as has meantime been recognized by the principal partners—that before the preparatory meeting satisfactory progress should be achieved by the industrialized consumer countries on:

- preparation of concerted energy conservation programmes;
- expedited development of new energy resources;
- financial solidarity.

In the Community's view, "satisfactory progress" is not to be taken as meaning the preparation of fully worked out programmes in these three fields, but agreement on objectives and on the broad outlines of such programmes or schemes, in the form of political commitments.

At the same time there will have to be formulated, both within the Community and within the group of industrialized consumers, the objective and content of the dialogue which the industrialized consumer countries will propose to the other categories of countries invited to take part.

1505. The *objective* must be that all the parties concerned should be better informed of their respective interests and preoccupations and that harmonious relations should be established between the consumer and producer countries in order to promote the development of the world economy on sound bases.

This objective can be attained only by a continuous process of dialogue, with the planned conference as its starting-point.

The dialogue should lead to better knowledge of one another's problems and make it possible, from an analysis of the situation, to frame objectives in line with the importance to all of:

- overcoming the imbalances in the economies of all the countries, developing and industrialized alike;
- healthy expansion of their economies;
- smooth development of international trade and cooperation between the producer and consumer countries in the fields of industry and finance.

1506. Having regard to these objectives, the following main topics should be discussed:

- analysis of the situation and general economic forecasts and of the development of world energy consumption and production;
- problems of the economic development of the producer countries;
- economic and financial problems of the non-oil-producing developing countries;
- scope for investment by the producer countries in the developing and the industrialized countries;
- problems arising for the international finance markets;
- movement of oil prices;
- conditions and security of oil supply.

Specific matters such as oil prices and oil supplies are among the focal issues to be considered in the dialogue. It does not, however, appear appropriate that these should be tackled in isolation and to some extent *in abstracto* outside the general economic context, as this would risk the dialogue's becoming involved right from the outset in sterile confrontations. It is for this reason that these matters have been placed where they have on the above list.

1507. One point on which it is also necessary to reach agreement is *who* should attend the preparatory meeting. Those attending should be responsible representatives of countries belonging to the three following groups: the producer countries, the industrialized consumer countries, and the developing consumer countries. They should be few enough in number to enable work to proceed effectively: at first glance it would appear that there should not be more than five for each of the three categories of countries. They should be chosen—in the first instance by the respective groups of countries themselves—so as to be properly representative, particularly in geographical and economic respects. The group of industrialized consumer countries should select its team accordingly. The Community should take part *qua* Community. In addition, arrangements might be made to permit the attendance in an observer capacity of representatives of regional and functional international organizations concerned.

The preparatory meeting planned for March

1508. The task of the preparatory meeting would be to draw up a preliminary list of topics to be dealt with at the conference and to determine the date, venue and composition of the conference, which is to mark the start of the dialogue proper. The preparatory meeting should also set in motion certain technical-level activities in advance of the inauguration of the dialogue.

The dialogue

1509. The Community *qua* Community and the rest of the industrialized countries' group will need to concert together beforehand on the positions to be adopted with respect to the several topics listed for the dialogue.

The dialogue, which it is the intention should continue and develop as time goes on, will be inaugurated by a conference. The object of the conference will be to work out from the discussion topics adopted initially¹ the methods and procedures whereby the dialogue can thus develop: the drawing-up of this initial list need not preclude the participants from adding other matters as the situation develops and cooperation is instituted in the context of the dialogue.'

¹ Point 1506.

2ND PART

**COMMUNITY
ACTIVITIES**

IN JANUARY 1975

1. Functioning of the common market

Internal common market

Customs union

Common Customs Tariff

Nomenclature

2101. On 13 January, the Government Representatives of the Member States of the ECSC, meeting within the Council, adopted a Decision concerning the nomenclature, the agreed duty rates on certain products and the general rules for interpreting and applying the nomenclature and the duties.

The aim of the Decision was to establish that in interpreting and applying the nomenclature and its duties in respect of products governed by the ECSC Treaty, reference should be made to the preliminary provisions of the CCT. The Decision thus makes for harmonization of Member States' arrangements in respect of products coming under the unified ECSC tariff. It supersedes, more comprehensively, the similar Decision of 20 December 1971 by the Member States' Government Representatives.¹

Tariff measures

2102. On 22 January,² the Council adopted a Regulation on opening, allocating and administering a Community tariff quota of 34 500 tonnes for ferro-chrome containing 4% or less by weight of carbon. The first tranche of 32 540 is shared between the Member States, with the second held in reserve. Member States are also authorized to use up a maximum of 20% of their quota, on imports of ferro-chrome containing 3-4% by weight of carbon. The authorization is valid until 31 December 1975.

2103. Acting on a Commission Proposal, the Council adopted a Regulation on the tariff treatment, in the original Six, applicable to a number of products imported from the new Member States. The Regulation follows on an official request by the United Kingdom on 3 July 1974 asking for Community preference to be upheld.

After the negotiations on the basis of Article XXIV (6) of the GATT, the Community undertook to make cuts in the duties on various products. This diminished or eliminated the preference enjoyed by the new Member States. The new measure, adopted by the Council and taking effect from 1 April 1975, will reinstate it.

Internal common market

Commercial and economic law

Distortion of competition

2104. On 14 January, the Commission decided that an Italian decree and similar Belgian orders, instituting a communal tax on advertising and charges on public bill-posting, did not contravene the provisions of Article 101 of the EEC Treaty concerning the differences which could distort competition conditions.

The Commission felt that there was no basic difference between these decrees or orders and those in force in the other Member States, and that in actual fact they did not provoke any distortion of competition, since the rates of the imposed taxes or charges were minimal in the Member States of the Community.

¹ OJ L 1 of 1.1.1972.

² OJ L 21 of 28.1.1975.

The Commission also felt that subjecting the grant of the concession (allowing the relevant tax and charge to be fixed and collected in Italy) to entry in a special register did not contravene the provisions of the Treaty on the right of establishment, even if it was reserved for persons fulfilling certain conditions (including that of Italian nationality) in view of the exception provided for by Article 55 of the Treaty, which concerns the exercise of official authority.

Responsibility for products

2105. The first meeting, sponsored by the Commission, of a Working Party on Product Responsibility took place from 7 to 9 January and was attended by national experts. The work, begun in 1968, had been broken off in 1970 because of the Accession negotiations.

The aim is to prepare a proposed Directive to be submitted at the earliest opportunity by the Commission to the Council, concerning the approximation of Member States' laws on the producers' responsibility for faulty products. Approximation of laws in this field is of the greatest value in establishing and running the common market, inasmuch as differences between national statutory provisions impair the free movement of goods and distort competition conditions in the Community. Another consequence of this is that consumer protection, nearly always inadequate, varies from State to State.

Laws on the environment

2106. An initial *inventory* of provisions laid down by law, regulation or administrative action which are now in force or planned in the nine Member States, has just been compiled. This paper gives a summary view of the provisions to combat *surface-water pollution*.

The Community action programme on the environment, of 22 November 1973, had reiterated that the comparison of national laws, already undertaken by the Commission, should go further, in order to determine whether approximation was required. The inventory is the result of this comparative study.

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2107. During the part-session of 13 to 17 January 1975, the *European Parliament* gave its Opinion on a proposed Directive concerning waste disposal.

The *Economic and Social Committee*, meeting on 29 and 30 January, issued several Opinions on Commission Proposals concerning the removal of technical barriers to trade.

Competition policy

Restrictive agreements, mergers and dominant positions: specific cases

Prohibition of an agreement and fines on the parties

2108. The Commission has ordered the five most important French producers of preserved mushrooms (SA Blanchaud, Chace; Groupement d'intérêt économique Euroconserves, Beaufort-en-Vallée; Groupement d'intérêt économique Champifrance, Bagneux; SA Faval, Chinon; and Société d'intérêt collectif agricole Champex-Centre, Tours) and on the Taiwan Mushroom Packers United Export Corporation (TMPUEC), which represents all exporters in Taiwan, to terminate the agreement which they had concluded in Taipei on 8 January 1973.¹

¹ OJ L 29 of 3.2.1975.

The main point of the agreement was to share the German market out between French and Taiwanese producers who account for a major part of world production. The German market is the most important consumer market in the world, with annual retail sales worth around DM 300 million.

The parties to the agreement had agreed on annual export quotas and on a common pricing policy. In view of this last point (which could only harm the interests of German consumers), the gravity of the infringement of the rules of competition in the EEC Treaty and the failure to notify the agreement, the Commission imposed the following fines on the French producers: SA Blanchaud - 32 000 u.a.; Euroconserves - 32 000 u.a.; Champifrance - 26 000 u.a.; SA Faval - 2 000 u.a.; Champex Centre - 8 000 u.a.

However the Commission considered that TMPUEC was less seriously involved in that, when negotiating with the French producers, it may have been unaware of the principles which the Commission had just recalled in the Notice in the Official Journal of 21 October 1972¹ on the compatibility of such agreements with the rules in the Treaty.

By condemning the Franco-Taiwanese agreement of 8 January 1973, whose effect was to impose barriers to entry on the common market by Taiwanese producers, the Commission has made it clear that private associations of producers do not have the right to take the initiative in restricting or regulating imports of products into the Community by means of agreements between enterprises which distort competition within the common market.

Favourable decision on the formation of joint subsidiaries

2109. The Commission has just taken a favourable Decision on the formation of joint

subsidiaries by Steenkolenhandelsvereeniging (SHV) and Chevron Oil Europe Inc. (Chevron).

SHV is a major Dutch group with diversified activities in the coal industry, chain stores and transport; until now it also had its own distribution network for petroleum fuels. Chevron is a subsidiary of the American multinational petroleum group Standard Oil of California (Socal).

The Commission Decision concerns the formation of joint subsidiaries, to be known as Calpam, in the Benelux, Germany and Denmark through a holding company to be known as Calpam NV.

The subsidiaries are set up for at least fifty years. The parent companies agreed to refrain from competing with each other in products which are dealt with by the joint subsidiaries: paraffin oil (kerosene), domestic fuel, industrial fuel, asphalt and marine fuels and lubricating oils.

The transaction entails a lasting change in the structures of the parent companies as regards the products concerned and it would appear that SHV and Chevron are integrating their activities into the new Calpam trading structure. The non-competition clause between the two founder companies can be regarded as an indispensable means of preserving a state of equilibrium between them.

Since the relevant firms had deleted from their agreement a number of clauses which did not relate to the formation of the joint subsidiaries, the Commission decided that the rules of competition in Articles 85 and 86 of the Treaty should not be applied in this case.

Coal and steel mergers

2110. The Commission has authorized DEU-MU (Deutsche Erz- und Metall-Union GmbH), Hanover, a scrap dealer belonging to the Salzgit-

¹ OJ C 111 of 21.10.1972.

ter group, to acquire a majority shareholding in Ernst Biskupek KG, a scrap retrieval firm also of Hanover. The two firms will account together for approximately 8% of the German scrap retrieval market.

2111. SA Société Marseillaise de cokéfaction (Marcoke) has been set up at Fos-sur-Mer to supply coke to Solmer, a flat steel producer jointly controlled by Sollac—a member of the Sacilor group—Usinor and August Thyssen-Hütte AG.¹ Marcoke's coke production capacity is expected to reach 1 200 000 tonnes in 1978. Thyssen will take a provisional 5% shareholding in Marcoke with an option to step up its holding, probably to 25%, while Sollac and Usinor will each reduce their 50% holdings to the same extent.

Although in legal terms Marcoke is a separate enterprise, in economic terms it constitutes a division of Solmer which will be responsible for its management; Marcoke will not be selling on the coke market nor supplying coke to the other plants owned by its members. Furthermore its members have not entered into commitments as to purchasing, producing or selling coke apart from those designed to ensure that the joint subsidiary operates properly.

Hence on 24 January 1975 the Commission authorized Sollac, Usinor and Thyssen to establish joint control over Marcoke.

State aids

Regional aids

Netherlands

2112. On 23 January the Commission terminated the Article 93(2) procedure which it had initiated in respect of the price reduction for the

supply of natural gas in the Netherlands.² This concerned a 5% rebate on the industrial scale of charges in the provinces of Groningen, Friesland and Drente.

Additional information supplied by the Dutch authorities in the course of proceedings revealed that the tariff reduction was of a commercial nature and decided on by the natural gas distribution company; it was given to consumers near the Groningen field where distribution costs were lower. Hence the Commission felt that it could terminate the proceedings in respect of this measure.

Environmental aids

France

2113. On 30 January the Commission decided that it had no objections to the aid provided under the sectoral agreement concluded by the Ministry for the Environment and three industries in France (distillers of agricultural alcohol, yeast manufacturers and potato starch manufacturers) for the reduction of pollution caused by effluents.

Under these agreements, and in consideration for a major programme to cut back effluent pollution, enterprises in these industries were qualified for certain aid to additional pollution control investments to be made before 31 December 1978 in any of their plants in operation on 1 January 1974.

Having examined the relevant measures in the light of Article 92 *et seq.* of the EEC Treaty, the Commission concluded that they fell within the limits set in the Memorandum on a Community

¹ Bull. EC 11-1974, point 2112.

² Bull. EC 2-1974, point 2115.

approach to state aids in environmental matters¹ addressed to the Member States on 6 November last.

bonds, which would apply under any circumstances in all the Member States. But within certain limits they would retain the option of tightening the conditions and stipulating additional provisos to those already listed.

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Fiscal policy and financial institutions

Financial institutions

Banks and other financial institutions

2114. The work of the Group on Securities concerning coordination at Community level of the conditions for stock-exchange admission of securities, was completed by adoption of a report on the basis of which the Commission will submit a proposed Directive to the Council.

After drawing up a report on working out joint standards for the prospectuses to be issued to the public when securities are admitted to the stock market, which resulted in a proposed Directive from the Commission to the Council,² the Group considered the advisability of coordinating, at Community level, the conditions for admitting securities onto the stock market.

The Group felt that an established Community admission prospectus could not completely serve its purpose in ensuring the proper functioning of the capital markets unless the conditions for admitting securities to quotations on the various Community stock exchanges were also coordinated. This follows logically upon the establishment of a prospectus, with the aim of achieving a genuine common market in the securities sector.

The main aim of the reports which the Commission has just adopted, is to compile a list of the basic requisites for the admission of shares and

2115. During the part-session of 13 to 17 January, the *European Parliament* gave its Opinion on the proposed Directive laid before the Council concerning the harmonization of excise duties on mineral oils.

¹ Bull. EC 11-1974, point 2115.

² OJ C131 of 13.12.1972 and Supplement 8/72 — Bull. EC.

2. Economic and monetary union

Economic, monetary and financial policy

Economic, monetary and financial policy

Report on the Community's economic situation and medium-term outlook

2201. On 3 January, the Economic Policy Committee sent the Council and Commission a report on the Community's economic situation and medium-term outlook.

This report summarizes a number of studies and other work by the Commission departments and by groups of experts. Given the tentative nature of the analyses in the report, it is evident that the underlying assumptions are inevitably subject to a great deal of uncertainty and demonstrate only one of many possible developments. Moreover, the problems raised by the adjustments that will have to be made in the medium-term in view of the disequilibria in the Member States' economies are so complex that they will require many more major studies.

The present economic situation reflects the combined influence of an exceptionally vigorous burst of inflation of between 15 and 20% in 1974 in the United Kingdom, Ireland, Italy, Denmark, France and Belgium, a tendency for economic activity to slacken which could mean a drop in industrial production, an increase in the number of unemployed to more than four million in December 1974 for the Community as a whole and heavy foreign trade deficits throughout Europe except in Germany and the Benelux countries.

Faced with this disquieting situation, the Community has probably never before had such a pressing need for a medium-term programme within which the necessary measures could be defined.

In the coming years, the Community will have to tackle the problems of:

(i) a slower rise in people's living standards than in the past;

(ii) stepping up the production of goods for export to oil-producing countries and for a switch to other sources of energy;

(iii) an increase in transfers of jobs between industries, which carries the risk of higher structural unemployment.

The report seeks to paint a picture of the conditions in which the individual Member States and the Community as a whole are entering this period of adjustment. The Member States' ability to meet the new requirements of the situation varies with their social and economic structure, whether it is a matter of the new pattern of international trade, the capacity of domestic production to adapt to it, or the efforts required in the fields of investment and employment. Moreover, the effects of the energy crisis differ from country to country.

Importance of the structural factors

2202. Of the social and economic structures which help to explain the appreciable differences, between member countries, in the trend of inflation and the scale of the external disequilibria, special attention is given to the factors of production, the pattern of foreign trade, the regional disequilibria and the inflexibility resulting from differing systems of taxation, social security and vocational training. These were chosen as examples and are not to be seen as an exhaustive list.

The relative size of foreign trade and the role it plays in economic development and also the pattern of exports of the individual member countries were further important factors in the differences. Some countries proved to be more sensitive than others to the explosion in the world market prices of raw materials: this is true especially of Italy and the United Kingdom.

In exports, Germany's industrial strength is shown by the proportion of total sales accounted

for by industrial products, machinery, and transport equipment. By contrast, the positions of countries such as France, Ireland and the United Kingdom are comparatively unfavourable.

It is also pointed out in the report that the differences in structures are to some extent responsible for the varying degrees to which Member States are able to implement policies to restore equilibrium.

Effects of the energy crisis and outlook for 1978

2203. The report seeks to determine the impact of the rise in energy prices in the base year 1974 and also in 1978. It is noted that in 1974 the rise in oil prices will bring the exporting countries extra revenue of some \$70 to 80 000 million, with some \$10 to 15 000 million coming from the developing countries and some \$60 to 65 000 million from the industrialized countries. In 1978 the oil-exporting countries' extra revenue may have increased to between \$80 and 120 000 million depending on the price policy followed, bringing the five-year total to between \$380 and 500 000 million.

On the basis of this analysis, estimates are made as to the possibilities for the oil-producing countries to increase their imports and to step up their aid to the developing countries which are not exporters of oil.

It is then possible to work out the net deficit of the industrialized countries allowing for the expected increase in the exports. For the Community as a whole, the overall deficit for 1974 to 1978 could be between \$60 and 90 000 million. This overall figure masks considerable differences between Member States, ranging from a large surplus in Germany to heavy deficits for other countries such as Italy, the United Kingdom, Ireland, Denmark and France.

The report then sets out to analyse the consequences for the structure of the Member States'

productive apparatus of the increase in exports, and the development of alternative courses of energy, and the effects on the pattern of domestic demand of changes in relative prices.

Restoring equilibrium and adapting the Member States' economies to these new conditions will impose a burden which, for the Community as a whole, will probably amount in real terms to some 3 to 4% of GNP, to be taken essentially from consumption (2 to 2.5% for the deterioration in the terms of trade, 0.2 to 0.3% for debt servicing and 0.5 to 1% for substitution and conversion investment).

The individual countries' shares of this burden, show the very considerable differences in the transfers that will have to be made in terms of expenditure on GNP, taking into account the balance of payments situation at the outset, and also mean that some countries may have to stagger the adjustments over a period exceeding that covered by the report.

In view of the scale of the disequilibria, the time required for the necessary adjustments and the considerable differences in the situations of the individual member countries, the report does no more than seek to give a picture of certain possible trends. It does not go as far as proposing the measures required to remove these disequilibria.

It is now for the Commission and the other Community institutions, in particular in the fourth medium-term economic policy programme (1976-80) which it has just been decided to prepare, to follow up these initial analyses by in-depth studies and to work out, mainly at Community level, the most appropriate policies to help remove the disequilibria.

Study group on inflation problems

2204. To study the problems of inflation in greater detail, the Commission formed an Expert

Group chaired by Mr Maldague, Belgium's Commissaire au plan. At the first meeting, on 20 January, the Group discussed problems likely to figure in its report, especially the quantifiable and non-quantifiable factors of inflation, the problems of socio-political structures, the distribution of income and negotiations between the social partners. The Group agreed to meet frequently over the coming months so that it can submit an interim report during the summer, and its final report by the end of 1975.

Monetary Committee

2205. The Monetary Committee held its 200th meeting in London on 6 and 7 January, with Mr Oort in the Chair. The agenda covered a review of action to be taken following the Council meeting of 19 December 1974, and the problems involved in defining a unit of account and in concerted moves on the Euro-Markets. The Committee also took a hard look at the international monetary problems in discussing the setting up of the support or solidarity Fund as proposed by the United States and the OECD, and in reviewing the modification to the Articles of the IMF which would probably be suggested to the Group of Ten, as the joint position of the Member States.¹

The Deputies of the Monetary Committee met in Brussels on 28 and 29 January to study the various forms contemplated for the unit of account and their application in different sectors.

Economic Policy Committee

2206. The Economic Policy Committee, in the reduced 'budgets' grouping, held its eleventh meeting in Brussels on 31 January, with Mr Hullebroeck, Vice-Chairman in the Chair. A cursory review was made, country by country, of the status of implementation of the 1974 budgets

and the budgetary prospects for 1975 or 1975-76 of each Member State were scrutinized. The Committee then drew up its work schedule for the coming months and formed a group of experts to make the technical preparations for its meetings.

Expert Group on Economic Budgets

2207. The Expert Group on Economic Budgets met on 10 January. It analysed the probable trend of the short-term economic situation over the current year and the economic policy problems now besetting the Community countries.

In general terms, the economic projections presented at the meeting turned out to be slightly more pessimistic than those drawn up in the autumn of 1974. This harsher view of the future is partly due to a more sober appraisal of world short-term economic development. The experts stressed the importance of effective cooperation between the member countries so as to protect growth and employment while regaining internal and external economic balance.

The Group decided that a forthcoming meeting would deal with adapting the lay-out of economic budgets to the European system of integrated economic accounts (SEC) and would analyse world short-term economic postulations for 1976.

Working Party on Comparison of Budgets

2208. At its meeting of 21 January 1975, the Working Party on Comparison of Budgets examined the question of the treatment of financial transactions by the public authorities within the presentation of the 'public revenue and expenditure' aggregates. Certain points involved in

¹ Points 1401 to 1405.

defining the aggregates were again considered. The group also adopted the procedure to be followed in respect of the draft IMF manual on public finance statistics. Comments on the draft manual will be sent in to the IMF, on the basis of a paper to be compiled by the Commission departments.

Consumer survey

2209. Over the second half of October 1974, a fresh short-term survey (the eighth of its kind) was taken among European consumers; some 40000 households chosen representatively replied to the questions.

The results indicate that the *economic situation* has worsened since the spring of 1974. Pessimism has gained ground in Italy. European consumers show little confidence in economic developments over the next twelve months. Negative assessments predominate more than in May 1974, particularly in Ireland, Italy and Belgium. Compared with the spring survey, Denmark is the only country where fewer households fear that the recession will get worse.

The widespread gloom over future economic developments is certainly due to fears of increased *unemployment*. In Italy, Ireland, the Netherlands, Belgium and France, more than two thirds of households questioned are expecting unemployment to spread over the next twelve months. In Denmark, and in Germany, i.e., the countries where unemployment has risen sharply over recent months, forecasts in respect of the labour market are a little more cheerful.

Most of the households think the rise in *prices* is still too severe. But the survey shows that the forecasts, themselves a factor in inflation, of an even faster rise in prices, are again less pronounced, especially in Germany, Belgium, Denmark and France. Conversely, Irish and Dutch consumers are more afraid than before of a fresh burst of rising prices.

As already noted during the earlier surveys, consumers' assessments of their own *financial situation* are once again much more favourable than appraisals of the general economic picture. A slight majority of the Dutch households feel that their financial position has improved as against the previous year, whilst in Germany a lesser number take this view than in the spring of 1974. In Ireland and Italy, however, dissatisfaction over the development of real income has appreciably spread. Estimates of the future trend of incomes during the next twelve months may be summarized as follows: the Danes are relatively confident, the Germans are less pessimistic, the French, Belgians, Dutch and Italians are more sceptical and the Irish fear considerable loss of income in real terms.

