

# RESOLUTIONS

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1977 - 1978

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## FOREWORD

This publication contains, in chronological order, all the resolutions adopted by the European Parliament in plenary sitting during the 1977/1978 session. The minutes of proceedings have been published in the Official Journal of the European Communities.

The name of the rapporteur is given after the title of each resolution in Index A, except where the motion was tabled by one or more Members or Groups. Where the motion was drawn up by a committee, the preamble to the resolution indicates the committee responsible.

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More detailed information concerning these resolutions and the action taken on them can be obtained from the Minutes, Action Taken on Resolutions, and Archives Division.

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Sitting of 11 March 1977

(O.J. No. C 83 of 4.4.1977)

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- a Regulation amending Regulation (EEC) No. 2893/74 on sparkling wines produced in the Community and specified in item 12 of Annex II to Regulation (EEC) No. 816/70, and Regulation (EEC) No. 817/70 laying down special provisions relating to quality wines produced in specified regions

Sitting of 22 April 1977

(O.J. No. C 118 of 16.5.1977)

Opinion on the proposals for:

- I. a Regulation concerning imports of rice from the Arab Republic of Egypt
- II. a Regulation concerning imports of bran, sharps and other residues derived from the sifting, milling or other working of cereals originating in the Arab Republic of Egypt

Opinion on the proposal for a Regulation further extending the period of validity of Regulations (EEC) No. 1509/76 and (EEC) No. 1522/76 on imports into the Community of prepared and preserved sardines originating in Tunisia and Morocco respectively

Opinion on the proposal for a Regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp, falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Turkey

Opinion on the proposal for a Regulation on the import of certain wine products originating in Greece

Sitting of 13 May 1977

(O.J. No. C 133 of 6.6.1977)

Proposal for a Regulation opening, allocating and providing for the administration of a Community tariff quota for fresh or dried hazelnuts, shelled or otherwise, falling within subheading ex 08.05 G of the Common Customs Tariff, originating in Turkey

Sitting of 17 June 1977

(O.J. No. C 163 of 11.7.1977)

Proposal for a Regulation opening, allocating and providing for the administration of Community tariff quotas for certain wines of designation of origin, falling within subheading 22.05 C of the Common Customs Tariff, originating in Algeria (1977/78)

Proposal for a Regulation amending Regulation (EEC) No. 471/76 in respect of the period of suspension of the application of the condition on prices governing the importation into the Community of fresh lemons originating in certain Mediterranean countries

Sitting of 8 July 1977

(O.J. No. C 183 of 1.8.1977)

Proposal for a Regulation on imports of olive oil originating in the Lebanon

Proposal for a Regulation extending for the sixth time the system of temporary partial suspension of the Common Customs Tariff duties on wine originating in and coming from Turkey provided for in Regulation (EEC) No. 2823/71

Proposal for a Council Directive amending for the first time Council Directive No. 76/118/EEC on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption

Proposal for a Decision modifying Decision 75/458/EEC concerning a programme of pilot schemes and studies to combat poverty

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- a Regulation amending Regulations (EEC) No. 3035/76 and (EEC) No. 3036/76 opening, allocating and providing for the administration of Community tariff quotas for dried figs and dried grapes, falling within subheadings ex 08.03 B and 08.04 B I of the Common Customs Tariff, originating in Spain (1977)
- a Regulation amending Regulations (EEC) No. 3032/76, (EEC) No. 3033/76 and (EEC) No. 3034/76 opening, allocating and providing for the administration of Community tariff quotas for certain wines, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Spain (1977)



Sitting of 16 September 1977  
(O.J. No. C 241 of 10.10.1977)

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- II. a Regulation opening, allocating and providing for the administration of Community tariff quotas for Madeira wines, falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Portugal (1978)
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Proposal for a Regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Israel (1978)

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(O.J. No. C 266 of 7.11.1977)

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Proposal for a Directive amending Directive 64/432/EEC on, as regards brucellosis, the buffered brucella antigen test, 45/20 vaccine and the inconclusive range to the serum agglutination test

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- II. a Regulation amending the Annexes to Regulations (EEC) No. 1408/71 and (EEC) No. 574/72 on the application of social security schemes to employed persons and their families moving within the Community

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Proposal for a Directive prolonging certain derogation measures in relation to brucellosis and tuberculosis granted to Denmark, Ireland and the United Kingdom

Proposal for a Directive amending the Directive of 20 May 1975 (75/319/EEC) on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products

Proposal for a Regulation opening, allocating and providing for the administration of a Community tariff quota for wines from fresh grapes and grape must with fermentations arrested by the addition of alcohol falling within heading No. 22.05 of the Common Customs Tariff, originating entirely in Greece

Proposals for:

- I. a Regulation amending Article 9 of Regulation (EEC) No. 1180/77 on imports into the Community of certain agricultural products originating in Turkey
- II. a Regulation amending Regulations (EEC) No. 1508/76, (EEC) No. 1514/76 and (EEC) No. 1521/76 on imports of olive oil originating in Tunisia, Algeria or Morocco

Proposal for a Regulation suspending application of the condition to which the importation into the Community of certain citrus fruit originating in Spain or in Cyprus is subject by virtue of the Agreements between the Community and those countries

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Proposal for a Regulation extending the term of validity of Regulations (EEC) No. 2843/76 and (EEC) No. 2844/76 laying down special measures in particular for the determination of the offers of olive oil on the world market and on the Greek market

Sitting of 18 November 1977

(O.J. No. C 299 of 12.12.1977)

Proposals for:

- I. a Regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Tunisia (1978)

II. a Regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff and originating in Morocco (1978)

Proposal for a Regulation derogating in favour of Denmark from Regulation (EEC) No. 1445/72 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE)

Proposal for a Regulation amending Regulation (EEC) No. 1736/75 on the external trade statistics of the Community and statistics of trade between Member States

Proposal for a Regulation opening, allocating and providing for the administration of a Community tariff quota for certain prepared or preserved bovine meat falling within heading No. ex 16.02 of the Common Customs Tariff and originating in Malta (1978)

Proposal for a Regulation on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1978)

Proposal for a Regulation amending Council Regulation (EEC) No. 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

Sitting of 16 December 1977  
(O.J. No. C 6 of 9.1.1978)

Proposals for:

- I. a Regulation on the opening, allocation and administration of a Community tariff quota for dried figs falling within subheading ex 08.03 B of the Common Customs Tariff, originating in Spain (1978)
- II. a Regulation on the opening, allocation and administration of a Community tariff quota for dried grapes falling within subheading ex 08.04 B I of the Common Customs Tariff, originating in Spain (1978)

Proposals for:

- I. a Regulation on the opening, allocation and administration of a Community tariff quota for Jerez wines falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Spain (1978)
- II. a Regulation on the opening, allocation and administration of a Community tariff quota for Malaga wines falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Spain (1978)
- III. a Regulation on the opening, allocation and administration of a Community tariff quota for wines from Jumilla,

Priorato, Rioja and Valdepeñas falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Spain (1978)

Proposal for a Regulation on the opening, allocation and administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 A II b) of the Common Customs Tariff (1978)

Proposals for:

- I. a Directive amending for the 13th time Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption
- II. a Directive amending for the second time the Council Directive 70/357/EEC on the approximation of the laws of the Member States concerning the antioxidants authorized for use in foodstuffs intended for human consumption

Proposal for a Directive extending the derogations granted in respect of classical swine fever to Denmark, Ireland and the United Kingdom

Sitting of 20 January 1978  
(O.J. No. C 36 of 13.2.1978)

Proposal for a Regulation amending Regulations (EEC) No. 1059/69, (EEC) No. 1060/69 and (EEC) No. 2682/72 on the trade arrangements for processed agricultural products not covered by Annex II to the Treaty

Sitting of 17 February 1978  
(O.J. No. C 63 of 13.3.1978)

Proposal for a Regulation amending Regulations (EEC) No. 2727/75 and (EEC) No. 1418/76 as regards the export refunds for cereals and rice exported in the form of goods not covered by Annex II to the Treaty

Proposal for a Regulation opening, allocating and providing for the administration of Community tariff quotas for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Morocco (1978/79)

Proposals for:

- I. a Regulation amending Regulation (EEC) No. 483/77 opening, allocating and providing for the administration of Community tariff quotas for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Morocco (1977/78)
- II. a Regulation amending Regulation (EEC) No. 1391/77 opening, allocating and providing for the administration of Community tariff quotas for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Algeria (1977/78)

## RESOLUTION

on the recommendations adopted by the Joint Parliamentary Committee of the EEC-Greece Association in:

- Rome on 9 December 1975
- Aghios Nikolaos (Crete) on 19 May 1976
- Berlin on 23 November 1976

*The European Parliament,*

- having regard to the recommendations adopted by the Joint Parliamentary Committee of the EEC-Greece Association at its Xth, XIth and XIIth sessions held from 8 to 10 December 1975 (Doc. 448/75), 18 to 20 May 1976 (Doc. 122/76) and 22 to 24 November 1976 (Doc. 436/76) respectively,
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee and the Committee on Agriculture (Doc. 546/76),
1. Approves the principles underlying the recommendations made at the Xth, XIth and XIIth sessions of the Joint Parliamentary Committee of the EEC-Greece Association,

*As regards Greece's accession to the EEC*

2. Welcomes the formal opening on 27 July 1976 of the negotiations concerning Greece's accession to the Community and the decision of 19 October 1976 concerning the negotiation procedures;
3. Notes with satisfaction that the process of transition to full membership envisaged by the Treaty of Association has now effectively begun;
4. Hopes that the accession negotiations will as soon as possible move on to the phase in which practical problems will be examined;
5. Affirms the need for Greece like every other country which has applied for accession to the EEC to accept all that has been achieved so far in the shaping of the Community together with the internal and external obligations arising therefrom. Is convinced, therefore, that solutions to the problems arising from the transition to full membership must be sought through the adoption of transitional measures and not by means of adjustments to Community rules;
6. Expresses the view that, since Greece's accession to the EEC must promote the interests of both sides, appropriate and mutually advantageous solutions will have to be found during the accession negotiations to all the problems inevitably posed by the transition to membership status. This requirement must not slow down the progress of the negotiations but make it possible for both parties to work out appropriate solutions as and when necessary;
7. Is convinced that the Community must take the opportunity of Greece's accession to strengthen its cohesion and enhance its capacity for decision-making and positive action;

*As regards the association between Greece and the EEC*

8. Affirms that the further development and consolidation of the association consequent upon the opening of the accession negotiations now assume special importance and significance inasmuch as progress towards accession also depends on the results obtained under the association;
9. Notes with satisfaction that the deadlines laid down in the Association Agreement for the dismantling of customs barriers and the alignment of Greek customs tariffs on the Common Customs Tariff are being met and that the customs union is now in its final stage;

10. Notes with regret that no significant progress has been made in the negotiations on the harmonization of agricultural policies and that countervailing charges are still being applied to the Greek products listed in Annex III to the Association Agreement;

11. Welcomes the considerable expansion of trade between the two sides since the entry into force of the Association Agreement, but draws attention to the deficit in Greece's trade balance with the EEC;

12. Welcomes the action taken by the Greek Government and the successes achieved in changing industrial and agricultural structures and reducing the regional imbalances of the country and stresses the need to intensify such action in anticipation of Greece's accession to the Community;

13. Hopes that the second Financial Protocol will be signed and ratified without delay so that Greece may continue to receive the financial aid pledged by the Community since the signing of the Association Agreement;

*As regards political matters of joint interest*

14. Having followed with the closest attention developments in the Eastern Mediterranean and considering that events in this area constitute a danger to peace in the Eastern Mediterranean and have a significant impact on international relations both in Europe and in the world at large, reaffirms its belief that the problems affecting this area must be settled as quickly as possible by peaceful means based on international law;

15. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities, the Greek Parliament, the Parliaments of the Community Member States and the Greek Government.

## RESOLUTION

on economic and trade relations between the European Community and Japan

*The European Parliament,*

— recalling its resolutions of 2 February 1970 on trade relations between the Six and Japan <sup>(1)</sup> and 15 December 1976 on Community trade with Japan <sup>(2)</sup>,

— having regard to the report of the Committee on External Economic Relations (Doc. 570/76),

— having regard to the motion for a resolution by Mr Klepsch on behalf of the Christian-Democratic Group, on trade between the EEC and Japan (Doc. 483/76),

1. Expresses its deep concern at the constant growth of the Community's trade deficit with Japan;
2. Draws attention to the alarming consequences to employment of Japanese competition which concentrates on limited sectors of industries such as shipbuilding and electronics and notes the increasing regional imbalances which result from these Japanese activities;
3. Calls upon the Commission to examine and report to Parliament on the methods whereby Japanese exporters and financial houses penetrate various markets in the Community with a view to domination of those markets, thereby infringing the rules of fair competition;
4. Feels that, in certain sectors, voluntary limitation of Japanese exports to the Community is temporarily required;
5. Stresses, however, that a substantial increase in Community exports to Japan would play a key role in ending this trade deficit, and welcomes the fact that this view was shared by the Heads of Government of the Community at the European Council meeting of 29 and 30 November 1976;

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<sup>(1)</sup> OJ No C 25, 28. 2. 1970.

<sup>(2)</sup> OJ No C 6, 10. 1. 1977, p. 69.

6. Requests the Commission to strongly urge the Japanese Government to make substantial concessions giving the industries of the European Community access to the Japanese domestic market comparable to that enjoyed by Japan to the Community market, and to ensure that the Japanese authorities put an end to the non-tariff barriers to imports from the Community;
7. Welcomes the Japanese Government's recent decision to simplify the technical control procedure for motor vehicles and pharmaceutical products from the Nine;
8. Notes that relations between certain Member States and Japan are still governed by bilateral agreements and shares the view that the provisions of these agreements may be applied only under the terms of the common trade policy and only by the Community so that the cohesion of the Community policy is maintained and the free movement of goods within the common market is not jeopardized;
9. Feels that questions of mutual interest and the differences between Japan and the Community should be resolved by common agreement on the basis of the principle of freedom of trade;
10. Stresses the importance of continuing these consultations at parliamentary level and suggests, therefore, the inauguration of regular contacts between delegations from the European Parliament and the Japanese Diet;
11. Takes the view that, notwithstanding the differences of opinion that have arisen in recent years in the trade sector, the two parties have to face similar challenges and difficulties, which implies a community of interests;
12. Hopes that, given this community of interests, widespread cooperation will be possible between the two parties, especially in multilateral matters (North-South dialogue and GATT for instance) and also in the areas of energy policy, research and pollution control;
13. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and, for information, to the Japanese Government and Parliament.

#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for a Regulation on the advance application of certain provisions of the ACP-EEC Convention of Lomé relating to trade with respect to certain countries signatory to Agreement of accession to this Convention (Sao Tome and Principe, the Cape Verde Islands and Papua New Guinea)

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(76) 450 and COM(76) 634 fin./B),
  - having been consulted by the Council (Docs. 345/76, 493/76 and 580/76),
  - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on External Economic Relations, the Committee on Agriculture and the Committee on Budgets (Doc. 583/76),
1. Approves the Commission's proposals for a Regulation stipulating the application of provisions relating to trade between the Community and Sao Tome and Principe, the Cape Verde Islands and Papua New Guinea before the Accession Agreements enter into force;
  2. Welcomes in particular that Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP countries and the OCT <sup>(1)</sup> will also be applied in advance;
  3. Considers it essential that the provisions relating to trade should enter into force as soon as possible and remain valid until the ratification of the Accession Agreements, but not later than 31 December 1977;
  4. Calls on the Commission to take all necessary measures to extend trade relations between the applicant countries and the Community and hopes that the advance application of the provisions relating to trade will lead directly to an improvement in living standards;
  5. Instructs its President to forward this resolution and the report of its committee to the competent authorities in the ACP States.

<sup>(1)</sup> OJ No L 85, 31. 3. 1976, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the draft fourth medium-term economic policy programme

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 6 of the Council Decision of 18 February 1974 on the attainment of a high degree of convergence of the economic policies of the Member States of the European Community (Doc. 361/76),
  - conscious of the importance of a healthy economy for the Community, for political and social conditions within the Community, of its responsibility towards the developing countries and of the need for an international division of labour,
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Social Affairs, Employment and Education (Doc. 579/76),
1. Supports the proposal submitted by the Commission;
  2. Stresses that the programme is essentially a skeleton plan, the ultimate value of which will depend on the submission by the Commission of the necessary practical proposals for the implementation of the programme;

*As regards economic and monetary union*

3. Considers that the fourth medium-term economic policy programme is in line with the agreed principles of economic and monetary union; regrets however that the programme content is so general and the objectives it

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<sup>(1)</sup> OJ No C 12, 17. 1. 1977, p. 1.



deals with so distant that in view of the Community's inability to formulate decisions in this field it will hardly make a significant contribution to the achievement of economic and monetary union by 1980;

4. Recalls its resolution of 11 March 1976 <sup>(1)</sup>, in which it:

- called on the Commission to submit proposals 'for the economic and monetary policy measures needed for the restarting and functioning of an economic and monetary union',
- and called on the Council 'to harmonize the economic and monetary policies of the Member States through suitable short- and medium-term measures, making full use of the provisions of the EEC Treaty';

5. Recalls that in that same resolution it approved the Commission proposal for a European Communities Institute for Economic Analysis and Research, and calls upon the Council to establish the institute without any further delay;

6. Finds that the lack of progress by the Community towards economic and monetary union is due to:

- the lack of political volition on the part of the Council to take the necessary decisions,
- the lack of political volition on the part of the Member States to act in accordance with the decisions taken by the Council,
- the Commission's hesitancy about submitting concrete proposals where acceptance by the Council is in doubt;

7. Calls on the Commission to make it abundantly clear to the Council that the Community now stands at a crossroads where:

- it must either make immediate, sustained and full use of existing Community instruments, and create new ones, to guarantee greater convergence between economic development in the individual Member States and to give genuine expression to Community solidarity,
- or resign itself to steadily growing disparity between the economic development of Member States, which could constitute a real threat to the existence of the Community;

8. Calls on the Commission to fulfil its task as an organ of management authoritatively and not to restrict itself in this important field of Community activities to the administration of Council decisions but rather to submit its own constructive proposals immediately for the necessary measures stated here;

9. Also calls on the Commission to invoke Article 11 of the Council Decision of 18 February 1974 on the attainment of a high degree of convergence of the economic policies of the Member States of the European Community <sup>(2)</sup> if a Member State fails to comply with the common short- and medium-term guidelines;

*As regards the fourth medium-term economic policy programme*

10. Recalls that price stability, external balance, growth and full employment are equally valid objectives <sup>(3)</sup>;

11. Emphasizes that the achievement of these four objectives must be the purpose of medium- and long-term economic policies; in short-term economic policies more weight may be given to one or other of these objectives in the light of current conditions;

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<sup>(1)</sup> OJ No C 79, 5. 4. 1976.

<sup>(2)</sup> OJ No L 63, 5. 3. 1974.

<sup>(3)</sup> Council Directive of 18 February 1974 on stability, growth and full employment in the Community (OJ No L 63, 5. 3. 1974).

12. Takes note, in the light of the above, of the Commission's proposed quantitative objectives for the period 1976 to 1980:
- (a) a halving of the present number of unemployed by 1980,
  - (b) average economic growth of at least 4.5 to 5 % per annum,
  - (c) a reduction in the rate of inflation to at most 4 to 5 % by 1980 at the latest,
  - (d) conversion of the external deficit into a positive balance of 0.5 to 1 % of GDP by 1980;
13. Agrees that a lower level of unemployment cannot be achieved without:
- faster and more even economic growth than in the past five-year period, and
  - a considerable reduction in inflation;
14. Is of the opinion that bringing forward the age of retirement, reducing working hours and raising the school leaving age are not on their own suitable means for reducing unemployment;
15. Supports in particular the ideas for an active labour market policy, for abolishing unemployment amongst young people and for improving vocational training and retraining schemes and increasing the mobility of workers, and stresses the need to obtain better and more comparable unemployment statistics in order to establish the causes of unemployment;
16. Agrees with the Commission that close cooperation between the Commission and the two sides of industry on the implementation of the medium-term programme is of particular importance; further worker participation in companies is an important factor in a wages and prices policy as a component of a policy for higher and steadier growth;
17. Agrees with the Commission that a strict currency and credit policy is vital in order to achieve stability and in particular that limits must be placed on the growth of the money supply;
18. Is of the opinion that the Council must take urgent steps to transform the European Monetary Cooperation Fund into an instrument for coordination between the Member States in the fields of currency and credit;
19. Draws attention to the need for a structural policy to increase the performance and competitiveness of the economies of the Community countries and is of the opinion that the concrete measures in the field of sectoral structural policy proposed by the Commission in its medium-term economic policy programme should have been given greater emphasis;
20. Calls on the Commission to submit at long last in 1977 a general structural policy programme to encourage and coordinate the necessary restructuring and constant adjustment of the economies of the Member States, taking particular account of the small- and medium-sized undertakings in all sectors;
21. Calls on the Commission to submit to the Council in the near future proposals for the improvement of the Regional and Social Funds and the Guidance Section of the European Agricultural Guidance and Guarantee Fund as regards their institutional and operational aspects and also cooperation between them, in the light of structural and regional policy requirements;
22. Supports the Commission's view that market and profitability prospects, together with financing conditions, are of crucial significance for the way in which investment evolves;
23. Considers that the Commission has not made sufficiently clear its concept of regular notification of information on investment projects in some highly capital-intensive industries; requires more detailed information on the proposal to improve transparency by introducing a regular procedure for the notification of information on investment projects before it can deliver an opinion;

24. Emphasizes that the wishes expressed by the European Parliament when adopting the third medium-term programme that, *inter alia*:

- the Commission should be entrusted with instruments of economic and monetary policy,
- greater cohesion should be created between the policies of the Member States,
- a more precise and concrete structural policy should be drawn up, and that statistical survey methods should be harmonized to give a better basis for comparison of economic data in the Community,

have not been fulfilled, and reiterates these views;

25. Expects, in view of the failure of the third programme, that the Commission will pursue a practical policy by making the fourth programme a reference point for national economic policies, updating the medium-term projections each year, regularly examining the compatibility of national budgetary policies with the medium-term objectives, suggesting to the Council annual quantitative objectives for the currency policies of the individual States and creating at Community level the conditions for consultation procedures between the two sides of industry;

26. Instructs its Committee on Economic and Monetary Affairs to keep a close watch on the realization of the fourth programme and, where necessary, to draw up a further report;

27. Instructs its President to forward this resolution and the report of its committee to the Governments and Parliaments of the Member States.