European consumers are generally holding back on *purchases*. This is no doubt mainly because they are afraid of more unemployment. Whereas in Germany and the Netherlands, the propensity to buy has not apparently slackened any further, the other countries must, if anything, expect private demand for consumer goods to fall off again. This is the conclusion to be drawn from answers to the question whether now is the right time to buy, and from the buying plans for a certain number of particular consumer durables (cars, deep-freezers, black and white and colour television sets, dishwashers, refrigerators, washing machines).

The signs of a slackening in the *propensity to save*, noticed in the 1974 spring survey, have since disappeared. Saving has apparently regained ground among consumers; this is very clearly seen in the figures for Germany. But in all the countries except Germany, and because of widespread fears of a further deterioration in real income, households advocating saving outnumber those actually expecting to manage to put money aside over the months ahead.

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2210. During its session of 29 and 30 January 1975, the *Economic and Social Committee* adopted an informative report on inflation, which will go to the Council and Commission.

Employment. The decision to make this amendment, which was taken after the Social Conference in Brussels on 16 December³ adapts the membership of the Committee to developments in the structures of certain workers' and employers' organizations.

Regional policy

Financing operations

Redevelopment

2211. Under Article 56, 2(a) of the ECSC Treaty, the Commission decided, subject to a confirmatory Opinion from the Council, to grant an industrial redevelopment loan to *Ornatec BV* (Netherlands) of some 1380000 u.a. with interest entirely subsidized.

Ornatec, which has already obtained two ECSC redevelopment loans, will use the third one to extend a plant for the special treatment of synthetic fibres. The plant will be installed in the industrial district of Dentgenbach near Kerkrade.

The *Ornatec* project is being carried out within the context of a programme of mine closures in Limburg and will create about 140 jobs reserved for former miners.

Social policy

Employment

2212. On 20 January,¹ the Council amended its Decision of 14 December 1970² which set up the Community's Standing Committee on

Free movement and social security for migrant workers

2213. The *Administrative Committee for the Social Security of Migrant Workers*, which held its 139th meeting on 23 and 24 January, reviewed several proposed amendments to the 1971 and 1972 Regulations entailed by developments in social security legislation in the Community countries. The Committee also adopted a Recommendation to the appropriate Member States' authorities concerning the issue of certificates of entitlement to benefits in kind to workers on assignment, during periods spent in a Member State (form E 111).

Vocational training and guidance

2214. The *effectiveness of vocational training* was the theme of a five-day seminar at Manchester University in January. Some sixty people attended including government officials, representatives from both sides of industry, education and vocational training experts and Commission delegates.

During the seminar, Dr Hillery, Vice-President of the Commission, stressed the importance of the methods and aims of evaluating vocational guidance projects at a time when unemployment was flaring up again. All those taking part agreed

¹ OJ L 21 of 28.1.1975.

² OJ L 273 of 17.12.1970.

³ Bull. EC 12-1974, point 1307.

on the need to retrain operatives in declining sectors, to enable them to gain new proficiencies. Effective techniques must therefore make high-quality retraining possible and so meet the wishes and needs of workers, employers, unions and the responsible government departments.

2215. At its meeting of 20 January, the Council agreed that the *head offices of the European Centre for the Development of Vocational Training* should be located in Berlin. This question had not been settled on 17 December 1974,¹ when the Council approved the substance of a Regulation establishing the Centre, which is part of implementing the social action programme.

Social security and social action

Occupational diseases

2216. On 13 January, the Commission and government experts appraised the degree of application, in the Member States, of its Recommendations of 23 July 1962 and 20 June 1966 on compensation for victims of occupational diseases.

The experts felt that the European list of occupational diseases should be updated. It also emerged that the composite scheme advocated in the Commission's Recommendations had been favourably received by those Member States whose legislatures have yet to adopt it. Under the scheme, any disease which might be occupational in origin, but was not included in the national lists, should be reviewed on a case by case basis by experts, in order to assess possible compensation, although any decisions taken would not be of a statutory character.

The experts also considered that more emphasis should be laid on the exchange of information between Member States and via the Commission

on the problems involved in compensation for certain diseases. Lastly, with regard to occupational ailments where noise was the likely cause, it was agreed that a report on this subject would be attached to the report to be compiled in 1975 concerning action taken by Member States on the two Recommendations.

Fight against poverty

2217. On 14 January, the Commission sent the Council a programme of pilot projects and pilot research to combat poverty. The programme, covering 1975-76, is among the priority campaigns planned for the Community social action programme as approved by the Council Resolution of 21 January 1974.² Its aim is to push forward planned action for combating poverty in the Community, by picking out a limited number of projects partially financed by the Community, enabling the main causes of poverty to be recognized and indicating ways of countering it.

The Commission will grant financial aid for carrying out the projects and research approved. Except in special cases, Community contributions will not exceed 50% of the actual project costs. The Community budget appropriations under the 'poverty control' programme, amount to 2 500 000 u.a. for 1975 and 2 750 000 u.a. for 1976. These appropriations should provide a share in the financing of 20 to 25 projects.

The first criterion to be considered in applications for Community aid is the innovative quality of the projects and their anticipated impact on the course of national or other policies. Secondly, the people concerned must participate as

¹ Bull. EC 12-1974, point 1304.

² OJ C13 of 12.2.1974 and Supplement 2/74 — Bull. EC.

far as possible in the preparation of any project backed by the Community, and also in its actual implementation.

The Commission will give precedence to projects of specific value at Community level and to those entailing the multidisciplinary collaboration of sociologists, welfare officers, psychologists, etc. At the same time, the Commission is planning to promote a number of pilot projects to serve as the basis for possible future projects.

The list of projects attached to the Commission's Communication to the Council was prepared during talks with Member States' government officials and representatives of independent social organizations. At this stage, much of the list is still tentative and amounts to no more than an initial summary of the projects that the Commission would support.

No constraints have been indicated as to the type of public or private body which might apply for financial aid for pilot projects or research. The granting of Community aid is not subject to financial assistance from the governments concerned, but they will be consulted and advised of each application.

Living and working conditions

Housing

2218. On 17 January, the Commission adopted its fourth report on *action taken on the Commission's Recommendation of 7 July 1965¹ to the Member States* concerning the housing of workers and their families who relocate within the Community. The report contains the replies from the six original members of the Community (Germany, Belgium, France, Italy, Luxembourg and the Netherlands) concerning action taken during 1971 and 1972 in respect of migrant workers' housing.

The report highlights the extent of measures applied in connection with financing family dwellings and hostels. The credits committed for hostels and to a lesser extent for building family dwellings, will be increased during the period in question. The report shows that each country has become more aware of the problems besetting foreign workers, especially where housing is concerned, and also stresses that public opinion has taken a favourable turn. The report concludes that the hostel situation has improved, thanks to progress made in nearly all countries in respect of the hostel standards and inspection required.

In general terms, the lack of adequate statistics precludes any accurate picture of the nature and size of the problem of migrant workers' housing; psychological and social factors also play a considerable role. Finally, despite the headway made, a major drive is still needed to improve foreign workers' housing. Strenuous financial efforts will have to be approved in the Member States to provide workers with decent accommodation on acceptable financial terms.

Industrial and occupational relations

2219. After the disaster in the Liévin (France) collieries and acting on a proposal by Dr Hillery, Vice-President of the Commission and Chairman of the Mines Safety and Health Commission, the Commission has granted *financial assistance* to the families of the victims. The amounts will be approximately Bfrs 50 000 for widows, Bfrs 20 000 for fatherless children and Bfrs 30 000 for the families of single people. After the Marcinelle and Luisenthal disasters, the decision was taken within the High Authority of the ECSC (and now within the Commission) to provide financial assistance for miners' and steelworkers' families at such distressing moments in their lives.

¹ OJ 137 of 27.7.1965.

Health protection

2220. The European Coordination Committee (with its headquarters in Paris) formed in 1968 by the Member States' societies and institutes for the blind, invited the Commission to Luxembourg on 21 and 22 January for a meeting in the context of Community work on *rehabilitating handicapped people*.

The meeting made requests to the European authorities in respect of matters concerning sickness insurance affiliation, free tuition, scholarship awards, special terms for transport and telephone subscriptions and especially training, the right to work and to full employment (social and occupational resettlement, protected workshops, etc.).

2221. The Working Party on Safety Training attached to the *Steel Industry Safety and Health Commission* met in Luxembourg on 16 and 17 January. It adopted its conclusions on the 'training of supervisors and safety department personnel'. The group then held an initial discussion on the reception and training of migrant workers, together with experts from workers' occupational organizations.

Paul Finet Foundation

2222. The Executive Committee of the Paul Finet Foundation met in Luxembourg on 14 January. It reviewed 425 applications for financial assistance and 304 grants were approved for a sum of Bfrs 2583000. Since the Foundation opened on 30 June 1965, it has received 6174 applications and made 4404 grants for a total of Bfrs 34964200 (FF 4113435). At the time of writing 988 applicants have been able to complete their studies in more congenial conditions with the help of the Foundation.

Environment and consumer protection

Environment

Water pollution by paper pulp mills

2223. On 14 January the Commission laid a proposed Directive before the Council which would cut down water pollution in the Member States from paper pulp mills.

The Proposal sets minimum limits for effluent discharge standards applicable in this sector, and serves to implement the Community action programme for the environment. The programme incorporates specific action for certain branches of industry to reduce, at source, the various forms of pollution peculiar to them.

Community legislation on this is virtually non-existent. Hitherto, France is the only Member State to have introduced legislation relating specifically to effluents from paper pulp mills. Belgium has fixed ecological quality standards which apply to a number of industrial sectors, particularly the paper and paper pulp manufacturing sector. Other countries apply 'guidelines' which are part of a body of general legislation on the environment.

Pollution of waters by paper pulp factories is very considerable. The factory effluents may contain quite large amounts of solids in suspension, deplete the oxygen content of the waters where discharging takes place, contain toxic substances and cause colour change and foam formation.

The Commission for its part proposes that the pollution discharged by the existing establishments be reduced, taking into account standards differentiated according to each type of manufacturing process. This reduction will have to be

achieved not more than ten years from the entry into force of the Directive. For this purpose, the Member States should be able to draw up a case by case programme for pollution reduction, taking account of all the factors involved, both economic and ecological. For new establishments, the permitted pollution flow into discharge waters must, not later than twelve months after commencement of operation, be equal to, or less than, the discharging standards set out in the Directive.

According to the proposed Directive, exceptions are possible where it can be shown that the discharge of effluents into estuaries or at sea represents no contamination danger to the waters concerned. In addition, the Commission is at present studying the question whether research and development activity in these fields should be undertaken at Community level.

Consumer protection

Implementing an action programme

2224. 'The year 1975 would, hopefully, mark the culmination point in the Commission's first efforts in the field of consumer protection and information' said Vice-President P.J. Hillery when addressing the European Consumers' Forum in West Berlin on 23 January. The carrying out of the Commission's action programme for the protection of consumers marked another new phase in the development of the Community and was further evidence of its social consciousness and concern for people.

Certain action has already been undertaken by the Commission to implement the action programme for consumers. In particular, draft directives have been prepared for the harmonization of laws in the Member States on consumer credit, labelling of food products, standard pack-

aging and producer responsibilities and it should not be long before proposals concerning misleading advertising will be ready.

However, on the basis of experience gained over the years it became increasingly clear that the time had come to develop a specific and comprehensive common policy for consumer protection and information and one which would correspond to the legitimate interests of the Community consumer.

Following the impetus given by the Paris Summit of 1972, the Commission, in December 1973¹ submitted to the Council its action programme for consumer protection. In this connection Dr Hillery emphasized that the programme set objectives and priorities to guide the Community's efforts in protecting and advising consumers over the next four years and also defined their basic rights.

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2225. During the part-session of 13 to 17 January, the *European Parliament* gave its Opinion on the Commission's Proposal to the Council concerning waste disposal. The *Economic and Social Committee*, meeting on 29 and 30 January, issued an Opinion on problems arising from the paper pulp industry.

Agricultural policy

2226. Although the question of the *common agricultural prices* for the 1975-76 marketing year was on the agenda of two meetings, following Proposals submitted to the Council,² it proved impossible to agree them by 1 February as anticipated.

¹ Bull. EC 12-1973, points 1301 to 1308.

² Bull. EC 11-1974, points 1501 to 1505.

In a preliminary sounding debate, all the delegations expounded their positions in respect of the Commission's Proposals covering various products and related measures. These included the Directive on hill-farming and farming in certain underfavoured regions, and the proposed Directive on special aid for young farmers; the Council then made a searching appraisal of all the items in the Commission Proposal.

The Council would take up these questions again in February with the aim of reaching a comprehensive decision.¹

But the new intervention prices for butter and skim milk powder would now apply retroactively to 3 February 1975; the validity of guide prices for calves and mature cattle for the 1974/75 marketing year was extended by one month. They will actually apply until 2 March instead of 31 January 1975.

Parliament reviewed the file on prices and passed a Resolution which considered the average increase proposed by the Commission to be distinctly inadequate.

The question of Community sugar supplies was also a focal point of the debates. This issue involves the individual position of certain Member States, the Community and world market situation, and the negotiations with the African, Pacific and Caribbean States.²

The Council adopted a Regulation on a second phase of sugar imports, which would be subsidized and cover a quantity of 200 000 tonnes of white sugar.

On 21 January, the Council agreed in principle on starting up a new *wine* distillation drive with the aim of relieving congestion on the market; the minimum price of the table wines involved will be 1.58 u.a. per degree/hectolitre.

Lastly, the Council adopted a measure concerning the sale from public stocks of *skim milk powder* at cut prices for delivery to developing

countries; the first tranche will amount to a maximum of 50 000 tonnes.

Market developments in January enabled the Commission to set the *export levies* for cereals (except rye), rice, sugar and olive oil at levels well below those for December.

Regarding *beef and veal*, Community stocks were estimated at 230 000 tonnes on 31 January, including 70 000 in Germany, 53 000 in Ireland and 50 000 in France. But in total the purchases by the intervention agencies reached 485 000 tonnes against 360 000 tonnes in November 1974.

Measures in connection with the monetary situation

2227. Monetary compensatory amounts were adjusted as follows:

- from 1 January 1975 for New Zealand butter and cheese shipped to the United Kingdom and for sugar in Ireland and the United Kingdom. This is due to the price adjustments on that date for those products (i.e. the cif prices for butter and cheese and the Community prices for sugar);³
- from 13 January 1975 for Ireland and the United Kingdom owing to the movement of sterling and the Irish pound;
- from 20 January 1975 for Italy, owing to movement in the lira.

¹ Which has since been done.

² Points 1101 to 1105.

³ OJ L 355 of 31.12.1974 and Bull. EC 12-1974, point 2239.

Common organization of the markets

Cereals and rice

2228. On 13 January,¹ the Council made three amendments to the rules concerning the sugar sector.

To avoid upheavals in the domestic market and to bring in appropriate measures, it was initially stipulated in the basic Regulation on organization of this market that cif prices would be compared against threshold prices. Now there may already be some danger of substantial exports, especially from the surplus areas, even before the world market prices climb up to Community prices. The term 'cif price' was therefore replaced in the Regulation by 'price on the world market'. This amendment should enable the Community market to be run more in tune with the high-price situation on the world market.

The criteria for bringing in the measures available in the cereal sector when upheavals occur were therefore revised in the Council's Regulation of 19 July 1973.²

Lastly, the Regulation of 21 June 1967³ laying down the ground rules in the cereals sector relating to export refunds and to the criteria for determining their value was revised in view of the considerable price swings on the world market, and so as to ensure a more orderly management of exports. Setting the refund by means of tenders has turned out to be a suitable means of gaining this objective and it will apply in future for cereals.

Sugar

2229. The Council adopted⁴ a Regulation on special intervention measures in the sugar sector. It is in line with the Commission's Com-

munication of 4 December 1974⁵ to the Council on possible emergency action to cope with a sugar shortage in the Community. This means implementing the first of the Commission's intended arrangements in its Communication in order to increase available quantities of sugar as soon as possible: i.e. by boosting sugar output from molasses. The Council Regulation stipulates that support measures may be applied until 30 September 1975 in so far as using molasses in specialized industrial sugar extraction plants does not clash with other uses of molasses.

The Commission therefore laid down⁶ the conditions for granting premiums against sugar extraction from molasses and set their value at 12 u.a./100 kg of white sugar produced.

2230. In view of the short supply situation of sugar in some Community regions, the Council, on 21 January 1975,⁷ approved further imports of subsidized sugar and amended its initial Regulation of 18 November 1974.⁷ It thus authorized the importing of 200 000 tonnes of white sugar with a maximum price, to be observed by the tenderers, of 35.81 u.a./100 kg. Imports under subsidy can be wholly or partially confined to the shortfall areas in the Community.

When this Decision was adopted, the Council agreed that an additional 100 000 tonnes could be imported later on, on terms to be specified. With this in mind, the Commission was asked to submit a report at the earliest opportunity on the Community's sugar position and on the minimum requirements and supply outlook for the current marketing year.

¹ OJ L 11 of 16.1.1975.

² Bull. EC 7/8-1973, point 2228, and Bull. EC 9-1973, point 2219.

³ OJ L 125 of 26.6.1967.

⁴ OJ L 20 of 25.1.1975.

⁵ Bull. EC 12-1974, point 2240.

⁶ OJ L 27 of 1.2.1975.

⁷ OJ L 311 of 22.11.1974.

Olive oil

2231. On 21 January 1975,¹ the Council formally adopted the Regulation on setting up an 'olive oil register' in the producing Member States, which is to be financed, in principle, by deductions from aid for olive oil production.

The register will cover all the Community olive plantations. Within two years it will indicate at least the overall surface area under cultivation and the total number of trees. It is expected to take six years to collate the more detailed particulars, such as the owners' names, the specialized and mixed crop areas, varieties grown, the methods and conditions of cultivation and production, irrigation etc. The register will be regularly updated.

On 20 January 1975,² the Commission decided to adapt its Regulation of 27 March 1972³ on the application terms for olive oil export refunds and levies. Adjusting the near-automatic nature of the current scheme, it modified the criteria for setting the export levy so as to allow more accurately for the situation on the olive oil market. The export levy is known as a tool of market management used when there is a risk of disruption due to substantial imports of olive oil.

Oilseeds and protein products

2232. Within the scope of its Regulation of 18 November 1974⁴ concerning the application of special measures for soya beans for the 1974/75 marketing year, the Commission evaluated⁵ the average price for the world market (23.398 u.a./100 kg) and the target yield for soya beans cropped in the Community (1900 kg/h). In view of the average price, there will be no Community aid to soya production for the marketing year in question.

Milk and dairy produce

2233. On 21 January,¹ the Council adopted a Regulation allowing up to 100000 tonnes of skim milk powder from public stock for delivery to developing countries to be sold at 50% of the intervention price. The skim milk powder is being sold to international agencies handling food aid programmes and to non-profit making institutions and public bodies based in the Community. The cut in price will have to be reflected in the selling price in the non-member recipient countries unless the powder is distributed free of charge.

The Council once again⁶ amended its Regulation of 8 May 1973⁶ setting the ground rules for granting aid in respect of butter consumption. It prolonged until the end of the 1974/75 dairy marketing year, authorization to Member States to grant a maximum aid of 36.50 u.a./100 kg in favour of the consumer. Community financing for this operation remains at 5 u.a./100 kg.

Beef and veal

2234. The 1974/75 marketing year⁷ for beef and veal which was scheduled to end on 31 January 1975 was extended by the Council until 2 March 1975. This led the Commission to set⁸ new buying-in prices for standing interventions made by the UK from 1 February until the end of the 1974/75 marketing year.

¹ OJ L19 of 24.1.1975.

² OJ L17 of 22.1.1975.

³ Bull. EC 5-1972, point 42.

⁴ Bull. EC 11-1974, point 2244.

⁵ OJ L21 of 28.1.1975; and Bull. EC 10-1974, point 2238.

⁶ Bull. EC 4-1973, point 2219.

⁷ OJ L20 of 25.1.1975.

⁸ OJ L27 of 1.2.1975 and Bull. EC 11-1974, point 2241.

Adjustments were made to the application of several Community Regulations to encourage beef and veal production. In doing so, the Council¹ took two measures concerning the premium schemes. It decided not to renew beyond 31 December 1974 the premium for switching dairy herds over to beef production, but retained until 31 December 1975 the cattle-breeding premium scheme established by its Regulation of 15 May 1973.²

The Commission changed³ the period during which interest rate allowances could be granted on loans to keep young cattle on the farm. Since adjustment, on 4 December 1974,⁴ to the grant applying solely to Ireland has up to now been very narrow in scope, it has proved necessary to extend the limit date for accepting premium applications until 28 February 1975 and to prolong the period of entitlement to subsidized interest until 31 October 1975.

On the intervention side, the Commission extended⁵ until 31 March 1975 the temporary authorization to Member States to process certain meat bought by the intervention agencies into preserves. To clear intervention stocks of meat, the Commission⁶ adopted a Regulation on the sale, through periodic tender, of boned meat held by the intervention agencies.

In view of the substantial quantities offered for intervention, especially as boned meat, the Regulation will enable stocks put up for sale to be bought regularly, through special monthly tenders. Two special tenders have already been opened for some 3251 tonnes in the Danish intervention agency and for roughly 6012 tonnes in the Irish agency.⁶

Structural policy

2235. On 20 January, the Commission adopted two Decisions on implementing the remodel-

ling of agricultural structures in Ireland and the United Kingdom.⁷ The arrangements notified by the Irish and British Governments fulfil the requirements of final participation by the Community:

- (i) in *Ireland*, this is in accordance with the Council Directives of 17 April 1972⁸ on farm modernization, encouragement of cessation of farming, and the reallocation of utilized agricultural area for the purposes of structural improvement;
- (ii) in the *United Kingdom*, it is in accord with Section I of the Council Directive of 17 April 1972 concerning socio-economic guidance and the acquisition of occupational skills by persons engaged in agriculture.

2236. On the same day,⁹ the Council confirmed its Decision in principle of 19 November 1974 on organizing a 'survey of structures' (1975) as part of a programme of surveys on the farm structure.¹⁰

The 1975 survey, to be made between 1 March 1975 and 1 March 1976, will require the Member States to send in data to the Statistical Office of the EC gathered from between 508 500 and 660 000 farms in the Community (i.e., about 10% of the total). Apart from the standard particulars concerning the use of agricultural production factors, this will also cover the occu-

¹ OJ L 30 of 4.2.1975.

² Bull. EC 5-1973, point 2225.

³ OJ L 27 of 1.2.1975.

⁴ Bull. EC 11-1974, point 2247.

⁵ OJ L 10 of 15.1.1975.

⁶ OJ C 13 of 18.1.1975.

⁷ OJ L 40 of 14.2.1975.

⁸ Bull. EC 4-1972, Part 1, Chapter I.

⁹ OJ L 42 of 15.2.1975.

¹⁰ OJ 112 of 24.6.1966.

pational background of the farm owner, the existence of accounting returns, details of the buying and selling of farm products and of any other profit-making activity by the farmer other than the agricultural operations in the farm under survey.

The programme has three clear-cut stages:

- a survey of structures (1975);
- a survey of the trend of farm structures based on a year's sowing for harvesting in 1977;
- a census of farms in connection with the FAO recommendation concerning a world agricultural census to be taken between 1 May 1979 and 15 June 1980.

EAGGF

Guidance Section

2237. The Commission selected 297 projects for aid from the EAGGF Guidance Section under the first tranche of 1974. This represents a sum of 95 800 000 u.a. out of the 170 000 000 or 235 000 000 u.a. available for financing single projects in 1974; on 7 October, the Commission had proposed to the Council that the appropriations be increased from 170 000 000 to 235 000 000 u.a.

For the first tranche, the breakdown of aid between the Nine is shown in Table 1.

Table 1—EAGGF Aid

Country	No of projects	Aid in national currency	Aid in u.a.
Germany	66	DM 93 378 020	26 332 792
Belgium	20	Bfrs 179 439 039	3 588 781
Denmark	6	Dkr 23 797 149	3 172 953
France	38	FF 102 821 224	18 512 371
Ireland	17	£ 849 627	4 439 101
Italy	85	Lit. 15 292 263 745	24 467 622
Luxembourg	2	Lfrs 3 878 000	77 560
Netherlands	16	Fl 23 552 517	6 506 220
United Kingdom	47	£ 639 753	8 735 400
	297		95 832 800

Of the 297 projects, 58 involve the fishery sector. For this tranche, priority was also given to investments connected with meat storage and processing, cereal storage, the olive oil sector and farming infrastructure operations.

The Commission also granted aid from the EAGGF Guidance Section for redevelopment in the cod-fishing sector. This amounts to 3 171 178 u.a. for five projects involving a German vessel for Bremen, three French ships (two for Bordeaux-Bassens and one for Saint-Malo) and two fish-processing plants in the Charente-Maritime department, which come under the provisions of the Council Regulation of 19 December 1972.¹ Aid in 1973² for this Sector had run to 1 816 466 u.a.

Competition conditions

2238. In applying the provisions of Articles 92-94 of the EEC Treaty, the Commission decided early in January to close the procedure provided under Article 93(2) of the Treaty, which it had invoked in August 1974³ against the Belgian Government in respect of the aid measure, by way of granting premiums for the slaughter of sows. The Belgian Government amended the terms for granting the aid so as to allow structural improvement of the pigmeat market.

Harmonization of laws

2239. Three opinions recently issued by the Scientific Committee for Food, formed by the Commission on 16 April 1974,⁴ have just been published. Regarding possible harmful effects from the consumption of colza oil, the Committee recommended that research should continue and urged that, on the strength of current knowledge, when colza oil was used for human

consumption, preference be given to the newer varieties of the oil with lower quantities of long-chain fatty acids.

Concerning the review of the maximum acceptable level of *mercury* in food, particularly in fish and fishery products, the Committee agreed with the general directives jointly adopted by the FAO and WHO, but was not in a position to set specific limits for the various foodstuffs which would apply throughout the Community. But the Committee was in favour of authorizing Community use of certain *preservatives* used in foodstuffs in certain Member States.

Agricultural research

2240. On 9 and 10 January the Standing Committee on Agricultural Research held its first meeting in Brussels. At the Commission's request, the Committee gave an opinion on the value to the Community of the COST Yugoslavia agronomic research proposals. With certain reservations, it recognized the value of some features in the projects in connection with the CAP. This actually involves the use of maize as the basis of comprehensive nutrition in intensive cattle breeding; the production of biosynthetic proteins from agricultural by-products and the animal feed processing industry; petroleum and natural gas; and the use of monocellular proteins and synthetic amino-acids in feeding non-ruminant stock.

The Committee also issued a positive opinion on continuing the work begun in June 1974⁵ of submitting four agronomic research programmes to the Commission and Council.

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¹ Bull. EC 12-1972, point 65.

² Bull. EC 12-1973, point 2244.

³ Bull. EC 7/8-1974, point 2256.

⁴ Bull. EC 4-1974, point 2236.

⁵ Bull. EC 6-1974, point 2258.

2241. During the part-session of 13 to 17 January 1975, the *European Parliament* issued several Opinions on the Commission's farm price proposals for 1975/76, hill-farming and farming in certain less-favoured regions, and on various products (hops, olive oil, fishery products).

The *Economic and Social Committee*, meeting on 29 and 30 January also gave its Opinion on the Commission's proposals concerning hill-farming.

Industrial and technological policy

Industry

Commerce and distribution

2242. A meeting attended by Commission representatives and government experts in commerce and distribution met in Brussels on 10 January.

It was one of the regular meetings which the Commission hopes to run with government experts and trade representatives, to familiarize itself with problems in this sector and to involve it as closely as possible in the various policies mounted at Community level. The Commission was prompted to initiate such meetings by the rapid development of distribution structures now witnessed in the Community and the changes this is bringing on the economic and social side and in town planning.

During the meeting which took place in Brussels on 10 January each expert outlined the current situation of the commercial sector in his country and spoke of the statutory provisions now in force or at the planning stage, with regard to the

establishment of new trading units, social aid, vocational training and occupational organization at national level.

The information gathered showed that in most Member States, the relatively rapid development of composite trading had reached a point at which the public authorities were acting, or soon would be acting in order to preserve a certain balance between the various forms of distribution.

The government experts also expressed interest in a formula for harmonizing the various systems of coding for commercial articles and agreed in principle that they would take part in an informative meeting sponsored by the Commission, which was to take place shortly, attended by the industrial and trade sectors concerned.

Technology

Management and storage of radioactive waste

2243. On 22 January, the Commission laid before the Council a programme on the management and storage of radioactive waste, together with a programme of research and development projects in the energy sector.¹

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2244. During the part-session of 13 to 17 January, the *European Parliament* gave its Opinion on the Commission's Proposal to the Council concerning a technological research programme in the textile sector.²

The *Economic and Social Committee*, meeting on 29 and 30 January issued an Opinion on the Commission's Communication concerning problems involving the paper pulp industry.³

¹ Points 1301 to 1309.

² Bull. EC 9-1974, point 2229.

³ Bull. EC 3-1974, point 2247.

Science, research and development education, scientific and technical information

Science, research and development

Energy research

2245. The CREST *sub-Committee on Energy Research and Development* held its seventh meeting in Brussels on 15 January 1975, with Mr De Meester in the Chair. It examined in detail the proposed programme of research and development action in the energy sector and also that for the management and storage of radioactive wastes, both of which were approved by the Commission on 8 January 1975.¹ The proposed research programme on energy economics, production and use of hydrogen, solar energy, geothermal energy and energy systems modelling stemmed from earlier sub-Committee proceedings, particularly from those of 12 and 13 November 1974.²

The sub-Committee, due to meet again in March 1975, adopted two Opinions regarding the Commission proposals. CREST will examine them at its next meeting, in February.

Scientific and Technical Research Committee

2246. CREST held its eighth meeting on 10 January 1975 with Mr Schuster in the Chair. Mr Brunner, a Member of the Commission, outlined the energy research programme approved by the Commission on 8 January 1975, on which CREST will deliver an opinion at its meeting, in February.

CREST also held a lengthy discussion of general policy on the basis of the results of its work over the past year and confirmed that its work in 1975 would be guided by the sectoral approach principle adopted for the purpose of comparing and coordinating national policies on scientific research and technological development. It decided in particular to focus its efforts in 1975 mainly on the energy and medical research sectors, without, however, neglecting the other sectors. In addition, a working party will be given the task of investigating the problems involved in social research.

More generally, CREST agreed to examine ways and means of comparing draft national budget proposals, to study the question of determining certain R & D indicators and to continue to work out the procedures for implementing projects of interest to the Community (notably the concerted projects) and the dissemination of the information acquired. It was also agreed to draw up twice a year a timetable of the major international meetings, from which CREST will determine the meetings on which prior consultation between the Member States appears to be called for.

Finally, CREST confirmed that the three agricultural projects put forward by Yugoslavia under COST,³ and also the new project on the development of sludge processing methods (COST 68), are of interest to the Community. CREST will hold its next meeting on 6 and 7 February 1975.

European Research and Development Committee (CERD)

2247. CERD held its seventh full meeting in Brussels on 16 January 1975, with Mr Casimir

¹ Points 1301 to 1309.

² Bull. EC 11-1974, point 2255.

³ Bull. EC 10-1974, point 2257.

in the Chair. For most of the meeting it discussed its working programme for 1975 and the necessary studies for mapping out this programme in detail with a view to CERD's putting forward specific proposals to the Commission. It was decided to resume this discussion in March and to use the intervening period for consultation with the competent departments of the Commission and among members of CERD.

CERD also discussed the energy supply problem and its repercussions on research and development. Independently of the programme adopted by the Commission on 8 January 1975,¹ it recommended that a study made of the 'Low Energy Society' question and also of alternative solutions to massive use of nuclear energy. The next CERD meeting will be in Brussels on 20 March 1975.

'Europe + 30' Project

2248. The 'Europe + 30' Project Board,² meeting in Brussels on 27-29 January 1975 under the chairmanship of Mr de Wolff, made a detailed examination of the first draft Report by the Project Team on the study in order that it may be finalized by mid-1975.

The Board particularly wanted greater consideration to be given to the social impact of the various technical options investigated in the course of the study and to fit them more appropriately into the overall context. In order to begin the necessary work and prepare a second draft report bringing out the political significance of the 'Europe + 30' study, the Committee decided not to meet again until 5 and 6 June 1975.

Meeting of Senior Officials on Scientific and Technical Research

2249. The Committee of Senior Officials on Scientific and Technical Research met on 30 and

31 January 1975, with Mr Silver in the Chair. The discussions covered the following subjects in particular:

European centre for medium-term weather forecasting (Project 70) — The Committee authorized the Director of the Centre to negotiate two contracts for the leasing of computers over the next four years.

Electronic traffic aids on major roads (Project 30) — The chairman of the *ad hoc* Legal Group gave a progress report on the draft agreement for implementing a European project in this field. The Committee will re-examine this question in the light of a new preliminary draft, when it next meets.

Forward studies on telecommunications services (Project 20) — The Committee decided that, for the time being, the enlarged Technical Committee for Project 20 would confine itself to supervising the work of the two technical sub-committees responsible for preparing the programmes on optical fibres and videophonic services.

Setting-up of an oceanographical/meteorological buoy network in European waters (Project 43) — The Committee of Senior Officials instructed the technical sub-Committee for Project 43 to let it have specific proposals based on the project consultant's report and to assess whether the setting-up of a small pilot network would speed up progress.

Development of sludge processing methods (Project 68) — The Committee duly noted that CREST had given a favourable opinion on the interest of this Project to the Community³ and, when the Council has endorsed this opinion, the Commission will set about preparing a detailed programme for action in this field, in collaboration with the ACPM for protection of the

¹ Points 1301 and 1302.

² Bull. EC 9-1974, point 2232.

³ Point 2246.

environment and experts from the non-member countries concerned.

Food technology — The Swedish delegation's proposals were favourably received by all delegations. They will be passed to CREST to enable the latter to make a rapid assessment of the interest of such a project to the Community.

Financial problems — The Committee discussed the statement of available appropriations and future needs, with particular regard to increasing the Commission staff for COST projects. It decided to re-examine this question in the light of a detailed four-year forecast, to be provided by the Council Secretariat.

The Committee's next meeting will be on 14 March 1975.

Multiannual programme

Scientific and Technical Committee

2250. The Scientific and Technical Committee (CST), chaired by Mr Cesoni, met on 20 January 1975. Its discussions centred on problems encountered in the management of the radioactive wastes due to reprocessing spent fuels from nuclear power stations and on the examination of the Commission's proposal on the subject.¹

An Opinion in favour of the proposed programme was expressed by the CST, which stressed the need for a large budget allocation for the project entitled 'disposal of radioactive waste in geological formations', or account of its long-term importance and the fact that it complements the national programmes. The CST has fixed its next meeting for 30 April 1975.

Scientific and technical information and management of information

2251. Commission representatives were among those taking part in the Third World

Congress on *Classification Research*, held by the International Federation for Documentation (FID). They reported on Community activities in data processing, and more particularly on the position in Europe regarding farm data. It emerged from this meeting that the Community and its Member States are ahead in the development of classification research, a vital branch of data processing.

2252. Volume 1 of '*Agrindex*', a worldwide *agriculture bibliography*, was brought out in January 1975. It is published under the patronage of the Food and Agriculture Organization of the United Nations (FAO). The European Community has participated in publishing the bibliography, to which its Member States have contributed partly. Twelve monthly issues are planned for 1975; they will be in print and also on magnetic tape.

2253. At its meeting on 9 January 1975, the Working Party on *Patents Documentation*, which reports to the Committee for Information in Science and Technology (CIDST), decided to publish, by May 1975 at the latest, its catalogue of patents information and documentation services. In addition, an investigation will be carried out in February and March to determine, in order to meet the needs of users, the best indexing and classification techniques currently employed for patents documentation.

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2254. At its part-session of 13 to 17 January 1975, the *European Parliament* gave its Opinion on the Commission's proposal concerning the first three-year plan of action in the field of information and documentation in science and technology.²

¹ Point 1309.

² OJ C98 of 20.8.1974 and Bull. EC 4-1974, points 1201 to 1205.

The *Economic and Social Committee*, meeting on 29 and 30 January, expressed an Opinion on the Communication to the Council entitled 'Energy for Europe: Research and Development'.¹

Energy policy

Formulation and implementation of a Community energy policy

Further Commission communications to the Council

2255. With a view to preparing—at Community level—for the discussions to be held within the International Energy Agency and enabling the Member States participating to take a common line,² pursuant to Article 116 of the EEC Treaty, the Commission sent to the Council on 16 January 1975 a Communication on energy-related matters to be settled at Community level. The Commission has also sent another two Communications to the Council, one on the work of the IEA, the other on the dialogue between producer and consumer countries.

In the Communication on *energy-related matters to be settled at Community level*, the Commission³ expressed the wish that the Council should hold a policy discussion as soon as possible on two matters of particular interest in this context, on which there has so far been no discussion at Community level but on which it would be appropriate to take up a common stance, although with the necessary flexibility.

These matters are the principles of a Community policy on the *development of energy resources* and the setting of a short-term objective for *energy conservation*. On the former subject, the

Commission has proposed that the Council recognize the fact that incentives and support measures or guarantees might be necessary in order to secure the investment required to attain the Community's energy objectives; that such a policy requires a basis for assessment for long-term action by the Community and may also necessitate financial contributions from the Community.

On the latter subject, the Commission took the view that recent developments in the energy market and the economic situation in the industrialized countries make it necessary to reduce the consumption of energy in the Community, and of oil in particular, as soon as possible. The Commission has stated its intention of sending to the Council a Proposal for a Directive specifying the target reduction and the technical ways and means of attaining it.⁴ From first consideration of the steps required, it appears possible to cut oil consumption by 7% relative to that currently projected for 1975/76 without affecting economic growth or forcing consumers to make sacrifices.

The Council has discussed this matter once already and agreed⁵ to take it up again in February.

Energy conservation

2256. On 31 January 1975 the Commission took action to realize an intention expressed earlier; it did this by approving a Communication to the Council on Energy conservation—a short-term objective which goes with a Proposal for a Directive on the same subject for which

¹ Supplement 5/74 — Bull. EC.

² Points 1501 to 1509.

³ This matter was discussed for the first time on 20 January 1975.

⁴ Point 1304.

⁵ Point 1501.

it also provides technical support. The immediate aim of the Proposal is action to reduce energy consumption, and especially oil consumption, without even waiting for the first effects of the Action Programme on the Rational Use of Energy adopted by the Council in its Resolution of 17 December 1974.¹

Energy Committee

2257. The Energy Committee met twice, with Mr H. Simonet, Vice-President of the Commission, in the chair. On 15 January 1975 it discussed the fresh proposals, described above, which the Commission intended to put to the Council. One item on the agenda for the meeting on 17 January was the Opinion of CREST (the Committee on Scientific and Technical Research) on the Communication on 'Energy for Europe—Research and Development'; others were the establishment of a Working Party on the Storage of Oil Products, information on the Member States' energy policies (guidelines and actual measures) and on what is done by the International Energy Agency.

Sectoral problems

Coal

2258. In a Communication from the Commission to the coal undertakings in the ECSC on coal pricing policy (published in the Official Journal of the European Communities)² the Commission drew the attention of coal boards and companies to the conclusions which it reached on this subject in its Communication to the Council on 'Medium-Term Guidelines for Coal, 1975-1985'.³ The Commission laid particular emphasis on the need for a rapid rise in investment, with aids to the coal industry from public sources giving way as far as possible to

self-financing and the raising of capital on the market.

The Commission stated:

'To this effect the financial position of the Community coal industry must be strengthened through a pricing policy which enables undertakings progressively to cover amortization as well as costs of production.

Coal consumers must be given an element of security in regard to criteria for the evolution of prices, at the same time favouring the establishment of durable relations with producers by assuring them of a satisfactory evolution of their productive capacities.

The Commission will examine with the interested parties the means to be employed to arrive as rapidly as possible at coal prices based on costs of production in accordance with the principles of Article 3(c) of the Treaty. The deadline for the achievement of this objective should be 31 December 1975.

The Community will in this way dispose in the energy sector of price data which do not escape from its control and which might possibly play a part in the fight against inflation.'

Nuclear energy

Supply of enriched uranium

2259. The Standing Committee on Uranium Enrichment (COPENUR) has sent to the Council and Commission a report on the enriched-uranium supply position in December 1974. The report was based on the following estimates relating to nuclear power programmes received from the various delegations.

¹ Bull. EC 12-1974, point 1203.

² OJ C15 of 22.1.1975.

³ Bull. EC 11-1974, point 2269.

Energy policy**Energy policy**

The estimates are generally based on the reference programmes from which the electricity producers work out their supply requirements and the contractual commitments to be assumed. (See Tables 2 and 3.)

In order to meet these requirements the Community's users have endeavoured to diversify the sources of supply for their reactors by turning to producers in Europe (Eurodif and Urenco), the USSR (Technabexport) and the USA (US Atomic

Table 2—Installed capacity

	(in GWe)		
	1975	1980	1985
A. Total nuclear capacity:			
— Community	17.3	64.5	166.2
— Western Europe	22.6	89.6	230.6
B. Reactors using enriched uranium:			
— Community	10.2	57.3	155.3
— Western Europe ¹	15	81.9	219.2

¹ The Community, Spain, Sweden, Switzerland, Austria, Greece, Finland, Norway, Portugal and Turkey.

Table 3—Separative work requirements

Year	('000 tonnes SWU) ¹				
	Annual		Cumulative		
	1975	1980	1975	1980	1985
Community	1.69	7.63	18.16	27.69	94.99
Western Europe	3.26	11.16	25.01	40.92	134.82

¹ SWU = Separative Work Units.

Energy Commission). Provided that problems arising from the conditional contracts on offer from the USAEC for certain Community reactors can be solved, it appears that the needs of Community users will be fully met up to mid-1982 and there will even be some margin of safety. The supply situation beyond 1982 is shown in Table 4.

Table 4 — *The supply position after 1982*

('000 tonnes SWU)

	Community	Western Europe
Requirements covered in 1985 by:		
— non-European sources	4	7
— European sources	9	10
Outstanding requirements:	5	8
Average annual growth of the market in the two/three years after 1985	3 — 4	4 — 5

¹ Tails assay: 0.28%; no plutonium recycling; reprocessing on the time scale envisaged in the basic assumptions.

The Standing Committee pointed out lastly that, in view of the (future) large-scale growth of the nuclear energy industry in a more developed market, there must be greater awareness of the fact that the supply of nuclear fuel constitutes an integrated system within which interdependences of a technical, structural and decisional nature can be identified.

Transport policy

Functioning of the market

2260. The series of discussion sessions run by the Commission departments with trade circles involved in the organization of the transport

market was rounded off by a meeting with delegates from the trade unions and transport agencies. On the strength of positions adopted by the various bodies consulted, the Commission departments now intend to prepare a preliminary approach to an overall scheme for the organization of the transport market. This will be discussed afresh with the trade circles concerned during the second quarter of 1975.

Infrastructures

2261. On 21 January, the Commission sent the Council a report on *transport infrastructure expenditure accounting* in respect of carriage by rail, road and inland waterway. This first report of an annual series was compiled in accordance with the Council Regulation of 4 June 1970 on the subject. It uses the figures for 1971 sent in to the Commission by the Member States regarding their expenses on and use of the infrastructures of the three modes of land transport in the Community. Unofficial data from the three new Member States is also to be found in an annex attached to the report.

Transport Consultative Committee

2262. The Transport Consultative Committee met in Brussels on 16 and 17 January. After hearing a statement from the Commission representative on the outcome of the Council session of 11 December 1974, the Committee gave its Opinion on a 'scheme to obtain regular information on the *situation and development of the freight haulage market*'. It also issued an Opinion on the '*contribution of the transport sector to regional development*' in the Community'. The Commission departments had sent the Committee their work programme for 1975, so the Committee planned its timetable according to the questions raised and set the dates for

3. External relations

Transport policy

forthcoming full meetings. The Committee will examine the following questions:

- (i) action at Community level in respect of urban transport,
- (ii) the advisability of laying down special rules for monitoring concentrations in transport,
- (iii) improvements to procedures covering transport infrastructure investments.

Code of Conduct for Shipping Conferences

2263. On 17 January the Commission departments ran their first meeting with government experts to review the economic and legal features on the *United Nations Convention* establishing a Code of Conduct for Shipping Conferences.

The meeting was part of the work of defining the substance of joint action as contemplated in the proposed Decision of 17 July 1974¹ from the Commission to the Council. Various features of the Convention were clarified, especially the question of how far certain provisions of the Code of Conduct were incompatible with the Treaty of Rome.

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2264. At the meeting of 29 and 30 January, the *Economic and Social Committee* issued an Opinion on the Commission's proposed Directive amending the Council Regulation of 4 June 1970 on aid granted in road, rail, and inland waterway transport.

Commercial policy

Preparing and implementing the common commercial policy

Credit insurance and export credit

2301. In reply to a Written Question from a French member of the European Parliament on the negotiations now under way for a *gentleman's agreement* on export credits,¹ the Commission explained its position as under:

'The negotiations concern the conditions for commercial export credits and the fixing of the minimum rate of interest and the maximum duration of credit... these negotiations must be viewed in the light of the present international balance of payments difficulties and are aimed at avoiding harmful outbidding in the matter of export credits.

Success in these negotiations would constitute real progress if it were to establish a framework among a substantial number of credit supplying countries for the main conditions governing commercial export credits. Hitherto, it has only been possible to establish common practices to a limited extent, either through sectoral agreements on a small number of products or in the case of special operations'.²

Individual measures of commercial policy

Textiles

2302. During the first two weeks of January a fresh round of negotiations between the Com-

¹ Bull. EC 9-1974, point 2303, and 12-1974, point 2304.

² OJ C19 of 27.1.1975.

¹ Bull. EC 7/8-1974, point 2281.

munity and *India*¹ took place with the aim of reaching a bilateral Agreement on textiles under the GATT multifibre arrangement. The delegations finally agreed on almost all the questions discussed; there remain only certain quantitative details of the Agreement to be settled.

2303. The Community also continued its negotiations with *Pakistan*, begun last November,² for a new Agreement on the textile trade. A further meeting is due to be held shortly to wind up the discussion of some outstanding points.

2304. On 8 January with regard to *Japan*³ and on 30 January in respect of *Korea, India, Pakistan, Egypt and Yugoslavia*,⁴ the Commission decided on an autonomous increase in the scope for Community imports of cotton textiles from the above countries.

The Community has Agreements with them on these products, which have meanwhile expired. New Agreements should be negotiated under the arrangement concerning the international textile trade; some negotiations are already underway; others are contemplated.

It was agreed meanwhile that trade in cotton textiles would go on until 31 March 1975 under the terms of agreements which have expired. The raising of the voluntary restraint ceilings, decided by the Community, which apply until 31 March, takes account of the Community's obligations under the multifibres arrangement to which it is a party.