#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning certain measures to prevent abuses resulting from the sale of agricultural products on board ship**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 27 fin.),
  - having been consulted by the Council pursuant to Articles 43 and 235 of the Treaty establishing the EEC (Doc. 581/76),
  - having regard to the report of the Committee on Agriculture (Doc. 582/76),
1. Welcomes all measures aimed at eliminating abuses found to exist in the functioning of the common market;
  2. Approves, therefore, the Commission's proposal.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to boats and their fittings

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 263/76),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Economic and Monetary Affairs (Doc. 575/76),

1. Is pleased that, following a series of Directives on the approximation of the laws of the Member States relating to motor vehicles, a start is now also being made on the approximation of the provisions of the various Member States relating to boats and their fittings;

2. Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 198, 24. 8. 1976, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the procedure for applying the European unit of account (EUA) to the legal acts adopted by the institutions of the European Communities

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 362/76),
- having regard to the report of the Committee on Budgets (Doc. 569/76),

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<sup>(1)</sup> OJ No C 271, 17. 11. 1976, p. 5.

- (a) aware of the importance of introducing the European unit of account without gravely perturbing existing arrangements,
  - (b) recalling its resolution of 14 December 1976 in which it urged that the European unit of account shall be applied for the 1978 financial year,
1. Accepts that there is a need to bring the unit used to measure the accounts of the general budget of the European Communities closely into line with real trends in exchange rates;
  2. Views the present proposal as being particularly timely because it harmonizes with the change-over to the system of own resources effective from 1 January 1978;
  3. Considers that the use of the European unit of account will add to budgetary transparency;
  4. Notes that the accounting implications of the transition are especially complex, and, therefore, considers that the Commission must keep the Control sub-Committee informed, on a regular and continuing basis throughout 1978, of any specific problems arising;
  5. Calls on the Audit Board to pay particular attention to this matter in the context of its work and asks it to communicate to Parliament, in advance of the full report on the financial year 1978, any grounds for concern that come to its notice;
  6. Accepts that the proposal represents a pragmatic and flexible approach to the problem of finding a just and appropriate standard of measurement for the general budget of the European Communities;
  7. Reiterates its belief that this change in budgetary accounting will in no way diminish the destabilizing economic and monetary factors which have brought about the distortions in exchange rates that make the present proposal necessary;
  8. Believes, therefore, that a sustained and comprehensive effort is needed to secure a broadly-based Community programme designed to bring about an improved balance between the economies of Member States;
  9. Asks the Commission to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation (ECSC, EEC, Euratom) on the procedure for applying the European unit of account (EUA) to the legal acts adopted by the institutions of the European Communities**

Preamble and recitals unchanged

<sup>(1)</sup> For complete text, see OJ No C 271, 17. 11. 1976, p. 5.

DEFINITION OF THE EUA (REMINDER) <sup>(1)</sup>

*Article 1*

*Definition of the EUA*

1. The EUA shall be made up of the following amounts of the currencies of the Member States of the Community:

DM	0.828
£ Stg.	0.0885
FF	1.15
Lit	109
Fl	0.286
Bfrs	3.66
Lfrs	0.14
Dkr	0.217
£ Irl	0.00759

2. The value of the unit of account in a given currency shall be equal to the sum of the equivalents in that currency of the amounts of the currencies set out in paragraph 1. The value shall be determined by the Commission on the basis of the exchange rates recorded each day on the exchange markets, according to the method published in the *Official Journal of the European Communities*.

deleted

*Article 1*

**Definitions**

1. As defined in Article 10 of the Financial Regulation <sup>(1)</sup>, the EUA shall be made up of the following amounts of the currencies of the Member States of the Community:

DM	0.828
£ Stg.	0.0885
FF	1.15
Lit	109
Fl	0.286
Bfrs	3.66
Lfrs	0.14
Dkr	0.217
£ Irl	0.00759

2. unchanged

**General quotation day**

3. 'General quotation day' for the purposes of Articles 20 and 26 below shall mean a day on which the counter-value of the EUA is published in respect of the currency of each Member State.

SECTION I

USE OF THE EUA AS AN INSTRUMENT OF BUDGETARY MANAGEMENT

Articles 2 and 3 unchanged

*Article 4*

**Commitment, recovery and payment in EUA**

1. Every proposal for commitment, every payment order and every recovery order shall be entered in the accounts in EUA.

*Article 4*

**Commitment, recovery and payment in EUA**

1. unchanged

<sup>(1)</sup> See Article 10 of the proposal for a Council Regulation (ECSC, EEC, Euratom) amending the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities, Doc. COM(76) 210 fin. of 12 May 1976.

2. A payment order made out in EUA shall be executed by a transfer made in EUA.

If the beneficiary is unable or unwilling to receive or keep sums in EUA, he may request the financial institution instructed to execute the payment order to convert the EUA into one of the nine currencies of the Member States.

In such cases, the conversion shall be made by the institution at the rate applying on the day of execution.

Any costs involved in such conversion shall be charged to the budget of the Communities.

2. A payment order made out in EUA shall be executed by a transfer made in EUA.

If the beneficiary is unable or unwilling to receive or keep sums in EUA, he may request the financial institution instructed to execute the payment order to convert the EUA into one of the nine currencies of the Member States.

In such cases, the conversion shall be made by the institution at the rate applying on the day of execution.

Any costs involved in such conversion shall be charged to the budget of the Communities, **when for contractual or regulatory reasons payment in EUA is not legal tender.**

Articles 5 to 8 unchanged

*Article 9*

**Entry in the accounts of expenditure in respect of the EAGGF, Guarantee Section, and food aid operations financed by advances**

1. During the 1978 budget year, expenditure in respect of the EAGGF, Guarantee Section, and food aid operations financed by means of advances shall be paid in national currencies and entered in the accounts on the basis of the rate applying on a reference day to be fixed for each month.

The reference rate to be applied to month 'n' shall be the 20th of month (n - 2).

The balances in national currencies in the Member States shall be recalculated by the accounts department of the Commission at the reference rate for the following month.

2. From the 1979 budget year onwards, advances under the EAGGF, Guarantee Section, and food aid operations shall be paid to the Member States in EUA and expenditure incurred in national currencies shall be justified in terms of EUA.

3. *The procedures for implementing this Article shall be adopted by the Commission in accordance with the procedure laid down in Article 13 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy.*

*Article 9*

**Entry in the accounts of expenditure in respect of the EAGGF, Guarantee Section, and food aid operations financed by advances**

1. unchanged

2. unchanged

3. Provisions for adopting the procedures for implementing this Article are set out in Article 29 below.

SECTION II

EXPRESSION IN EUA OF THE COMMUNITIES' FINANCIAL RIGHTS AND  
OBLIGATIONS

Article 10 unchanged

STAFF AND OPERATION

*Article 11*

Expenditure relating to persons working with the institution

1. *Application of the unit of account to the Communities' rights and financial obligations with respect to certain categories of persons referred to in Title 1 of the general budget and who are working with the institution shall be laid down in special provisions.*

2. By way of derogation from Article 10, the Communities' rights and financial obligations with respect to other categories of persons referred to in Title 1 and Chapter 33 of the general budget and not mentioned in *the preceding paragraph* together with similar rights and financial obligations with respect to categories of persons referred to in Title 2 of the general budget, may be expressed in national currency.

*Article 11*

Expenditure relating to persons working with the institution

1. Arrangements regarding the application of the unit of account to expenditure relating to persons working with the institution are provided for at Article 29 below.

2. By way of derogation from Article 10, the Communities' rights and financial obligations with respect to other categories of persons referred to in Title 1 and Chapter 33 of the general budget and not mentioned in Article 29 below together with similar rights and financial obligations with respect to categories of persons referred to in Title 2 of the general budget, may be expressed in national currency.

Articles 12 and 13 unchanged

*Article 14*

Price revision index

1. For contracts expressed in EUA, the price revision index shall be the weighted average of the general national price indices or that relating to the sector of activity concerned.

2. For contracts expressed in a national currency, the price revision index shall be that of the general prices or of the sector of activity concerned in the country in which the co-contractor has his registered office.

*Article 14*

Price revision index

When contracts include a price revision clause, the following provisions shall apply:

1. unchanged

2. unchanged

Article 15 unchanged



INTERVENTION OPERATIONS

*Article 16*

**Expression of amounts in applications for, and decisions on, financial aid**

1. Applications for financial aid and decisions on such aid shall be expressed in EUA.
2. The amounts expressed in a national currency in applications for aid shall be converted into EUA at the rate obtaining on the date set as a deadline for submitting the application, where such a date has been fixed; where no date has been fixed, the conversion shall be made at the rate obtaining on the day when the application is received by the Commission.

*Article 16*

**Expression of amounts in applications for, and decisions on, financial aid**

1. unchanged
2. If, however, the amounts are expressed in a national currency in applications for aid, such amounts shall be converted into EUA at the rate obtaining on the date set as a deadline for submitting the application, where such a date has been fixed; where no date has been fixed, the conversion shall be made at the rate obtaining on the day when the application is received by the Commission.

Articles 17 to 19 unchanged

SECTION III

**ADJUSTMENT OF THE AMOUNTS EXPRESSED IN UNITS OF ACCOUNT AND IN NATIONAL CURRENCIES IN THE LEGAL ACTS OF THE COMMUNITIES**

*Article 23*

*Transit arrangements, verification of origin and duty-free arrangements*

*The detailed rules for the application of Community transit, verification of origin and customs and fiscal exemptions will be regulated separately.*

*Article 23*

deleted (included in Article 29 below)

SECTION IV

**TRANSITIONAL PROVISIONS**

Articles 24 to 27 unchanged

SECTION V

GENERAL FINAL PROVISIONS

*Article 28*

**EUA conversion rates**

1. The rates for conversion of the EUA into the different national currencies shall be available each day. They shall be published daily in the *Official Journal of the European Communities* (Information and Notices).
2. If a rate has not been published in the Official Journal in respect of a particular day or a particular national currency, the rate applicable for the day or currency in question shall be that applicable on the last day for which a rate was published.
3. *'General quotation day' for the purposes of Articles 20 and 26 shall mean a day on which the counter-value of the EUA is published in respect of the currency of each Member State.*

*Article 29*

**Detailed rules for application**

The detailed rules for the application of this Regulation in respect of matters dealt with by the Financial Regulation applicable to the general budget of the European Communities shall be adopted in accordance with Article 118 of the Financial Regulation <sup>(1)</sup>.

*Article 28*

**EUA conversion rates**

1. unchanged
2. unchanged
3. deleted (included in Article 1 above)

*Article 29*

**Detailed rules for application**

1. The procedures for implementing Article 9 shall be adopted by the Commission in accordance with the procedure laid down in Article 13 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy.
2. Application of the unit of account to the Communities' rights and financial obligations with respect to certain categories of persons referred to in Title 1 of the general budget and who are working with the institution shall be laid down in special provisions.
3. The detailed rules for the application of the EUA to Community transit, verification of origin and customs and fiscal exemptions will be regulated separately.
4. The detailed rules for the application of this Regulation in respect of matters dealt with by the Financial Regulation applicable to the general budget of the European Communities shall be adopted in accordance with Article 118 of the Financial Regulation <sup>(1)</sup>.

**Article 30 unchanged**

<sup>(1)</sup> See the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities (73/91/ECSC, EEC, Euratom).

## RESOLUTION

on the report of the ECSC Auditor for the financial year 1975 and the discharge to be given to the Commission of the European Communities in respect of the financial and budgetary activities of the ECSC in that financial year

*The European Parliament,*

- having regard to the report of the ECSC Auditor for the financial year 1976 (Doc. 231/76),
- having regard to the report of the Committee on Budgets (Doc. 567/76),

### *I. External control of the ECSC's financial and budgetary operations*

#### 1. Notes with great satisfaction:

- (a) the powers exercised by the ECSC Auditor, which are based largely not on regulations but on the precedents he has established — with the collaboration of the institution and the departments to which the audits relate — with regard both to financial management and to the accounting operations connected with the ECSC's activities,
- (b) the comprehensiveness of the report, which is based on continuous checks carried out in conjunction with financial operations; however, the number of staff is inadequate in the light of the remarkable increase in the financial activities to be audited and in particular it is impossible to carry out sufficient on-the-spot checks,
- (c) the steps the Auditor has taken to ensure effective external control of the ECSC, pursuing a policy of close cooperation with the internal management control and ensuring that the proper conditions exist for the coordination of financial activity and that this activity is carried out in a manner consistent with the objectives to be attained,
- (d) the Commission's effort to initiate, upon publication of the Auditor's report, a dialogue on the ECSC's activities with a view to answering the main criticisms put forward in the report,
- (e) the satisfactory dialogue between Parliament and the Auditor, due mainly to the latter's willingness to take steps to ensure that the political authority responsible for the discharge is able to make a political assessment of the management as a whole and not simply its accounting aspects;

2. Considers that, in the light of these factors and principles, what has been achieved in the external control of the ECSC must be safeguarded, given that, for the Court of Auditors of the European Communities too, a doctrine has been evolved that meets the requirements of external control as regards assessing the activities of the European Communities;

3. Points out that the Auditor is also firmly of the same opinion, as is indicated in the 'reflections on the work of the external auditor', in answer to Parliament's request and in the light of experience over the past 20 years;

## II. *Remarks on specific points*

4. Notes that the Auditor considers the arrangements for collection of the levy satisfactory; feels, however, that, when fixing the annual levy rate, the institution should take account of the fact that certain payments are overdue, mainly because of the present economic situation; acknowledges the efforts made by the Commission, in accordance with the wishes of the European Parliament, to increase audit checks and considers that they should be carried out even more systematically;

5. Notes that the systematic notification of all new decisions on rehabilitation has facilitated the task of the Auditor in checking rehabilitation expenditure; regrets, however, that the Commission has not adopted the same policy of systematically forwarding all audit reports drawn up by the administrative departments;

6. Considers, however, that in the case of expenditure on technical and social research:

(a) because the register of contracts is not kept systematically — and is in any case restricted to the purely financial aspects — the authority responsible is unable to make an assessment and obtain a full picture of financial policy in this sector,

(b) the time that elapses between the submission of an application and the decision to grant assistance and the delays in executing contracts are sometimes so long that it is difficult for the Auditor to evaluate factors that are essential to an assessment of the financing,

(c) the final reports on these contracts and the on-the-spot checks are inadequate;

7. Notes with interest the remarkable expansion of borrowing and lending operations for the financing of industrial investments, industrial structural reorganization and social housing construction in the iron and steel and mining sectors, which has necessitated intensive checks throughout the duration of contracts often extending over a period of more than 10 years; points out in this connection that:

(a) the yield from 21 loans granted in 1975 totalled about 597 million units of account,

(b) the loans granted out of borrowed funds totalled 2 027 million units of account as at 31 December 1975;

8. Agrees with the Auditor's largely favourable assessment as regards the management and investment of funds and also with the remarks referring in particular to overdue interest payments and the inaccurate calculation of the rent for the ECSC building in Washington and above all the remark addressed to the Member States which, contrary to the provisions annexed to the Treaty, have sought to treat the ECSC as a potential speculator at the risk of considerably increasing its financial burden; moreover, calls for the harmonization of the ways of calculating interest, which at present vary from one Community country to another;

9. Considers that the Auditor has insufficient information on the financing of social housing construction to be able to judge whether this assistance is justified in the light of the Community's general objectives with regard to social housing construction;

10. In more general terms, urges the Commission, in view of its responsibility for the management of the ECSC's activities, to provide appropriate explanations when adopting the balance sheet to be submitted to the Auditor, to enable him to make a full assessment of financial operations from the point of view of sound financial management;

11. Insists in this connection that the special reports submitted to the Auditor should be comprehensive and should, as he has requested, be based on continuous and systematic audits;

12. Draws attention also to the fact that the Auditor deplores the unsatisfactory situation that still exists as regards the centralization of accounts and explanations of decisions and the background information required by the external control body — and hence also the parliamentary authority responsible for the discharge — to keep Community decisions and programmes that have financial implications under constant observation;

### III. *Essential data for the financial year 1975*

13. Notes that:

(a) expenditure totalled:	264 277 126 u.a.
— service of borrowings and guarantees:	146 100 544 u.a.
— budgetary expenditure:	75 680 465 u.a.
— financial costs:	296 873 u.a.
— excess of income over expenditure:	42 199 244 u.a.
(b) income was broken down as follows:	
— service of loans and guarantees:	151 360 452 u.a.
— levy:	70 198 954 u.a.
— interest on bank deposits and portfolio contributions from new Member States:	42 615 164 u.a.

14. Feels able to give a discharge to the Commission in respect of the ECSC's financial activities in the financial year 1975, but urges the Commission to take steps without delay to eliminate the shortcomings to which the Auditor has drawn attention;

15. Instructs its President to forward this resolution and the report of its committee to the Commission of the European Communities.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision concluding the European Convention on the protection of farm animals

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 115/76),
- having regard to the report of the Committee on Agriculture (Doc. 566/76),

1. Accepts the Commission's proposal for the European Convention on the protection of farm animals to be concluded on behalf of the Community, subject to the following reservations and remarks;
2. Regrets the delays in the implementation of Community policy in the fields of animal health, welfare and nutrition;
3. Believes that the excessively general principles contained in the Convention are a wholly inadequate substitute for a Community policy on animal welfare and research into new methods of animal husbandry; also calls for a critical study of the provisions on trade in animals;
4. Finds unacceptable the absence of any provisions whatsoever concerning the future implementation of measures to be adopted under the Convention;
5. States that approval by the European Parliament of the conclusion of the Convention by the Community shall not be taken to include approval of measures adopted by the Community in the framework of the Convention;
6. Insists that any measures to be adopted in the framework of this Convention shall require an opinion by the European Parliament;
7. Calls upon the Commission to draw up a report, two years after the entry into force of the Convention, on the effect given to the principles contained therein.

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(<sup>1</sup>) OJ No C 113, 14. 6. 1976, p. 6.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive concerning health protection standards for sulphur dioxide and suspended particulate matter in urban atmospheres

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 5/76),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Economic and Monetary Affairs (Doc. 568/76),

1. Welcomes the Commission's proposal for a Directive as a further measure aimed at the adoption and implementation of Community rules on air purification;
2. Regrets, however, that the Commission has not succeeded in keeping to the timetable laid down in the programme of action of the European Communities on the environment of 22 November 1973 <sup>(2)</sup>, and urges the Commission to endeavour in future to implement the Community's environmental protection programmes within the prescribed time limits;
3. Feels that it would be more appropriate for this proposal for a Directive to be based on Article 100 rather than Article 235 of the EEC Treaty, and invites the Commission to consider whether it can alter the legal basis accordingly;
4. Supports unreservedly the fundamental purpose of the Directive, which is to ensure the observance of health protection standards in urban atmospheres without at the same time causing any deterioration in the quality of the atmosphere in regions where air pollution is slight;
5. Notes with satisfaction that the Commission, in close collaboration with the World Health Organization (WHO), has succeeded in basing its proposal for a Directive on the latest scientific data;
6. Criticizes, however, the fact that the air quality standards proposed by the Commission are to take effect only from 1982 and insists that they should instead enter into force by 1980 at the latest;
7. Requests the Commission to bring forward similarly by two years, i.e. to the period 1980 to 1985, the period during which provisions may be enacted permitting by way of exception the fixed average daily levels to be exceeded;

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<sup>(1)</sup> OJ No C 63, 19. 3. 1976, p. 5.

<sup>(2)</sup> OJ No C 112, 20. 12. 1973, p. 1.

8. Welcomes the Commission's view that Member States should be able at any time to impose more severe standards and anticipate the deadlines laid down in the Directive, provided that this does not constitute an obstacle to the smooth functioning of the common market;
9. Reiterates its frequently expressed objections to the working procedure of the committees on implementing provisions set out in Article 9 (3) and again calls on the Commission to take Parliament's general political arguments in regard to the institutional aspect of this question into account in any future proposals for harmonization;
10. Requests that the period of time allowed Member States for the enactment of the laws and regulations required be reduced from 18 to 12 months, so that the undertakings concerned may have sufficient time to adapt their plant and equipment;
11. Requests the Commission to submit to it in due course the results of the epidemiological studies currently being carried out on the effects of the pollutants sulphur dioxide and suspended particulates on children;
12. Urges the Council to adopt shortly the resolution proposed to it by the Commission concerning the determination of criteria for sulphur dioxide and suspended particulate matter in urban atmospheres, so that the Commission can press on vigorously and intensively with its work in this area;
13. Calls on the Commission to include in the proposal for a Directive provisions to ensure that the Member States modify their legislation in accordance with the guidelines contained in the Directive and to ensure that national legislation makes provision for the imposition of fines on undertakings which do not comply with the norms;
14. Calls on the Commission to submit estimates of the expenditure arising from compliance with the proposed norms;
15. Requests the Commission to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive on health protection standards for sulphur dioxide and suspended particulate matter in urban atmospheres**

Preamble and recitals unchanged

Article 1 unchanged

*Article 2*

1. Member States shall take the measures necessary to ensure compliance by 1982 with the health protection standards for sulphur dioxide and suspended particulates in urban atmospheres listed in

*Article 2*

1. Member States shall take the measures necessary to ensure compliance by 1980 with the health protection standards for sulphur dioxide and suspended particulates in urban atmospheres listed in

(1) For complete text, see OJ No C 63, 19. 3. 1976, p. 5.



Annex I, without prejudice to other Community provisions in this field.

2. Between 1982 and 1987, in the event of particularly unfavourable meteorological conditions (such as persistent temperature inversions), concentrations exceeding the standards for daily levels listed in Annex I may be tolerated by way of exception before measures are taken to reduce emissions, provided that such excess concentrations do not occur for longer than three consecutive days and that daily levels do not exceed the concentrations laid down in Annex II.

Annex I, without prejudice to other Community provisions in this field.

2. Between 1980 and 1985, in the event of particularly unfavourable meteorological conditions (such as persistent temperatures inversions), concentrations exceeding the standards for daily levels listed in Annex I may be tolerated by way of exception before measures are taken to reduce emissions, provided that such excess concentrations do not occur for longer than three consecutive days and that daily levels do not exceed the concentrations laid down in Annex II.

Articles 3 to 10 unchanged

*Article 11*

1. Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.

*Article 11*

1. Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive within 12 months of its notification and shall forthwith inform the Commission thereof.