Development and cooperation

Cooperation and development policy

Panorama of Community action: tomorrow

2305. At its meeting of 22 January, the Council heard a statement by Mr Cheysson, when he presented the Commission's Communication⁵

concerning the thinking on Community cooperation over the years ahead with the third world, in the context of the present and foreseeable world economic situation. During a searching discussion, all the delegations expressed their reactions and comments in respect of the Communication.

Winding up the debate, the Council noted that, on the strength of the discussions held, the Commission would submit practical proposals for a Community action programme. The Council will discuss them without delay.

The Community and the World Food Conference

2306. On 22 January, the Council heard a verbal report from the Commission on the results of the World Food Conference,⁶ the forthcoming international meetings which the Commission is to attend, and the kind of problems they will deal with.

The Council reaffirmed the value which the Community attaches to the problem of nutrition throughout the world and to the results obtained at the Conference. With this in mind, it instructed the Committee of Permanent Representatives to define the Community's attitude in the light of forthcoming international timetables.

Food aid

2307. On 28 January, the Commission laid proposals before the Council to grant emergency food aid to Somalia, involving:

Prompt allocation and dispatch of 15 000 tonnes of cereals, 710 tonnes of skim milk powder and 150 tonnes of butteroil.

¹ Bull. EC 11-1974, points 2302 and 2303.

² OJ C21 of 28.1.1975.

³ OJ L 44 of 18.2.1975.

⁴ Supplement 8/74 — Bull. EC.

⁵ Bull. EC 11-1974, points 1401 to 1407.

Formation of reserves (for further deliveries) which may be totally or partially used by the Commission as the need arises, by agreement with the Somali Government and in collaboration with the appropriate international authorities. The reserve to consist of: 10000 tonnes of cereals, 2000 tonnes of skim milk powder and 850 tonnes of butteroil.

The cost of the planned projects, supplementary to projects already approved, amounts to 10730000 u.a.

Financial and technical assistance

Contribution to the United Nations emergency operation

2308. During its meeting of 23 January, the Council reaffirmed that the Community was committed to contribute up to US \$500000000 to the emergency operation, as quoted in the Council President's letter of 24 June 1974, to the United Nations Secretary-General. It has been agreed to provide a second tranche of US \$100000000 for this operation, one third of which will be paid into the special account of the United Nations Secretary-General.

The Council also pointed out that by virtue of budgetary decisions already taken, the sum of food aid for the period mid-1974/mid-1975 had been increased, as compared with the previous programme, for the benefit of the countries hardest hit by the crisis.

The Member States have advised or will advise the United Nations of their bilateral contributions to the emergency operation.

If, on 1 June 1975, it turns out that the sum of the abovementioned contributions, which are admissible under the emergency operation, has not reached the US \$500000000 as indicated in

the President of the Council's letter of 24 June to the United Nations Secretary-General, then the Community will make the necessary additional contribution out of its own budget.

Commodities and world agreements

Wheat

2309. Since the 1971 International Wheat Agreement normally expires on 30 June 1975, the Commission on 20 January sent the Council a Communication on extending it.

The International Wheat Council and the Food Aid Committee will in fact be meeting in London in February to decide on extending two legal instruments making up the International Agreement (the Wheat Trade Convention and the Food Aid Convention). The meeting will be followed by a Conference to draw up the required protocols, as in 1974.¹

Since most of the signatories to the current Agreement want the two Conventions to be extended until the same date, the question to be settled is whether to extend them for one or two years. In the Communication to the Council the Commission recommends two years, i.e., until 30 June 1977. But if the other parties come out in favour of a shorter period, the Commission feels that the Community should support that decision.

Rice

2310. The Intergovernmental Group on Rice of the FAO Commodities Committee, meeting

¹ Bull. EC 2-1974, point 2314.

from 13 to 17 January in Rome, reviewed the position and prospects of the world rice market. The indications were that world trade had fallen off in volume but had heavily increased in value owing to the high prices in 1974. The Group felt that tonnage for export, and import demand seemed to be balancing out better in 1975.

Regarding food security, the Group was prepared to make a major constructive contribution in respect of information on production, marketing, prices and stocks. Moreover, certain countries had adjusted their policies so as to boost rice output and available supplies. In the long term, the discussion brought out the determination on the part of various countries to increase output, improve nutritional standards and seek high-yield varieties.

International organizations

Council of Europe

2311. The Commission was represented at the third leg of the twenty-sixth *regular session of the Parliamentary Assembly* of the Council of Europe held in Strasbourg from 22 to 29 January 1975. For the first time since 1967, a delegation from the Greek Parliament attended the proceedings.

Mr Boerma, Director-General of the United Nations Food and Agriculture Organization (FAO) reported to the Assembly on the outcome of the World Food Conference in Rome in November. Two Resolutions were then passed on action to be taken after the Conference.¹ The Assembly also discussed environment policies in Europe and examined ways to enhance cultural cooperation between the member countries of the Council of Europe and

follow up the efforts to preserve Europe's architectural heritage.

On the political side, the Assembly took a hard look at the progress made at the Conference on Security and Cooperation in Europe and heard a statement by the Yugoslav Foreign Minister.

2312. The session was preceded by the 21st *joint meeting* of the European Parliament and the Parliamentary Assembly, where Vice-President Simonet of the Commission analysed the causes of inflation in the Community countries.²

Organization for Economic Cooperation and Development

2313. The *Agricultural Committee* of the OECD, meeting in Paris on 23 and 24 January 1975, held an initial discussion on the probable consequences for the OECD member countries of the recent World Food Conference and on the contribution which the OECD could make to implementing its final resolutions.

United Nations Industrial Development Organization

2314. In making ready for the second general conference of the ONUDI, a Preparations Committee met in Vienna from 2 to 15 December 1974 and 20 to 27 January 1975. A Commission delegation attended.

At the January meeting, Ireland's Ambassador (Ireland is holding the Council Presidency) made a statement on behalf of the Community highlighting the Community's concern to see the Lima Conference arrive at an agreement enabling

¹ Bull. EC 11-1974, points 1401 to 1407.

² Points 1201 to 1204.

EFTA countries

a statement and an action plan to be drawn up on industrialization.

Some observations were also made concerning the problems of commercial policy which had been taken up in the preliminary text presented by the '77' Group. The statement helped to initiate a dialogue with the developing countries on the problem involved and was warmly welcomed by the '77' Group (i.e., the developing countries).

The Commission will shortly submit a Communication to the Council defining the Community's stance at the ONUDI Conference in Lima from 12 to 26 March 1975.

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2315. During the part-session of 29 and 30 January, the Economic and Social Committee issued an Opinion on the developing countries in relation to the GATT negotiations.

EFTA countries

Sir Christopher Soames in Switzerland

2316. Sir Christopher Soames, Vice-President of the Commission responsible for external relations went to Switzerland on 31 January. During his visit he talked with Mr Brugger, Federal Chancellor, and with senior Swiss officials. Sir Christopher also gave a lecture at Berne University during the commemoration of the centenary of Sir Winston Churchill's birth.

Relations with Norway

2317. In 1973 the Community granted Norway autonomous tariff concessions for certain fish products which are subject to the mainte-

Mediterranean countries

nance of the *de jure* and *de facto* advantages for Community vessels fishing off the Norwegian coast.

In September 1974 the Norwegian Government announced its intention to establish temporary trawler-free zones off northern Norway in areas where Community trawlers catch a considerable amount of fish. The reason for this measure was to avoid collisions between stationary gear of the Norwegian fishermen and Community trawlers.

The measures were examined at a meeting between authorities of the Community and Norway which was held in Brussels on 24 January 1975. It was possible to reach an agreement which resulted in an exchange of letters signed on 29 January 1975, thus avoiding the withdrawal of tariff concessions by the Community.

Mediterranean countries

Commission proposals within the overall approach

2318. A new breakthrough was made in laying down an overall Community policy in respect of the Mediterranean countries. The main lines had been set by the Commission in a Memorandum of September 1972 and confirmed by the Paris Summit Conference in October 1972.

After negotiations with a first group of countries (Spain, Israel, the Maghreb countries and Malta), some of which are being completed, and with the Israel negotiations concluded, on 23 January 1975 the Commission transmitted a Communication to the Council in which it proposed that negotiations be opened shortly with *Egypt, Syria, Lebanon and Jordan*, with a view to concluding overall cooperation agree-

ments under the overall Mediterranean approach, in accordance with the requests which these countries had made. The Commission had not put forward its proposal to the Council earlier as it was waiting for adequate progress to be made in the negotiations under way with the first group of countries.

In the directives it is proposing to the Council for the negotiations, the Commission envisages that the agreements to be concluded with Egypt, Syria, Lebanon and Jordan should be based on the same principles as those negotiated for the agreements with the Maghreb countries.

As regards *trade*, the Commission plans to give free access to the Community market for industrial products originating in these countries, save where in certain cases, special arrangements would need to be provided on a transitional basis. In the agricultural sector, it proposes concessions for a list of products of interest to the countries in question, whilst taking account of concessions already granted to other Mediterranean countries. As regards the treatment to be adopted for imports from the Community to the four countries, the Commission proposes that talks be started with these countries with a view to reaching a solution acceptable to both parties.

As regards *cooperation* for which the future partners have shown particular interest, the agreements to be concluded should contain, in the Commission's view, the elements needed for close cooperation, covering all fields of interest to the parties. The institutions of the agreement should have the powers to enable such cooperation to be implemented.

The methods of *financial cooperation* should be defined in the light of objective criteria to be determined during the negotiations. The Community's financial contribution should be mainly of the kind provided by banks.

As regards *labour*, the Community proposes a number of measures on behalf of migrant workers originating in the countries in question. These measures would cover social security in particular.

In the Communication which it has just transmitted to the Council, the Commission also proposes that negotiations should be started at the same time with Israel with a view to concluding an *additional protocol* which would enable the scope of the cooperation planned with that country in the recently negotiated agreement to be widened. This proposal is in response to a request made by Israel during the negotiations.

The Commission considers that wider cooperation favouring the economic development of Israel would be one of the means of contributing towards reducing the country's trade deficit and would, moreover, follow the lines of the Community's additional policy aiming for balanced economic relations *vis-à-vis* all the countries of the area.

The additional protocol to be negotiated with Israel should in the Commission's view provide for economic and financial cooperation based on the same principles as those just mentioned for the other countries of the area.

Algeria

2319. In response to an invitation from the Algerian Government, Mr Claude Cheysson, Member of the Commission responsible for development, made an official visit to Algeria from 16 to 18 January. He met Mr Houari Boumédiène, President of the Revolutionary Council and the Council of Ministers, and also members of the Algerian Government. The talks bore on relations between the Communities and Algeria.

Israel

2320. In an exchange of letters on 23 January 1973 an Israel Delegation and a Community Delegation stated their agreement *ad referendum* on the result of the negotiations for an *Agreement* between the European Economic Community and Israel within the overall approach towards the Mediterranean countries.

A further exchange of letters between the two delegations indicated their agreement *ad referendum* on the parallel negotiations they had held for the conclusion of an Agreement on ECSC products.

The objective of these Agreements is progressively to set up a free-trade area between the parties and to establish economic cooperation as a complement to trade. The two delegations undertook to transmit to their respective authorities the results of the negotiations and the texts of the Agreements for approval.

A request was made by the Israeli Delegation, as the negotiations were concluding, to expand the cooperation side of the Agreement on as broad a basis as possible and to add a *financial protocol* allowing Israel access to the Community's financial institutions. The Commission has since sent an appropriate Recommendation to the Council.

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2321. The *Economic and Social Committee*, meeting on 29 and 30 January, issued an Opinion on the 'general aspects of the Community's Mediterranean policy'.

African, Caribbean and Pacific countries**Successful negotiations**

2322. Begun in Brussels in July 1973, the negotiations between the Nine and forty-six

African, Caribbean and Pacific States culminated on 31 January 1975 in agreement on all the texts of a new Convention,¹ which embodies a number of innovations as compared with the Yaoundé Convention and the Arusha Agreement.

**EEC-AASM
Association Parliamentary Conference**

2323. The Parliamentary Conference of the EEC-AASM Association held its eleventh and final meeting² under the Yaoundé régime in Abidjan (Ivory Coast) from 27 to 29 January.

The proceedings, chaired by Mr Philippe Yace, President of the Ivory Coast National Assembly, focused on the tenth annual activity report of the Association Council, presented by Minister Satcam Boolell of Mauritius. After reviewing the application of various facets of the Association over the year, the Conference touched on problems arising in the negotiations to renew and enlarge the Association. A resolution was then unanimously passed, expressing the Conference's opinion on the major questions outstanding at that point in the negotiations.

Reaffirming its concern with the institutional aspect of the Association, the Conference came out in favour of retaining an institution representing the peoples of the Association, on an equal basis, and whose work was prepared by a smaller *ad hoc* select Committee. A formal appeal was made to all sides represented in the negotiations between the ACP and the EEC to endeavour to wind up the negotiations as soon as possible (which has since been done).

The Conference also renewed the membership of its Joint Committee; Mr Pierre Deschamps (Belgium) was elected Chairman, and Mr Kasongo Mukundji (Zaire), Vice-Chairman. The Com-

¹ Points 1101 to 1105.

² OJ C43 of 24.2.1975.

mittee's next meeting will be in Dublin on 21 to 23 May.

European Development Fund

New financing decisions

2324. On 31 January, the Commission approved these new projects¹ involving a total of 14749000 u.a. as grants from the third EDF.

Republic of Chad: N'Djamena water supply: 10190000 u.a. This involves additional financing of 1188000 u.a. to cover the excess expenditure caused by the increase in both the cost and volume of work to be carried out under the original emergency scheme to improve the water supply authorized in April 1973, and 9200000 u.a. to cover the first phase of a much more extensive programme to provide the town's water needs until 1990.

Renovation of hospital units: 1300000 u.a. This project aims to improve the medical effectiveness of the various hospital units by renovating the buildings which have fallen into disrepair and by replacing vital medical equipment. The establishment of a permanent management and maintenance service is also provided for.

Mauritius: Three new pilot secondary schools: 3269000 u.a. This project is for the construction and the initial equipment of three secondary schools, with a total capacity of 2450 pupils, to serve as pilot schools. The training given, which will prepare the pupils for specific occupations in commerce or industry, will be geared to the categories of employment likely to be available in the island.

Somali Democratic Republic: Advance to the National Banana Board: 5445000 u.a. This advance to the National Banana Board will cover the additional expenditure resulting from

increases in freight rates and in the cost of packaging bananas for export to Italy and the Middle East. It will have to be repaid within three years.

As a result of the financing decisions which have now been taken, commitments under the third EDF total 808699000 u.a. in respect of 297 financing decisions since the Yaoundé Convention came into force on 1 January 1971. As the Convention expires today, 89% of the total third EDF appropriation (905 million u.a. in grants and loans) is now committed.

In addition to these commitments an *emergency operation* has been financed for the benefit of Somalia, under a Commission Decision of 3 February 1975, for a total of 1470000 u.a. (273000 u.a. of which comes from balances of the 2nd EDF and 1197000 u.a. from the 3rd Fund). This exceptional aid, granted on the basis of Article 20 of the 2nd Yaoundé Convention, is intended to mitigate the direct effects of the drought afflicting much of the country since 1972/73. Besides the Community food aid already routed to Somalia, this particular operation is directly aimed to relieve the plight of the people. It involves the on-the-spot purchase of staple foodstuffs, the organization of camps, and the supply of medicines and foodstuffs for children. To ease the transport of food aid and water supplies, desert trails will be put in repair and certain hydraulic projects carried out.

Use of aid by the AASM

2325. The latest report, sent on 8 January by the Commission to the Council, concerning 'the implementation and use of aid by the Associated States, and the recipient countries and territories indicated that aid was utilized in 1973 at about the same volume and frequency as in the previous year.

¹ OJ C34 of 13.2.1975.

The *financing decisions* taken in 1973 in favour of the AASM, the OCT and overseas departments, from the credits of the three Funds totalled 201 000 000 u.a. For the 3rd EDF alone, the sum of *commitments* made in 1973 reached 200 000 000 u.a.

The total commitments out of the three Funds, over the first fifteen years, amount to roughly 2 000 million u.a. and the total payments to some 1 400 million u.a.

During 1973, the Commission went on reviewing the *utilization conditions for projects* financed by the Community in the Associated countries and territories. The usefulness of this longstanding assignment, performed in collaboration with the authorities in the recipient countries, lies in the fact that the Commission can, when necessary, make up any existing leeway and draw conclusions on how to deploy aid granted and dovetail it more effectively into development strategies mounted by the different recipient countries.

The Commission has sustained its efforts, deployed over several years, to put Community aid more swiftly to work and boost its effectiveness. Results obtained in the financial execution of projects show that the efforts are starting to bear fruit. The Commission has always kept a careful eye on credit overruns in implementing certain projects financed by the three Funds. Lastly, it has taken action to cope, as far as possible, with the impact of rising prices on the financial execution of the Fund.

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2326. During the part-session of 13 to 17 January, the *European Parliament* gave its Opinion on the temporary measures to be applied after 31 January 1975 as part of relations with the African, Caribbean and Pacific countries and the overseas countries and territories.

Non-member countries

Developing countries of Asia and Latin America

Iran

2327. At the meeting of 20 January, the Council, confirming the value which the Community sets on its relations with Iran, took note of the status of the work and of the comments by the delegations with reference to the optimum forms of agreement to be adopted for governing the Community's relations with Iran, in conditions giving satisfaction to both sides. The Committee of Permanent Representatives was asked to make a further study of this matter and report to the Council.

Diplomatic relations of the Communities

2328. On 20 January 1975,¹ the officiating President of the Council and the President of the Commission received HE Mr Ishwari Man Shrestha who presented his letters of credence as Ambassador and Head of Mission for the Kingdom of *Nepal* to the European Economic Community (EEC).

On the same day both Presidents received HE Mr Philip Makalo Mabathoana (Kingdom of *Lesotho*) who presented his letters of credence as Ambassador and Head of his country's Mission to the European Communities (EEC, ECSC, EAEC).

Since the two ambassadors are the first Heads of Mission from Nepal and Lesotho, this brings the total of accredited Missions up to 101 at the end of January 1975.

¹ OJ C23 of 31.1.1975.

4. Institutions and organs of the Communities

European Parliament

European Parliament

Part-Session from 13 to 17 January in Luxembourg

2401. Parliament's January part-session¹ was dominated by one issue of crucial importance for the House itself and the future development of the Community: the election of members by direct universal suffrage. Other matters debated were farm prices, the Commission's Proposals on direct support for farmers in less-favoured regions, the position of women in the Community, especially in relation to the increase in unemployment, migrant workers' problems, energy policy and ocean transport.²

Direct Elections to the European Parliament from 1978 (14 January)

2402. On 8 May 1978 at the latest, the peoples of the European Community should be directly electing their representatives to the European Parliament. This was the Recommendation which the MPs of the European Parliament, who are still elected by their national assemblies, addressed, by overwhelming majority and in the form of a draft Convention, to the Council and the Member States' Governments. If the Council, as is generally expected, decides to recommend the Member States to ratify such a Convention, this goal could finally be achieved in 1978, after twenty years of struggle for European elections.

Immediately after it was constituted in 1958, the European Parliament had already embarked on the preparatory work for direct elections, which culminated two years later in an initial draft Convention. But the Council, the only Community institution empowered to rule on the issue, disregarded it for years, and even the

Hague Summit Conference in December 1969 recommended no more than a further review. It was not until last December, that the Paris Conference of Heads of Government approved in principle the intention to introduce direct elections to the European Parliament in 1978.

In the vote by roll call two Danish Socialist members, namely Mr *Espersen* and Mr *Nørgaard* voted against the draft. There were seventeen abstentions which included the members of the Communist and Allied Group, some from the EPD Group and two Danish members of the Liberal and Allied Group.

After election the Parliament is to consist of 355 members, elected in each Member State as follows (present representation in brackets).

Belgium	23 (14)
Denmark	17 (10)
Germany	71 (36)
France	65 (36)
Ireland	13 (10)
Italy	66 (36)
Luxembourg	6 (6)
Netherlands	27 (14)
United Kingdom	67 (36)
Total	355 (198)

¹ The report on this part-session of Parliament was prepared from the German edition of 'Informations' published by Parliament's General Secretariat. The Political Group and nationality of members speaking in the debates are indicated in brackets after their names and abbreviated as follows: C-D = Christian Democrats, S = Socialist Group; L = Liberal and Allied Group, C = European Conservatives; EPD = European Progressive Democrats, COM = Communist and Allied Groups (SF, Ind. Sin.); B = Belgium, DK = Denmark, G = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

² The complete texts of the Resolutions passed by Parliament during the sitting of 13-17 January are reproduced in OJ C32 of 11.2.1975 and the verbatim report of the sitting is contained in OJ Annex 185.

The number of members was a controversial point throughout the preparatory stage of the draft Convention. The interests of the smaller countries, who must be assured a fair balance of political representation, plus the need for appropriate representation for the larger countries and the need for the House to be operationally effective, meaning big enough to be able to perform the functions deriving from amplified authority, yet small enough to work efficiently, were all claims that had somehow to be reconciled. The Political Affairs Committee had proposed a complement of 550 members. But with a narrow majority over the votes of the Conservatives, the Liberals and a substantial number of Christian Democrats, the House accepted an amendment, tabled by the Legal Affairs Committee, to set the number at 355. The majority felt that this compromise best meets the expectations of both small and large Member States and leaves room for expansion through new Member States.

Directly elected European MPs may also be members of a national Parliament. This was carried by a small majority made up of Conservatives, Liberals, Christian Democrats and the two Danish Socialists. All the amendments tending to do away with the dual mandate, either immediately or after a transitional period, were rejected, despite support from most of the Socialists and some of the Christian Democrats. Barred from membership, however, are members of a national Government and consequently of the Council of the EC, or of any other Community institution or specialized body, with stewardship of EC funds; EC officials on active duty are also precluded.

Another point at issue was the term 'uniform procedure' stipulated in the EEC Treaty, in respect of direct elections. The House endorsed the opinion of the rapporteur, that the election procedure, within the meaning of the Treaty was already to be regarded as uniform, if the elec-

tions were everywhere free, equal and by secret ballot. This was the case in all Member States. It nevertheless undertook to work out a uniform European procedure by 1980 at the latest.

Until this uniform procedure can take effect, the respective election systems of the Member States will apply for elections to the European Parliament. The respective national regulations are also to apply for the admission of parties. A five-year legislative (election) period is envisaged.

Speaking first in the eight hour debate, the rapporteur, Mr Patijn (S/NL) justified the draft Convention on behalf of the Political Affairs Committee. He recalled the lengthy preparations and praised the work of Mr Dehoussé, a former member of the House in attendance as a guest, who had superintended the first draft in 1960. The enlargement of the Community had entailed amendments to the original draft. Three tasks now remained for the House. It must pressurize the Council to make a swift decision on the Convention so that elections could be held in 1978. It had to work out a uniform procedure, so that at least the second direct elections could be conducted on the basis of European election legislation. The House had to prepare for the elections in such a way that they would constitute a success for the Community.

Mr Lautenschlager (S/G), on behalf of the Legal Affairs Committee, endorsed the rapporteur's interpretation of the term 'uniform procedure'.¹ He also urged that the dual mandate be allowed only for a transitional period (until the current national mandate expired) and to limit the starting complement of members to 355. Mr Lautenschlager defended this motion by pointing out that more States would surely join the Community; but any increase over 550

¹ Article 138 of the EEC Treaty.

would make the House unwieldy. The President of the Commission, Mr Ortoli, said that Parliament's draft Convention was a decisive turning point. Direct elections were a contribution to the European identity, since from then on Europe would have a democratic look and Europe's peoples would become true citizens of the European Community.¹

For the Christian-Democrats, Mr Klepsch (G) declared that his Group endorsed the entire draft Convention. The old bone of contention, whether authority or direct elections were first of all required, had fortunately been relegated to the background. A directly elected Parliament would have greater stature, so that the question of authority could also be taken up more forcefully. The future House must feel itself to be entirely responsible for the Community. To be equal to the task, the political forces would have to come together in the sense of policy-making at European level.