Paragraph 2 unchanged

Article 12 unchanged

Annexes I, II and III unchanged

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## RESOLUTION

on the participation of the Community as such at the Western Economic Summit to be held in London on 6 and 7 May 1977

*The European Parliament,*

- emphasizing that the problems to be examined at the Western Economic Summit in London on 6 and 7 May 1977 directly concern the competences of the Community and the fundamental interests of all its Member States,
  - recalling the undertaking given by the European Council of 12 and 13 July 1976 after the Puerto Rico Conference to respect Community procedures and systems at international conferences,
  - recalling the commitment that the Community should be able to speak with one voice in international affairs,
1. Insists that the Community as such — Council and Commission — be represented at the forthcoming Western Economic Summit in London;
  2. Urgently requests all the Governments of the Member States and the Council of the Communities to work towards this end and requests the Government of the host country of the summit to take immediate action in line with this position adopted by the parliamentary institution which represents the peoples of the Community;
  3. Instructs its President to forward this resolution to the Governments of the Member States and the Council of the Communities.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council on the fixing of prices for certain agricultural products and on certain related measures

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 100 fin. and 150 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 576/76),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 9/77),
- having regard to the report on the agricultural situation in the Community in 1976 (Doc. 556/76),
- having regard to the communication from the Commission of the European Communities to the European Parliament and the Council on the stocktaking of the common agricultural policy (Doc. 529/74),

- having regard to the Commission's memorandum on the improvement of the common agricultural policy (Doc. 251/73),
- having regard to the fact that the prices policy should contribute to ensuring fair incomes to producers, reasonable prices to consumers, and to maintaining market equilibrium,
- having regard to the structural imbalances existing in certain markets,
- whereas it has become evident that in certain sectors price policy alone cannot bring about market equilibrium and reduce regional disparities in incomes,
- whereas an effective structural policy is an essential prerequisite for price policy,
- whereas effective market organizations and market management policies are essential to price policy, and ought to give greatest freedom of choice and ensure supplies to consumers,
- whereas the lack of common economic and monetary policies has made more difficult the re-establishment and unity of the common agricultural market, and has led to a number of problems which cannot be attributed to the agricultural sector,
- whereas differing rates of inflation, due in part to currency fluctuations, have distorted the structure of costs,

#### *A — Price proposals and monetary measures*

1. Believes it equitable that the Commission, in drawing up the agricultural prices, bases its proposals on the principle of ensuring an income for modern undertakings comparable to income in the industrial sector, while taking into account cost developments in each country, the situation in the agricultural sectors and the general economic situation; is of the opinion that the 'objective method' is difficult to apply for the 1977/78 marketing year, in view of the monetary instability in certain countries, the considerable divergencies in rates of inflation and the unequal trends in market prices and production costs in the Member States;
2. Believes, while noting the intention of the Commission's overall price increase of 3 %, that it will lead to a reduction in income in certain production sectors, will create unacceptable pressures on income in certain Member States and will not allow for a sufficient margin for the adjustment of the 'green' rates;
3. Emphasizes that the economic and monetary policies of the Member States are jointly responsible for increases in consumer prices and of critical importance to the stability of the agricultural markets, and does not think that the common agricultural policy can be held wholly responsible for the effects of those policies;
4. Draws attention once again to the fact that, owing to the instability of the exchange rates, the Community agricultural policy is unable to function properly, and urges the Commission and the Council to take appropriate action;
5. Recommends that (in view of variations in cost brought about by currency fluctuations) adjustments must be made to the figure obtained by this objective method, principally by means of adjustments to 'green' currency rates;
6. Stresses that, in making such 'green' rate adjustments, consideration must be given to problems in particular countries, and in particular the high rates of inflation in certain of the countries with revalorized currencies; also stresses the fact that the United Kingdom must realign its prices; and considers, furthermore, that the 'green' rate for the Irish pound should be immediately devalued in full;
7. Insists on the early adoption and implementation of the Commission's proposal for a Regulation relating to the fixing of representative exchange rates in the agricultural sector as a solution to the problems arising from monetary compensatory amounts until stability returns to the economic and monetary situation;

8. Stresses that price policy can have only a limited impact on modifying production patterns within the Community, emphasizes the importance of effective structural policy to achieving the aims laid down in Article 39 of the Treaty of Rome, as well as the need to grant temporary aid to farms which have so far not had the means to modernize and further stresses the importance of production planning and discipline;

9. Wishes to underline that increases in common prices will have varying, though limited effects on consumer prices, which reflect to a greater extent the monetary and fiscal policies of Member States and the efficiency of the processing and marketing sectors;

10. Calls upon the Commission to make a study of the difference between the producers' prices and the consumer prices and the effects on prices of the system of production and distribution;

11. Notes the considerable increase in national aids and subsidies to maintain agricultural incomes during the previous year, and expresses concern as to their impact on the common agricultural policy if such aids were to be maintained or extended in forthcoming years; therefore requests the Commission to monitor carefully such developments and to present periodically to the European Parliament detailed information on trends;

12. Welcomes the fact that the Commission's proposals contain improved information on their effects on budgetary expenditure for 1977 and 1978;

13. Welcomes, furthermore, the marked improvement in the quality of the information supplied by the Commission for the discussion of the price proposals, and in particular the updating of figures on income trends in agriculture; notes, at the same time, that further improvements are required in certain areas, for example on the numbers of persons occupied, full-time and part-time, in the agricultural sector; and calls for the elaboration of a Community index for agricultural input prices;

#### B — *Vegetable products*

14. Believes that the Commission's proposals for the cereal sector will ensure greater flexibility of the market and hence a sounder balance between the various kinds of cereals;

15. Recalls the difficulties involved in applying the reference price for wheat of bread-making quality because of the slowness of the existing procedure, which encourages speculation to the detriment of Community producers; therefore requests the Commission to modify this system;

16. Believes that the Commission should encourage the production of cereals in the Community, especially wheat and maize, and invites the Commission to consider the possibility of offering special inducements to dairy farmers to convert to cereal production (such inducements may include ploughing-up grants);

17. Requests that, in view of the large stocks of durum wheat of poor quality, stricter quality standards should be established for durum wheat taken into intervention; asks also for the same increase in durum wheat prices as that granted for other cereals;

18. Recalls that the Council had promised to retain without change the list of areas benefiting from aid to durum wheat, at least for the two marketing years following 1976/1977 <sup>(1)</sup>; is therefore surprised that the Commission is now proposing that these regions be reduced in number; requests therefore that the list be retained without change and that the aid be suitably increased to compensate for higher production costs and the cost of seed;

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<sup>(1)</sup> See the press release issued at the meeting of the Council of Ministers of Agriculture on 2 and 3 March 1976.

19. Asks for an increase in the target price for rice equal to that granted for maize in order to maintain the price relationship with that product and discourage excessive imports;
20. Requests that the premium for raw tobacco be increased by at least 3 % for all varieties excepting those (Beneventano and Nostrano) for which there is a persistent imbalance between demand and supply;
21. Recalls the Commission's intention to submit, with the minimum of delay, a report on the abolition of production refunds in the cereals and rice sector <sup>(1)</sup>;
22. Asks that the Commission's future proposals on the common organization of the market in olive oil, which it has promised to present with the minimum of delay, should take full account of the need to guarantee the equilibrium of the market and a fair income for producers;
23. Considers that the 1 % increase in the target price for olive oil expressed in units of account is inadequate since it has remained unchanged over the past two marketing years despite increased production costs, and asks for an increase of at least 3 %;
24. Believes that the Commission should draw up a programme to ensure more efficient production and use of proteins, including: more interest in the cultivation of soya as a green fodder in conjunction with feed maize; encouragement to use liquid skimmed milk directly on farms; measures to improve grassland husbandry techniques; programmes to develop high protein cereal and legume varieties. Calls on the Commission to draw up a comprehensive Community policy on proteins to counteract the problems arising from high levels of imports;
25. In view of the large surplus of rape-seed oil, which is becoming increasingly difficult to export, considers unjustified and excessive the increase proposed for prices of rape and colza seed;
26. Believes that, in order to maintain an equilibrium in the sugar sector, it is of the utmost importance that sugar produced from fructose be covered by the same discipline imposed by the common organization of the market for sugar, in particular with reference to national investment aids; and recalls the Council's agreement <sup>(1)</sup> to abolish from 1 August 1977 refunds on maize intended for the manufacture of high fructose syrup;
27. Believes that planning of Community sugar production must take proper account of preferential sugar imports, and deal fairly and generously with less-developed countries;
28. Approves the Commission's proposal to reduce the maximum quota for sugar from 35 to 25 %, on condition that isoglucose, an industrial product, is no longer allowed to benefit from an unfair competitive advantage;
29. Believes that, for fruit and vegetables, there should be introduced quality criteria for produce intended for processing and the processed products; that measures should be taken to encourage the use of approved contracts between producers and the processing industry, and that the hierarchy of the processing refunds be better adapted to different varieties;
30. Calls for a report to the European Parliament and the Council on the results of the grubbing-up measures for the fruit sector, so as to establish whether the payments provided for are sufficient, and whether further measures should be implemented;
31. Calls upon the Commission to re-examine the reference price for fruit and vegetables, with a view to improving its operation on regulating imports;

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<sup>(1)</sup> PE 45.601, Council meeting of 19, 20 and 27 July 1976.

32. Believes that the problems of income for fruit and vegetable producers and wine growers, particularly in the Mediterranean regions of the Community, cannot be solved by price policy alone, but depend on an adjustment of the market organization; in view of the possible enlargement of the EEC, calls for an immediate investigation into the consequences of the Mediterranean policy as regards the production and marketing of agricultural produce in these same regions;

33. Believes it essential that adequate Community protection should be extended to the wine sector, on which the incomes of millions of producers depend, in particular by the adoption of a genuinely guaranteed Community intervention price, which takes account of production costs;

34. Finds it unacceptable that, in spite of the recommendations made by the Commission and in spite of the crisis in the wine sector, some Member States continue to obstruct imports of Community wine with very heavy excise and other taxes;

#### *C — Milk and dairy sector*

35. Considers that the structural surpluses of skimmed-milk powder and butter should be combated by means of structural measures;

36. Believes that the aid to the consumption of butter recommended by the Commission is a measure which will not ensure fair competition between animal and vegetable oils and fats;

37. Considers that the price of milk should be moderately increased in two stages, namely on 1 April and 16 September 1977, and that a corresponding co-responsibility levy should be imposed right from the start of the milk marketing year;

38. Considers that Article 8 (1) of the proposal for a Regulation introducing a system of premiums for the non-marketing of milk and milk products and for the reconversion of dairy herds should be amended as follows:

##### *Article 8 (1)*

1. By way of derogation from Article 3 of Regulation (EEC) No 729/70, 25 % of the expenditure increased in connection with the measures provided for in this Regulation shall be financed by the Guarantee Section of the EAGGF. In addition, the Guidance Section of the EAGGF shall refund to the Member States 25 % of the eligible expenditure;

39. Approves the non-mandatory nature of the measures relating to premiums for the non-marketing of milk and the reconversion of dairy herds in those Member States in which dairy herds have already been reduced by more than 20 % over the past seven years, but feels that derogations ought to be provided for in these countries also as regards the ban on aids to investment;

40. Believes that the Commission should examine ways of encouraging financially the use of skimmed milk directly by other producers in the animal sectors; and emphasizes that, over a period of several years, the initially heavier cost of such methods may be less onerous to the Community budget than the costs of storage which include the necessity, periodically, to write down the value of stocks;

41. Asks the Commission once again to organize supplies of milk powder for food aid more effectively and to make every possible effort to recover the lost markets for dairy products in third countries as soon as possible;

42. Emphasizes the social problem represented by the small dairy farmer who cannot easily change to a different kind of farming but points out that he is not the main contributor to structural surpluses of milk products; believes that the most important proposals in this sector are those encouraging the early retirement of farmers and the cessation of milk producing;

#### D — *Meat and poultry sectors*

43. Considers it necessary to modify the organization of the market in beef in order to allow for more flexible reaction to the cyclic market situation;
44. Believes that the Commission should come forward with a proposal to re-introduce beef subsidies intended to achieve a more orderly marketing and improve winter beef supplies;
45. Believes that the proposed increase in the basic price for pig carcasses should enter into force on 1 April 1977 and should remain in force for an 18-month period as an exceptional measure;
46. Believes that the Commission's proposals for dealing with the structural problems in the poultry farming sector are insufficient and should be strengthened;
47. Recalls the Commission's intention to submit proposals for the stabilization of the markets in the egg and poultry sectors and requests that such proposals be presented with the minimum of delay;

#### E — *Structural policy*

48. Considers that a balanced price policy is not possible without an effective structural policy;
49. Notes that the effect of the economic recession has been to retard structural reform;
50. Calls upon the Commission, therefore, to ensure a proper coordination of Regional and Social Policies, so as to provide alternative sources of employment in rural areas, which is an essential pre-condition for a restructuring of the agricultural sector;
51. Urges the Commission to put forward proposals for the improvement of the current structural Directives, bearing in mind in particular that the concept of comparable income used in Directive 72/159/EEC may require to be changed to allow more farmers to take advantage of the Directives;
52. Requests the Commission to submit proposals to increase the present ceiling of 325 million units of account for the Guidance Section, and calls for the utilization, where necessary, of the Mansholt Reserve;
53. Welcomes the fact that the Council has taken a positive decision on the Commission's proposal to improve structures in the processing and marketing sectors, and has agreed to decide on the proposal on producer groups before 30 June 1977, and urges that the Council speed up its consideration of proposals for afforestation and for aid to young farmers;
54. Requests the Commission to draw up a detailed study on the effectiveness of structural policies in reducing the structural imbalances in the agricultural markets, and with particular reference to the milk and dairy sector;

#### F — *Other measures*

55. Calls for the early creation of market organizations for alcohol, sheepmeat and potatoes.

## RESOLUTION

on the outcome of the Fourth International Parliamentary Conference on the Environment held in Kingston (Jamaica) from 12 to 14 April 1976

*The European Parliament,*

— having regard to the resolutions adopted by the Fourth International Parliamentary Conference on the Environment in Kingston on 14 April 1976,

— having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 12/77),

1. Notes with satisfaction that, as a result of closer cooperation between the parliamentarians concerned in many countries, considerable progress has been made in the international coordination of the parliamentary supervision of government action to protect the earth against environmental damage and to maintain its ecological balance;

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2. Refers to its resolution of 13 December 1974 on the outcome of the Third International Parliamentary Conference on the Environment in Nairobi <sup>(1)</sup> and once again appeals to parliaments to exchange information on the environmental protection measures and initiatives taken in their countries;
3. Welcomes the resolutions adopted by the Fourth International Parliamentary Conference and calls upon the Member States of the European Communities to act on them as soon as possible;
4. Asks the Commission to consider the extent to which the recommendations of the Fourth International Parliamentary Conference on shared natural resources can be applied to the Community and recommends that the code of conduct for the guidance of States advocated in Kingston should be made the subject of a Community Directive;
5. Asks the Commission to provide the European Parliament with details of the negotiations in the Economic Commission for Europe of the United Nations (ECE) on the environmental compatibility declaration and of the negotiations in the United Nations Environment Programme (UNEP) on the draft principles of conduct for the guidance of States concerning conservation and exploitation of natural resources shared by two or more States;
6. Reminds the Commission that it has already been asked to present appropriate proposals to the Council immediately on the most acute cases of pollution in frontier areas and moreover, considers it essential for the Commission to propose Community rules based on the draft convention on compensation for transfrontier environmental injuries dealing particularly with compensation for damages under international private law prepared on behalf of the International Parliamentary Conference;
7. Urges the Commission to take appropriate steps, if necessary in agreement with the Council, to ensure that the Community as a whole signs and ratifies an international convention on the conservation of migratory species on the basis of the principles adopted by the Fourth International Parliamentary Conference;
8. Welcomes the Commission's draft Directive on the harmonization of legislation in the Member States on the protection of birds as a first step towards the conservation of migratory species on the territory of the Member States;
9. Recommends the Commission to prepare without delay a proposal for a Directive prohibiting the use of harmful propellants in aerosol sprays on the basis of completed scientific investigations in order to ensure conservation of the atmospheric ozone layer vital to human and animal life;
10. Considers it essential for the Commission to submit in the near future practical proposals for the effective prevention of wastage, and, in particular, to promote the development of suitable technology for the utilization of solar energy, which could be used for domestic purposes in the developing countries and thus help to conserve timber, in order to ensure that the Community makes a significant contribution to the rational management of the Earth's limited resources;
11. Once again stresses the need for effective action to ensure that laws on the environment are observed, and for the imposition of strict penalties for infringements of such laws in order to ensure the enforcement of environmental legislation;
12. Reminds the Commission of the undertaking it gave in the programme of action of the European Communities on the environment of 22 November 1973 <sup>(2)</sup> to publish an annual report on the state of the environment in the Community containing details of the measures taken by the Member States to enforce environmental legislation and information on the improvements achieved and the practical experience gained;
13. Calls upon the Commission to take the initiative in preparing a draft convention on the setting up of an international authority for the marine environment as defined in resolution No 16 of the Fourth International Parliamentary Conference, since the creation of such an authority could make an important contribution to the protection of the marine environment;

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<sup>(1)</sup> OJ No C 5, 8. 1. 1975, p. 59.

<sup>(2)</sup> OJ No C 112, 20. 12. 1973, p. 31.

14. Stresses the need for the institutions of the European Communities, especially the Commission and Council, to work in very close cooperation with other governments and international organizations on the fields mentioned in points 4 — 13 of this resolution, and to keep its committee responsible for environmental questions informed about the work of the UN Environment Programme, in so far as it concerns the European Community;
  15. Once again calls upon the European Communities as a whole to prepare, in consultation with other governments and international organizations, world-wide environmental protection programmes based on existing programmes in the Community, since active participation by the Communities in the drawing-up of international agreements on the protection of the environment can only serve to enhance their reputation in the world;
  16. Asks the Commission to submit to it at an early date a short report showing what action it intends to take on behalf of the Community as a whole on this resolution and on those of the Fourth International Parliamentary Conference;
  17. Requests its appropriate committee to report to it on all future parliamentary conferences on the environment;
  18. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the governments and parliaments of the Member States.
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## RESOLUTION

on principles to be observed by enterprises and governments in international economic activity

*The European Parliament,*

- confirming its resolutions on Community industrial policy (Doc. 277/73) <sup>(1)</sup>, the control of concentrations between undertakings (Doc. 362/73) <sup>(2)</sup>, the second (Doc. 264/73) <sup>(3)</sup>, third (Doc. 290/74) <sup>(4)</sup> and fifth (Doc. 243/76) <sup>(5)</sup> reports on competition policy, and on the communication from the Commission of the European Communities to the Council on multinational undertakings and Community regulations (Doc. 292/74) <sup>(6)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 547/76), and referring to the declarations by the governments of the OECD Member States on international investments and multinational undertakings and the 'Draft Code of Principles for multinational enterprises and governments', drawn up by the European Parliament delegation for relations with the United States Congress, and annexed to this resolution as a working document,
- having regard to the need to promote the viability and competitiveness of undertakings of all sizes within the Community,
- having regard to the fact that international undertakings have a beneficial effect on productivity, technology and management methods while, on the other hand, there are no international legal regulations to solve the problems caused by their size, massive liquid resources and centralization of economic power,
- having regard to the need to ensure equal opportunities and prevent discrimination in competition between national and international undertakings,

1. Applauds the establishment by the OECD of international guidelines for the conduct of governments and international undertakings based on voluntary implementation of the rules adopted but stresses that binding and legally-enforceable norms must gradually be laid down for international undertakings and a framework for their activities defined in one or more international agreements;
2. Calls on the Council and Commission to establish one or more international legally-binding agreements through negotiations with the parties concerned — governments and international organizations and undertakings;
3. Feels that these negotiations should use as a basis the declarations by the governments of the OECD Member States on international investments and multinational undertakings and take into account as working document the 'Draft Code of Principles for multinational enterprises and governments' annexed to this resolution;
4. Notes, however, that such international negotiations are only likely to succeed if, at the same time, appropriate measures are taken at Community level and calls on the Council, therefore, to adopt without delay the proposals submitted by the Commission and supported by Parliament and expects the Commission to submit as soon as possible all the proposals called for by the European Parliament in its resolution of 12 December 1974 <sup>(6)</sup> but not yet presented;
5. Instructs its Committee on Economic and Monetary Affairs to follow the development of these matters with a view to drawing up, where appropriate, a further report;
6. Instructs its President to forward this resolution and its Annex to the Council and Commission.

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<sup>(1)</sup> OJ No C 23, 8. 3. 1974, p. 10.

<sup>(2)</sup> OJ No C 23, 8. 3. 1974, p. 19.

<sup>(3)</sup> OJ No C 11, 7. 2. 1974, p. 8.

<sup>(4)</sup> OJ No C 140, 13. 11. 1974, p. 65.

<sup>(5)</sup> OJ No C 238, 11. 10. 1976, p. 35.

<sup>(6)</sup> OJ No C 5, 8. 1. 1975, p. 37.

DELEGATION FROM THE EUROPEAN PARLIAMENT

for the relations with the  
UNITED STATES CONGRESS

Washington D.C.

19-23 September 1976

A DRAFT CODE OF PRINCIPLES FOR MULTINATIONAL ENTERPRISES AND  
GOVERNMENTS

Draftsmen: Mr Erwin Lange, *European Parliament*

Mr Sam Gibbons, *United States Congress*

PREFACE

We, as representatives of the European Parliament and the United States Congress, urge agreement to the principles embodied in this code.

We do so with the knowledge that other groups and organizations have undertaken useful work in this area, but that little progress has been made toward establishing a framework of law and responsibility for multinational enterprises and governments.

We hope that this code will prove to be a fruitful effort toward that end, and that it will serve as the basis for needed changes in national laws, government practices, international agreements, and the policies of multinational enterprises.

**Introductory remarks**

1. The internationalization of production is a logical consequence of the development of our economies. As such, it is a positive phenomenon, contributing to economic growth and increasing prosperity.

2. Nonetheless, the organization of operations beyond national borders by multinational enterprises may lead to undesirable concentrations of economic

power and to conflicts with national policy objectives.

3. Therefore, it is appropriate to seek to encourage the positive contributions which multinational enterprises can make to economic and social progress and to minimize and resolve the difficulties and problems which may arise from their operations.

4. Just as it is normal for firms increasingly to carry on activities beyond the frontiers of their own

country, so it is normal and necessary for an international framework to be set up for these international activities, obliging the firms in question to respect certain basic rules and at the same time offering them the necessary legal security.

5. Economic integration, as embodied in multinational enterprises, has stolen a march on politics, for which in most cases the national frontiers remain the relevant framework. Although far-going economic interdependence can be a useful stimulus toward political integration, it is nevertheless, essential in international relations too for public policies to take precedence over economics; that is, the framework in which the multinational enterprise operates must be under political control. This condition is not being met at present. Accordingly, certain rules need to be laid down in an international agreement.

6. The problems connected with the activities of multinational enterprises can no longer be dealt with only in a national context and cannot yet be solved on a world scale. Agreements on multinational enterprise activity among industrial nations would represent a great step forward. The delegations of the United States Congress on the one hand and that of the European Parliament on the other can in the first instance help to bring about an agreement between the United States and the European Community, to which Japan, Canada, and other industrial countries may later accede.

#### General framework

7. International agreements are to be concluded initially between the United States and the European Community.

8. The agreements are to have the force of law in all nations which are parties to them and are to impose legally binding obligations on firms based in or operating in those countries.

9. For purposes of this code, multinational enterprises (MNEs) are defined as companies of private, State, or mixed ownership operating in different countries and so linked that one can exercise a significant influence over others.

10. These international agreements are to be implemented and enforced through the mutual cooperation of the governments which are parties and through existing institutions of international law.

11. If mutual cooperation and existing international institutions fail to adequately implement and enforce the agreements, an international secretariat may be established to administer these agreements. In establishing a secretariat, due regard is to be given to the population and economies of the government parties involved.

12. Governments which are parties to these agreements are to treat multinational enterprises according to international law and are to deal with conflicts of national laws as they affect multinational enterprises.

13. During the time prior to the completion of these agreements, the governments which are to be parties shall enter into temporary agreements under which the provisions of this code are to be followed. These transition agreements shall provide for efforts toward harmonization of national legislation to reach compliance with the provisions of this code in anticipation of the permanent agreements.

*Explanatory note:* From the outset, the governments which are to be parties to the international agreements should consult and conclude agreements on administrative aid and on the mutual recognition and enforcement of court judgments, etc., in order to acquire a measure of control over the international activities of these enterprises until effective international agreements have been worked out. Better cooperation among government authorities in this transition period will do much to prevent the circumvention of national laws and policies.

#### Information

14. Every multinational enterprise is to publish a yearly report.

15. The following information, broken down by specific operations (lines of business) and countries of establishment, is to be published in this report:

- (a) the financial and operational structure of the enterprise;
- (b) the financial and personal links with other concerns;
- (c) the funds invested, reinvested, and transferred to the home country of the enterprise;
- (d) the origin and composition of capital, existing and new;
- (e) the number of employees, jobs created, jobs abolished, and host-country nationals working at various levels of the enterprise;
- (f) the balance sheet and profit and loss account, including gross sales;

- (g) the total amount of taxes paid, broken down to show the amount of each type of tax paid and the amount of each type paid to each individual taxing authority;
- (h) expenditures on research and development;
- (i) income from royalties, licenses, and management contracts;
- (j) such other reasonable information as is requested by government authorities.

Due regard is to be given to legitimate reasons for firms to preserve the confidentiality of certain business information. Governments are to agree on safeguards and penalties to prevent the inappropriate and indiscriminate use of information provided by multinational enterprises and other enterprises.

16. Multinational enterprises of significant size are to use a system of standardized annual accounts and reports. This system is to be established pursuant to international agreement.

### Competition

17. All information relevant to the operation of a multinational enterprise, including information in the hands of its establishments abroad, shall be accessible to antitrust bodies. National antitrust bodies are to exchange information and mutually support each other in investigations of restrictive practices, and are to be able to take joint action against abuses of power.

*Explanatory note:* Multinational enterprises, like other large enterprises, frequently have technical or financial advantages over their competitors, giving them a certain position of power. Competition policy should be aimed at checking abuse of this position. To achieve this, much more intensive cooperation is essential between antitrust authorities of the United States and the European Community. Controlling multinational enterprises is made more difficult by the problems of implementation than by shortcomings in national legislation. The antitrust bodies are frequently unable to prove abuse by a multinational enterprise because the necessary evidence is in the hands of another of its establishments abroad, creating the need for free access to information.

18. Multinational enterprises are to avoid action which would adversely affect competition, such as price fixing, restricting the freedom of operation of licensees, acquiring interests in competitively significant enterprises, or engaging in restrictive cartels of agreements. They are to cooperate with

government competition enforcement authorities and to provide information requested by these authorities.

### Investment policy

19. Multinational enterprises are to report planned investments to government authorities in the countries where the investments are to be made.

20. The governments of nations that are parties to these agreements are to promulgate regulations governing open bids for total or partial takeovers of existing firms. Such regulations are to provide that adequate prior information be given to government officials, to officials, workers, and shareholders of the firm to be taken over, and to trade unions.

*Explanatory note:* More than half of all direct investments abroad involve takeovers of existing firms rather than new, direct investments. Policy considerations dictate greater restrictions over such takeovers of existing firms.

21. The international agreements are to harmonize existing national investment regulations, including guaranteeing, in the event of foreign takeovers of firms, protection of jobs, investment policies, maintenance of national management, maintenance of research activities, and a certain share of exports. The agreements, while recognizing national policy objectives, are to minimize distortions to trade and investment, to harmonize incentives and disincentives, and to avoid discrimination based on country of origin.

*Explanatory note:* Regulations currently in effect in Canada, Belgium, and Britain provide certain guarantees in the event of foreign takeovers of firms.

### Fiscal policy

22. Multinational enterprises are to provide government tax authorities with the information necessary for a correct determination of taxes due. Multinational enterprises may not use the distortion of transfer prices and other practices which alter their tax base or contravene national tax laws or policies.

23. Accounting practices of multinational enterprises and tax policies of governments are to reflect the principle that taxes are to be paid in the

country where the income is earned. Dividend and interest income are to be taxed to shareholders and investors by their respective governments. Government authorities may disregard third party holding companies and other entities used to hold income and thereby avoid taxation by taxing this income directly to shareholders as though it were received currently.

24. Government authorities are to:

- (a) upgrade present efforts to facilitate the enforcement of national tax laws and policies by entering into tax treaties or other international agreements providing for the comprehensive mutual exchange of information and assistance. Adequate staff support is to be provided for these efforts. Tax authorities of several governments may engage in simultaneous or joint audits of selected enterprises;
- (b) seek to harmonize the withholding tax on portfolio investment in the various countries;
- (c) seek to harmonize other national tax laws, especially those affecting foreign investment;
- (d) take steps to combat the abuse of agreements for the avoidance of double taxation.

25. International agreements are to provide for common actions against enterprises that misuse tax havens. For purposes of this paragraph, tax havens are defined as countries or areas with many or all of the following characteristics: low taxes, little or no exchange control, bank secrecy, no exchange of fiscal data with foreign authorities, a developed banking system, and political stability. The agreements are to provide for coordinated international action against such enterprises, such as denial of the right to open new facilities in the countries that are parties to these agreements, or denial of tax deductions for payments to tax haven countries in computing tax due to any of the countries which are parties to the agreements, or elimination of the withholding tax on portfolio investment for all investors except those giving tax haven countries as their residence.

26. The agreements are to provide for establishment of effective international mechanisms for the settlement of tax disputes.

27. The agreements are to provide for the elimination of undue secrecy surrounding reporting of income earned by banks and others in all countries.

*Explanatory note:* Such secrecy is not justified and is harmful to the legitimate revenue interests of all countries.

28. The agreements are to provide for coordinated action by government tax authorities instead of unilateral corrective action. Such coordinated action may include penalties for violations of principles established by the agreements and by special agreements among the various countries.

*Explanatory note:* Unilateral corrective action in tax areas such as financial secrecy, determination of transfer prices, or action against tax-haven holding companies could result in flights of capital to other countries. This provision envisions coordinated action under these international agreements to prevent adverse consequences which could result from unilateral action and to effectively eliminate the non-taxation of income.

29. Measures for corporate or shareholder tax relief or integration of corporate and personal income-tax systems currently being implemented or studied are to be modified or reconsidered so as to prevent discrimination against foreign shareholders.

*Explanatory note:* Tax relief or integration measures which discriminate against foreign shareholders are not compatible with the free flow of investment, and thus should be modified or reconsidered.

30. The agreements are to provide for the elimination of discrimination in tax treatment against foreign-based enterprises by governments using any method of tax assessment, including the unitary method.

*Explanatory note:* Under the unitary method, a multinational enterprise is taxed on the basis of its consolidated profit, and the profit assigned to a particular firm by government tax authorities is based on the firm's sales in a country or State and its assets and employment there. There are some indications that this method of taxing is being administered inequitably with regard to foreign-based enterprises.

31. Transfer prices are defined as the prices applied in transactions which take place within an enterprise. The following provisions applicable to

transfer prices of goods apply equally to transfer prices of services, including financial services and payments for the use of technical knowhow, trademarks, and patents.

32. Government authorities are to supervise transfer prices and act against enterprises employing transfer price practices directed at avoiding taxation.

*Explanatory note:* Transactions within multinational enterprises (between subsidiaries of the same enterprise or between a subsidiary and the parent company) constitute an important part of international trade. Fixing the prices for these operations gives multinationals possibilities that firms with establishments in only one country may not have, and may put multinationals in a position to make more profit. A multinational enterprise can have various reasons for setting a transfer price different from the price applicable to a sale from the firm to another independent firm. An enterprise with operations in various countries seeks to declare the highest possible profit in countries with low taxation levels and to keep declared profit low in countries with high taxation levels. Multinational enterprises may also seek to set transfer prices such that more profit goes to wholly-owned subsidiaries than to firms in which they have only part interest. Multinationals may use transfer price setting to achieve low profits or losses in countries where subsidiaries face important wage negotiations. Stability of currency in the country of establishment, exchange control, and risk of nationalization are also factors here.

33. The agreements are to provide for establishment of rules for transfer pricing and a mechanism for determining appropriate transfer prices.

*Explanatory note:* Such rules can be based on the arms-length principle, the cost-plus basis, a comparison of reported transfer prices with prices of similar goods delivered during a recent period of time or goods delivered at another location at about the same time, or a comparison of the profit or loss margin on the goods with average profits and losses on similar goods sold by other firms.

34. Governments must apply whatever taxing methods are employed to tax various enterprises on an equitable basis, so as not to discriminate.

*Explanatory note:* Governments may sometimes tax firms which use transfer pricing by taxing at a figure higher than reported profit where the latter figure is judged too low. Whatever method is employed must be applied in a non-discriminatory manner.

#### Capital market policy and monetary policy

35. Consideration is to be given to requiring banks, in countries which are parties to these

agreements, to regularly inform the central banks of their countries of domicile of their forward exchange positions. Information is to be supplied monthly and is to cover all capital movements within the enterprise. These regulations are to be expanded to apply to all countries of the European Community and the United States and to all enterprises of significant size.

*Explanatory note:* It is desirable for monetary authorities to have accurate data on international capital movements. The procedure set forth here follows that currently used in some European countries.

36. Government authorities are to avoid unduly restrictive capital controls and are to consult and cooperate in doing so.

37. Enterprises are to allow residents of host countries to acquire their shares. Agreements can provide that a foreign enterprise having recourse to the capital market in the host country must do so partly through an increase in its equity capital available to host country nationals.

#### Social policy and labour market policy

38. Multinational enterprises are to afford representatives of the workers the opportunity to hold consultations with management responsible for the policy of the firm. Group works councils or other appropriate labour representatives must be allowed to negotiate directly with the central management. Alternatively, the management of the national firm is to provide the workers with all information relevant to their well-being and working conditions and to act with the necessary autonomy.

*Explanatory note:* This paragraph focuses on the situation often present where trade unions of a country have to deal with management having only limited powers.

39. As a rule, at least one host country national is to have a seat on the management board of a firm that is part of a multinational enterprise.

40. Enterprises are to inform and consult with workers in good time on matters affecting them. In the event of mass layoffs, workers are to have an important voice in drawing up the labour phase-out plans. Enterprises involved in mergers are to guarantee retention of pension and other acquired rights. In cases of industrial labour disputes, operations carried out in some parts and branches of



an enterprise are not to be taken over by other parts or branches of the same enterprise in order to thwart the legitimate and legal objectives of workers. .

41. Multinational enterprises are to recognize trade unions, workers' bargaining units, direct representatives of the staffs (works councils), or other duly constituted workers' organizations as contractual partners in negotiations on wage agreements and the fixing of work conditions of the workers employed in a firm. Steps are to be taken to establish the framework for internationally valid collective bargaining agreements.

42. Multinational enterprises are to observe national and local employment and industrial relations laws, standards, and practices.

43. Multinational enterprises are to avoid discrimination on the basis of sex, age, religion, race, ethnic or national origin, or political activity.

44. Firms are to provide jobs in the host country for host country citizens.

### Technology

45. Multinational enterprises are to add to local scientific and technological capabilities and are to permit the dissemination of technological know-how on reasonable terms.

### Pernicious political activities

46. Multinational enterprises shall not make or be solicited to make payments in money or other items of value to host government officials, other than for manifest public purposes. Multinational enterprises shall not contribute to political parties or candidates in any way unless such contributions are lawful and details on the amounts and beneficiaries are disclosed in a timely manner.

*Explanatory note:* This provision is aimed at preventing multinational enterprises from attempting to exercise undue influence over host country policies.

47. Governments are to adopt strong penalties for violations of the foregoing prohibition. Penalties may include any of the following: denial of a business-tax deduction for any such unlawful payments; heavy fines and/or prison sentences, and the denial of normal business-tax treatment and benefits to any business income connected with such unlawful payments.

48. Member governments which have concluded an international agreement covering pernicious political activities are to assume an active role in sharing with other governments involved any information they have on any such activity perpetrated by officials of an enterprise or by government officials.

**RESOLUTION**  
on the Community's supplies of raw materials

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council on the Community's supplies of raw materials (COM (75) 50),
  - having regard to its resolution on the preparation, conduct and outcome of the fourth United Nations Conference on Trade and Development <sup>(1)</sup>,
  - having regard to the interim report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on External Economic Relations and the Committee on Development and Cooperation (Doc. 585/76),
1. Draws attention to the Community's marked dependence on third countries for supplies of raw materials and the risks that this involves;
  2. Emphasizes, therefore, the need for a comprehensive Community policy in this area, in regard to both the Community itself and the rest of the world;
  3. Recommends the immediate development of a long-term Community strategy on raw material supplies;

**A — As regards intra-Community supplies**

4. Expects practical proposals to this effect from the Commission in order to promote at European level:
  - (a) basic and technological research into the recycling of by-products,
  - (b) the improvement of possibilities of substitution,
  - (c) savings in consumption,
  - (d) longer life of products,
  - (e) the exploration for and rational exploitation of the limited resources available to the Community and also seabed resources,
  - (f) the creation of emergency stocks;

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<sup>(1)</sup> OJ No C 259, 4. 11. 1976, p. 13 (report by Mr Deschamps, Doc. 333/76).

*B — As regards greater cooperation with the developing countries*

5. Considers it essential to increase cooperation between the countries which produce raw materials and those which consume them and in particular between the developed and developing countries;
6. Emphasizes the danger for the world economy, which threatens both producers and consumers of raw materials, inherent in the emergence of cartels of raw material producers;
7. Takes the view that the participation by the developing countries and their peoples in the capital, management and profits of companies set up on their territory and the profits of manufacturing activities dependent on them would foster solidarity between the Community and these countries;
8. Points out, however, that in order to meet the inevitable and legitimate desire of developing countries to diversify their economies and to process their raw materials locally, the Community must implement a forceful structural policy to compensate for the effects, particularly on employment in the Community, of the beginning of industrial activity in the developing countries;
9. Recalls that the harmonious progress of the Community economy is inextricably bound up with the future of cooperation between the Community and the developing countries;
10. Emphasizes that such cooperation can be achieved only on condition that the developing countries observe the principle of free access to raw materials and grant investment guarantees;
11. Awaits Commission proposals for the setting-up of a European investment guarantee body;
12. Stresses the responsibility of the oil-producing countries with regard to both the future balance of payments situation of the developing countries and increased long term investment in the economies of those countries;

*C — As regards the regulation of the world market in raw materials*

13. Declares its support, in keeping with the spirit of the Convention of Lomé, for the development of mechanisms to stabilize raw materials prices and the export earnings of the raw materials producing developing countries and consequently provide the security of supply essential to the consumer countries;
14. Notes with satisfaction that during UNCTAD IV the principle of indexing was abandoned in favour of a procedure of suitable, though not automatic periodical review of raw materials prices;
15. Considers it, moreover, essential, if the world market in raw materials is to be suitably regulated, for certain rules of conduct to be observed under international arrangements concerning, for example:
  - import controls,
  - free access to raw materials,
  - pricing principles,
  - the coordination of competition policies,
  - the activities of multinational companies;
16. Urges the Council and the Commission to ensure that, for the future work of UNCTAD and the North-South dialogue, which it must play a major role in encouraging, the Community, acknowledging the importance of these conferences for the security and terms of its supply, should adopt a common position without delay;
17. Expects the Commission, in the light of recent developments, to present a new programme which might form the basis of a common position; instructs its Committee on Economic and Monetary Affairs to follow the progress of this work and to report on it, if necessary;
18. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the national parliaments.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- I. a Directive on the approximation of the laws of the Member States relating to rear fog lamps for motor vehicles and their trailers
- II. a Directive on the approximation of the laws of the Member States relating to reversing lamps for motor vehicles and their trailers
- III. a Directive on the approximation of the laws of the Member States relating to parking lamps for motor vehicles
- IV. a Directive on the approximation of the laws of the Member States relating to the weights and dimensions of certain motor vehicles
- V. a Directive on the approximation of the laws of the Member States relating to tyres for motor vehicles and their trailers
- VI. a Directive on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles
- VII. a Directive on the approximation of the laws of the Member States relating to the wheel guards of motor vehicles
- VIII. a Directive on the amendment of Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council, pursuant to Article 100 of the EEC Treaty (Docs. 516/76, 517/76, 518/76, 521/76 and 525/76),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Economic and Monetary Affairs (Doc. 36/77),
1. Welcomes the fact that these eight proposals for Directives represent another important step towards greater road safety and the complete removal of obstacles to trade resulting from divergent provisions on motor vehicles;
  2. Is also pleased that the Commission has taken as its basis the work of the Economic Commission for Europe in Geneva;
  3. Hopes that the Council will adopt, at an early date, the proposal for a Directive on the dimensions and weights of all categories of commercial vehicles;
  4. Believes that, for reasons of road safety, Community measures on studded and retreaded tyres should be adopted as soon as possible;
  5. Approves the proposals for Directives and urges the Council to adopt them without delay so that the EEC type-approval programme for motor vehicles can be completed as soon as possible;
  6. Requests the Commission, however, to adopt the following amendment pursuant to the second paragraph of Article 149 of the EEC Treaty.

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(<sup>1</sup>) OJ No C 15, 20. 1. 1977, p. 4.  
OJ No C 25, 2. 2. 1977, p. 2.  
OJ No C 37, 14. 2. 1977, pp. 1, 22, 27, 31, 41 and 52.

VII. Council Directive on the approximation of the laws of the Member States relating  
to the wheel guards of motor vehicles

Preamble, recitals and articles unchanged

ANNEX I

1. PRESENCE

- 1.1. The motor vehicles must be provided with wheel guards (parts of the bodywork, mudguards, *dirt traps*) which cover their wheels in order to protect the other road users against the throwing up of stones, wind, ice, snow, water etc.

ANNEX I

1. PRESENCE

- 1.1. The motor vehicles must be provided with wheel guards (parts of the bodywork, mudguards) which cover their wheels in order to protect the other road users against the throwing up of stones, wind, ice, snow, water etc.

Remainder of Annex I and Annex II unchanged

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<sup>(1)</sup> For complete text, see OJ No C 37, 14. 2. 1977, p. 27.

RESOLUTION

on simplification of customs procedures, customs legislation and institutional methods for dealing with customs matters, and embodying the opinion of the European Parliament on the proposal from the Commission to the Council for a Regulation instituting a Community export declaration form

*The European Parliament,*

- having regard to the political, economic and psychological importance of all measures to improve the functioning of the customs union,
- having regard to its resolution of 7 July 1975 <sup>(1)</sup>,
- having regard to the motion for a resolution tabled pursuant to Rule 25 of the Rules of Procedure on simplification of customs procedures, customs legislation and institutional methods for dealing with customs matters (Doc. 356/76),

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<sup>(1)</sup> OJ No C 179, 6. 8. 1975, p. 7.

- having regard to the statements by the President-in-Office of the Council and the Commission representative during the debate on Oral Questions (Doc. 317/76) <sup>(1)</sup>,
  - having regard to the proposal from the Commission to the Council for a Regulation instituting a Community export declaration form <sup>(2)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 520/76),
  - having regard to the interim report by the Committee on Economic and Monetary Affairs (Doc. 14/77),
1. Notes that the amount of administrative work to which firms and private persons have to attend when sending goods or small consignments has not decreased despite the creation of the customs union;
  2. Stresses that the creation of a customs union involves not only the replacement of national customs tariffs with common tariffs but also the harmonization of national administration of the common customs tariff and other national laws and provisions in order to avoid unnecessary waste of time and money when persons or goods are to cross one of the Community's internal frontiers or external customs frontiers;
  3. Stresses that the present situation leads to shifts in trade and production patterns, which are contrary to the objectives of the EEC Treaty;
  4. Regards this situation as a luxury that the Community can ill afford at a time of growing economic difficulties for its Member States, having regard to the need to maintain the competitive position of its industries and especially in view of its efforts to maintain the highest possible living standards for its citizens;
  5. Fully appreciates the progress made in recent years, not least the fact that, since the European Parliament last delivered an opinion on the simplification of customs procedures <sup>(3)</sup>, new rules have been adopted for:
    - processing outside the Community (COM(74) 417),
    - the recovery of sums paid in error and of agricultural levies and duties (COM(72) 1578),
    - the duty-free importation of educational, scientific and cultural works (COM(73) 208),
    - the simplification of customs tariffs on agricultural products,
    - rules of origin in trade with EFTA countries and others;
  6. Is, however, of the opinion that the introduction of a uniform administration of customs legislation and the free movement of goods in the Community is proceeding too slowly;
  7. Endorses and welcomes the Commission's proposal for the institution of a Community export declaration form <sup>(4)</sup>;
  8. Urges the Commission to continue and intensify its efforts to draw up common customs legislation; points out that so far a basic Regulation on 'Community consignments' has been achieved and agrees that revision

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<sup>(1)</sup> OJ No C 259, 4. 11. 1976, p. 23.