The majority of his Group took the view, that the vote of each European elector should have the same weight, but for Luxembourg which had a small population a fractional deviation from the 'one man, one vote' principle must be allowed, plus the possibility of holding concurrent mandates in the European and national Parliament as proposed in the draft.

Mr Schmidt (D) supported the draft for the Socialist Group. It was the end of an era in which the European citizen had been shut out of political decisions. The new draft adapted the 1960 document to the needs of 1975 and broadened the basis of Parliament's lawful title. For his Group direct elections in no way meant relinquishing legislative powers.

On the question of numbers the Socialist Party was not in agreement with the Political Affairs Committee (which had proposed a complement of 550). The Socialists were, in principle, indeed in favour of 'one man, one vote'. But it

was vitally important that the representation in the future Parliament be at once balanced and workable, especially if other countries came in later. A complement of 355 was therefore more realistic. The Socialists were also against dual mandates since it was not possible to work efficiently under the double burden. In practice most members were presently putting the bulk of their political work into their European assignment.

If some of the opponents of direct election claimed that national sovereignty should not be prejudiced, then, as Mr Schmidt put it, they had not yet noticed that national governments were being surreptitiously deprived of their power. Democratic control of the Community could be wielded only by an appropriately authorized European Parliament. For the Liberal and Allied Group, Mr Jozéau-Marigné (F) stressed that his colleagues took the same view as the Socialists on the question of complement. It would not be feasible to work solidly in too big an assembly. He also supported the Socialist Group and the Legal Affairs Committee on the question of dual mandates. It was already a sheer technical impossibility to carry out two mandates exhaustively. In any case the question of what kind of relationship there should be between the European and the national Parliaments needed far more thorough analysis.

The Chairman of the European Conservatives, Mr Kirk (UK) said that despite the reservations of the British and Danish Governments, whose representatives made up the European Conservative Group, the Conservatives supported direct elections. These could change the 'Europe of bureaucrats', as it now so often seemed to public opinion, into a 'Europe of the people'. Mr Kirk also thought the possibility of a dual mandate

¹ For a summary of President Ortoli's remarks, see point 2502.

should not be ruled out, since he felt that few people would use it anyway in view of the overheavy load. He also expressed the fear that the target date of 1978 for the first election might not be realizable.

For the EPD Group, Mr *de la Malène* (F) doubted the expediency of direct elections at this point in time. A Community without foreign and defence policies of its own was no true Europe. This was not an expression of imperialist power-seeking, but a demand for European independence. In a political climate where there was no concord as to 'what for', the Summit Conference was making proposals on 'how' this Europe should be created.

He was afraid that in a forthcoming European election campaign, the platforms would be internal policies and not European policies. The paramount aim must therefore be to strengthen the European Parliament. Direct elections must be considered in the context of expanded powers.

For the Communist and Allied Group, Mr *d'Angelosante* (I) emphasized that his Group had always spoken in favour of democratizing the Community. Direct elections were therefore seen as a major advance in that direction. A democratic system, working effectively, was an effective weapon against reactionary economic and social structures. But despite approval in principle, the Group would be abstaining, since the question of the procedure was still unresolved. The Communists wanted a uniform election system, if possible based on proportional representation. They could certainly not agree that the first direct election to be held under the disparate and, as he put it, discriminatory systems of the Member States, in which the States determined which parties could run.

Later on in the debate and during the vote on the seventeen tabled amendments, many speakers

spoke on the points of complement, dual mandate and uniform procedure. Mr *Scelba* (C-D/I) was sceptical over working out a uniform procedure by 1980. Mr *Schuijt* (C-D/NL), however, was optimistic and pointed out that the early target date could pressurize parties into unifying their programmes. Mr *Broeksz* (S/NL) urged that firm criteria be set up for reckoning the number of representatives for each country; these criteria must also be applied if the Community was again enlarged.

Sir Derek *Walker-Smith* (C/UK) was confident that agreement would be reached on the question of the election system, despite different Parliamentary traditions. Mr *Johnston* (L/UK) declared that direct elections would radically change the European Parliament. Conflicting viewpoints would certainly clash more resoundingly. Mrs *Carettoni-Romagnoli* (COM/I) reminded the House that her political friends in Italy, the independent left-wingers, had brought in a draft law for direct elections to the European Parliament. She found the Patijn proposal too limited for her to support it. Mr *Nørgaard* (S/DK) substantiated his view which differed from that of the Socialist Group: he could not support direct elections, as long as the result of the British referendum was still outstanding; he advocated that the issue be referred back to the Committees and asked for confirmation of the dual mandate. Mr *Andreotti* (C-D/I) hoped that the dual mandate would be treated flexibly.

Winding up, the rapporteur, Mr *Patijn* (S/NL) acknowledged the manifold criticism of his draft Convention as 'minimal'. On the point of complement, he stressed that every solution must necessarily reflect a compromise. The House had to decide whether it wanted better protection for the interests of the small countries (with 355 members) or more accurate proportionality (with 550 members). Regarding dual mandates, he said that if they were retained the European mandate must take precedence.

Agriculture (16 January)

Farm prices for 1975

2403. After a ten-hour debate Parliament, by a majority, approved a 25% cut in all CAP monetary compensatory amounts. The compensatory amounts had been introduced in connection with the revaluations and devaluations of EEC currencies, to mitigate any ill effects of parity changes on farmers' incomes. The House also urged a heavier increase in farm prices for the 1975/76 marketing year than the Commission had proposed,¹ although no precise figures were specified.

It was clear from the Resolution vote and the debate, that conflicting opinion was cutting across the Groups. Among the Christian Democrats, the German members voted against the Resolution, because they rejected any lowering of the monetary compensatory amounts. The spokesman for the Group, Mr Martens (B) criticized the Commission in that in its proposed prices, deemed too low by the Group, it ought also to have considered the rise in prices between 1973 and 1974, the development of non-agricultural incomes, the market picture and the overall economic situation.

Of the Socialists, the French and Italian members all wanted a heavier price increase, while the German and Dutch members put more weight on the problem of surpluses and the interests of the consumer.

Mr Laban (S/NL) called the Commission's price Proposals arbitrary. Prices had to derive from the market situation. The whole Socialist Group called for a smaller increase on animal products (meat and milk). Mrs Orth (S/G) pointed out that Coca-Cola was now cheaper than milk.

The Liberal and Allied Group voted solidly for the Resolution. Mr Baas (L/NL) deplored that there had really been no worthwhile debate on agriculture, since the positions were cut and dried from the start. The CAP must still be upheld as the forerunner of integration. The European Conservatives supported the Resolution. Their speakers tried to focus attention on the disastrous situation in the meat sector and urged higher prices for beef and veal and pig-meat. Mr Scott-Hopkins (C/UK) asked for aid to milk and meat producers and criticized the compensatory amounts scheme.

The EPD Group also approved the idea of more aid for cattle breeders. The monetary measures were endorsed by the Irish members while the French abstained on this issue. Mr Liogier (EPD/F) opposed the running down of sugar and butter surpluses, when the needs of the third world had not been met. The Communists rejected the Resolution. Mr Cipolla (COM/I) called for a root and branch review of the CAP and sharply criticized the compensatory amounts.

The many small farmers in the Community should be helped with direct aid. Despite the divergent opinions on detail, the Agricultural Committee's Resolution obtained a substantial majority, cutting across the Groups.

The House considered that the proposed average price increase was inadequate to provide farmers in 1975 with an income equivalent to that in other sectors, and in no way compensated for losses suffered in 1974. The effect on consumer prices was considered acceptable.

On beef and veal, Community aid for producers was held to be a justified measure of support for the price policy. A total milk price increase was approved for 1 February. The House doubted the expediency of maintaining the present price

¹ Bull. EC 11-1974, points 1501 to 1505.

relationship between milk fat and milk protein. The heavy increase in the price of butter could result in a decline in consumption. The prices for maize and barley should be raised further. A heavier price increase for olive oil was considered expedient. The Commission Proposals for wine, fruit and vegetables were accepted, whilst those for tobacco were rejected as inadequate.

The market organization for pigmeat should be reviewed. The increase in the price of sugar must be passed on in full to the producers. As an aid in the fight against inflation, certain products should be freed from VAT.

In his justification, the rapporteur, Mr *de Koning* (C-D/NL) had painted a really bleak picture of European agriculture, with spiralling costs, a widening gulf between farming and other incomes, the aftermath of the energy crisis, and a price slump in the meat sector. All this had resulted in economic and social strains. He agreed with the Commission that monetary compensatory amounts should be granted only temporarily. At any rate, their removal must proceed more slowly. He welcomed the Commission's proposed aid for young farmers.

Speaking for the Commission, Mr *Lardinois* explained that the Proposals embodied an average rise in farm prices of 9.7%. He described the agricultural compensatory amounts as the most irksome problem of the CAP. It brought, for example, the farm prices in Federal Germany to 12% above the EC official prices. An official increase of 10% therefore amounted to a *de facto* increase of 11.2% there. It was only through real progress in accomplishing economic and monetary union that compensatory amounts could be discarded.

Aid for hill farmers (16 January)

2404. The rapporteur, Mr *Della Briotta* (S/I) stated that the proposed aid for hill-farming¹ was

something altogether new in the CAP. For the first time agriculture was being controlled not via prices but through direct payments to the farmers who needed them. He hoped that the Directive, which was to eliminate the structural handicaps, would become a starting point for a new agricultural policy, which was not based exclusively on prices.

Mr *Brugger* (C-D/I) announced the support of the Christian Democrats.

Mr *Cipolla* (COM/I) criticized the inaccurate classification of certain regions. For the Commission, Mr *Lardinois* explained that classification of the peripheral regions had been the only way to get the Directive through. He attacked the Communists' demagogic approach.

In its Resolution the House approved the Commission's Proposals.

Cereals for Italy

2405. Mr *Cipolla* (COM/I) asked the Commission for details on the quantity, price and terms of the EEC cereal supplies to Italy in July 1973. He wanted to know the conditions of use, whether the Italian Government had complained about the quality, whether the Commission was currently monitoring the use of the cereals and whether and on what grounds the Government had sought a lower selling price. He further inquired whether the Commission had authorized other countries to buy cereals at reduced prices for the account of the EAGGF.

Replying for the Commission, Mr *Lardinois* said that in 1973 the other Member States' intervention agencies had put 200 000 tonnes of wheat at the disposal of the Italian agency, to counter

¹ Bull. EC 12-1974, point 2246; 11-1973, point 2250.

speculation on the wheat market at the time. This had not been a sale, but a corrective measure. The cereal carriage costs had been charged to the EAGGF. Meanwhile 110000 tonnes had been sold and the rest was being put on the market in January 1975, and at the agreed conditions, as the Italian Government had promised. The Commission had not authorized any other countries to make similar sales.

Social policy

Migrant workers' election rights (17 January)

2406. Mr *Borschette* of the Commission denied the rumour, that in reviewing measures in favour of foreign migrant workers, a majority of the Commission had refused their participation in regional and municipal elections in the host country. A number of Socialist MPs, namely Mr *Della Briotta* (I), Mr *Walkhoff* (D), Mr *Concas* (I), Mr *Bermani* (I), Mr *Corona* (I) and Mr *Glinne* (B) had put a question on this subject to the Commission, which gave rise to a heated debate. They attacked the Commission for having, through such a decision, obstructed a real stride towards European unity, and rendered null and void draft laws now before the Belgian and Italian Parliaments, which would afford limited political rights to citizens of other EEC citizens now living in Belgium and Italy.

Mr *Della Briotta* (S/I) declared that one was compelled to ask whether the Commission was taking its obligations in respect of migrant workers seriously. Many migrant workers had gained respect and a degree of prosperity in the host countries. Their children had been born there and often spoke the language, yet they were also living as strangers in a strange land. Professing solidarity was not enough. The necessary administrative procedures must be

brought in, otherwise a generation of 'déracinés' would be growing up.

The present situation, in which millions of European citizens were not taking part in political life, could be dangerous if they gave vent to their frustration.

In his reply Mr *Borschette* queried the accuracy of the information underlying the question. The Commission's planned target date of 1980 in its draft programme for migrant workers' participation in regional and local elections in the host country, which Mr *Della Briotta* had called too modest, was a realistic one. But this did not mean that the Commission was going to wait that long before submitting proposals.

Neither would the Member States be prevented from taking action to encourage migrant worker participation in local affairs.

Lady *Elles* (C/UK) recommended that the acquisition of citizenship be made easier. As long as the Community was founded on States, election rights should be limited to the nationals of these States. Mr *Glinne* (S/B) referred to the draft law which he was piloting through the Belgian Parliament, whereby migrant workers in Belgium would be granted limited voting rights. But such bold moves were not enough. The Community must act now to forestall difficulties later on. The Paris Summit of 1974 had pointed the way in envisaging a European passport union.

Mr *Pisoni* (C-D/I) approved the granting of voting rights to all foreign citizens. In his concluding remarks, Mr *Della Briotta* did not conceal his disappointment over the Commission's answer, which although a disclaimer, had been unable to deny that original target dates had in fact been changed.

The situation of women in the Community (15 January)

2407. On the basis of an oral question from Communist MPs, namely Mrs *Carettoni Roma*,

gnoli (I), *Mrs Goutmann* (F) and *Mrs Iotti* (I), the House debated the status of women in the Community. In respect of the fact that women in the Community were making a substantial contribution to economic development, the Council was asked when the Proposal for a Directive on equal pay for men and women, approved by the European Parliament in April 1974, would be put on the agenda of the Council for adoption; what stage had been reached in preparatory work for the Directive on the removal of discrimination against women with regard to job openings and professional qualifications; what Proposals did the Council wish the Commission to make in the near future to prevent the slow-down in economic growth now affecting the Community from adversely affecting working women; and in more general terms, what was the Council's view of the status of women in the Community.

In a brief reply, the officiating President of the Council, *Mr Clinton*, pointed out that on 17 December 1974 the Council had approved the substance of the Directive on equal pay. For the moment the Council had nothing to propose on eliminating discrimination against women in respect of job openings and qualifications; but he was expecting a relevant Proposal from the Commission very shortly. The Council did not intend to encroach on areas where, under the Treaty, the right of initiative lay with the Commission. Nevertheless the Council's Resolution of 21 January 1974 on the social action programme did carry a general guideline regarding the status of women. It was now up to the Commission to submit the necessary Proposals to the Council. For the Socialists, *Mr Glinne* (B) supported the call for equal pay and urged the creation of controlling bodies under the rate agreements and the possibility of penalties. *Lady Elles* (C/UK) quoted examples of discrimination even at the level of the European institutions (no female Member of the Commission, too few women among the senior officials of the

EC institutions). *Mr Riviérez* (EPD/F) declared that equality of qualifications for women the key to equal employment conditions. *Mrs Goutmann* (COM/F) alluded to the gulf between aims and reality regarding the status of women, which would take massive measures to bridge.

Vice-President *Hillery* of the Commission stated that the Commission was now engaged in a programme for improving the situation of women, which it expected to present within a month. The Commission would also support all action within the Community and on the occasion of the United Nations Women's Year. The questioner, *Mrs Caretoni Romagnoli* said the answer was bureaucratic. It proved a lack of insight into the real background of the problem. It showed once again that certain attitudes of mind would first have to change, if results were desired.

Education policy at Community level (13 January)

2408. As an Oral Question with debate, the Committee on Cultural Affairs and Youth put the following questions to the Commission: What measures was the Commission planning to take in connection with the Resolution of the Council of Ministers of Education of 6-7 June 1974, especially in respect of the mutual recognition of diplomas, cooperation in education and the development of the European Schools; whether the Commission was thinking of using its right of initiative in coordinating legal provisions for education, some of which currently being renewed in the Member States; whether in the Commission's view it was not appropriate to draw up a Memorandum at the earliest opportunity carrying a timetable for Proposals to be submitted, a Community action programme for education and mutual recognition of diplomas; what contacts was the Commission making with the Council of Europe and its institutions and

what kind of scope did it find these contacts offered?

Dr Brunner, Member of the Commission responsible for education replied that today any independent operator in the Community could protest that in performing an occupation obstacles were put in his way. Two judgments of the Court of Justice had demonstrated this.

It was now up to the Council to pass the submitted Directives on doctors, lawyers, architects, construction engineers, nurses and midwives. The Directive on the freedom of establishment for doctors had made the most progress. Dr Brunner declared that eight Member States had agreed it in principle and only Belgium could still see some difficulties.

Regarding the priorities set by the Council, Dr Brunner said he held the education and training of migrant workers to be particularly urgent. After the June Decisions resources could now be used from the European Social Fund for educating migrant workers' children. But much more had to be done. Special induction and short courses were needed for those children to make them at home in their new surroundings. During the normal school curriculum, additional courses must help the children to preserve the language and culture of their native lands. Teachers from those countries should be appointed and welfare workers should watch over the children outside school hours; they should have equal chances of winning scholarships. But the European Schools were not on the Council's list of priorities. They were carried by the Member States on the basis of a separate agreement and did not fall within the Commission's terms of reference. The educational provisions must be coordinated in such a way that unnecessary disparities were avoided. But we should remember that the variety of culture was one of Europe's assets. The goal must be educational facilities which met the needs of the people. On the

European University in Florence, Dr Brunner said that the first researchers could be starting work in September 1976.

Question Time

(15 January)

2409. In Question Time the officiating President of the Council, Mr *Clinton* and the President of the Commission, Mr *Ortoni* and Vice-President *Scarascia Mugnozza* answered five questions.

Canada

Question by Sir Douglas *Dodds-Parker* (C/UK) to the Council:

'What instructions have now been given to the Commission to pursue urgent negotiations with Canada?'

2409a. Sir Douglas *Dodds-Parker* urged that an economic cooperation agreement be concluded with Canada, which would facilitate European investments in Canada and ease Europe's access to the Canadian raw material Agreements. Mr *Clinton* assured the House on behalf of the Council, that the Commission could initiate some general ideas within the given terms of reference, which could be discussed with reference to Canadian reciprocal considerations within the scope of the future economic agreement between Canada and the Community. The Council would also not fail to give favourable consideration to some proposals for exploiting possibilities on the Canadian side in overcoming the paper supply bottleneck.

Company law

Question by Mr *Brewis* (C/UK) to the Council:

'In view of the need to encourage investment and economic activity in the Community, when does the

Council expect to approve the second Directive on Company Law and the Statute of the European Company?"

2409b. Mr Clinton replied that owing to the complexity of existing matter, the Council had not yet been able to express a view. It was waiting for a revised Proposal from the Commission, which would incorporate Parliament's ideas on the European Company. For the Commission, President Ortoli stated that the Commission would submit its revised Proposal only after careful consideration of Parliament's seventy tabled amendments; the preparations were actively going forward. But he could not give a precise date for presentation of the new Proposal to the Council, since the problems of codetermination had to be carefully weighed.

Jewish minorities in Arab States

Question by Kristian Albertsen (S/DK) to the Council: 'Does the Council intend to raise the question of safeguarding the human rights of the Jewish minorities in certain Arab States during the forthcoming negotiations with the Arab States?'

2409c. Mr Clinton pointed out that the talks with the Arab States covered only economic questions. But all the Member States set the greatest store on the protection of human rights.

Financing regional studies in the United Kingdom

Question by Mr Johnston (L/UK) to the Commission: 'Has the Commission received official notification from the British Government of the postponement or cancellation of the studies into industrial and regional problems in South Wales and elsewhere in the United Kingdom and if so, what stage had negotiations reached when such notification was received and what reasons, if any, were given for this action?'

2409d. Mr Johnston referred to reports that Britain had dispensed with EEC funds, which had meanwhile been channelled elsewhere.

Mr Scarascia Mugnozza explained that the negotiations on joint financing of study programmes were well advanced, when in mid-1974 the British Government broke them off with no explanation. But in so far as the British Government should decide on such programmes, the Commission was still ready to help in financing them. The British Government ought to realize that such financing was in no way connected with any loss of sovereignty.

The funds set aside for the studies had not yet been otherwise used.

Balance of payments

Question by Lord O'Hagan (non-affiliated/UK) to the Commission:

'To what extent does membership of the EEC improve or worsen the balance of payments of Member States?'

2409e. Mr Scarascia Mugnozza said the interval since the enlargement of the Community was in any case too short to give precise details. If in fact there was any deterioration in the balance of payments of a Member State, this could not be put down to its membership of the EEC.

Research and technology (13 January)

Three-year action plan for scientific and technical information and documentation

2410. Parliament approved the Commission's Proposal for an initial three-year action plan.¹ The envisaged information network

¹ OJ C 126 of 17.10.1974.

would promote scientific knowledge and also promised indirect economic benefits. It was also vitally important that the network be available to the 'smaller' interests, and it was equally important that regular work-progress reports be sent not only to the Council but to Parliament as well.

The House was particularly glad to learn that the Community, led by the Commission, would be cooperating with non-member countries and called for consolidatory proposals on a standardized computer language. The Commission was criticized for having drawn up the cost estimates inadequately and for not providing justifications in writing for the cuts in resources already applied. Moreover, consultation with Parliament had no meaning, if owing to time pressure it was impossible to make a proper review of the technical details in such proposals.

The debate highlighted the urgency of adopting such an action plan in view of the technological leeway which Europe had to make up *vis-à-vis* countries like Japan and the United States.

Textile research

2411. In respect of the Commission's proposal for a technological research programme for the textile sector,¹ to be decided by the Council, Parliament opposed the 'crash procedure engineered by the Council', which would undermine its advisory and budgetary authority.

The House approved the Proposal with reservations on the financial consequences which it felt were inadequately illustrated.

In the debate the technical nature of the Commission's Proposal was criticized, which had certainly not facilitated its examination by 'non-experts', as was normally the case in Parliament, especially due to shortage of time. The Chairman of the Committee on Energy, Research and

Technology, Mr Springorum (C-D/G) stressed that the European textile industry must be more effectively armed against the pressure of imports from non-member countries.

External relations

EEC and South Africa (15 January)

2412. In reply to an Oral Question from the Socialist Group, the officiating President of the Council, Mr Clinton confirmed that the Community was not contemplating any agreement with South Africa granting trade concessions. The Socialist members, Mr Glinne (B), Mr Spénale (F), Mr Broeksz (NL), Mr Dondelinger (L), Mr Flämig (G) and Mr Seefeld (G) had asked the Council and Commission for clarifications on the statement by the French Ambassador to the United Nations in the debate on the EEC's observer status in the UN and concerning the EEC's relations with South Africa. He had declared that no negotiations were planned between the EEC and South Africa on trade concessions and confirmed the Community's full support for the principles of the United Nations Charter. The Convention on Human Rights ratified by all the EEC Member States went far beyond the maximum demands made by the opponents of apartheid.

The Council was asked whether it was true that after and because of this statement, no objection was made in the General Assembly to granting the EEC observer status; whether on the initiative of a Member State, it was now being considered whether the French Ambassador had overstepped his mandate; and whether it was confirmed that the Community refused to grant trade concessions for South Africa in the form of

¹ Bull. EC 9-1974, point 2229.

a special agreement and that the Council was against the policy of apartheid.

The officiating President of the Council, Mr Clinton confirmed the French Ambassador's statement on behalf of the Community, that no negotiations whatsoever were being contemplated with South Africa. The delegation of the Nine had voted on this statement in New York according to the usual procedure. There was therefore no question of the French Ambassador having overstepped his mandate.