<sup>(2)</sup> OJ No C 37, 14. 2. 1977, p. 66.

<sup>(3)</sup> OJ No C 179, 6. 8. 1975, p. 7.

<sup>(4)</sup> OJ No C 37, 14. 2. 1977, p. 66.

and simplification of the rules of origin and common rules for the administration of the relevant customs tariffs should have high priority; also points out the particular need for drawing-up common rules for the calculation of dutiable value;

9. Appreciates the fact that, before 1 July 1977, the Commission will draw up and submit a report on the situation in the customs union and urges the Commission to put forward as quickly as possible proposals for implementing its 1975 programme for the simplification of customs procedures <sup>(1)</sup> and the European Parliament's opinion of 7 July 1975;

10. Urges the Council to adopt at an early date the Commission proposals for the administration of the customs union <sup>(2)</sup>, especially those on;

- mutual assistance between the competent authorities of the Member States and between the latter and the Commission for ensuring the correct application of Community customs and agricultural regulations <sup>(3)</sup>,
- the release of goods for free circulation <sup>(4)</sup>,
- repayment of customs duties <sup>(5)</sup>,
- guarantee arrangements for the transit trade <sup>(6)</sup>,
- export documents <sup>(7)</sup>,
- customs exemption for small consignments of a non-commercial nature <sup>(8)</sup>;

11. Makes an urgent appeal to the Member States to approve the measures already adopted for simplifying customs legislation and to do their utmost to support the efforts of the European authorities towards harmonization, and stresses that this is of particular importance to small- and medium-sized undertakings;

12. Urges the Commission to seek the support of the European Parliament if it has difficulty in getting its harmonization proposals accepted by the customs authorities in one or more Member States;

13. Instructs its President to forward this resolution to the Council and Commission and to the governments and parliaments of the Member States.

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<sup>(1)</sup> COM(75) 67.

<sup>(2)</sup> See list in SEC(77) 62.

<sup>(3)</sup> COM(73) 538.

<sup>(4)</sup> COM(73) 2137.

<sup>(5)</sup> OJ No C 54, 8. 3. 1976, p. 85.

<sup>(6)</sup> OJ No C 204, 11. 8. 1975, p. 2.

<sup>(7)</sup> COM(76) 698.

<sup>(8)</sup> COM(74) 2084 and COM(75) 163.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- I. a Directive on the approximation of the laws of the Member States relating to the window-wiper and washer systems of motor vehicles
- II. a Directive on the approximation of the laws of the Member States relating to the defrosting and demisting systems of motor vehicles
- III. a Directive on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators)

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 435/76),
- having regard to its resolution of 12 December 1974 on the elimination of technical barriers to trade <sup>(2)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on the Environment, Public Health and Consumer Protection (Doc. 16/77),

1. Welcomes the fact that the Commission, in conformity with the wish expressed several times by Parliament for a package of proposals relating to the same sector, has submitted 11 proposals concerning the motor vehicle sector;

2. Also welcomes the fact that, with the adoption of this set of proposals, full EEC type-approval for motor vehicles will exist, with the result that the EEC type-approval of a motor vehicle in one Member State will enable it to be marketed in any Member State of the Community;

3. Considers that, in view of the safety implications, optional harmonization should only be regarded as a transitional arrangement and should be replaced in the long term by total harmonization;

4. Stresses once more the need to introduce a more streamlined procedure for the elimination of technical barriers to trade and reiterates, in this connection, its previous proposal for a procedure <sup>(3)</sup> requiring the Commission systematically to submit outline Directives pursuant to Article 100 of the EEC Treaty for the individual sectors defined in action programmes and to issue on its own responsibility implementing provisions pursuant to Article 155 of the EEC Treaty;

5. Regrets that the binding Directives approved by the Council on the elimination of technical barriers to trade are inadequately observed by the Member States and supports the Commission in its efforts to put an end to this situation;

6. Approves these Directives, subject to the above reservations.

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<sup>(1)</sup> OJ No C 43, 21. 2. 1977, p. 1.

<sup>(2)</sup> OJ No C 5, 8. 1. 1975, p. 41.



## RESOLUTION

on the adoption by the Council of the draft sixth Directive on VAT

*The European Parliament,*

- having regard to the amended proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having regard to the Council draft (Doc. 48/77),
- having regard to the report of the Committee on Budgets (Doc. 58/77),

1. Notes the agreement reached by the Council on the draft sixth Directive which will allow the general application of the own resources system in the Community from 1 January 1978;
2. Considers that Community financial autonomy and the introduction of VAT from 1 January 1978 should be given the highest priority;
3. Decides in the circumstances not to request the opening of a conciliation procedure on the substance of the sixth Directive so as not to delay implementation of the system of own resources;
4. Points out that the sixth Directive will permit the direct collection of Community VAT at a rate to be fixed, pursuant to the Decision of 22 April 1970 ratified by the Member States, by Parliament and the Council at the time the annual budget is adopted and in accordance with procedures mutually agreed by the two institutions;
5. Expects the Council to adopt before the summer, by means of an amendment to the Financial Regulation, the Community measures needed to implement the sixth Directive, if necessary, after consulting with Parliament;
6. Deplores, however, the shortcomings of the sixth Directive as regards tax harmonization and the Council's rejection of most of the amendments proposed by Parliament; calls on the Council, therefore, to begin its work on completing the sixth Directive in 1978, so that true fiscal harmonization may be achieved;
7. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> OJ No C 121, 11. 10. 1974.

## RESOLUTION

### on sea transport problems in the Community

#### *The European Parliament,*

- having regard to the proposals and communications from the Commission to the Council (COM (74) 1112 final of 15 July 1974, COM (75) 112 final of 14 March 1975, COM (75) 302 final of 17 June 1975, COM (76) 224 final of 26 May 1976 and COM (76) 341 final of 30 June 1976),
  - having regard to the memorandum from the French Government on the development of a Community project in the field of maritime transport of 4 December 1975,
  - having regard to the Council's Decisions of 4 November 1976 on sea transport questions,
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 5/77), and the report of the Committee on Economic and Monetary Affairs (Doc. 479/76),
  - having regard to the fact that with the enlargement of the Community a coherent transport policy cannot be achieved without taking aspects of sea transport into account,
  - in view of the great importance of sea transport for the Community's trade and in particular its relations with third countries,
1. Expresses its growing concern at the lack of Community rules on sea transport and of a common approach to questions of international maritime policy;
  2. Welcomes the fact that the Council has decided on the immediate introduction of a consultation procedure in the sea transport sector;
  3. Welcomes the fact that the Commission has at least been given a mandate to conduct investigations in one important area;
  4. Calls, however, for the Commission to be given a comprehensive mandate — without prejudice to the powers conferred upon it by the general rules of the Treaty — so that it may establish the basis for a coherent common sea transport policy and on this basis propose the priorities for a Community project in the most urgent cases;
  5. Calls on the Commission to submit proposals in the following areas and in accordance with the following principles:
    - I. *The role of the sea transport policy in the Community's external trade:*
      - (a) the member States of the Community should be jointly represented as soon as and to the widest extent possible in international organizations and at international conferences concerned with sea transport questions;
      - (b) shipping clauses in trade and shipping agreements concluded by the Community with third countries must be aligned within the framework of a common sea transport policy;
      - (c) the Community must evolve and adopt, particularly in UNCTAD, a common position as regards countries wanting to build up their own merchant fleets;

- (d) similarly, a common position towards the State-trading countries should be established;
- (e) the Community must develop a common programme of action against flag discrimination in collaboration with those international organizations which, like the OECD, are already tackling these problems
- (f) it would appear that joint action is urgently necessary in order to bring the problem of 'flags of convenience' nearer to solution, priority being given to clarification of the term 'flags of convenience'. The methods applied should include tax harmonization, upward harmonization of social regulations and harmonization of safety and insurance regulations. The Community should support the activities of the OECD in this area;
- (g) the Member States should jointly decide to accede to the code of conduct for line-conferences, but not apply the rules it contains on the sharing of the tonnage to be transported, and at the first possible conference on the review of rules make a joint effort to achieve an improvement of this code, a condition being that by that time a basic agreement on sea transport policy in the Community has been established;
- (h) if necessary, shipping questions should be included in all kinds of negotiations with third countries;
- (i) only when all possibilities for negotiation have been exhausted without the desired results being achieved should the Community resort to measures to counter discriminatory practices and other obstacles to shipping.

## II. *The role of sea transport within the Community:*

- (a) the reservation on cabotage in the coastal shipping of the Member States and in shipping between the latter and their overseas territories should be abolished where other Community countries are concerned. Measures should be introduced to harmonize factors having the greatest cost implications, which at present distort competition;
- (b) the measures, particularly in the form of the harmonization of legislation and cost factors, must help to ensure that in competition between the shipping companies in the Member States and in competition between coastal shipping and land and air transport, the means of transport which is most favourable on the basis of overall economic criteria is chosen in each instance;
- (c) the Commission should establish how far the operation of the common market requires certain tariff rules covering non-discrimination;
- (d) the common sea-transport policy should make due allowance for port hinterland traffic and its geo-economic implications.

## III. *The importance of a sea transport policy for ports and shipbuilding:*

- (a) the common sea-transport policy must take account of the policy on ports for which the European Parliament has also called;
- (b) the common sea-transport policy must help to solve the problem raised by the increasingly heavy demands which progress in transport techniques (giant tankers, container shipping) places on port investments. In this connection the Community should make a contribution to technical progress (nuclear propulsion, landing platforms etc.);
- (c) a common policy on shipbuilding and shipbuilding subsidies must form part of the common industrial policy, but must be coordinated with the common sea-transport policy.

## IV. *The harmonization of Member States' sea transport legislation:*

- (a) there should be upward harmonization of the working conditions of seamen and other employees in the sea transport sector. Special account should be taken of the regulations on crew strengths, training,

mutual recognition of qualifications, freedom of movement, overtime, leave, provision for old age, and insurance cover. There must, however, be no restriction on the freedom of action of the social partners in fixing rates of pay;

- (b) Member States' tax regulations covering sea transport operations, including concessions in respect of depreciation, must be harmonized; the same applies to indirect and direct subsidies. In this, account must be taken of the position as regards competition with ships sailing under the flags of third countries;
- (c) the Commission should consider which provisions of the Member States' commercial law must be harmonized;
- (d) of the technical regulations the following must in particular be harmonized: safety regulations and regulations on construction, fitting-out, capacity gauging and registration in cases where general standards do not already exist under international conventions. It must be ensured that existing conventions are interpreted in the same way by all;
- (e) the Community should support, by joint action, international efforts to prevent pollution of the seas;
- (f) appropriate standard control measures must be taken to ensure uniform implementation of all harmonization measures;
- (g) the Commission, assisted by its Statistical Office, should encourage the further harmonization of sea transport statistics;

6. Requests that, in working out the Community's sea transport policy and the harmonization of the legislation of the Member States, account should be taken as far as possible of international agreements concluded within the framework of existing organizations and of the situation that can arise in worldwide competition;

7. Instructs its Committee on External Economic Relations to take special account of sea transport questions in its report on commercial agreements between the Community and third countries and if necessary, to obtain an opinion from the Committee on Regional Policy, Regional, Planning and Transport;

8. Calls on the Commission to submit as soon as possible the proposals for a common sea-transport policy announced in its communication to the Council of 24 October 1973 on the development of the Common Transport Policy (Doc. 226/73);

9. Requests the Commission to submit proposals for a common position on the planned continuation of the Conference on the Law of the Sea, since this concerns important aspects of the sea transport policy;

10. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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## RESOLUTION

on the Fourth Report on the activities of the European Social Fund — 1975

*The European Parliament,*

- having regard to the Fourth Report on the activities of the European Social Fund — 1975 (COM(76) 338 final),
  - having regard to the report of the Committee on Social Affairs, Employment and Education and the opinion of the Committee on Budgets (Doc. 578/76),
1. Notes with satisfaction the Commission's punctual submission of the 1975 Report on the activities of the Social Fund and welcomes the new method of presentation embodied in it;
  2. Points out, however, that this exhaustive account in 1977 of the Fund's activities in 1975 should be of more than merely academic interest and should provide lessons for future financial years;
  3. Calls on the Commission therefore to discuss with the European Parliament, thoroughly and in good time, its views on the new reform of the European Social Fund, which have to be submitted by 1 May 1977 at the latest;
  4. Notes with satisfaction that in 1975 the Fund's resources were for the first time actually distributed on a priority basis to the neediest Member States, but expresses its misgivings in view of the fact that the 50 % contribution which beneficiaries of the Fund are required to make towards the financing of their projects represents too heavy a burden for the States that are most dependent on aid and helps to perpetuate the economic imbalance between the Member States of the Communities;

5. Urges the publication of comparable reports on the utilization of the Fund, both at national and Community level, particularly with a view to eliminating information disequilibria between the various national administrations;

6. Emphasizes that, in view of the continuing serious employment situation in the European Community, the implementation of a vigorous policy is urgently required in this sector; to this end it is vital to improve and intensify the Fund and to harmonize national and Community priorities;

7. Considers the Fund's resources as most inadequate in view of the gravity and dimensions of the economic problems facing the Community and the high expectations its citizens have of the Fund as a remedy for the crisis;

8. Stresses that the Social Fund's resources will gain in practical significance if their utilization is coordinated with those of the other Community Funds;

9. Considers that control of the definition of the basic policy of the Fund is essential in order to improve supervision of the allocation of Fund resources and of the implementation of assisted projects;

10. Feels that it is important to find solutions to the problems of shortage of staff and technical problems with which the administration of the Fund is faced; reiterates the criticism levelled on repeated occasions in previous years by the European Parliament regarding the staffing of the Fund's administration and control services and deplores the budgetary restrictions which will continue to stand in the way of the required increase in the number of staff, and accordingly endorses the opinion of the Committee on Budgets;

11. Condemns, in the interests of budgetary clarity and integrity, the use of 'shifts' (glissements) as in extremely dubious budgetary practice, and urges the Commission to eliminate the factors giving rise to this procedure;

12. Regards, with a view to ensuring the efficient operation of the Social Fund, particularly in reference to the pending reform of the Fund, the following as essential points:

- strict budgetary management within the framework of a medium-term multi-annual budget,
- observance of specific time limits to correspond with the financial resources then required,
- indication of financial requirements resulting from Member States' applications prior to finalization of the budget and harmonization of diverging priorities which come to light when requirements are announced,
- strengthening of ex-post control in view of the Fund's great importance for structuring the Community's social policy, so as to prevent speculation with the appropriations,
- more flexibility in administrative procedures to enable the foregoing points to be improved;

13. Calls on those of its committees concerned to give constructive assistance in working out ways to improve the implementation of the Social Fund's objectives;

14. Calls on the Commission to give considerably more publicity to the European Social Fund and to foster among the peoples of the Community a greater awareness of:

- the practical achievements which demonstrate the Fund's advantages,
- the future prospects of the Fund, and
- the Community's policy and actions in the social sector;

15. Instructs its President to forward this resolution and the report of its Committee to the Council and Commission.

## RESOLUTION

- I. on the third report from the Commission to the Council on the possibilities and difficulties of ratification by the Member States of the first list of conventions concluded within other international organizations in the fields of social legislation and labour legislation, and
- II. on relations between the European Communities and the International Labour Organization (ILO)

*The European Parliament,*

- having taken note of the third report from the Commission to the Council on the possibilities and difficulties of ratification by the Member States of the first list of conventions concluded within other international organizations in the fields of social legislation and labour legislation (COM(75) 142),
- considering the advisability of making a specific study of relations between the European Communities and the International Labour Organization,
- having regard to the report by the Committee on Social Affairs, Employment and Education (Doc. 54/77),

### I

1. Notes with satisfaction the publication by the Commission of a third report, which takes account of the situation in the new Member States, on progress made towards ratification of international conventions in the fields of social legislation and labour legislation;
2. Recalls the resolutions which it has previously adopted in this field <sup>(1)</sup>, the main substance of which remain valid;
3. Welcomes the fact the number of ratifications by the Member States has increased since the adoption of its last resolution on this subject <sup>(2)</sup>; largely agrees, nevertheless, with the Commission's conclusions and, in particular, shares its dissatisfaction at the number of officially ratified legal instruments and the slowness of the procedures involved;

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<sup>(1)</sup> Resolution of 14. 5. 1963, OJ No 84, 1963, p. 1576/63.

Resolution of 2. 7. 1968, OJ No C 72, 19. 7. 1968, p. 21.

Resolution of 4. 4. 1973, OJ No C 26, 30. 4. 1973, p. 8.

<sup>(2)</sup> OJ No C 26, 30. 4. 1973, p. 8.

4. Points out, however, that even when, in a given Member State, an international convention has not been ratified, it can exert a certain influence there, either because certain of its elements have been incorporated in national legislation or because they have been taken over in collective labour agreements freely negotiated by workers' and employers' organizations;
5. Welcomes the fact that, at the 61st session of the General Conference in 1976, the International Labour Office approved a convention on the establishment of tripartite bodies responsible for promoting the implementation of international labour standards, and requests the Member States to adopt, if possible, a common position in this respect;
6. Points out once again that conventions of this kind, which have been drawn up within an international framework after extensive consultation in which all Member States of the Community have taken part, are obviously intended, through ratifications, to become fully operative and that their non-ratification can result in distinct disadvantages for those directly concerned;
7. Again urges, therefore, the Member States to speed up their ratification procedures, not least for the sake of the harmonizing effect that derives from uniform legal provisions having force in all Member States, which makes this matter a Community affair;
8. Requests the Council, therefore, officially to instruct the Commission to continue to follow closely in the future, in consultation with the International Labour Office, not only the progress being made with ratifications, but also the actual application by Member States of ratified conventions, and to continue to report regularly on this subject to the Council and Parliament;
9. Also requests the Commission to continue to use its influence, particularly with the Council, to promote, by every means possible, the entry into force of this legislation;
10. Would appreciate it if, in future, the Commission's report on conventions in the fields of social legislation and labour legislation could be brought up to date so as to reflect the situation obtaining in the year of its publication.

## II

11. Notes that the objectives of the International Labour Organization and those of the European Communities in the social field largely coincide and therefore believes both for reasons of principle and for practical reasons that, in this area, cooperation between the two institutions should be as close as possible;
12. Requests its Political Affairs Committee and its Legal Affairs Committee to submit, in due time, a report on the further development of the Communities' relations with international organizations such as the United Nations and its specialized agencies within the meaning of Articles 228 and 229 of the EEC Treaty <sup>(1)</sup>;
13. Believes that achievement of European Union is bound to lead to the Communities' membership of ILO, yet feels that, pending this development, the following practical measures could be taken at once:
  - (a) a higher degree of coordination at Community level of positions to be adopted by the Member States at ILO's annual conferences,
  - (b) appointment of a single spokesman to speak at these conferences on behalf of the nine governments in respect of all areas where such coordination has been achieved (for example, the representative of the Member State exercising the Presidency of the Council),
  - (c) encouragement by the Community of consultation at European regional level and of more frequent meetings at that level within the framework of ILO,
  - (d) admission of a delegation from the European Parliament to join those from the Communities and the Member States at such regional conferences,

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<sup>(1)</sup> Also the corresponding Articles of the ECSC and EAEC Treaties.



- (e) more active participation by the representatives of the Commission, of the ECSC Consultative Committee and of the Economic and Social Committee in ILO's activities,
- (f) opening of negotiations between the International Labour Office and the Communities on the replacement of the three existing cooperation agreements by a single, wider-ranging agreement,
- (g) intensification of practical cooperation in the form of *inter alia* regular mutual consultation, adaptation by both sides of, for example, sectoral and statistical study programmes, as also the forms and models used therein, and technical coordination in the reciprocal use of documentation systems;

14. Requests the Commission, acting in collaboration with the Director-General of the International Labour Office, to submit to the European Parliament, within one year at the latest, a separate report on action taken on the abovementioned suggestions;

15. Instructs its President to forward this resolution to the Director-General of the International Labour Office, the Secretary-General of the Council of Europe, the governments of the Member States and the Council and Commission of the European Communities.

## RESOLUTION

on aspects of the Community's regional policy to be developed in the future

*The European Parliament,*

- having regard to its resolutions of 5 July 1973<sup>(1)</sup>, 15 November 1973<sup>(2)</sup>, 13 December 1973<sup>(3)</sup>, 12 March 1975<sup>(4)</sup> 18 November 1976<sup>(5)</sup> and 16 December 1976<sup>(6)</sup>,
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport, following upon its interim report of 1973, and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 35/77),

(a) *The need for a Community policy*

- noting that, despite the aid policies of the Member States, the divergence between average *per capita* incomes in the richer and poorer regions of the Community has continued to increase and that many of the existing major areas of concentration have been consolidated;
- whereas the existence of regional disparities also constitutes a threat to the sound operation of the common market and the internal cohesion of the Community and an obstacle to the progress of economic and monetary integration and the enlargement of the Community;
- whereas an overall Community structural policy is a 'good investment' for the Community as a whole, in that uncontrolled congestion and migration are more costly than measures to encourage the balanced development of the regions, measures which are designed to ensure to a large extent, in the context of free movement of labour and the elimination of regional imbalances, the right to security of employment in the region of origin, so as to protect the rights of national minorities;
- pointing out that the Heads of State or Government, meeting in Paris in October 1972, agreed that 'a high priority should be given to the aim of correcting, in the Community, the structural and regional imbalances . . .', invited the Commission 'to prepare, without delay, a report analysing the regional problems which arise in the enlarged Community and to put forward appropriate proposals . . .', undertook to 'coordinate their regional policies . . .' and invited 'the Community institutions to create a Regional Development Fund . . .';

(b) *Regional policy as a framework for aid from the Fund*

1. Considers that the Commission would be fulfilling only part of its task in confining itself to setting up a Regional Development Fund and drawing up a report analysing regional problems; in fact it has still not submitted the 'appropriate proposals' for solving these problems as it was invited to by the 1972 Summit;
2. Urges the Commission, therefore, to comply with the provisions of Article 2 (2) of the Regulation on the Fund and, 'when re-examining the Regulation . . . in due course (before 1 January 1978) (to) make the appropriate proposals for the Community's regional policy and for aid from the Fund . . .' (7);
3. Points out that this distinction between the Community's regional policy and aid from the Fund made by the 1972 Summit and the Regulation establishing the Fund is essential, since the Fund is only one of the instruments under this policy;

(1) OJ No C 62, 31. 7. 1973.

(2) OJ No C 108, 10. 12. 1973.

(3) OJ No C 2, 9. 1. 1974.

(4) OJ No C 76, 7. 4. 1975.

(5) OJ No C 293, 13. 12. 1976.

(6) OJ No C 6, 10. 1. 1977.

(7) OJ No L 73, 21. 3. 1975, p. 1.

4. Considers that a genuine Community regional policy should serve as a framework for aid from the Fund, although the Commission itself points out that 'until now the Community has not had a comprehensive regional policy of the character called for by the Summit. . . .<sup>(1)</sup> and that since 1973 no real progress has been made in working out such a policy;

5. Considers that the re-examination of the Regulation on the Regional Fund should be combined with a thorough assessment of the principles and methods of a genuine overall regional policy, no less than of the size and allocation of the Fund, which should follow on naturally from such a policy;

6. Feels that regional policy should allow a new geographic distribution of human activities in line with socio-economic objectives and introduce radical structural changes, whereas in certain cases the present system of aid promotes the survival of structures based on outdated occupations, thus standing in the way of the adjustments needed to reduce regional imbalances;

7. Considers that a substantial increase in the resources of the Regional Fund will be necessary if the Fund is to play its full role in an overall Community regional policy;

*(c) An overall regional planning policy for the Community*

8. Takes the view that this policy should be structural and comprehensive and not simply financial, since it should be aimed at overall regional planning in the Community, i.e., the development of the peripheral agricultural regions, the redevelopment of declining industrial areas, control of growth in areas of excessive concentration and cooperation between internal transfrontier regions and with external frontier regions;

9. Considers that the development of peripheral agricultural regions is the most important and most difficult type of development to bring about because of the special problems involved, which are not exclusively economic;

10. Is of the opinion that Community action is justified when certain sectors with structural difficulties, such as the textile, coal-mining, iron and steel and shipbuilding sectors, etc., play a dominant role in numerous important regions;

11. Feels that the Commission should encourage all forms of cooperation between internal and external trans-frontier regions on the basis of studies which must be carried out in the regions concerned;

12. Considers that the major economic and urban concentrations, which are overpopulated and environmentally impoverished, cost society dearly in economic, social and human terms and that the Community should devise disincentives to be applied simultaneously in all areas of the Community that suffer from excessive concentration;

13. Considers that the Community should devise methods for ensuring a more even distribution of economic resources throughout all areas of the Community, thereby avoiding any excessive concentration of economic resources in limited areas;

*(d) An overall policy coordinating programme aid*

14. Points out that it is necessary not only to combat economic disparities but also to bring living standards more closely into line and that national regional policies based solely on industrial development aid have not, generally speaking, attained their objective, as the standard of infrastructures may be more important than financial aid in promoting development;

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<sup>(1)</sup> Paragraph 8 of the 1973 report on regional problems in the enlarged Community — Doc. 70/73.

15. Believes that the primarily economic approach of the Commission and Council should be amplified to embody a more wide-ranging concept of development that takes due account of the human aspect, and once again stresses the need for the Fund, proceeding in close cooperation with the other Community instruments, to provide aid for social, educational and vocational training infrastructures, which represent a heavy burden for some Member States given their high cost and the absence of any immediate profit;

16. Feels that the aim should be to introduce an overall structural regional planning policy, by concentrating all aid resources on priority objectives for development and structural change in certain regions;

17. Stresses once again that, if this objective is to be achieved, it is essential to coordinate the Community's general and sectoral policies, those of its financial instruments having a regional impact, national policies and aid schemes of importance to the regions;

18. Considers it essential to initiate development programmes with a view to ensuring such coordination, concentrating resources and checking the effective use of aid;

19. Believes that such programmes should be sizeable, coherent and interdependent, to which end it is necessary to compile, on a uniform basis, more detailed regional statistics which may be integrated in regional models to serve as a basis for development programmes;

*(e) The role of the local and regional authorities and the publicizing of aid*

20. Points out that the Community's aim is to establish a coordinated, interdependent and varied unit that takes account of local and regional characteristics and in which the region has an important role to play;

21. Calls on the Commission and Council to take into consideration the trend towards decentralization of powers and resources which is gaining momentum in certain Member States;

22. Points out that it considers it essential, in view of the general character of the development, for the public to participate in the development process through their elected representatives at all levels, since such participation is indispensable to the success of the development programmes;

23. Urges the Commission to define, in collaboration with the Member States, the role of the various local, regional and national bodies in working out and implementing programmes for which Community aid is granted;

24. Considers it essential that aid from the Fund should be given adequate publicity in order to make the public more aware of the Community's activities;

25. Points out that, with the increase in its budgetary powers, it will have to have access to certain data on the basis of which it will be able to make a serious economic appraisal of the use and effectiveness of Community funds, and notes, in particular, that it is only by properly controlling the results that it will be possible to improve the Fund's standing and enable it to assure its own future and expand;

26. Considers that the revised Regulation should specify the minimum information that would need to be published, namely, for each economically significant region and for each programme whatever the amount involved: the identification, nature and amount of investment, the amount of national aid and any other sources of finance, the amount of aid from the Fund and the number of posts created or maintained;

*(f) The amount of the Fund, allocation criteria, fixing, budgetization and supervision of the Fund's endowment*

27. Points out that it has always been opposed to the amount of the Fund being allocated to the Member States according to a previously-determined scale, since the funds needed for a Community regional policy should

be determined on the basis of the relative needs of the most needy regions, and draws attention to the need for the Fund to be established over a sufficiently lengthy period to allow large-scale, medium- and long-term investment;

28. Considers that the multi-annual financial endowment of the Regional Fund should be based on a political commitment undertaken by the Council in agreement with Parliament; regards it as essential, however, that the annual appropriations should be determined in accordance with the budget procedure;

29. Stresses that the financial resources provided for the Fund as from January 1978 should allow for a reserve for particular purposes to be set aside within the total endowment; considers it essential to institute a mechanism for the reassessment of appropriations in order to protect the real value of resources in years to come; insists that the annual available resources, fixed in accordance with the budget procedure, should be reinforced by recourse to Community loans or, as would be natural, by recourse, at Parliament's discretion, to the funds accruing to Parliament by virtue of its power to amend the budget;

30. Points out that, following the proposals from the Commission and from Parliament and the undertakings given by the Council in 1975, expenditure under the new Regional Fund is non-compulsory as from January 1978;

31. Urges, in the interests of budgetary transparency, the breakdown of the Regional Fund's appropriations into several items;

32. Requests the Commission to make the payments mechanism still more effective, and to continue to apply and, if necessary, strengthen the rules for the control of utilization of resources, in the light of the favourable judgement expressed by the Commission on their suitability for ensuring effective Community control over the utilization of expenditure;

33. Requests the revision of the Regulation instituting the Fund Committee, and the deletion of the rule granting the Council the right of decision in the event of a divergence of views between the Commission and the Fund Committee itself; bases its request on the incompatibility of this provision with Article 205 of the EEC Treaty, which entrusts the Commission with the responsibility for implementing Community policies and the budget;

34. Draws attention to the advantages of Fund aid being given in the form of interest subsidies or exchange rate guarantees;

35. Points out that it has expressed its disapproval of the fact that the Fund introduces a mechanism for subsidies, based on priorities established at national level on the strength of different methods, data and criteria for each country, whereas a Community regional policy should be founded on priorities established in accordance with Community criteria;

36. Points out that it has already asked the Commission to use the criteria that the latter itself proposed in 1973 (for the drawing up of a list of regions eligible for aid from the Fund), based on a comparatively low *per capita* product, a high percentage of workers engaged in agriculture or in a declining industrial sector, structural under-employment, a consistently high unemployment rate and high emigration figures;

*(g) National aid capacity and additionality*

37. Considers that the overall differences that exist in the Community between the various Member States are partly due to the fact that some of these countries have to bear the cost of the underdevelopment or redevelopment of substantial areas in their territory, and this cost may exceed their national aid capacity;

38. Points out that it has already urged that aid from the Fund should be concentrated as a matter of priority on the regions with the most serious imbalances in the States with the lowest relative aid capacity in the Community;

39. Considers that aid from the Fund, which is modest in itself, should be granted only when national aid alone is insufficient for the implementation of an effective programme and points out that the Community contribution is justified only if it complements national aid and has a multiplying effect;

40. Feels that the principle of global or horizontal additionality observed by the Commission is necessary but inadequate since it may curtail the right of assessment and control of the Commission for certain individual projects; as these projects have to be incorporated in programmes, it suggests that the Commission should also use the principle of additionality for each programme and considers that, as a condition for making further grants, the State concerned should prove, at the end of each programme, that the principle of additionality has been observed;

(h) *Conclusion: the need for flexible and indicative planning of land utilization in the Community*

41. Urges the Commission and Council not to delay in reviewing the Regulations establishing the Fund and working out regional policy measures, in order to ensure the smooth operation of the Fund in 1978;

42. Considers that — in order to ensure the coherence of the various regional programmes and the coordination of all aid resources to serve the priorities established by the Community — the implementation of a Community regional policy calls for overall planning of the Community's economic and social development in the form of flexible and indicative plans aimed at relocating production centres throughout the Community and providing for incentives or disincentives for private decision-making centres and commitments for the public authorities;

43. Is of the opinion that this land utilization/planning should be carried out at national and regional level but formulated by the Community with the aid of the States and regions, which would mean a strengthening of the Community's role as a political decision-making centre;

44. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

on the problems in the Community's iron and steel industry

*The European Parliament,*

— deeply concerned at the deterioration of the situation in the Community's iron and steel industry which, in certain countries, represents a serious threat to employment and brings with it the risk of mass redundancies,

1. Supports the position of the Commission in trying to overcome the European steel crisis;
2. Warns against measures which could call into question the Community's external relations and measures which might give renewed impetus to inflation;
3. Takes the view that the Community's internal measures will produce more positive results in the context of world-wide agreements and therefore particularly favours a tripartite conference within the framework of the OECD;
4. Expects the Commission to do everything possible with all the means at its disposal to encourage reorganization of the iron and steel industry, and in the same context, to make provision for social and employment policy measures which will ensure the social security of the workers concerned.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive relating to the use of fuel oils with the aim of decreasing sulphurous emissions

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 501/75),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Energy and Research and the Committee on Economic and Monetary Affairs (Doc. 40/77),
1. Welcomes the proposal for a Directive as a further measure for reducing atmospheric pollution by sulphur dioxide and suspended particulates;
  2. Reiterates its belief in the 'polluter pays' principle, as endorsed by the Commission and the Council, but nevertheless feels that the Commission must provide more information about the costs involved for energy producers and consumers so that the effects on energy policy of the present proposal, including the possible costs, can be examined in the framework of an overall strategy on emissions of sulphur dioxide and suspended particulate matter;
  3. Notes that the Commission has rightly taken Article 100 of the EEC Treaty as the legal basis for its proposal;
  4. Regrets that, owing to the large number of exemptions for which it provides, the Directive will not ensure adequate protection of the environment and public health;
  5. Points out that implementation of the Directive will be possible only if at the same time an extensive monitoring network suitable for the purpose is in existence;

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<sup>(1)</sup> OJ No C 54, 8. 3. 1976, p. 79.

6. Calls upon the Commission, therefore, to submit proposals for introducing common methods of continuous measurement and the standardization of working methods;

7. Urges the Commission to conduct continuous assessments of the monitoring of atmospheric pollution and to submit new practical proposals on the basis of its findings;

8. Requests the Commission to incorporate the following amendments in its proposal, pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Directive relating to the use of fuel oils with the aim of decreasing sulphurous emissions**

**Preamble and recitals unchanged**

**Articles 1 and 2 unchanged**

*Article 3*

*Article 3*

**Paragraph 1 unchanged**

2. Regions in which a level of air pollution represented by any one of the pairs of value ranges for the concentration of sulphur dioxide and the associated concentration of suspended particulate matter laid down in Table 1 of Annex I to this Directive has been exceeded in *each of the three preceding years* shall be specified as zones of special protection.

2. Regions in which a level of air pollution represented by any one of the pairs of value ranges for the concentration of sulphur dioxide and the associated concentration of suspended particulate matter laid down in Table 1 of Annex I to this Directive has been exceeded in **the preceding year** shall be specified as zones of special protection.

**Articles 4 and 5 unchanged**

*Article 6*

*Article 6*

1. From 1 October 1978 combustion installations situated outside of the zones of special protection, having a thermal power rating of 100 MW or more and burning fuel oils must use low-sulphur fuel oil, or an equivalent fuel, as soon as for a 24-hour period the average concentration of sulphur dioxide and of suspended particulate matter at ground level within the area of influence of these installations has exceeded any of the pairs of value ranges laid down in Table 2 of Annex I to this Directive, and continue that use until these concentrations for a *24-hour* period have fallen back below the value ranges in Table 2 of Annex 1.

1. From 1 October 1978 combustion installations situated outside of the zones of special protection, having a thermal power rating of 100 MW or more and burning fuel oils must use low-sulphur fuel oil, or an equivalent fuel, as soon as for a 24-hour period the average concentration of sulphur dioxide and of suspended particulate matter at ground level within the area of influence of these installations has exceeded any of the pairs of value ranges laid down in Table 2 of Annex I to this Directive, and continue that use until these concentrations for a **six-hour** period have fallen back below the value ranges **given for a 24-hour period** in Table 2 of Annex I.

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(1) For complete text see OJ No C 54, 8. 3. 1976, p. 79.



Paragraph 2 unchanged

Article 7 unchanged

Article 8

1. Paragraph 1 of Article 4 shall not apply to:
- (a) combustion installations and plants employing processes where the level of sulphur dioxide emissions does not exceed that which is reached when the installation is burning low-sulphur fuel oil under such conditions that all sulphur is emitted;
  - (b) combustion installations controlled by a monitoring network and equipped with an adequate reserve of low-sulphur fuel oil or an equivalent fuel, provided that the emissions from these installations, during normal meteorological conditions, do not contribute significantly to the concentration of sulphur dioxide measured at ground level within the zones of special protection;
  - (c) sea-going ships calling at a port located within a zone of special protection.

Article 8

1. Paragraph 1 of Article 4 shall not apply to:
- (a) unchanged
  - (b) unchanged
  - (c) unchanged
  - (d) combustion installations burning a combination of fuels, e.g., oil refineries burning gas and fuel oil, provided that the combined emissions of sulphur dioxide do not exceed those that would occur from burning only low-sulphur residual fuel.

Paragraphs 2, 3 and 4 unchanged

Article 9

Member States shall notify the Commission of the zones of special protection specified pursuant to Article 3, not later than six months after the decision in question. They shall also notify any other criteria taken into consideration in their decision (for example population density, industrial activities giving rise to pollution and special topographical and meteorological conditions).

Article 9

Member States shall notify the Commission of the zones of special protection specified pursuant to Article 3, not later than six months after the decision in question. They shall also notify any other criteria taken into consideration in their decision (for example population density, industrial activities giving rise to pollution and any special topographical and meteorological conditions in the areas concerned).

Articles 10 to 14 unchanged

## RESOLUTION

**embodying the opinion of the European Parliament on a proposal from the Commission of the European Communities to the Council for a Regulation on financial and technical aid to non-associated developing countries**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 11/77),
- having regard to the report by the Committee on Development and Cooperation and the opinion of the Committee on Budgets (Doc. 34/77),

1. Approves the proposal for a Regulation on financial and technical aid to non-associated developing countries as an essential pre-requisite for the implementation of such a policy, in so far as priority is given, when this aid is allocated, to meeting the food requirements, in the broad sense of the term, of non-associated developing countries;

2. Draws attention to the views which it endorsed on 19 June 1975 during the discussion of its resolution on Community financial and technical aid to non-associated developing countries for the years 1976 to 1980;

3. Agrees with the Commission that the aid should be concentrated on the poorest countries and, in view of the limited resources available, calls for the establishment of flexible allocation criteria designed to guarantee optimal and immediate results for the poorest sections of the population in the developing countries concerned;

4. Entirely agrees that projects should be implemented in the agriculture and stockfarming sector and in the fisheries sector, and that consideration should also be given to schemes for promoting regional cooperation;

5. Considers it necessary for the implementation of a Community policy, both from the budgetary point of view and having regard to the nature of the decision making and implementation machinery laid down in the Treaty of Rome, that the Commission should have the final say on the choice of development projects to be carried out;

6. Requests the Commission to adopt the following amendments pursuant to Article 149, second/ paragraph, of the EEC Treaty;

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(1) OJ No C 54, 4. 3. 1977, p. 5.

7. Requests that, should the Council depart from Parliament's opinion, a conciliation procedure should be opened with the Council and the Commission;

8. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and, for information, to the missions of the non-associated developing countries accredited to the European Communities.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation on financial and technical aid to non-associated developing countries

Preamble and recitals unchanged

Articles 1 to 13 unchanged

#### Article 14

The draft decisions, together with the opinion of the Committee, shall be submitted to the Commission.

*The Commission's decisions shall be applicable immediately. If its decisions are not in accordance with the opinion delivered by the Committee, however, the Commission shall communicate them immediately to the Council. In that event the Commission shall defer application of the decisions it has taken by up to two months from the date of so communicating them.*

*The Council, acting by a qualified majority, may take a different decision within the two-month period.*

<sup>(1)</sup> For full text see OJ No C 54, 4. 3. 1977, p. 5.

#### Article 14

The draft decisions, together with the opinion of the Committee, shall be submitted to the Commission, which shall then take a decision.

deleted

deleted

### RESOLUTION

embodying the opinion of the European Parliament on a proposal from the Commission of the European Communities to the Council for a Regulation establishing a European agency for trade cooperation with the developing countries

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 367/76),
- having regard to the Council resolutions of 30 April 1974 and 3 March 1975,
- having regard to the report of the Committee on Development and Cooperation and the opinion of the Committee on Budgets (Doc. 445/76),

1. Recalls that its budgetary doctrine implies, for the institutions, direct management of all Community activities as well as the budgetization of all necessary appropriations;
2. Underlines, furthermore, that it has always tended to oppose the creation of decentralized bodies which, by the autonomy of their management and establishment plan, hinder the normal exercise of its budgetary powers: believes, however, for particular reasons indicated in this resolution, that it should give a favourable

<sup>(1)</sup> OJ No C 256, 29. 10. 1976, p. 2.

opinion on the proposed Regulation, while limiting it in order to take account of the fundamental budgetary principles set out above;

3. Approves the proposal in as far as it takes account of Parliament's repeated demands to the Commission to elaborate proposals concerning the creation of an agency for improving trade cooperation with the developing countries;
4. Regards the creation of the planned agency as a political gesture confirming after the conclusion and entry into force of the Convention of Lomé the Community's resolve to strengthen cooperation with non-associate countries as well;
5. Considers it essential to provide exact information on terms of EC trade and export opportunities, so that the developing countries can make better use of existing schemes;
6. Believes, however, that the task which would be entrusted to the 'Generalized Preferences' department could just as well be carried out by officials of the Commission of the European Communities;
7. Proposes, therefore, to reduce by 458 000 units of account, the expenditure envisaged for this financial year and the staff of the agency by 14 posts, namely three category A, five category B, five category C and one category D;
8. Agrees with the measures which are to be taken by the agency in favour of trade promotion programmes;
9. Considers that, for practical reasons, the agency must have its seat near the offices of the Commission and of the trade and diplomatic missions from the developing countries;
10. Considers it necessary to gear procedures and staffing levels to the special requirements of the agency;
11. Agrees that the agency should be established in the form of a European agency with legal personality and financial autonomy, under the direct supervision of the Commission;
12. Shares the opinion of the Commission that operating expenditure should be financed notably from the budget of the European Communities.
13. Calls upon the Commission to submit an annual report to it giving a detailed account of the work, results achieved and finances of the agency; instructs its appropriate committees to report to it in due course, and at the latest by the end of 1978.

## RESOLUTION

### on maltreatment by the French police of a Member and three officials of the European Parliament

*The European Parliament,*

— having regard to the following:

On the night of 17-18 June 1975 Mr Knud Nielsen, a Danish Member of the European Parliament, and three Danish parliamentary officials were in a public place in the old city of Strasbourg. As they were not carrying their identity papers they were unable to produce them for the police who were carrying out identity checks. Although Mr Nielsen drew attention to his prerogatives of immunity and offered to produce his papers at the hotel, they were all forcibly detained and only released in the early hours of 18 June. A medical examination carried out a short time later, at the request of two of the officials concerned, by the head of the Strasbourg University Clinic, revealed injuries received at the hands of the police. Numerous representations by the President of the European Parliament, the Socialist Group of the European Parliament, the Danish Foreign Minister and certain members of the French National Assembly to the competent French ministers and other authorities have been of no avail.

1. regrets that the French authorities have taken no steps to have the incident fully investigated by an impartial authority, i.e., the judiciary, in order to establish beyond doubt if *inter alia* the second protocol on the privileges and immunities of the EEC has been respected;
2. urgently requests the French authorities to take all appropriate steps to prevent the recurrence of similar incidents in future;
3. urgently requests the Secretary-General of Parliament to see that the position of parliamentary officials is also examined in order to ensure that their interests are protected in future.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation on the grant of a premium for the birth of calves during the 1977/78 marketing year
- II. a modification to the proposal for a Regulation amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar
- III. a modification to the proposal for a Regulation on the granting of a consumer subsidy for butter.

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM (77) 141 and 142 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 57/77),
- having regard to the proposal from the Commission of the European Communities to the Council on the fixing of prices for certain agricultural products and of certain related measures (Doc. 576/76),
- having regard to its resolution of 23 March 1977 <sup>(1)</sup>,
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 59/77),

1. Regrets the inability of the Council to reach a decision on the agricultural prices for 1977/78 which should have entered into force on 1 April 1977, and the serious consequences which will result for the Community's producers and consumers;
2. Draws attention to the fact that the sole purpose of the Commission's present proposals is to facilitate agreement in the Council, and that therefore these proposals have no economic justification;
3. Notes once more the serious difficulties facing certain countries which are due in certain cases to adverse weather conditions and in others to the necessity to align national prices to the common prices;
4. Does not believe, however, that such problems should be dealt with by means of measures drawn up on national lines, so bringing about the progressive dismemberment of the common agricultural policy and preventing a proper specialization of agricultural production within the Community;
5. Approves the Commission's proposal relating to the proposed production levy on isoglucose, while pointing out a lack of clarity in certain points due to modifications made to the Commission's original proposal laying down common provisions for isoglucose without informing the European Parliament;
6. Approves the Commission's proposals concerning the premium for the birth of calves in Italy, the special aid to sugar production in Italy and the modification in financing in the United Kingdom of a butter subsidy, on condition that such derogations shall not be further prolonged after 12 months.