Vice-President Sir Christopher Soames of the Commission added that the Community had no special agreement with South Africa and was not even considering one.

Mr Blumenfeld (C-D/G) deplored the fact that this Question had been put just when the country in question was endeavouring to create better relations with its neighbours. Mrs Goutmann (COM/F) supported this move by the Socialist Group.

Energy policy

Oil companies (16 January)

2413. In an Oral Question, Mr Terrenoire (EPD/F) had asked the Commission to indicate what progress it had made in its inquiry into the practices of the oil companies and what conclusions it had reached; whether it might be possible to take into account the conclusions of the Parliamentary Commission of Inquiry of the Member State referred to (permanent price and strategy agreements of the oil companies operating in the EEC); and how it intended to ensure that the Treaty of Rome was respected in this matter.

The questioner asked for the practices to be condemned by the European Court of Justice, since they distorted competition. The oil companies had amassed ill-gotten gains with them.

Mr Borschette replied that part of the investigation begun by the Commission in December 1973 was completed, with some detailed analyses still to be finished. The Commission would also consider the investigations by a French Parliamentary Committee and the Federal German Cartel Office. On specific matters the Commission had always acted directly *vis-à-vis* the oil companies.

Mr Lange (S/G) said that the Commission must be given the chance to muster watertight material, which the multinationals had nothing to counter. Mr Noë (C-D/I) asked for a more searching study of the problem. Mr Lemoine (COM/F) highlighted the detrimental effects of these company practices on the workers' situation.

Taxes

Harmonization of excise duties on mineral oils (13 January)

2414. Parliament declared itself generally satisfied with the Commission's proposed Directive on harmonizing excise duties on mineral oils and recommended a number of technical simplifications.

In the Resolution the House regretted that progress towards tax harmonization had been timid. The Commission should promptly submit the results of its investigations concerning the effect of oil taxation on prices and the taxing of mineral oils as a tool of energy policy. The House once again urged the Commission to present its proposal for a common concept of energy policy.

Mr Scholten (C-D/NL) welcomed the Proposal as part of the Community's overall fiscal harmonization programme, which takes its special immediacy from the energy policy. The objec-

tive, however, could not be total harmonization, but could consist of an optimum alignment in order to cut out distortion of competition. Mr *Gerlach* (S/G) attacked the current tendency of evaluating Community energy costs as a ratio of oil prices. This was 'negative harmonization'. He urged the Commission to pay more attention to this trend so that energy costs in the Community did not hinge on costs imposed on us by others. Lord *Lothian* (C/UK) and Mr *Cointat* (EPD/F) supported the Proposal. Dr *Brunner* assured the House that in the coming months the Commission would be reviewing all the aspects of fiscal policy. But there was still a broad margin affording Member States freedom to act concerning the structure of taxes and setting their levels. The influence of mineral oil taxes on prices and their use as a tool of energy policy were currently being examined. Generally speaking a fiscal policy concept must be developed which was a working part of the energy strategy and also prepared the way towards economic and monetary union.

Environment (17 January)

2415. Waste disposal was not to disturb the well-being of the Community. This applied not only to human health but domestic animals and birds as well. Neither were water, plant-life and ground to be exposed to the ill effects of disposal. Air pollution or noise must also be eliminated as far as possible for the sake of protecting nature and natural sites and in the interests of town-planning.

This was the gist of Parliament's appraisal of the Commission's proposed Directive on waste disposal.¹

The House called for regulations as soon as possible on mining and quarrying operations and on the disposal of agricultural waste. The

Commission was asked to promote the development of new waste disposal technology, to foster the creation of European waste-processing plants and set up a centre for the dissemination of information on waste materials.

The House stressed the considerable value of recycling and re-using waste, not only to save energy and raw materials but because it also involved measures to safeguard and enhance the natural environment, especially in view of steadily increasing quantities of waste. The House felt that because of the high cost, waste disposal was no longer effectively feasible on a local or regional scale and was now possible only at Community level.

Mr Willi *Müller*, the rapporteur of the Committee on Public Health and the Environment praised the Commission's determination to carry out the EEC action programme for protecting the environment. The purpose of the amendments tabled by the House was to take account of the shortage of raw materials, find serviceable solutions and ensure that measures were implemented. Mr Müller restated the ill effects of the uncontrolled release of waste and residues into the environment. The capacity of safe waste-disposal installations had been outstripped. He urged that production processes be developed which would generate less and more easily treatable waste.

Mr *Borschette* said that the Commission could not undertake, as requested by Parliament, to submit Proposals on extracting and agricultural waste in a very short time. These decidedly priority areas were not covered by the environment protection programme. The Directive was a skeleton Directive. The recently adopted Directive on the disposal of waste oils was an initial implementing Directive. The Commission could not accept some of Parliament's

¹ Bull. EC 9-1974, point 2217.

amendments, in particular regarding the coverage of the Directive. But the Commission agreed wholeheartedly with the Proposals to define safe waste disposal, and to rationalize Government projects and make them compulsory for the disposal of waste considered as dangerous or difficult to treat.

**UNCTAD Code of Conduct
for Shipping Conferences
(15 January)**

2416. The Community's participation in the UNCTAD Code of Conduct for Shipping Conferences approved in mid-1974 was hotly debated in the House. The hub of the UNCTAD Convention is the distribution of freight whereby 40% is reserved for the industrial countries, 40% for the oil-exporting countries and 20% for independent shipowners.

In an Oral Question, Mr Seefeld (S/G) felt that certain parts of the UN Convention contravened the Treaty of Rome and that the Commission and not the Member States should have negotiated it. He also asked whether it was true that the Commission had submitted Proposals to the Council for joint action by the Member States within the UN Convention on a Code of Conduct for Shipping Conferences and whether, in a matter of such importance for the whole of the EEC's external economic policy, Parliament would be consulted. The Commission should be assigned to prepare proposals for a common ocean shipping policy and to implement a common approach by the Member States to similar international conferences. Mr Seefeld criticized the fact that the Member States had shown themselves to be divided when voting on the Convention. Three had voted for and two against while four had abstained or not even attended the Conference.

The officiating President of the Council, Mr Clinton, told the House that the Commission

had begun an investigation with national experts to see whether the Code of Conduct was compatible with Community rules. Meanwhile the Council had decided to hold to the *status quo* proposed until 30 April 1975.

**Committees on Implementing Provisions
(15 January)**

2417. In the opinion of the Council, the procedure of the Committees on Implementing Provisions had fully proved itself. It had enabled the Commission to use a number of prerogatives without provoking disputes. In general, the Commission's use of them was only rarely contested in later procedures by the Council. The procedure was also explicitly approved by the Court of Justice. This was the conclusion of the officiating President of the Council, Mr Clinton, Ireland's Minister of Agriculture, in rebutting the criticism in an Oral Question on the working procedure of the above Committees in relation to the CAP.

In its Question, the Committee on Public Health and the Environment had criticized the fact that these Committees, made up solely of national officials and designed as purely advisory bodies had in practice taken on significant rights of codetermination. The Commission depended on positive opinions from them; if there was a divergence of views, the Council reserved the right to decide, even on matters falling within the Commission's jurisdiction. The questioners opposed this shift of authority from the Commission to the Council and to the Committees, since it resulted in a break in Parliament's control (the Parliament controls the Commission but not the Council). In applying this procedure there was a danger in the long run of allowing national egoism to override Community interests. Speaking to the Question, Mr Walkhoff (S/G) warned that such an untransparent procedure of the Committees on Implementing Provi-

sions could well heighten the distrust of the younger generation towards the Brussels technocracy. The influence of national officials, as wielded through these Committees, had not always been for the Community's good. For the Socialists, Mr Patijn (NL) protested against the plans of certain Member States, which would generalize the procedure applied in the Veterinary Committees, i.e., that failing a majority the matter must go to the Council without allowing a time limit for the decision.

President Clinton again stressed that the Council could transfer some of its powers to the Commission under the Treaty, especially on the executive side; but it was not bound to do so. Moreover, the Council could attach conditions to this. So it could not be said that the Commission was being deprived of executive powers which devolved on it automatically. In a certain number of instances, powers were transferred without any comprehensive transfer of authority. Furthermore, the Committees had no right of codecision. It was therefore just as unrealistic to think that the procedure encouraged national egoism for in practice the Commission's Proposals were nearly always passed. There were therefore no grounds for stopping the intercalation of the Committees.

21st Joint Meeting of the European Parliament and the Parliamentary Assembly of the Council of Europe (Strasbourg, 21 January 1975)

2418. At their 21st joint meeting in Strasbourg, members of the European Parliament and the Parliamentary Assembly of the Council of Europe discussed the problems of inflation, their political repercussions and the possibilities of overcoming them. The rapporteurs were Mr Aubert for the Assembly and Mr de Clercq for

Parliament. Vice-President *Simonet* spoke on behalf of the Commission.¹

The joint Communiqué contained the statement that a common 'European' attitude was more realistic and helpful than a multiplicity of divergent, if not contradictory attitudes. Both the Member States of the Community and those of the Council of Europe should under all circumstances demonstrate a political determination, in accordance with the objectives of the Rome Treaty and the Organization, and consequently speak 'with one voice' at world level. It was not enough to slow down inflation; an inflationary society must be cured through a determined policy including the following measures:

- (i) Institution of a social and economic contract, with which both sides of industry undertake to comply faithfully, defining growth, income and price standards and ensuring that economic activity and employment are maintained at a high level;
- (ii) Abolition through legislation of all discrimination between indigenous and migrant workers in cases of dismissal resulting from economic recession;
- (iii) Establishment of a balance between sectors and an approach to regional development which includes a selective investment policy to foster the development of basic sectors and public facilities;
- (iv) Limitation of the issue of money and consumer credit;
- (v) Protection of savings and adjustment of taxation;
- (vi) Convening of a European ministerial conference, with a view to defining employment policy;
- (vii) Reinforcement of the coordination of economic policies, with particular reference to demand management;

¹ Points 1201 to 1204.

Council

- (viii) Drafting of 'codes of conduct' for multi-national companies;
- (ix) Regulation of the Eurocurrency market;
- (x) Increased efforts to bring European currencies back into the 'snake';
- (xi) Reduction of unnecessary expenditure and introduction of a rigorous budgetary policy, particularly in the military field, where major savings can be effected through standardization and harmonization of conventional weapons within the context of a balanced and controlled East-West reduction of armaments;
- (xii) Organization of a tripartite conference between industrialized countries, countries exporting oil and raw materials and developing countries without such resources;
- (xiii) Setting of new goals for investment and research in basic sectors, such as agriculture and energy;
- (xiv) Pursuit of a fairer international division of labour through GATT multilateral trade negotiations and by reforming the IMF;
- (xv) Conclusion of fair agreements on the distribution of income throughout the world, bearing in mind the specific interests of the less fortunate countries.

Council

2419. For six months from 1 January 1975, Ireland, in succession to France, assumes the chair at meetings of the Council and its subordinate bodies, at conferences of the Representatives of the Governments of the Member States, at meetings of the Political Cooperation Group and of Heads of Government.

Council

In January, the Council held six meetings on general matters, agriculture, and cooperation and development.

323rd Meeting—General matters (Brussels, 13 January)

2420. *President:* Mr FitzGerald, Ireland's Minister for Foreign Affairs.

From the Commission: Mr Cheysson, Member.

Negotiations with the ACP countries: the Council adopted the Community position towards the negotiations at the Conference of Ministers with the African, Caribbean and Pacific countries.

324th Meeting—Agriculture (Brussels, 13 and 14 January)

2421. *President:* Mr Clinton, Ireland's Minister for Agriculture and Fisheries.

From the Commission: Mr Lardinois, Member.

Farm Prices 1975/76: The Council got down to an exploratory debate on setting the prices for the 1975/76 marketing year. All the delegations put forward their positions in respect of the Commission's Proposals on specific products and related measures. At the close of the discussion, it was agreed to resume the review of all questions at the next meeting.

Sale of skim milk powder from public stock: The Council agreed in principle on the Regulation concerning the sale of skim milk powder from public stock for delivery to developing countries.¹

Sugar: The Council discussed the Community's sugar supply. It was agreed to continue the

¹ Bull. EC 12-1974, point 2310.

debate at the next meeting on a more comprehensive basis, since this question is bound up with the special position of certain Member States, with the Community and world market situation and with the negotiations under way with the ACP countries.

325th Meeting—General matters
(Brussels, 20 January)

2422. *President:* Mr FitzGerald, Ireland's Minister for Foreign Affairs.

From the Commission: Mr Ortoli, President, Sir Christopher Soames, Mr Simonet, Vice-Presidents, Mr Cheysson, Member.

Energy: The Council approved the preparatory procedures for the Nine for Community positions or joint action in respect of problems submitted to discussion within the International Energy Agency. It also examined practical problems involved in preparing a common position for the dialogue between oil-consuming and oil-producing countries and which relate to the objective and subject matter of the dialogue and participation at the Conference.

Negotiations with the ACP countries: After a fresh appraisal of the status of the EEC-ACP negotiations, the Council agreed to accept the proposal by the ACP to resume the negotiations between the Council and an ACP delegation of Ministers on 30 and 31 January.

European Centre for Vocational Training: The Council agreed that the Centre should have its headquarters in Berlin.

Consideration was also given to the Community's relations with Iran, to the preparation of a Community position in respect of the GATT multilateral negotiations and to the status of negotiations under the overall Mediterranean approach.

326th Meeting—Agriculture
(Brussels, 20 and 21 January)

2423. *President:* Mr Clinton, Ireland's Minister for Agriculture and Fisheries.

From the Commission: Mr Lardinois, Member.

Farm Prices 1975/76: The Council made a searching review of all the constituents of the Commission's Proposal on setting the prices for farm products for the 1975/76 marketing years and on certain related measures. It was still not possible to reach agreement. Consequently, the Council agreed to resume its deliberations on this issue at the next meeting on 10 and 11 February with the aim of reaching an overall decision.

Sugar: The Council adopted a Regulation on a second phase of subsidized sugar imports, which amends the original 1974 Regulation.

It also confirmed its Decision of principle of 19 November 1974 in respect of the Directive on organizing a 1975 survey of structures as part of a programme of surveys on the structure of farmholdings. A Regulation was adopted to prolong by one month the validity duration of the guide prices for calves and mature cattle for the 1974/75 marketing year. The Council also gave its agreement in principle on initiating, from 15 February 1975, wine-distilling operations in order to relieve the congestion on the market.

327th Meeting—Cooperation and development
(Brussels, 22 January)

2424. *President:* Mr FitzGerald, Ireland's Minister for Foreign Affairs.

From the Commission: Mr Cheysson, Member.

United Nations emergency operation: The Council reaffirmed the Community's commit-

Commission

Commission

ment to contribute up to US \$500000000 as quoted in the letter of 24 June 1974 from the President of the Council to the United Nations Secretary-General.¹ It was also agreed to put a second tranche of US \$100000000² at the disposal of the UN emergency operation.

Mr Cheysson made a statement presenting the Commission's Communication on ideas for the Community's cooperation with the Third World.³ A verbal report was also heard from the Commission on the results of the World Food Conference.⁴

328th Meeting—General matters (Brussels, 30 January)

2425. President: Mr FitzGerald, Ireland's Minister for Foreign Affairs.

From the Commission: Mr Cheysson, Member.

The proceedings of this meeting focused on the preparations for the negotiations with the ACP countries, which started in Brussels on the same day.

Joint action proposals in economic policy: The Commission discussed the general guidelines of the economic policies which it will recommend for the Community in the short- and medium-term and in relation to these, the steps to be considered to strengthen the Community's capacity for action on economic questions.

Analysis of the present economic situation shows some progress as compared with the previous year (a certain fall-off in inflationary trends) and some cause for concern (the scale of unemployment). The course of the international economic and monetary situation is still shrouded in uncertainty. The need for structural changes in the production system, to meet the increased export demands, which the Commission had spoken of already, early in the previous year, has been confirmed by initial developments in 1974. In this situation, both the need for effectiveness and the concern for Community solidarity justify forceful action to ensure the convergence of Member States' economic policies and to provide the Community with the instruments to help in making it an accepted fact. Any sound progress in this direction lends more credibility to the goal of economic and monetary union reaffirmed by the Heads of Government in 1974.

Regional Development Fund: The Commission adopted the preliminary draft of the Supplementary and Amending Budget to endow the RDF with the appropriations prescribed for 1975 by the Heads of Government.⁵ An appraisal was also made of the work of activating the European regional policy. The Commission is concerned that the procedures assure it the means of vetting objectively and thoroughly any applica-

¹ Bull. EC 6-1974, point 2309.

² Point 2308.

³ Point 2305; Bull. EC 11-1974, points 2303 and 2304.

⁴ Point 2306.

⁵ Points 2454 and 2455.

tion for Fund aid, so that the resources are used as effectively as possible, and go to promoting a regional policy designed on a Community scale.

Energy policy: The Commission is drawing up fresh Proposals on the Community instruments of energy policy in addition to the Proposals now being studied by the Energy Committee and the Council.

Research and development in the energy sector: The Commission approved a programme of research and development projects in the energy sector. This covers an outline programme for coordinating national plans and practical Proposals in five priority sectors.¹

Farm prices: The Commission regretted the Council's delay in setting the prices for the next marketing year despite the Council's previous assurances. The Commission feels that the new deadline (i.e. the Council meeting of 10-12 February) simply must be met. It is still convinced that no agreement on the 1975/76 farm prices is possible unless it combines three factors, as indicated in its initial Proposal, namely: the raising of common prices by an average of 10% according to the Proposal, a start in cutting out monetary compensatory amounts in such a way as to allow for varying rates of inflation, and certain measures directly involving the producers.

Development and cooperation: The Commission adopted the general lines of a Communication to the Council on the future development of the generalized preferences granted by the Community to the developing countries. This paper will locate generalized preferences within the context of the global development policy, set out the main improvements to be made to the scheme for the years ahead and take a look at the long-term prospects. With regard to the United Nations emergency operation for the countries hardest hit by the higher prices of oil and other raw materials, the Commission adopted the main

lines of a Proposal to be swiftly formulated and put to the Council, which would raise a second instalment of the US \$500 000 000 contribution which the Community has undertaken to subscribe to this operation.

Budgetary questions: The Commission adopted a Communication to the Council on the 'corrective mechanism' recommended by the Heads of Government to deal with cases where application of the own resources system would place a Member State in an 'unacceptable situation', in respect of its budgetary burden.²

Court of Justice

New Cases

Case 1/75—SpA Benaglio, Abbiategrasso v Cassa Conguagli Zucchero, Roma

2427. Dealing with a legal action concerning the imposition of monetary charges on Italian users of sugar, the benefit of which accrues to the beet producers, the Pretura d'Abbategrasso filed a request with the Court of Justice on 2 January 1975 for a preliminary ruling. This bears on interpretation of Article 6 of Regulation 834/74 which lays down the necessary measures to avoid disruption on the sugar market caused by the rise in prices in that sector for the 1974/75³ sugar marketing year, and which was consolidated and amended by Regulations 1495/74⁴ and 2106/74⁵ on the validity of those provisions and their compatibility with Article

¹ Points 1301 to 1308.

² Points 2503 to 2510.

³ OJ L 99 of 9.4.1974.

⁴ OJ L 158 of 15.6.1974.

⁵ OJ L 218 of 9.8.1974.

40(3) and (7) of the EEC Treaty. Lastly, it concerns the question whether national acts may be regarded as illegal because they contravened principles of Community law.

Case 2/75—Einfuhr- und Vorratsstelle für Getreide und Futtermittel, Frankfurt/Main v Firma C. Mackprang jun. oHG, Hamburg

2428. With its Decision of 8 May 1969,¹ the Commission had authorized the Federal Republic to limit intervention buying to home-grown cereals, with the exception of French wheat. In a legal action over the refusal by the plaintiff to buy French wheat into intervention, the Bundesgerichtshof asked the Court of Justice, on 6 January 1975, for a preliminary ruling on whether the above Decision also applied to cereals, which on 8 May 1969 were actually being transported to the Federal Republic, but for which a standing intervention tender was not presented until after that date.

Cases 3/75 and 3/75 R—Johnson & Firth Brown Ltd., Sheffield v the Commission

2429. On 10 January an iron and steel company had lodged an appeal with the Court to quash the Commission's Decision of 5 December 1974 authorizing the British Steel Corporation to acquire a controlling interest in Johnson and Firth Brown Ltd., who contended that the Decision was null and void. The appeal was backed by a plea to stay execution of the Decision.

Case 4/75—Firma Rewe-Zentralfinanz eGmbH, Cologne v Direktor der Landwirtschaftskammer als Landesbeauftragten, Bonn

2430. Following on Case 39/73, in which a German firm had contested the gathering by the German authorities of an administrative tax by

way of phytosanitary inspections of imported apples as being a contravention of Article 13(2) of the EEC Treaty, and in which the Court of Justice had ruled for the plaintiff, the latter lodged an appeal with the Cologne Administrative Court against phytosanitary inspection as such.

In dealing with the second action, the Cologne Administrative Court asked the Court of Justice, on 13 January 1975, for a preliminary ruling on interpreting the words 'quantitative restrictions on imports or measures having equivalent effect', which appear in Article 30 of the EEC Treaty, and secondly on the compatibility of national health inspection measures with the first sentence of Article 36 of the EEC Treaty, after the Directive of 8 December 1969 came into force relating to the campaign against San José scab.² The German Court also wanted to know whether the fact of subjecting only imported apples to health inspection, when apples cropped in Germany were not, constituted an 'arbitrary discrimination' in the meaning of the second sentence of Article 36 of the EEC Treaty.

Case 5/75—Firma Deuka Deutsche Kraftfutter GmbH B.J. Stolp, Dusseldorf v Einfuhr- und Vorratsstelle für Getreide und Futtermittel, Frankfurt/Main

2431. Dealing with an appeal concerning the lowering of the soft wheat denaturing premium, the Frankfurt Administrative Court asked the Court of Justice, on 16 January 1975, for a preliminary ruling on the compatibility of Regulations 2859/73³ and 175/74⁴ amending Regulation 1897/73 on setting the soft wheat denatur-

¹ OJ L 112 of 9.5.1969.

² OJ L 323 of 24.12.1969.

³ OJ L 293 of 20.10.1973.

⁴ OJ L 20 of 24.1.1974.

ing premium for the 1973/74¹ marketing year, with Article 4, paragraph 1, second sentence of Regulation 172/67 concerning the ground rules governing the denaturing of wheat and of rye used in breadmaking,² as amended by Regulation 644/68.³ The plaintiff is challenging the validity of these acts in contending that the conditions for adjusting the rate of the premiums were not fulfilled.

If the answer to this first question is yes, the German Court wants to know whether the denaturing premium was already applicable to denaturing processes notified to the intervention agency before the contested Regulations took effect, and implemented after that event without overrunning the time limit laid down for that purpose.

Case 6/75—Dr Ulrich Horst, Hanover-Buchholz v the Bundesknappschaft, Bochum

2432. In a legal action over the computation of a miner's pension, the Bundessozialgericht asked the Court of Justice, on 22 January 1975, for a preliminary ruling on whether, in determining the pension of a German national who worked in Algeria before that country gained its independence and who paid subscriptions into the Caisse autonome de retraite et de prévoyance des mines d'Algérie, pension rights must be considered, under Chapter 2 of Regulation 3 concerning migrant workers' social security,⁴ which could derive from the said subscriptions, even if the insured event occurred after 19 January 1965, the date on which Algeria was officially barred from the coverage of Regulation 3.