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<sup>(1)</sup> OJ No C 93, 18. 4. 1977, p. 11.

**RESOLUTION**  
**on the political situation in Spain**

*The European Parliament,*

- recalling its resolution of 12 May 1976 in which it reiterated its desire to see Spain join the Community when it had evolved towards a genuinely democratic regime <sup>(1)</sup>,
  - acknowledging that the present Spanish Government has adhered to its timetable for the democratization of the country,
1. Welcomes the Spanish Government's decision to hold free and democratic legislative elections on 15 June 1977, which represents the essential prerequisite for the final democratization of Spain;
  2. Instructs its President to forward this resolution to the Commission and Council and to the Parliaments and Governments of the Member States.

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<sup>(1)</sup> OJ No C 125, 8. 6. 1976, p. 25.

**RESOLUTION**

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on imports into the Community of certain agricultural products originating in Turkey**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Articles 43 and 113 of the EEC Treaty (Doc. 584/76),
  - having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Agriculture (Doc. 42/77),
1. Points out once again that, when agricultural concessions are granted, compliance with the basic mechanisms of the Community agricultural market is essential in order to avoid disturbance of the market and detrimental effects on Community agriculture;
  2. Approves, subject to the above observation, the Commission's proposal as a contribution to the further development of association relations between the EEC and Turkey.

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<sup>(1)</sup> OJ No C 68, 18. 3. 1977, p. 4.

## RESOLUTION

on the report of the Audit Board of the European Communities on the flat-rate aid granted to Italy from the EAGGF, Guidance Section, with a view to improving production and marketing structures in the unmanufactured tobacco, olives, olive oil and fruit and vegetable sectors

*The European Parliament,*

- having regard to its resolution of 14 October 1974 <sup>(1)</sup>,
- having regard to the report of the Audit Board (Doc. 179/76),
- having regard to the report of the Committee on Budgets and the opinion of the Committee on Agriculture (Doc. 577/76),

1. Calls upon the Commission to submit in future more precise basic Regulations on financial aid, which should include the following minimum conditions for granting aid:

- (a) an exact description of the projects, sectors, etc., eligible for aid,
- (b) no investment incentive without prior analysis of needs,
- (c) application of the following principle: where financial aid is given as a lump sum, with the Member State acting as intermediary, payment may not be made until the use of the funds has been justified,
- (d) submission of comprehensive documentary evidence,
- (e) prohibiting circumstances or obligation to reimburse funds which have been improperly used,
- (f) provisions for control at the level of the ultimate beneficiary in cases where a Member State has acted as intermediary in forwarding Community funds;

2. Stresses the importance of economic scrutiny which should strengthen to an increased extent the legal scrutiny by the control bodies of the European Community; prior and retrospective cost-benefit studies should make it easier to assess the financial effectiveness of the measures;

3. Calls upon the Council:

- (a) to avoid henceforth giving lump-sum financial aid to the Member States on the basis of general political considerations and without an appropriate budget policy framework; because of its blanket character, such aid in practice escapes the requirement for authorization by the budgetary authority and may lead to the abuses described in the report of the Audit Board,
- (b) to apply the principle of additionality in all areas of financial aid so that Community political action does not degenerate into mere horizontal financial adjustment;

4. Instructs its President to forward this resolution and the report of its committee to the Commission and the Council.

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<sup>(1)</sup> OJ No C 140, 13. 11. 1974, p. 11.



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to materials and articles containing vinyl chloride monomer and intended to come into contact with foodstuffs

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 515/76),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Economic and Monetary Affairs (Doc. 46/77),
1. Notes that this proposal is for a specific Directive provided for in the framework Directive adopted by the Council on materials and articles intended to come into contact with foodstuffs <sup>(2)</sup>;
  2. Welcomes the Commission's proposal as a further step towards better protection of the health of the consumer;
  3. Hopes that the Commission will propose the other Directives provided for in the framework Directive with the same rapidity.

<sup>(1)</sup> OJ No C 16, 21. 1. 1977, p. 8.

<sup>(2)</sup> OJ No L 340, 9. 12. 1976, p. 19.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation on the opening, allocation and administration of the Community tariff quota of 30 000 head of heifers and cows, not intended for slaughter, of certain mountain breeds falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff
- II. a Regulation on the opening, allocation and administration of the Community tariff quota of 5 000 head of bulls, cows and heifers, not intended for slaughter, of certain Alpine breeds falling within subheading ex 01.02 A II b) 2 of the Common Customs Tariff

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 6/77),
  - having regard to its resolution of 14 May 1976 <sup>(2)</sup>,
  - having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Agriculture (Doc. 41/77),
1. Regrets that it has still not proved possible within the Community to achieve harmonization of national provisions in the veterinary sector, as a result of which free trade between the Member States in this sector is being obstructed;
  2. Takes the view that the Member States ought to inform the Commission, at its request, of imports which are actually charged against their shares, and regrets that in the corresponding Regulations <sup>(3)</sup> adopted last year the Council left it to the Member States to decide on the need for this information;
  3. Approves the Commission's proposals.

<sup>(1)</sup> OJ No C 58, 8. 3. 1977, p. 6.

<sup>(2)</sup> OJ No C 125, 8. 6. 1976, p. 47.

<sup>(3)</sup> OJ No L 167, 26. 6. 1976, pp. 1 and 5.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the inspection by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 266/76),
- having regard to the report of the Committee on Budgets and the opinion of the Committee on Agriculture (Doc. 85/77),

1. Welcomes the proposal by the Commission inviting the Governments of the Member States to strengthen their machinery for scrutinizing the utilization of EAGGF appropriations;

2. Considers that the inspection of the commercial documents of the undertakings concerned constitutes, in general, an effective check and should therefore be organized on an identical basis by the competent authorities of the Member States;

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<sup>(1)</sup> OJ No C 200, 26. 8. 1976, p. 6.

3. Feels that, in order to be really effective, this inspection system should be applied with a certain amount of flexibility and that the competent authorities must be allowed considerable latitude;

4. Considers it advisable for this Directive to be implemented as soon as possible and feels that the resulting system of inspection must eventually be extended to all undertakings benefiting from the system of financing by the Guarantee Section of the EAGGF;

5. Requests the Commission to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Directive on the inspection by the Member States of transactions forming part  
of the system of financing by the Guarantee Section of the EAGGF**

Preamble, recitals and Article 1 unchanged

*Article 2*

*Article 2*

1. Without prejudice to the right to make random checks or special inspections, particularly in the case of a suspected irregularity, Member States shall carry out the inspection of the commercial documents of the undertakings. The scope and frequency of such inspection shall be determined by the competent authorities in the Member States, account being taken of the type of transactions to be inspected.

1. unchanged

2. Nevertheless, where the receipts of a single undertaking or its payments to the Guarantee Section of the EAGGF, or the total thereof, exceed 100 000 units of account per year, the commercial documents shall be inspected *at least* one every two years. The inspection shall extend over an appropriate period to be determined by the competent authorities of the Member States.

2. Nevertheless, where the receipts of a single undertaking or its payments to the Guarantee Section of the EAGGF, or the total thereof, exceed 100 000 units of account per year, the commercial documents shall be inspected *on average* once every two years. The inspection shall extend over an appropriate period to be determined by the competent authorities of the Member States.

Articles 3 to 6 unchanged

*Article 7*

*Article 7*

Member States shall assist each other in carrying out the inspection provided for in Articles 2 and 3 when an undertaking is established in a Member State other than that in which the payment of the amount

Member States shall assist each other to the full in carrying out the inspection provided for in Articles 2 and 3, **particularly**, when an undertaking is established in a Member State other than that in which the

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(1) For complete text, see OJ No 200, 26. 8. 1976, p. 6.

concerned has been or should have been made or received.

payment of the amount concerned has been or should have been received.

Articles 8 and 9 unchanged

*Article 10*

During the *first three years following the year when* this Directive is put into effect as provided in Article 11, the inspection referred to in Article 2 (2) may, at the choice of the Member State, be confined to:

- undertakings where the amount referred to therein is not less than 250 000 units of account, or
- a representative number of the undertakings referred to therein, such number being at least one third of such undertakings.

*Article 10*

During the year following that in which this Directive is put into effect as provided in Article 11, the inspection referred to in Article 2 (2) may, at the choice of the Member State, be confined to:

- undertakings where the amount referred to therein is not less than 250 000 units of account, or
- a representative number of the undertakings referred to therein, such number being at least one third of such undertakings.

Articles 11 and 12 unchanged

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RESOLUTION

on the draft report on the operating expenditure of the European Parliament for the period  
1 January to 31 December 1976 (financial year 1976)

*The European Parliament,*

— having regard to the interim report of the Committee on Budgets (Doc. 94/77),

1. Points out that:

- (a) appropriations for the financial year 1976 amounted to 52 121 209 u.a. (units of account);
- (b) pursuant to Article 6 (1) (c) of the Financial Regulation, 3 171 666 u.a. were carried forward automatically from the financial year 1975 to the financial year 1976;

2. Notes that:

- (a) commitments entered into by 31 December 1976 for the financial year 1976 amount to 45 805 860 u.a.;
- (b) the appropriations uncommitted by 31 December, which have been carried forward pursuant to Article 6 (1) (b) of the Financial Regulation, amount to 184 000 u.a.;
- (c) of the appropriations carried forward from the financial year 1976 to the financial year 1977, pursuant to Article 6 (1) (c) of the Financial Regulation, payments amounting to 2 548 516 u.a. have been made;

3. Resolves that:

- (a) the appropriations of 623 150 u.a., automatically carried forward pursuant to Article 6 (1) (c) of the Financial Regulation from the 1975 to the 1976 financial year and not yet utilized, shall be deleted pursuant to Article 202 of the EEC Treaty;
- (b) the appropriations available under the 1976 budget but not committed, amounting to 6 131 349 u.a., shall be deleted;

4. Defers its final decision on the discharge for the financial year 1976, required under Rule 50A (2) and (3) of the Rules of Procedure, until the operating expenditure has been scrutinized by the audit authorities of the Communities in accordance with the relevant Treaty provisions;

5. Instructs its President to forward this resolution and committee report to the Commission.

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RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending the Staff Regulations of officials and the conditions of employment of other servants of the European Communities**

*The European Parliament,*

— having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,

— having been consulted by the Council on 25 March 1977 (Doc. 19/77),

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<sup>(1)</sup> OJ No C 74, 25. 3. 1977, p. 2.

— having regard to the report of the Committee on Budgets (Doc. 95/77),

Approves the Commission's proposal to have the Court of Auditors treated as a Community institution for the purposes of applying the Staff Regulations of officials of the European Communities.

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## RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation setting up a European Export Bank**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 41/76),
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Budgets and the Committee on Development and Cooperation (Doc. 66/77),
1. Notes with regret the lack of progress towards the definition of a common commercial policy, particularly in the field of external trade financing and insurance;
  2. Believes that the European Export Bank should make a significant contribution to the competitiveness of Community exports on the world market; the Commission must at the same time continue to press for further harmonization of national export credit facilities;
  3. Calls on the Commission, particularly in the light of the opinion delivered by the Court of Justice of the European Communities on 11 November 1975, forcefully to exert its authority over the Member States in the matter of export financing and insurance;
  4. Notes that, in view of the fact there are at present no clear terms of reference for the European Export Bank, no specific information is available on the possible volume of business of the Bank, thus making it impossible to estimate likely costs, and hence the amount to be charged to the Community budget;
  5. (a) Wishes the Commission to investigate whether it is possible to integrate the activities of a European Export Bank into those of the already existing European Investment Bank;
  - (b) Requests the Commission, should this unfortunately prove impossible, to incorporate in the Statute of the European Export Bank guidelines to demarcate its activities from those of the existing European Investment Bank;
  - (c) Wishes that the European Export Bank's activities should be coordinated with other Community policies;
  6. Calls for the preparation of a list of criteria for the selection of projects to be handled by the European Export Bank;

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<sup>(1)</sup> OJ No C 76, 1. 4. 1976, p. 2.

7. Hopes that the Commission's proposed right of intervention will be very limited in order to ensure that it is compatible with the degree of independence the Bank requires to carry out its activities successfully, or with the extent to which its activities are intended to be in conformity with ordinary commercial practice;

8. Calls, in the light of the objections that have been raised, for a re-examination of the problems that are still unresolved and for the Commission's proposal for a Regulation to be revised accordingly and published in the form of a detailed draft statute as soon as possible, but not later than December 1977.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities for a Council Regulation on Community financial measures to promote the use of coal for electricity generation**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities for a Council Regulation <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 535/76),
- having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Budgets (Doc. 45/77),
- having regard to its earlier resolutions, in particular:
  - on means of securing adequate energy supplies to satisfy the Community's requirements and guarantee, promote and further improve the Community's competitiveness on the world market as a prerequisite for economic growth, full employment and a forward-looking social policy <sup>(2)</sup>,
  - on the proposal from the Commission of the European Communities on the medium-term guidelines for coal 1975 to 1985 <sup>(3)</sup>,
  - on the communication from the Commission of the European Communities to the Council on guidelines for the electricity sector in the Community <sup>(4)</sup>,
  - on the future guidelines of the Community's coal policy in the framework of the overall concept of a Community energy policy <sup>(5)</sup>,

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<sup>(1)</sup> OJ No C 22, 29. 1. 1977, p. 4.

<sup>(2)</sup> OJ No C 112, 27. 10. 1972, p. 32.

<sup>(3)</sup> OJ No C 179, 6. 8. 1975, p. 15.

<sup>(4)</sup> OJ No C 239, 20. 10. 1975, p. 20.

<sup>(5)</sup> OJ No C 159, 12. 7. 1976, p. 33.

1. Stresses the importance of coal as the Community's largest indigenous source of energy;
2. Recognizes the need for immediate and adequate measures to assist the European coal industry;
3. Emphasizes once again the desirability of reducing the Community's dependence on imported petroleum products;
4. Believes that the present proposal could effectively encourage electricity producers to make greater use of coal during the 1980's, and accepts that electricity production be subsidized in order to achieve this aim;
5. Is pleased to note that the present proposal is intended to supplement, and not to replace, either national aids or assistance from other Community sources, and hopes that new low-interest loans, on a substantial scale, will continue to be made available to assist the Community coal industry;
6. Approves of the proposal's budgetary presentation, and particularly
  - of grants being expressed in European units of account,
  - of funds for this action being made available through the budget of the European Communities, coming under the budgetary powers of the European Parliament;
7. Notes with approval that high priority will generally be given to those projects involving the greatest increase in coal consumption relative to the grant;
8. Hopes that installations undertaking to burn Community coal will be treated particularly favourably, and calls on the Commission:
  - to reserve 20 % of the sum allocated to this action for installations undertaking to burn only Community coal,
  - to take appropriate measures to ensure that producers assisted on the understanding that they use Community coal, adhere to such a commitment;
9. Insists on the sanctions provided for in the second and third indents of Article 6 (2) of the proposal for a Council Regulation being strictly applied;
10. Welcomes the Commission's undertaking to report to the Council and the European Parliament, at regular intervals, on the execution of this Regulation;
11. Approves the proposal from the Commission but invites it to adopt the following amendment pursuant to the second subparagraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation on Community financial measures to promote the use of coal for  
electricity generation**

Preamble, recitals and Articles 1 to 4 unchanged

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(1) For complete text, see OJ No C 22, 29. 1. 1977, p. 4.



*Article 5*

In considering applications for grants, the Commission is to be guided, by the coal-burn plans submitted to the effect that the higher the proposed coal-burn in relation to the amount of the grant, the higher the priority of the project. However, priority is to be given to projects in regard to which the electricity undertaking is prepared to commit itself to use principally Community coal.

*Article 5*

In considering applications for grants, the Commission is to be guided, by the coal-burn plans submitted to the effect that the higher the proposed coal-burn in relation to the amount of the grant, the higher the priority of the project. However, priority is to be given to projects in regard to which the electricity undertaking is prepared to commit itself to use principally Community coal. **One-fifth of the total sum available for grants is to be reserved for projects in regard to which the electricity undertaking is prepared to commit itself to use only Community coal.**

Articles 6 to 8 unchanged

RESOLUTION

on the guidelines of the European Parliament on the budgetary and financial policy of the European Communities for 1978

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(77) 20 fin.),
- having regard to the report of the Committee on Budgets (Doc. 83/77),

- (a) conscious of its responsibilities in regard to the general budget of the European Communities,
- (b) wishing to convey formally to the Commission and to the Council its political views on the principal budgetary and financial guidelines for the financial year 1978,

### **I. The new budgetary structures**

1. Stresses the need to adopt the new budgetary structures for the 1978 financial year — including the conditions necessary for the setting up of the own resources system on 1 January 1978 — namely:

- (i) the amendments to the financial regulation applicable to the general budget of the European Communities,
- (ii) the European unit of account, and
- (iii) the VAT financial regulation and associated proposals,

and calls on the Council to complete this programme before the opening of the 1978 budgetary process, recourse being had, if necessary, to the conciliation procedure with Parliament;

2. Calls on the Commission to take full account of the proposals put forward by Parliament for improvements in the budgetary procedures;

3. Welcomes the Commission's intention, in accordance with Parliament's view, to improve Community financing capacity by way of long-term borrowings guaranteed by the Community thus giving added flexibility to the scope for budgetary action in the spheres of investment and development and calls for early specific Commission proposals in the matter;

4. Calls on the Commission, when preparing the preliminary draft budget, to create the conditions conducive to the most efficient use of Community resources by making the necessary proposals to the Council when setting out the objectives in the different policy fields;

### **II. 1978 budgetary policy**

5. Insists that the Commission present a preliminary draft budget which constitutes a genuine comprehensive budgetary and fiscal policy document and not a mere accounting text, thereby discharging in full its responsibilities under the Treaties;

6. Believes that the 1978 budget should mark a turning point in the development of the Communities and should be decided on in the light of Community needs and goals rather than being determined by considerations arising from past trends in the GNP, the national budgets and the price patterns of Member States;

7. Calls for clear evidence of a new drive and initiative in the 1978 budget with significant proposals in major spheres of activity, so as to enable the Communities to play their full part in the building of Europe, thus catching the imagination and the support of the European public;

8. Asks the Commission to present, in the context of the 1978 budget, comprehensive common policies in the fields of energy, research and transport;

### **III. Specific budgetary points of crucial importance**

#### *Agriculture*

9. Considers that, in regard to agriculture, a better equilibrium between the organization of the market and the structures policy constitutes an element essential to the safeguarding of the common agricultural policy and would

provide the conditions necessary for progress in the less-favoured agricultural areas; therefore, demands that the Commission take these considerations into account and translate them into concrete budgetary proposals;

#### *Industry and energy*

10. Insists that the Community ensures that the necessary funds are available to finance the development of the advanced technology sector of European industry so as to enable it to compete successfully on a world scale;

11. Urges that, in view of the difficult employment situation:

(i) specific measures be provided to assist small and medium enterprises to surmount temporary economic difficulties, and

(ii) concrete steps be taken to reduce

(a) Community dependence on imported sources of energy, especially hydrocarbons, and

(b) wasteful use of existing energy resources;

#### *Social and regional policy*

12. Points out to the Commission that, in the present economic and social situation, its responsibilities demand budgetary proposals capable of substantially modifying the weak Community policies of past years; therefore, insists that the Commission put forward proposals capable of countering divergent developments within the Community, of alleviating unemployment problems and of assisting women and young persons to secure jobs;

#### *Aid*

13. Endorses a continuation and improvement of projects for aid to developing countries and calls attention to the need for a vigorous programme for the transfer of technology designed to improve the productivity of indigenous food producing techniques;

#### IV. Conclusions

14. Recalls that carefully elaborated multiannual budgetary forecasts should be made available in view of the extension of the use of commitment authorizations destined to cover the financial aspect of those policies which extend over several years;

15. Reminds the Commission that the preliminary draft budget 1978 should make full provision for all the expenditures likely to arise during the entire financial year so as to obviate the need for avoidable supplementary budgets; moreover, considers this to be an essential requirement now that the use of Community own resources is to be determined in the light of an informed debate, this being necessary since, henceforth, Community exchequer needs will be fully decided by the Council and Parliament;

16. Instructs its President to forward this resolution to the Council and to the Commission.

## RESOLUTION

**on the need for innovation and research policy measures to be taken by the Community in the near future in those areas in which Member States derive a low revenue from the granting of licences and have to pay substantial licence fees to third countries**

*The European Parliament,*

- having regard to the Community's constantly growing balance of payments deficit in the international trade in licences,
  - having regard to the measures already introduced by the Community with a view to stepping up the research projects of the Community and its Member States and coordinating these projects through the appropriate Community bodies,
1. Stresses that highly specialized services of this kind are also important for the Member States' balance of payments;
  2. Feels, however, that the Community must take steps in particular to promote Community research in those areas in which substantial licence fees have to be paid to third countries with surplus revenues from the granting of licences;
  3. Calls upon the Commission, therefore, to submit proposals to the Council for the promotion and coordination of research specifically in those areas concerned with industrial development and innovation whose promotion at the moment still entails substantial licence payments to third countries with surplus revenues from the granting of licences;
  4. Also asks the Commission to make more proposals to the Council than it has hitherto for the promotion and coordination of research in other areas concerned with industrial development and innovation, to enable the Community and its Member States to earn additional revenue from the granting of licences to third countries;
  5. Urges the Council to regard such Commission proposals as extremely urgent and therefore to deal with them without delay;
  6. Instructs its President to forward this resolution to the Council and Commission.