The Bundessozialgericht also wishes to know whether the recognition of insurance periods completed in Algeria, which was decided by France in favour of her own nationals, should not also apply to nationals of other Member States by virtue of the principle of no discrimination established by Article 8 of the said Regulation.

Case 7/75—Mr Angelo Marie Fracas and Mrs Lina Fracas-Ninotti, Rebécq-Rognon, v Belgium, in the person of the Ministre de la prévoyance sociale

2433. On 27 January 1975, the Nivelles Labour Tribunal asked the Court of Justice to give a preliminary ruling on whether the scheme of allowances for the handicapped (Belgian Law of 27 June 1969), in so far as it concerns the children of wage-earners, fell within the application of Article 12 of Regulation 1612/68 on the free movement of workers within the Community⁵ and of Regulation 1408/71 on applying social security schemes to wage-earners and their families who relocate within the Community.⁶

If the answer was yes, the Tribunal wanted to know the conditions of habitat to be fulfilled by the handicapped person when he attains his majority.

Case 8/75—Caisse primaire d'assurance maladie de Sélestat v Andlau Association Football Club

2434. Dealing with a legal action over the payment of social security subscriptions to a French social security agency, for German musicians living in Germany and performing occasionally in France, the French Cour de Cassation asked the Court of Justice, on 29 January 1975, for a number of preliminary rulings on interpretation of Article 13 of Regulation 3 concerning migrant workers' social security.⁷

The first question bears on the applicability of German social security law to those musicians. If it does, the Cour de Cassation wants

¹ OJ L193 of 14.7.1973.

² OJ 130 of 28.6.1967.

³ OJ L122 of 30.5.1968.

⁴ OJ 30 of 16.12.1958.

⁵ OJ L257 of 19.10.1968.

⁶ OJ L149 of 5.7.1971.

to know whether they are exempted from the subscriptions prescribed under French law. The third question concerns the benefits to be paid to such musicians by the French social security agencies in the event of an accident at work or on the road in France.

Case 9/75—Mr Martin Meyer-Burckhardt, Horben bei Freiburg i. Br. v the Commission

2435. A former Commission official, of German nationality, receiving two pensions since 1967, one of which is paid by the Federal Republic and the other by the Commission, and who considers himself harmed by the non-cumulative legislation introduced in Germany in 1968 (against which he has unsuccessfully tried, by lodging protests with the Commission, to invoke the infringement procedure provided under Article 169 of the EEC Treaty) has lodged an appeal with the Court of Justice for damages against the Commission for the loss he claims to have suffered because the Federal Republic had cut down his pension in applying the non-cumulative legislation.

Judgments

Case 29/74—Official of the European Parliament v the European Parliament

2436. This appeal to annul the appointment, by promotion, of three translators to the post of reviser was upheld by the Court's judgment of 23 January 1975.

Case 31/74—Pubblico Ministero Italiano v Mr Filippo Galli

2437. On 13 May 1974, the Rome Pretore had filed a request with the Court of Justice for a preliminary ruling on the compatibility of the

price-freezing scheme in Italy, especially in respect of products subject to the common organization of the cereal and oils and fats markets, with the Articles of the EEC Treaty relating to the free movement of goods and the common agricultural policy.

With its judgment of 23 January 1975, the Court ruled that a national scheme which, by freezing prices and requiring administrative authorizations, had the effect of changing the constitution of prices with the common organization of the foregoing markets, was incompatible with the Community Regulations introducing the common organizations, since the said Regulations guaranteed, with direct applicability to individuals, the free movement of goods especially by removing quantitative restrictions and any measures of equivalent effect.

Case 51/74—Commanditaire vennootschap P.J. van der Hulst's Zonen, Hillegom v Produktschap voor Siergewassen, The Hague

2438. In a legal action over the gathering by the Dutch authorities of two kinds of semi-fiscal taxes on the marketing of flower bulbs, the College van Beroep voor het Bedrijfsleven had asked the Court of Justice, on 17 July 1974, for a preliminary ruling on three questions of interpretation. They bore on:

- (i) the term 'tax of equivalent effect',
- (ii) the consequences deriving from the existence of a common organization of the market on the autonomous statutory power of Member States, and
- (iii) on the coverage of Article 93(2) and (3) of the EEC Treaty.

In its judgment of 23 January 1975, the Court interpreted the term 'tax of equivalent effect', and ruled that a national intervention mechanism was incompatible with the existence of a common organization of the market in the sector

of live plants and flowers in so far as the products failing to meet Community standards were taken into intervention. The Court also ruled that an internal tax on the sales of a product was incompatible with the Community provisions when it fell more heavily on export sales than on sales in the national market, or when the proceeds of the tax were intended to foster national products.

Case 55/74—Firma Robert Unkel, Würzburg-Heidingsfeld v Hauptzollamt Hamburg-Jonas

2439. In a legal action over the customs clearance of lard, pending exportation from the Federal Republic to the United Kingdom, the Hamburg Finanzgericht had asked the Court of Justice, on 25 July 1974, for a preliminary ruling on the export formalities to be discharged under (a) Regulation 1041/67 on modifying export refunds in the sector of products subject to a single-price system,¹ (b) Regulation 121/67 on the common organization of the market in the pigmeat sector,² and (c) Regulation 177/67 laying down the ground rules in the pigmeat sector for granting export refunds and specifying the criteria for setting the amount.³

In its judgment of 22 January 1975, the Court of Justice ruled on the formalities to be discharged for exports of products falling within the coverage of the abovementioned Regulations.

Case 68/74—Mr Angelo Alaimo, Décines v the Préfet du Rhône, Lyons

2440. The Lyons Administrative Tribunal, handling litigation over a scholarship awarded by the Conseil général du Rhône to the child of an Italian national, has asked the Court of Justice, on 16 September 1974, for a preliminary interpretation of Article 12 of Regulation 1612/68 concerning the free movement of workers within the Community.⁴

By the judgment of 29 January 1975, the Court ruled that the said Article was to be interpreted as ensuring, for the children in question, equality of status in the light of all the rights deriving from admittance, thus confirming its judgment of 3 July 1974 on Case 9/74.

Case 3/75 R—Johnson & Firth Brown Ltd., Sheffield v the Commission

2441. Under an appeal to quash the Commission's Decision of 5 December 1974 authorizing the British Steel Corporation to acquire a controlling interest in Johnson & Firth Brown Ltd. the plaintiff had also entered a plea to stay execution of the Decision and for other provisional measures.

With its order of 16 January 1975, the Court rejected the plea for stay but made the execution of the Decision subject to certain conditions.

Case 76/74—Firma Van Olffen BV, Hattem v the Commission

2442. On 11 October 1974, the Court of Justice received an appeal to quash the Commission's Decision of 24 July 1974 which, on the strength of Article 85 of the EEC Treaty, banned an agreement partitioning the Benelux market through trade-mark rights, which had been made between the plaintiff and a Belgian firm, for the egg-based liqueur manufactured and sold under the mark 'Advocaat Zwarte Kip'.⁵

At the request of the plaintiff, the Court struck the case from the record by its order of 16 January 1975.

¹ OJ 314 of 23.12.1967.

² OJ 117 of 19.6.1967.

³ OJ 130 of 28.6.1967.

⁴ OJ L 257 of 19.10.1968.

⁵ OJ L 237 of 29.8.1974.

Economic and Social Committee

127th Plenary session

2443. The 127th plenary session of the Economic and Social Committee, chaired by the regular Chairman, Mr Canonge, took place in Brussels on 29 and 30 January. Twelve Opinions and an informative report were adopted.

Informatory report on inflation

2444. The report begins with a definition of inflation and then examines its harmful effects on the various sectors of economic and social structures. It goes on to analyse the main internal causes and the international factors liable to have an inflationary impact on the Member States. The report indicates that the current double-figure inflation rates are mainly due to excessive demand. It finds that the rates began to mount after the economic boom which occurred concurrently in 1972 and 1973 in the big industrialized countries. The scarcity of means of production was compounded by the shortage of certain agricultural raw materials and the increased prices imposed by the oil-producing countries. Incomes had to be swollen to protect the purchasing power of private individuals and inflation became largely attributable to soaring costs, rather than to excess demand. The report shows that measures applied in combination are still a more effective weapon against inflation. But governments are still faced with the problems raised by the need not only to gain price stability but also to attain a high level of employment, economic growth, a satisfactory balance-of-payments position, etc. The application of measures to gain one objective often makes it more difficult to achieve another. In conclusion, the report candidly appraises the problem, its chief causes and the

factors to be reckoned with in the political options relating to anti-inflation action.

Opinions

Commission Communication to the Council: 'Energy for Europe—Research and Development'

2445. The Committee welcomed the Commission's moves for a common research policy combined with a new energy strategy for the Community. It felt that by developing the use of new and existing sources of supply and by lessening energy needs, research and development could play a double role in the Community's future energy situation. The Committee also stressed that because of the enormous expenditure involved, hard and fast priorities should be set when selecting avenues of research and the emphasis should be put on research likely to result in substantially less dependence on imported oil.

General aspects of the Community's Mediterranean policy

2446. The Committee endorsed the principle of a global Community policy in the Mediterranean area. But it hoped that the bilateral agreements to be made between the Community and Mediterranean countries would allow for the differences prevailing between those countries especially in respect of the nature and level of their economic development. The Committee also urged that the Mediterranean policy be prepared and conducted in accordance with the Community's internal policies and not be divorced from the Community's obligations towards other parts of the world. With regard to the guidelines of the prospective agreements, the Committee came out in favour of initiating real economic cooperation between equal partners.

The developing countries and the GATT negotiations

2447. Looking at the changes in the world economic picture since the autumn of 1973 and the dire consequences for certain developing countries and some of the industrialized nations, the Committee stressed that the trade negotiations within GATT were one of the avenues to reach greater monetary and world market stability. The Committee asked that in the negotiations special attention be paid to the needs of the developing countries. At the same time that they had to diversify production capacity to meet domestic needs, mainly in respect of foodstuffs, the developing countries should be exporting in order to obtain currency. With this in mind, the Committee then turned to specific problems facing those countries in connection with exports of commodities and semi-processed and processed agricultural products.

Communication to the Council on the problem of the paper-pulp and board industry

2448. The Committee welcomed the fact that the Commission's document was pertinent to defining a sectoral industrial policy. After shipbuilding and informatics, the paper industry had been selected because of its importance and the problems besetting it.

*Proposed Directive consolidating the provisions of the Directive on hill-farming in certain underfavoured areas, adopted by the Council on 21 January 1974**Proposed Directive on the Community list of underfavoured agricultural areas within the meaning of the Directive on hill-farming and farming in certain underfavoured areas*

2449. The Committee approved the Commission's Proposals and noted the fact that the Council had substantially heeded the Committee's Opinion issued in June 1973. It felt that the contribution from the EAGGF Guidance

Section must amount to 50% of the expenditure for compensatory allowances. In view of soaring production costs, the Committee hoped that the amount of the compensatory allowance and the limits of the Community's financial contribution to collective investments would be regularly adjusted. It also considered that the list of underfavoured regions and the criteria for determining them must be regularly reviewed, and stressed the advisability of coordinating projects foreseen by the Directive with those deriving from the application of the regional development policy.

Proposed Council Regulation amending Regulation 1107/70 on aid granted to road, rail and inland waterway transport

2450. The Committee warmly welcomed the Commission's Proposal. It felt that the Decision, approved in principle by the Council on 11 December 1974, is specially important in so far as it anticipates programmes which will serve to make steady and swift progress towards the financial stabilization of the railway companies. The Committee hoped that would result in less expensive transport charges for the public.

European Investment Bank**Loans issued**

2451. The EIB has concluded a contract at Frankfurt for the public issue on the German capital market of bonds for a nominal amount of DM 150 million (41 million u.a.), underwritten by a consortium of German banks headed by the Deutsche Bank AG together with the Dresdner Bank AG, Commerzbank AG and the Westdeutsche Landesbank Girozentrale.

The bonds bear interest at a nominal rate of 9.5%, payable on 1 January each year. The issue has a lifetime of eight years and is redeemable in three annual instalments, at par.

The bonds will be offered to the public from 14 January 1975 at 99%, with a yield of 9.7%, and will be listed on the Frankfurt, Berlin, Dusseldorf, Hamburg and Munich stock exchanges.

The proceeds from the sale of the bonds will be used by the EIB for its ordinary lending operations.

This new issue raises to DM 1360 million the total of public DM issues in Germany by the EIB. The total volume of the EIB's private placements in Deutsche Marks currently stands at DM 1090 million.

Loans granted

Italy

2452. The EIB has granted a loan equivalent to Lit. 24100 million (30 million u.a.) for development of the Malossa oil and gas field discovered by AGIP SpA in the Po Valley, 25 km from Milan, Italy.

The EIB loan—for a period of 7 years at an interest rate of 10.5%—will help finance the sinking of 15 production wells, installation of plant to separate the oil and gas, and the laying of pipelines.

This discovery was the first positive reward from the deep-drilling exploration programme carried out by AGIP for some years, employing most advanced techniques to reach depths between 4000 and 6500 metres. Reserves at Malossa have been calculated at around 50000 million cubic metres of gas and 40 million tonnes of oil.

Current forecasts are that in 1976 Malossa will supply Italy with 14% of its natural gas con-

sumption and 2.6% of its oil. Production on an industrial scale should start between the end of this year and the beginning of next.

The new deep-drilling technology will be used to thoroughly explore beneath the Po Valley, which may contain other such reserves, and it also opens the way to similar exploration elsewhere in the Community.

Turkey

2453. The EIB has concluded a loan contract with Turkey for the sum of 19 million u.a. (\$22 million) to help finance exploitation of a lignite deposit at Elbistan (200 km north-east of Adana) and construction of a 1200 MW thermal power station. It follows a first loan granted at the end of 1974,¹ and therefore brings the Bank's total finance for the Elbistan project to 77 million u.a. (\$92 million).

This second loan has been granted to the Turkish State on similar conditions to those applying to the first one: a term of 30 years including an 8-year grace period, at an annual interest rate of 2.5%. The State will on-lend the funds to the promoters on conditions suited to the economic and financial characteristics of the project.

This new operation raises to 166.9 million u.a. the total of loans on special conditions provided by the EIB under the terms of the second EEC-Turkey Financial Protocol, which came into effect on 1 January 1973. These loans are granted by the EIB on the mandate of the Member States of the Community, from the resources made available to the Bank by these States.

¹ Bull. EC 12-1974, point 2466.

Financing Community activities

Preliminary Draft Supplementary and Amending Budget No 1 for 1975

Budgetary consequences of the creation of the European Regional Development Fund

2454. The Heads of Government of the Community decided at their meeting in Paris on 9 and 10 December 1974 to set up a European Regional Development Fund endowed with 1300000000 u.a. for a three-yearly trial period.¹ On 21 January 1975 the Commission sent the budgetary authority a Preliminary Draft Supplementary and Amending Budget No 1 for the financial year 1975 devoted mainly to allocating supplementary appropriations to create this Fund.

They consist of 300 million u.a. as appropriations for commitment and 150 million u.a. as appropriations for payment. The distinction between these two types of appropriation is necessary because the operations concerned will cover several years, and in order to conform with the proposal for a Regulation submitted by the Commission.

The Communiqué on the meeting of the Heads of Government shows that the appropriation of 150 million u.a. is to be drawn from the appropriations which were not utilized, i.e., reserved, under the EAGGF Guidance Section. The Guidance Section at present includes two reserves of appropriations entered during the financial years 1969-73 but not used at the closing of the years concerned, i.e., 125 million u.a. entered under Article 833 (Priority agricultural areas) and 538 525 700 u.a. entered under Article 880 (Mansholt reserve).

The Commission proposes to exhaust completely the reserve of 125 million u.a., at the same time

withdrawing its proposal for priority agricultural areas, and to draw 25 million u.a. from the Mansholt reserve.

Amended distribution of appropriations within the Guidance Section of the EAGGF

2455. The Preliminary Draft Budget is not only a supplementary but also an amending budget as regards the breakdown of appropriations under Title 8. Since the Commission has decided to withdraw its proposal on the priority agricultural areas, Article 833 of the budget now has no purpose and the appropriation of 50 million u.a. entered therein must be transferred in order to keep the total appropriations of the EAGGF Guidance Section up to its endowment of 325 million u.a. The Commission proposes to enter these 50 million u.a. under Article 800 (Plans for improving the structure of agriculture referred to in Article 13 of the Regulation on the conditions for granting aid from the EAGGF).²

Research and investment appropriations— plutonium recycling in light-water reactors

2456. Pursuant to the Council Decision of 17 December 1974,³ laying down a joint research and training programme on plutonium recycling in light-water reactors, the Supplementary and Amending Budget No 1 contains an amendment to Annex I of Section III, Commission, of the budget. The necessary appropriations, amounting to about 0.5 million u.a., are transferred from Chapter 99 (Expenditure not specifically provided for) to Chapter 33 (Research and investment expenditure), which contains all the appropriations from Annex I, and a new chapter is created within the Annex for this purpose (Chapter 3.60).

¹ Points 22 to 24 of the final Communiqué: Bull. EC 12-1974, point 1104.

² OJ 34 of 27.2.1964.

³ OJ L349 of 28.12.1974.

Financing Community activities

Financing Community activities

**Table 5—Estimated Community revenue in 1975
(including Preliminary Draft Supplementary and Amending Budget No 1)**

			(in u.a.)
	1975 budget	Supplementary budget No 1/1975	New total 1975
Own resources	3 868 878 236	+ 21 294 163	3 890 172 399
Contributions (in accordance with the GNP scale)	1 899 242 885	+ 130 835 253	2 030 078 138
Other revenue	57 162 239	—	57 162 239
Grand total	5 825 283 360	+ 152 129 416	5 977 412 776

**Table 6—Estimated Community expenditure in 1975
(including Preliminary Draft Supplementary and Amending Budget No 1)**

			(in u.a.)
	1975 budget	Supplementary budget No 1/1975	New total 1975
<i>Commission</i>			
— European Regional Development Fund	5 723 893 644		
(a) Subsidies		+ 149 900 000	
(b) Studies		+ 100 000	
— Flat-rate repayment to Member States of costs incurred in collecting own resources		+ 2 129 416	
New total Commission			5 876 023.060
<i>Other institutions</i>			
	101 389 716		101 389 716
Grand total	5 825 283 360	+ 152 129 416	5 977 412 776

Administration of the budget appropriations—Internal rules

2457. Among its measures to adapt and improve the operations of its departments, the Commission has adopted under the title 'Internal Rules for the Implementation of the General Budget' a set of measures for the administration

of the budgetary appropriations and the monitoring of budget operations.

This document gives the departments a complete picture of budgetary procedures, and also provides an efficient instrument for monitoring the implementation of the budget at a time when a tight hold on the purse strings appears more necessary than ever. In addition the internal

5. Institutional questions—European policy

Financing Community activities

rules reflect the Commission's wish to delegate powers and responsibilities in the utilization of appropriations.

Own resources

2458. A group of financial experts from the Member States met for the first time on 13 and 14 January 1975, at the request and under the chairmanship of the Commission, in order to discuss ways of recording, entering into accounts and making available the revenue accruing from VAT, and also measures for the inspection of VAT revenue, if the Council agrees to the Proposal for a sixth Directive on VAT submitted to it by the Commission.

Elections to the European Parliament by direct universal suffrage

Draft Convention

2501. During the sitting of 14 January, the European Parliament, after a major debate,¹ passed a Resolution which presented a *draft Convention introducing elections to the European Parliament by direct universal suffrage*. There follows the text of the Resolution:

Resolution on adoption of a draft Convention introducing election by direct universal suffrage to the European Parliament

I

The European Parliament,

- (i) having regard to the report of its Political Affairs Committee;
- (ii) reaffirms its conviction that the process of European unification cannot succeed without the direct participation of the peoples affected;
- (iii) therefore considers a European Parliament elected by direct universal suffrage as an indispensable element in achieving further progress towards integration and establishing a better equilibrium between the Community institutions on a democratic basis,
- (iv) in pursuance of the task assigned to it by the Treaties establishing the European Communities,

¹ Point 2402.

- (v) having regard to the need to adapt the draft Convention of 1960 to the changed circumstances as they now exist,
- (vi) replaces the draft Convention it adopted on 17 May 1960¹ by the following:

Draft Convention on the election of members of the European Parliament by direct universal suffrage

The Council of the European Communities,

- (i) resolved to take the freely expressed will of the peoples of the Member States of the European Communities as the justification for the mission entrusted to the European Parliament;
- (ii) anxious to emphasize the representative character of the European Parliament by the election of its members by direct universal suffrage;
- (iii) having regard to Articles 21(3) and 96 of the Treaty establishing the European Coal and Steel Community;
- (iv) having regard to Articles 138(3) and 236 of the Treaty establishing the European Economic Community;
- (v) having regard to Articles 108(3) and 204 of the Treaty establishing the European Atomic Energy Community;
- (vi) having regard to the draft prepared by the European Parliament and adopted by it on 14 January 1975, has drawn up the following provisions which it recommends the Member States to adopt:

Chapter I—General provisions

Article 1

The representatives of the peoples in the European Parliament shall be elected by direct universal suffrage.

Article 2

1. The number of representatives elected in each Member State shall be as follows:

Germany:	71
Belgium:	23
Denmark:	17
France:	65
Ireland:	13
Italy:	66
Luxembourg:	6
Netherlands:	27
United Kingdom:	67
<hr/>	
Total:	355

2. The Parliament, the Commission or the Government of any Member State may propose to the Council changes in the number of members provided for in paragraph 1.

Amendments to this Convention shall be made pursuant to the procedure provided for in Article 14 of this Convention.

Article 3

- 1. Representatives shall be elected for a term of five years.
- 2. The five-year legislative period shall begin at the opening of the first session following each election.

Article 4

- 1. Representatives shall vote on an individual and personal basis. They shall accept neither instructions nor any binding mandate.
- 2. National legislation shall ensure that the representatives receive the same guarantees as to

¹ OJ 37 of 2.6.1960.

independence, indemnity and immunity as their counterparts in the national Parliaments.

Article 5

Membership of the European Parliament shall be compatible with membership of a Parliament of a Member State.

Article 6

1. The office of representative in the European Parliament shall be incompatible with that of a:

(i) member of the Government of a Member State;

(ii) member of the Commission of the European Communities;

(iii) judge, advocate-general or registrar at the Court of Justice of the European Communities;

(iv) member of the Court of Auditors of the European Communities;

(v) member of the Consultative Committee of the European Coal and Steel Community or member of the Economic and Social Committee of the European Economic Community and of the European Atomic Energy Community;

(vi) member of committees or other bodies set up in pursuance of the Treaties establishing the European Coal and Steel Community, the European Economic Community and the European Atomic Energy Community for the purpose of managing the Communities' funds or carrying out a permanent and direct administrative task;

(vii) member of the Board of Directors, Management Committee or staff of the European Investment Bank;

(viii) active official or servant of the institutions of the European Communities or of the specialized bodies attached to them.

2. Subject to the entry into force of special rules pursuant to Article 7(1) of this Convention,

the provisions of each Member State relating to incompatibility with a national parliamentary mandate shall be applied.

3. Representatives of the European Parliament appointed, in the course of a legislative period, to any of the offices mentioned above shall be replaced under the terms of Article 12.

Chapter II—Electoral system**Article 7**

1. The European Parliament shall draw up a proposal for a uniform electoral system by 1980 at the latest. The Council shall unanimously lay down the appropriate provisions, which it shall recommend to the Member States for adoption in accordance with their constitutional requirements.

2. Pending the entry into force of this uniform electoral system and subject to the other provisions of this Convention, the electoral system shall fall within the competence of each Member State.

Article 8

The provisions governing the admission of political parties to elections in each Member State shall apply to elections to the European Parliament.

Article 9

1. Elections to the European Parliament shall be held on the same day in all Member States.

2. Any Member State may, however, decide to hold the elections one day earlier or later than the fixed date or to spread them over two consecutive days including that day.

3. The Council shall make arrangements in accordance with the procedure laid down in

Article 14, to ensure that the election results are declared at one and the same time.

Article 10

1. Elections to the European Parliament shall be held not later than one month before the end of each legislative period.
2. The European Parliament shall sit automatically on the first Tuesday following an interval of one month from the last day of the elections.
3. The outgoing European Parliament shall remain in office until the first sitting of the new Parliament.

Article 11

Pending the entry into force of the uniform electoral system to be adopted in accordance with Article 7(1), the European Parliament shall verify the credentials of representatives and rule on any disputes that may arise in this connection.

Article 12

Pending the entry into force of the uniform electoral system to be adopted in accordance with Article 7(1) and subject to the other provisions of this Convention, the Member States shall lay down appropriate procedure for filling any seat which falls vacant during a legislative period.

Chapter III—Transitional and final provisions

Article 13

1. Subject to the provisions of Article 9, the first elections to the European Parliament, shall

be held not later than the first Sunday of May, 1978.

2. The date of subsequent elections shall be fixed, taking account of Articles 3, 9 and 10, in accordance with the procedure laid down in Article 14.

Article 14

Should reference be made to the procedure laid down in this Article or should it appear that further measures are required to implement direct elections to the European Parliament in accordance with this Convention and if the necessary powers are not provided, the Council shall, acting unanimously on a proposal from the European Parliament and with its approval, make the appropriate provisions. The Council shall consult the Commission before making its decision.

Article 15

1. The following provisions stand repealed by the present Convention:

Article 21(3) of the Treaty establishing the European Coal and Steel Community, Article 138(3) of the Treaty establishing the European Economic Community, and Article 108(3) of the Treaty establishing the European Atomic Energy Community.

2. Article 21 (1 and 2) of the ECSC Treaty, Article 138 (1 and 2) of the EEC Treaty, and Article 108 (1 and 2) of the EAEC Treaty shall be repealed on the date fixed in Article 10(2).

Article 16

This Convention is drawn up in the Danish, Dutch, English, French, German, Irish and Italian languages, all seven texts being equally authentic.

Article 17

1. this Convention shall be ratified by the Member States in accordance with their respective constitutional requirements.
2. The instruments of ratification shall be deposited with the Government of the Italian Republic, which shall inform the signatory States and the institutions of the European Communities when this has been done.
3. This Convention shall enter into force on the day the instrument of ratification is deposited by the last signatory State to carry out this formality.

II***The European Parliament,***

- (i) instructs its Political Affairs Committee to establish appropriate contacts with the Council and the Member States with a view to securing the early adoption of the draft Convention;
- (ii) urges the Council to establish the appropriate contacts with the European Parliament immediately if, in its opinion, changes should be made to the draft Convention;
- (iii) instructs its Political Affairs Committee to bring forward a supplementary report when modifications to the draft Convention appear to be necessary;
- (iv) instructs its Political Affairs Committee immediately to carry out the necessary preliminary work for the introduction of a European electoral system;
- (v) instructs its President to forward this Resolution, together with the draft Convention and the Report of its Committee, to the Council and Commission of the European Communities and to the Parliaments and Governments of the Member States.

2502. Speaking during the debate on the draft Convention introducing elections to the European Parliament by direct universal suffrage, the President of the Commission, Mr François-Xavier Ortoli, declared:

'Since 1960 the aim of achieving direct elections to the European Parliament, while it may not have ceased to preoccupy both yourselves and the Commission, no longer ranks as one of the top priority subjects of the moment...'

The President went on to point out, however, that 'the events of 1974 and the difficulties and challenges facing Europe give us reason to believe, not on any grounds of principle but out of sheer necessity, that some progress will be made in the institutional field, with special reference to the achievement of a greater degree of European democracy...'.

President Ortoli was at pains to stress the point that 'at the recent Paris Summit, the Heads of Government took a decision of far reaching political implications, whereby dates were fixed, objectives formulated and a very profound and powerful stimulus was given...'.

President Ortoli declared that he saw in these developments 'an illustration of the usefulness of meetings among Heads of Government, where such meetings are well prepared and concentrate on a restricted agenda. Meetings of this kind produce political stimuli which are of primary importance, while avoiding the endless wranglings and risks of becoming bogged down, associated with other forums'.

Commenting on progress towards a new institutional balance, President Ortoli had the following to say:

'To envisage direct elections to the European Parliament is tantamount, to a large degree, to raising the problem of the legislative powers of Parliament and, in the final analysis, looking forward to the achievement of European union

and the general institutional balance which will be created as a result. Viewed in these terms, the Paris Communiqué represents a first landmark on the road to European union...'.

The President stressed 'the need to keep the various aspects of Europe's institutional development quite separate, for fear of creating a predictable political bottleneck, should these issues be allowed to become interdependent...'

President Ortoli then warned against the *danger of indulging in preparations and preliminary planning on an excessively bureaucratic scale:*

'As of now the institutions of the Community are confronted by a series of deadlines, procedures and commitments. Earmarked for 1975 are the adoption by Parliament of a draft Convention, the submission of a report on European union by each of the institutions and the presentation of an initial comprehensive report by Prime Minister Tindemans. By 1976 the Council will be committed to adjudicate on the proposals put forward by Parliament, and in 1978 the first direct parliamentary elections are due to be held. All of these various procedures form an integral part of one overall objective: to evolve a new institutional system for Europe. It is imperative that they should be the subject of an ongoing creative and reflective process, and in no event should they be allowed to hamstring the authority of any given institution or to interfere with the latter's right to make proposals or representations whenever it sees fit...'

'The somewhat absurd debate sparked off out of the blue between the advocates of progress resurrected as a result of institutional developments and the advocates of revival (primarily and exclusively at economic and monetary level) seems to my mind to have been totally silenced by the Heads of Government: *we have now reached a point where the reality of Europe, the problems which it must face, and the fulfilment of our ambitions demand that our institutions move forward.* For this reason I am heartened

by the fact that, despite the considerable crisis in which Europe finds itself, and despite the pressing deadlines as regards external payments, inflation and employment, those who bear responsibility at the highest level have succeeded in demonstrating their ambition and true political courage, inspired by a vision of the role of our institutions, and have redirected Europe along the straight and logical path of integration by reasserting and reinforcing the European project conceived in the Treaty of Rome and highlighted at the October Summit of 1972...'

The President then declared that Europe *had made a decisive choice on the road to democracy:*

'For the first time the objective of European union has been broached in terms of universal suffrage. This attitude has a symbolic value and, at the same time, considerable practical implications, in that it represents a commitment to build up the new European institutional system in accordance with democratic principles. This in itself is something very precious, since one could easily imagine (not without foreboding) how an unduly technical approach to the work of preparing for the Europe of tomorrow might have disregarded, or at the very least underestimated, the fundamental requirements of democracy...'

'To set to work on the Europe of tomorrow by introducing democratic machinery is beyond doubt the most effective way of tackling the construction of Europe. The thrusting dynamism thus engendered is bound to play—and, I believe, will continue to play—an extremely positive role in ensuring subsequent progress in the building of Europe by reinforcing European legitimacy, and at the same time giving added weight to the measures implemented in Europe's name...'

'This will be true in the future by virtue of the fact that direct elections to the European Parliament will have the effect of placing the citizens

of Europe at the very centre of European events. Direct elections represent the most effective way of realizing something the Commission has always prayed for, i.e. the involvement of public opinion in the construction of Europe.'

In conclusion, President Ortoli drew attention to the fact that 'the reassuring prospects for the future cannot release us from the frequently thankless, and consistently difficult, task facing us at the present time...' In addition, however, 'we must, from now on, be able to count on positive results. The imminent prospect—for 1978 is only just round the corner—of direct elections to the European Parliament must help to create a feeling of finality and give a more pronounced sense of direction to our current efforts to enable Europe to surmount the economic and social difficulties which beset this continent. Furthermore, we must find a more effective way of convincing the citizens of Europe that the measures proposed or embarked upon at Community level are designed to help them master a destiny which is theirs by right, and in the shaping of which they will very soon be most closely involved.'

Financing of the Community budget by Member States

2503. On 30 January, the Commission adopted a Communication to the Council concerning the 'corrective mechanism' which would be applicable under the terms of the final Communiqué of the meeting of Heads of Government in Paris on 9 and 10 December 1974,¹ should the participation of certain Member States in the Community budget be inappropriate owing to their economic situation. The Communication is a response to the mandate assigned to the Community institutions by the Heads of Government and to the desire to institute a mechanism

wholly compatible with the Treaty and guaranteeing overall adherence to the Community's system of own resources. The recommended mechanism allows for the idiosyncrasies of the various own resources and is in keeping with the Community budgetary system.

The text of the Communication is as follows:

The unacceptable situation and the correcting mechanism

Commission communication to the Council

2504. In the Communiqué issued following the Summit meeting in Paris on 9-10 December 1974, the Community institutions (the Council and Commission) were invited 'to set up as soon as possible a correcting mechanism of a general application which, in the framework of the system of 'own resources' and in harmony with its normal functioning, based on objective criteria and taking into consideration in particular the suggestions made to this effect by the British Government, could prevent during the period of convergence of the economies of the Member States the possible development of situations unacceptable for a Member State and incompatible with the smooth working of the Community'.

The Heads of Government confirmed that 'the system of "own resources" represents one of the fundamental elements of the economic integration of the Community', and recalled the Community declaration during the accession negotiations that 'if unacceptable situations were to arise the very life of the Community would make it imperative for the institutions to find equitable solutions'.

¹ Points 35 to 37 of the Communiqué: Bull. EC 12-1974, point 1104.

The Commission here sets out, in the light of these texts, the approach it feels should be adopted in devising a correcting mechanism to prevent the possible development of 'unacceptable situations incompatible with the smooth working of the Community'.

**I. What constitutes
an 'unacceptable situation incompatible
with the smooth working of the Community'**

2505. Paragraph 37 of the Paris Communiqué refers to objective criteria on which the correcting mechanism must be based and which must define the possible development of unacceptable situations.

The Commission has endeavoured to define criteria straight-forward enough for their fulfilment to be established without unnecessary discussion, and carrying sufficient meaning to enable an assessment to be made of the risk of an unacceptable situation arising. These criteria would be used as the basis for a decision to put the correcting mechanism into operation.

For it to be apparent that an unacceptable situation is about to arise, there have to be two factors present, the existence of which is itself established as a result of several criteria. These two factors are a certain economic situation and a disproportionate contribution to Community financing.

The Commission considers that the risk of an unacceptable situation within the meaning of the Paris Communiqué must depend on an assessment of the simultaneous occurrence for a Member State of a certain economic situation and of a disproportionate contribution to Community financing.

A — Economic situation

2506. The criteria which may be adopted in this regard are of several kinds.

They may be indicators of national wealth, such as Gross National Product per capita, or of economic growth, such as the rate of increase in GNP per capita. These criteria may be evaluated against a Community average. The former shows the extent of the current gap between national economies and the latter gives a good idea of the convergence or divergence between the Member States' respective economic situations and of the effectiveness of their economic policies.

Other criteria give a clearer picture of the overall state of the economy concerned, for example the existence of a current-account balance-of-payments deficit, the size of which must be related to the Gross National Product.

These criteria have to be applied in combination to assess the economic situation with regard to the question at issue; the definition of such an economic situation is that the following are all present at the same time:

- (i) Gross National Product per capita below 85% of the Community average;
- (ii) rate of growth of GNP per capita below 120% Community average;¹
- (iii) a deficit on the balance of payments on current account.

These criteria would be calculated on the basis of a moving three-year average, in line with the market rates of exchange, pending the introduction of a theoretically more satisfactory system of assessing rates of exchange in terms of purchasing power.

¹ Where the national wealth of a Member State measured by GNP per capita is below the Community average, for the respective economic situations to converge it is necessary that that State's rate of growth should be above the Community average: this would result in it progressively catching up with the others. Where its rate of growth is below the Community average it would only lag further and further behind them.

**B — Disproportionate contribution
to Community financing**

2507. As regards Community financing, the Commission feels several aspects of the Member States' payments towards the Community Budget have to be taken into consideration, both as to the criteria defining the circumstances liable to lead to an unacceptable situation and, when these criteria are fulfilled, as to the activation of the correcting mechanism.

The first aspect, until such time as the process of convergence has been completed, could be comparison between a Member State's relative share calculated according to the results of the Decision of 21 April 1970 on the replacement of financial contributions from the Member States by the Communities' own resources¹ and what its share would be if based on the straight relation between its own GNP and the Community's.

Where the Member State's relative share is appreciably higher than it would be if based on relative GNP, and where the other criteria referred to in this communication are operative, corrective action would be called for. Such action would need to take account of the different character of the three classes of Own Resources designated in the Decision of 21 April 1970. Whereas payments from VAT (or based on relative GNP pending agreement on VAT) can be regarded as a burden on the Member State concerned, the same reasoning cannot be applied to the same extent to agricultural levies and customs duties, in consequence of the free movement of goods within the Community. Hence, having regard to the nature and purposes of the Own Resources system, the correcting mechanism should not be set in motion every time that any disparity, no matter how small, develops, and for the same reason, even where it is set in motion, the disparity should not be compensated in its entirety.

Accordingly, it would appear best that application of the correcting mechanism should be confined to cases where the relative share is over 110% of the relative GNP of the Member State concerned; also, the correction should not apply to the whole of the disparity but should be limited to two-thirds of it.

The second aspect to be considered is the existence of a potential net foreign-exchange burden due to the implementation of the Community Budget. So long as the process of convergence has not produced a true monetary union, payments towards the Community Budget represent a potential foreign-exchange burden on the Member States. The Community Budget is implemented through convertible accounts held by the Commission in each Member State. Under the regulations in force, to avoid unnecessary exchange transactions, the Commission, to whose account are credited Member States' Own Resources payments, gives priority in drawing on this account to payments corresponding to its expenditures in the Member States concerned. In accordance with its requirements, the Community may then make transfers for the purpose of financing operations outside that State. As a result there is a potential net foreign-exchange burden on the Member States concerned, once its national currency has been paid outside its borders and can be the subject of conversion. Unless there is such a potential foreign-exchange burden, Member States should not be able to call in question the consequences of the Own Resources system.

Also, the amount of the potential net foreign-exchange burden would be a second ceiling on the operation of the correcting mechanism.

Thirdly, the correcting mechanism should take account of the different nature of the three

¹ This Decision defines the relative share of a Member State as the share of each Member State in the total amounts paid.

classes of Own Resources designated in the Decision of 21 April 1970: whereas payments from VAT (or those based on relative GNP pending agreement on VAT) can be regarded as a burden on the Member States concerned, the same reasoning cannot be applied to the same extent to agricultural levies and customs duties, because of the free movement of goods within the Community. Hence operation of the correcting mechanism could appropriately be limited to the total payments in respect of VAT by the Member State concerned.

The foregoing comparisons and calculations would need to be effected on the basis of market rates of exchange pending the introduction of a theoretically more satisfactory system of evaluating rates of exchange in terms of purchasing power.

C — Procedure

2508. The Commission considers that where the criteria for the possible development of an unacceptable situation are operative this entitles a Member State to apply for the correcting mechanism to be put into operation. It would be for the Commission to assess the reality of the situation by reference to the pre-established criteria, and if appropriate to enter the necessary amount, determined as below, in the next preliminary draft Budget. The Council would decide on the amount so entered under the Budget procedure.

In practice the Member State concerned would have to act at the end of the first half-year. In doing so, it would indicate to what extent it considered the above criteria applied to its case in the context of the process of convergence of the Community economies. The criteria as to the economic situation would be considered in the light of the figures for the last three years expressed as a moving three-year average, and the criteria as to contribution to Community

financing in the light of the forecasts for the current year. The amount required would be entered as 'expenditure necessarily resulting' in the Budget for the following year; it might if necessary be adjusted on the basis of the correcting mechanism according to the outturn of the forecasts of the contribution to Community financing.

II. Suggested correcting mechanism

2509. To achieve the desired end, the Commission considers the correcting mechanism to be used should be based on Budget refunding.

For this purpose, any excess payment of Own Resources, on the basis of Own Resources actually transferred and Own Resources which have been transferred had a GNP-based financing scale been used, would give entitlement to a refund from a new Budget line, the amount of the refund being determined by reference to the excess payment.

For this purpose the amount would be calculated as follows:

- (i) with respect to the tranche of the relative share between 100% and 105% of the relative GNP, there would be no refund;
- (ii) with respect to the tranche of the relative share between 105% and 110% of the relative GNP, the refund would be 50% of the payment corresponding to this tranche.

Similarly, for the tranches beyond, the refund would be:

110%-115%	60%
115%-120%	70%
120%-125%	80%
125%-130%	90%
130% and over	100%

As noted above, the amount of the refund would be subject to a ceiling of (i) two-thirds of the total excess payment, (ii) the amount of the net

Budget imposed on the Member State concerned or (iii) the amount of VAT Own Resources paid, whichever was the lowest. Notwithstanding the Budget rules in force, all the foregoing calculations are at market exchange rates; Budget entry would be calculated at the Budget exchange rate.

The fact that a Member State has benefited from the correcting mechanism for three consecutive years could indicate a chronic divergence between Member States' economic situations. The Community authorities would then make a special examination of the situation of the State in question and take the appropriate measures to give effect to Community solidarity in the light of the assessment made of the convergence of economic situations and policies.

III. Concluding remarks

2510. As there is no Treaty provision for specific means of action on which the correcting mechanism thus outlined could be based, the Commission considers it would be necessary to have recourse to Article 235 EEC.

The arrangements suggested by the Commission could be operated for a trial period of seven years. At the end of that time the Community authorities would consider the conditions of application of the mechanism and take steps accordingly.

Community law and national law

2511. In reply to a Written Question from Mr Cousté, a member of the European Parliament, the Commission, on 29 January, once again explained its position in respect of the Decision of 29 May 1974, whereby the Federal German

Constitutional Court had decided that it had jurisdiction to review, in the light of the fundamental rights recognized by the German Constitution, the secondary legislation of the institutions of the European Communities and in the case of conflict to declare a provision of such secondary legislation inapplicable within the territory of the Federal Republic.¹

In its reply, the Commission states:

'The Commission considers that this Decision calls into question one of the basic principles of the Community legal order, namely the uniform application of Community law in all the Member States and thus could lead to a fragmentation of this law. This is not to say that the Commission does not appreciate the need to ensure that fundamental rights are effectively protected but it is this very protection which has become one of the cornerstones of the case law of the Court of Justice. At all events it is for the Court alone to rule upon the validity and the applicability of Community law as regards its compatibility with fundamental rights.'

The Commission does not consider it opportune, at this point, to take action under Article 169 of the EEC Treaty, but has, while keeping this possibility open, taken steps to make clear to the German Government the serious concern felt by it over this Decision of the Federal Constitutional Court.'

Political cooperation

2512. The Political Committee held its first meeting under Ireland's Presidency, at Dublin Castle on 23 and 24 January.

¹ Bull. EC 12-1974, point 2501.

European policy

Euro-Arab dialogue

2513. The Coordination Group of the Nine met in Dublin on 22 January to discuss the continuation of the dialogue after the visit to Cairo on 17 and 18 January by the new Irish Chairman of the Group and the representative of the Commission.

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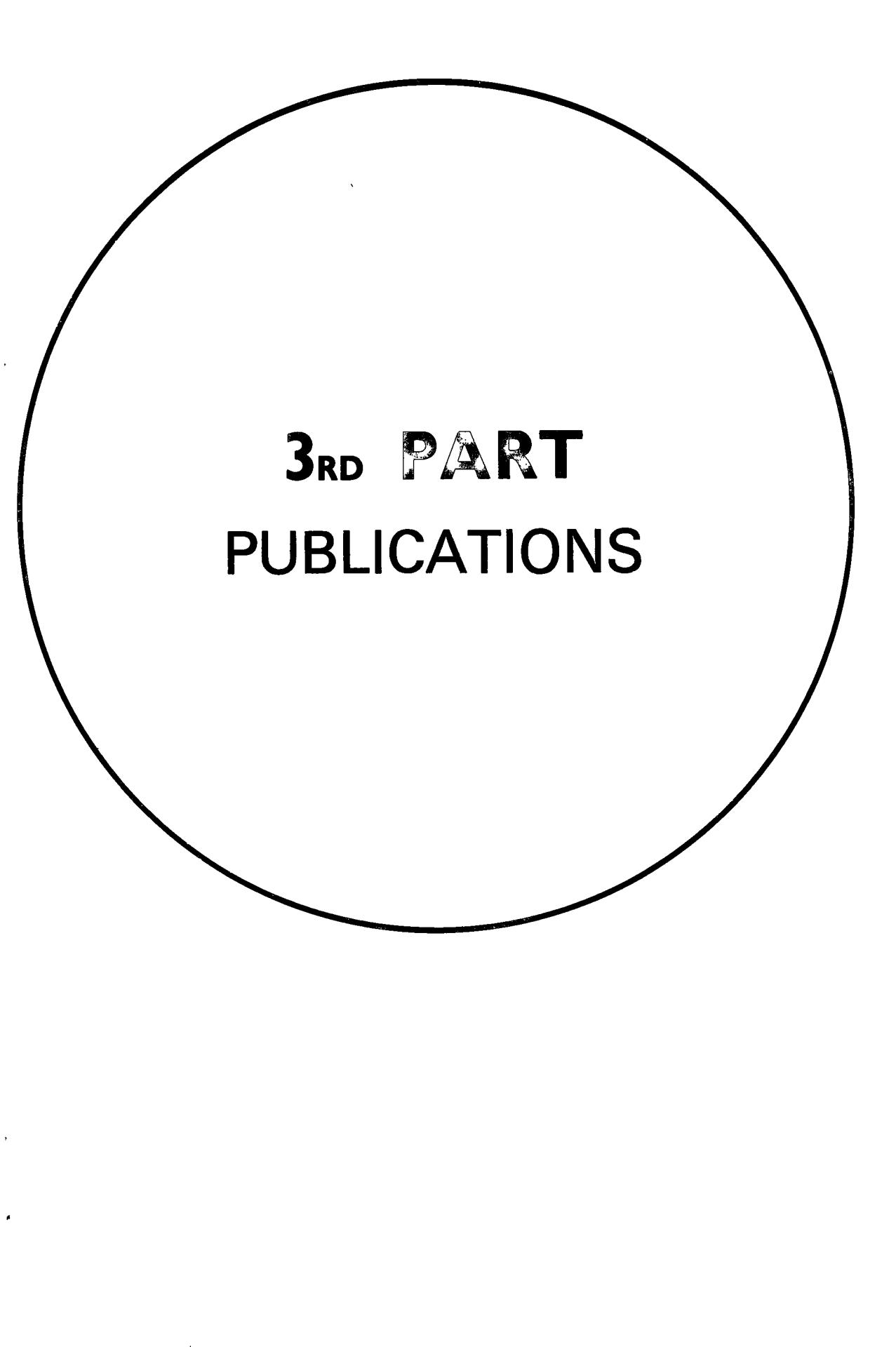
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Note to the reader

As from the March 1975 issue of the Bulletin of the European Communities, the section 'Published in the Official Journal' will be omitted. The information concerned can be found in a more comprehensive form in the monthly Methodological Tables of the Official Journal of the European Communities. They can be obtained from the Official Publications Office of the European Communities or from the Sales Offices (see the last page of the Bulletin) at the following prices: Bfrs 50, Dkr. 7.80, DM 3.40, £ 0.55, FF 6.20, Lit. 850, Fl. 3.45, US \$ 1.20.

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