## RESOLUTION

### on the protection and defence of human rights

*The European Parliament,*

- profoundly concerned at the renewed outbreak and escalation of violations of human rights throughout the world,
  - reaffirming, as a democratic assembly, its role as guardian of fundamental freedoms, and recalling its numerous resolutions calling for their respect,
  - resolutely determined to uphold the implementation of the fundamental principles embodied in the United Nations Charter, the Universal Declaration of human rights, the European Convention for the protection of human rights and fundamental freedoms and the Final Act of the Helsinki Conference on security and cooperation in Europe, of which the European Community and its Member States are signatories,
  
  - considering that the Final Act of Helsinki, an essential factor in the policy of *détente* aimed at promoting cooperation among all its signatories, contains a principle entitled 'Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief',
  - considering that the Final Act of Helsinki has rightly been described as the 'Charter of human rights and fundamental freedoms' by all the citizens of the countries signatory to the Final Act who are deprived of their human rights and basic freedoms,
  - having regard to the report by the Political Affairs Committee (Doc. 89/77),
1. Reaffirms its solidarity with all men and women throughout the world who suffer violations of their freedoms;
  2. Calls on the institutions of the Community and on the Foreign Ministers of its Member States meeting in political cooperation:
    - (a) to adopt and uphold a joint position at the preparatory meeting to be held in Belgrade in June 1977 to ensure that all the principles and provisions of the Final Act of Helsinki are respected by all the signatories;
    - (b) to obtain recognition of the link between the pursuit of a policy of *détente* and willingness to respect fundamental rights and freedoms;
    - (c) to promote throughout the world — and particularly within the United Nations Organization and its Human Rights Commission, whose role should be strengthened — general awareness of this problem in order to multiply and reinforce the means of combating all violations of human dignity;
    - (d) to be ready to make joint representations to the governments of the countries where human rights are violated;
  3. Undertakes, in its own external relations and interparliamentary contacts, to bear in mind the question of human rights and fundamental freedoms;
  4. Instructs its President to forward this resolution to the Council and Commission, to the Foreign Ministers of the nine Member States meeting in political cooperation, to the Parliaments and Governments of the Member States of the Community and to the Secretary-General of the United Nations.

## RESOLUTION

on the preparatory meeting of 15 June 1977 in Belgrade as provided for by the Final Act of the Helsinki Conference on security and cooperation in Europe

*The European Parliament,*

- having regard to the Final Act of the Conference on security and cooperation in Europe adopted at Helsinki on 1 August 1975,
- having regard to the fact that a preparatory meeting of representatives of the signatory States of the Final Act of Helsinki is to be held in Belgrade on 15 June 1977,
- having regard to the fact that this meeting is to be followed by a further meeting 'at the level of representatives appointed by the Ministers of Foreign Affairs',
- having regard to the fact that a meeting of experts is to take place at the invitation of the Swiss Government, with the aim of continuing the search for an acceptable method for the peaceful settlement of differences designed to complement existing methods, and, to this end, of continuing the drawing up of a draft Convention on a European system for the peaceful settlement of differences as proposed by Switzerland during the second phase of the Conference on security and cooperation in Europe,
- having regard to the role played by the Governments of the Nine and the European Community in the preparation of a joint approach to the questions discussed during the Helsinki and Geneva Conferences,
- having regard to the fact that the Governments of the Nine and the Commission of the European Communities have declared that they are preparing a joint position on the questions to be discussed during a series of meetings, the first of which will begin on 15 June 1977,
- having regard to the report of the Political Affairs Committee (Doc. 90/77),

Urges the nine Governments of the Member States and the Commission of the European Communities:

1. to ensure that each of the 10 principles set out in the Final Act is respected by all the Governments of the participant States;
2. to ensure that priority is given to the full implementation of all the decisions taken at Helsinki;

*As regards political and security questions*

3. to insist that all the participant States faithfully respect the provisions adopted so that their implementation is not compromised by restrictive attitudes;

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4. to insist, on the one hand, that the measures designed to create confidence be applied fully and, on the other hand, that they be strengthened by other provisions and that, in particular, the negotiations on mutual balanced force reductions at Vienna result in some initial conclusions;

*As regards economic questions*

5. — to ensure that the concept of reciprocity, as defined in the preamble to Basket Two of the Final Act, is given full effect in relations with State-trading countries,
  - to participate actively in the multilateral implementation of the provisions adopted at Helsinki in respect of Basket Two in the framework of the United Nations Economic Commission for Europe in Geneva,
  - to pursue its efforts to improve the conditions for business contacts and information in the economic field,
  - to continue its moves towards the conclusion of trade agreements between the Community and individual State-trading countries, on the basis of the Community proposal of November 1974;
6. to play their part in the outcome of the talks between the European Economic Community and COMECON in order to promote cooperation between these two organizations, while respecting the general terms of reference of each;

*Human rights*

7. to reaffirm that the principle of 'human rights', defined in the Final Act as the principle of 'respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief' must be applied with the same rigour as that used to ensure the proper application of the other principles referred to;
8. to strive in particular for the free dissemination of opinions both through organized contact and through the free movement of persons;

*Follow-up to the CSCE*

9. to decide in due time, through the continuation of the multilateral procedure provided for in the Final Act, on measures likely to ensure a positive development of what it has been agreed to describe as the follow-up to the Helsinki Conference;
  10. to reaffirm, in order to achieve this objective, the need for coherent action by the Nine to safeguard the potentials of European integration;
  11. instructs its President to forward this resolution to the Council and Commission and to the Governments and Parliaments of the Member States.
-

## RESOLUTION

### on the mutual and balanced force reduction negotiations (MBFR)

*The European Parliament,*

- taking note of the negotiations between certain members of the Atlantic Alliance and the Warsaw Pact on the mutual reduction of forces and armaments and associated measures in Central Europe which have taken place in Vienna since 1973,
  - having regard to the fact that meetings of experts, following by a meeting of representatives appointed by the Ministers of Foreign Affairs of the participating States, are due to be held in Belgrade in 1977 to consider the implementation of the provisions of the Final Act of the Helsinki Conference,
  - bearing in mind the complementary nature of the political and military aspects of security, set out in the document on confidence-building measures and certain aspects of security and disarmament contained in the Final Act of the Helsinki Conference,
  - noting that little progress has so far been made offering any promise of achieving a basis of agreement at the Vienna Conference,
  - taking the view that it is high time constructive and positive results were achieved on the basis of reciprocity and equilibrium,
  - having regard to the report of its Political Affairs Committee (Doc. 91/77),
1. Considers that a reduction of forces and armaments in Central Europe:
    - (a) must not be effected by measures which could jeopardize the security of any of the parties to the negotiations;
    - (b) must not be prejudicial to the security of other European countries;
    - (c) must not constitute an obstacle either to the organization of the defense of Western Europe or to the integrated defence system of the Atlantic Alliance;
  2. Considers that the negotiations on the reduction of forces and armaments in Central Europe should result in:
    - (a) approximate equality between the troop strengths on each side in the negotiation area through the elimination of the present disparities between the numbers of the conventional land forces of the Warsaw Pact countries and those of the Atlantic Alliance;
    - (b) the fixing of a collective common ceiling for the forces in question;
  3. Considers that in order to ensure that the situation remains stable implementation of the agreements concluded by both sides should be accompanied by related measures on troop movements;
  4. Considers that the agreements negotiated in Vienna should lead on to a gradual reduction of the numbers of conventional and nuclear forces and weapons throughout Europe;
  5. Considers that any reduction resulting from the negotiations should be made subject to effective international control so as to ensure observance of the agreements concluded;
  6. Instructs its President to forward this resolution to the Council and Commission and to the Governments and Parliaments of the Member States.
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## RESOLUTION

### on the European Community's information policy with particular reference to the Commission information programme in preparation for direct elections to the European Parliament

*The European Parliament,*

- having regard to the information programme drawn up by the Commission in preparation for direct elections (COM(77) 114 fin.),
  - whereas the first European elections should enable 180 million voters to participate on a large scale and in an informed manner in the development of a politically united Europe and whereas it is therefore essential for an effective information campaign to be put into effect without delay,
  - whereas it is the responsibility of the Member States' governments as well as the Commission of the European Communities and the European Parliament to promote by objective means a keen public awareness of the importance of this consultation for all the Member States, for Europe and for the strengthening of democracy,
  - having regard also to the need for political parties and movements to step up their activities during the actual electoral campaign by engaging in a democratic contest,
  - having regard to the report of its Political Affairs Committee (Doc. 93/77),
1. Considers the appropriations entered in the Communities' 1977 budget to be grossly inadequate in view of the scale of the operations to be undertaken in the nine Member States and the fact that they are aimed at a potential electorate of 180 million people;
  2. Notes that the first programme drawn up by the Commission relates exclusively to the appropriations currently available and covers only the initial stages of the overall effort to be undertaken;
  3. Considers that the Commission should draw up an overall and more detailed programme — possibly with the assistance of organizations specializing in this field — as soon as possible and in any case not later than 31 July 1977, containing financial estimates which should also be taken into account in the 1978 draft budget;
  4. Asks that a liaison body consisting of representatives of the European Parliament and the Commission, acting within their respective terms of reference, should examine and coordinate the operations relating to the use of appropriations specifically set aside for the year in question by Parliament and the Commission for the preparations for direct elections;
  5. Asks its Political Affairs Committee to keep the implementation of the programme under review and to report to Parliament on the matter if necessary;
  6. Instructs its President to forward this resolution to the Council and Commission and to the Parliaments and Governments of the Member States.

## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the review of the rules governing the tasks and operations of the European Social Fund

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(77) 90 fin.),
  - having been consulted by the Council (Doc. 50/77),
  - having regard to the report of the Committee on Social Affairs, Employment and Education and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on Budgets (Doc. 84/77),
1. Recognizes that, given the conditions at present imposed by the world economy and structural change, it is not possible to rely solely on the market's capacity for remedying its own ills if the current economic and labour market problems are to be overcome;
  2. Welcomes, therefore, the swift reaction of the new Commission in pushing ahead with the reform of the Social Fund with a view to using it to support national employment policies; doubts, however, whether it will be possible in practice to abide by the timetable laid down by the Commission;
  3. Stresses that employment in general, unemployment among young people and the repatriation of migrant workers at present constitute the most serious problem and that short-term solutions cannot be found; therefore calls for absolute priority to be given to this matter with due regard to the gravity of the situation;
  4. Wishes to stress from the outset that the Social Fund can make an effective contribution to our employment policy only if it is developed into a global instrument and the allocation of resources is coordinated with that of the other Community funds;

5. Urges, as already requested in Mr Caro's report <sup>(1)</sup>, the publication, at both national and Community level, of reports on measures taken by the Fund, based on comparable data and information, which would thus contribute in particular to the planning of a forward-looking social policy;
6. Welcomes the Commission's willingness to give careful consideration to the possibility of increasing the number of staff involved in the administration and supervision of the Social Fund, a step that may prove to be essential, and to simplify procedures so as to make better use of the available potential;
7. Agrees that in certain cases the Social Fund's contribution should be increased from 50 to 65 % and also endorses the new proposal to encourage the maintenance of existing jobs and the creation of new jobs by contributing 35 % to further measures;
8. Advocates the retention in principle of the division provided for in Articles 4 and 5 of the Council Decision of 1 February 1971 and the flexible arrangements for transferring appropriations between the two articles, but stresses that even when the transfer of appropriations is treated from a purely budgetary angle, the social policy aspects must be given priority;
9. Urges that, when Articles 4 and 5 are redrafted as is proposed, the corresponding implementing provisions be worded in such a way as to ensure that socially important projects that have been assisted hitherto are not jeopardized;
10. Agrees that the transfer of a larger part of the planning element to the Commission and the granting of advances towards approved projects may enable the Fund to be administered in a coordinated and more dynamic manner; however, the Member States must provide the requisite administrative support;
11. Acknowledges the positive approach reflected in the concept of prior consultation between Parliament and the Council and Commission, but would ask the Commission to define these notions in the document under consideration;
12. Commends the Commission's proposals for improving the procedure of the Social Fund, but points out that they can be effectively implemented only if the Fund is assured of adequate financial resources, since its resources are at present totally inadequate for the tasks allocated to it;
13. Urges, in view of the constantly changing economic and social requirements, that arrangements be made for the Social Fund's operating procedures to be adjusted quickly rather than every few years;
14. Agrees with the Commission that the nature of its proposals is such that if the Council intends to depart from the opinion of the European Parliament it will be necessary to open a conciliation procedure with the European Parliament;
15. Urges further that the Commission should be given its own direct right of intervention at the earliest opportunity by means of a sweeping reform of the structure of the Social Fund.

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<sup>(1)</sup> Report on the Fourth Report on the activities of the European Social Fund — 1975 (Doc. 578/76).

## RESOLUTION

on measures to combat fraud and irregularities relating to the common agricultural policy,  
with reference to the third report by the Special Committee of Enquiry on beef and veal

*The European Parliament;*

- having regard to the third report by the Special Committee of Enquiry on the Guarantee Section of the EAGGF, beef and veal (COM(76) 370 fin.),
- having regard to the report by the Committee on Budgets and the opinion of the Committee on Agriculture (Doc. 88/77),
  1. Recalls its interest in the work of the Special Committee of Enquiry and calls for the renewal of the latter's mandate for all sectors of the common agricultural policy particularly threatened by fraud;
  2. Invites the Commission to continue its efforts towards finalizing the rules for applying Regulation (EEC) No 283/72 on measures to combat irregularities;
  3. Requests the Council to speed up the introduction of Community measures to combat irregularities, in particular through cooperation between national administrations and between the latter and the Commission, on the application of the Regulations and control procedures;
  4. Declares itself firmly in favour of the introduction of Community measures to combat irregularities along the lines of those introduced under Regulation (EEC) No 283/72 in respect of own resources;
  5. Approves in general the action taken by the Commission as a result of the work of the Special Committee of Enquiry;
  6. Particularly requests the Commission to make specific proposals for withholding Community aid from operations which do not comply with the objectives of the Regulations;
  7. Considers that if irregularities involving compensatory amounts are to be combated, the Regulations should be revised with a view to specifying their economic purpose and thus their provisional nature; stresses the difficulty of preventing deflections of trade and 'carrousels' when the Regulations fail to maintain neutrality *vis-à-vis* trade patterns;

*Special Committee of Enquiry's report on beef and veal*

8. Invites the Commission to continue its efforts to consolidate and simplify Regulations on beef and veal, and to close the existing loopholes;
9. Recommends that Community legislation be formulated to take account of the material control and management possibilities, in particular as regards the intervention system for trade in beef and veal;
10. Advocates the harmonization of national technical regulations to prepare the way for the uniform application of Community legislation;
11. Feels that more extensive comparative cost benefit studies should be made of the measures to promote the consumption of beef and veal;
12. Reiterates the recommendations it has repeatedly formulated in connection with the problem of fraud, i.e.:
  - (a) a coordinated data-processing system for the management and control of the common agricultural policy;
  - (b) the payment of aid as far as possible direct to producers;
  - (c) more efficient allocation of management and control tasks between the Commission and national administrations;
  - (d) the introduction of a quality control policy;
13. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 72/159/EEC on the modernization of farms

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 51/77),
- having regard to the report of the Committee on Agriculture (Doc. 79/77),

**Approves the Commission's proposal.**

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<sup>(1)</sup> OJ No C 88, 13. 4. 1977, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the harmonization of provisions laid down by law, regulation or administrative action relating to the rules governing turnover tax and excise duty applicable in international travel

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 524/76),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 68/77),
1. Agrees with the increased amounts proposed by the Commission for tax exemptions applicable in intra-Community travel, to maintain the purchasing power of such exemptions by offsetting;
    - the price increases of recent years,
    - the replacement of the unit of account based on gold parities declared to the IMF by the European unit of account, which would otherwise lead in most Member States to a decrease in exemption amounts for imports;
  2. Approves the replacement of the unit of account based on gold parities by the European unit of account, since this will achieve virtual parity between the exempted amounts, as expressed in national currencies, whereas this is not the case with the application of the present unit of account;
  3. Agrees with the annual adjustment of the exempted amounts in line with a Community index in order to maintain their purchasing power;
  4. Agrees with the annual review of the conversion into national currencies of the exempted amounts as expressed in European units of account, since this will guarantee that the tax exemptions expressed in national currency will remain the same irrespective of any currency fluctuations;
  5. Believes that instead of increasing from three to five litres the quantitative restriction on the import of still wines, it would be more appropriate to make a start on harmonizing the excise duty and turnover tax applicable to still wines, since the rates applied in the various Member States have recently been diverging rather than converging;
  6. Considers that although tax exemptions in intra-Community travel simplify such travel, and for this reason enjoy the support of Parliament, they create for the European citizen no more than the appearance of the existence of a common market;
  7. Stresses that the granting of these intra-Community tax exemptions should not be allowed to distract attention from the basic problem of harmonizing turnover taxes and excise duties;
  8. Regrets that the third proposal for a Directive — duty-free shops — has been withdrawn and invites the Commission to submit a new proposal aimed at providing a detailed solution to the problem of tax-free sales in duty-free shops;
  9. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> OJ No C 31, 8. 2. 1977, p. 5.

## RESOLUTION

embodying the opinion of the European Parliament on the draft Regulation of the Council of the European Communities concluding an Additional Protocol to the Agreement between the European Economic Community and the State of Israel, and a Financial Protocol

*The European Parliament,*

- having been consulted by the Council pursuant to Article 238 of the EEC Treaty (Doc. 56/77),
  - having regard to its resolution of 18 December 1975 <sup>(1)</sup> on the Agreement between the European Economic Community and the State of Israel, signed on 11 May 1975 <sup>(2)</sup>,
  - having regard to the visit of a delegation from the European Parliament, headed by President Spénale, to Israel from 2 to 5 November 1976,
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee and the Committee on Agriculture (Doc. 67/77),
1. Welcomes the Additional Protocol and the Financial Protocol and notes with satisfaction that their signature marks the fulfilment of recommendations expressed in its resolution of 18 December 1975;
  2. Approves the content of the Additional Protocol and the Financial Protocol;
  3. Expects that the cooperation between the Community and Israel mentioned as an objective in the Protocols will now be given concrete form and requests the Commission to keep it informed of the progress made;
  4. Points to the mutual interest of both Israel and the Community in exchanging technological knowledge in the agricultural and industrial spheres;
  5. Asks the Cooperation Council referred to in the Additional Protocol to work within the context of confirmed investment possibilities in Israel;
  6. Supports Israel's request that the Commission establish a permanent delegation in that country;
  7. Reaffirms the opinion expressed in its resolution of 18 December 1975 concerning the desirability of establishing regular contacts between its members and those of the Israeli Parliament and welcomes the provisions of the Additional Protocol which will facilitate such contacts;
  8. Opposes unequivocally any boycott from whatever quarter against firms having business contacts with Israel;
  9. Regrets that signature of the Protocols with Israel and of the Cooperation Agreements with Egypt, Jordan and Syria did not take place in those countries as was originally intended;
  10. Points out that the Community can help to reduce tension in the Mediterranean area by establishing closer ties with Israel and the Arab countries, particularly in the economic field.

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<sup>(1)</sup> OJ No C 7, 12. 1. 1976, p. 35.

<sup>(2)</sup> OJ No L 136, 28. 5. 1975.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the opening, allocation and administration of a Community tariff quota for certain eels falling within subheading ex 03.01 A II of the Common Customs Tariff (1 July 1977 to 30 June 1978)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 10/77),
- having regard to the report by the Committee on External Economic Relations and the opinion of the Committee of Agriculture (Doc. 80/77),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 67, 17. 3. 1977, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive relating to the quality requirements for waters favourable to shellfish growth

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 and 235 of the EEC Treaty (Doc. 427/76),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 96/77),
1. Welcomes this proposal from the Commission which is part of a general plan to improve Community waters;
  2. Notes that the implementation of this Directive will help prevent distortions of competition between Member States;
  3. Believes that this proposal is in the interests of both public health and consumer protection;
  4. Considers that the enforcement of the provisions of this Directive will require an increase in the number of personnel carrying out sampling of waters in the Member States;
  5. Calls on the Council to adopt this proposal as soon as possible.

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<sup>(1)</sup> OJ No C 283, 30. 11. 1976, p. 3.



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending for the fourth time Regulation (EEC) No 1163/76 on the granting of a conversion premium in the wine sector

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the Treaty establishing the EEC (Doc. 72/77),
- having regard to the report of the Committee on Agriculture (Doc. 109/77),

1. Considers that this proposal must not create a precedent and that the deadlines laid down for the grubbing up of vines or for the submission of applications for the granting of premiums cannot be waived, except in cases of *force majeure*;

2. Approves the Commission's proposal in view of the recent unfavourable weather conditions in one of the Member States.

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<sup>(1)</sup> OJ No C 100, 23. 4. 1977, p. 4.

## RESOLUTION

### on the Conference on the Law of the Sea as it affects the European Community

*The European Parliament,*

- having regard to the work accomplished so far at the Third United Nations Conference on the Law of the Sea,
- having regard to the Sixth Session of the Conference, which will open in May 1977,
- having regard to the report of the Legal Affairs Committee and the opinions of the Committee on Agriculture, the Committee on Regional Policy, Regional Planning and Transport, the Committee on Energy and Research and the Committee on Economic and Monetary Affairs (Doc. 82/77),

#### I. GENERAL OBSERVATIONS

1. Recognizes the difficulties involved in finding answers to all the problems with which the Law of the Sea Conference is concerned, which has the ambitious task of seeking to establish, through negotiations on a world scale, a new legal framework for dealing with the varied and complex questions which arise from the increasing use of the seas and the exploitation of marine resources;
2. Regrets nevertheless that the Conference has not yet been able to complete its work;
3. Expresses its satisfaction at the fact that the Member States have, to an increasing extent, been able to present a common position at the Conference on many issues;
4. Considers it essential, however, for the Community as such to take an increasing part in the Conference, since the questions to be discussed concern in whole or in part sectors in which the Community has sole competence to draw up Community-wide regulations and to contract obligations *vis-à-vis* third countries;
5. Draws attention to the need for Member States to make all necessary efforts to ensure the adoption by the Conference of a provision, such as that proposed on behalf of the Community at the Fifth Session in September 1976, under which the Community as such would be able to become a party to the future Convention;
6. Considers it necessary, in view of the inter-related nature of the negotiations and the need to ensure adequate protection of Community interests, that the Community and the Member States should act together on all outstanding issues;
7. Calls on the Council and Commission to make renewed efforts to work out common rules for fishing zones in the Community;

#### II. OBSERVATIONS ON PROCEDURE

8. Conscious of the fact that the large number of delegations participating in the Conference, the vast scope of the subjects under discussion, the different degrees of importance attached to individual topics by the various States or groups of States, as well as the need to follow a policy of obtaining the widest possible consensus before proceeding further, have in the past created procedural difficulties;
9. Suggests therefore that consideration should be given to the Conference adopting a new approach to its work, which could consist in drawing up and concluding separate Conventions on subjects on which general consensus can be reached while continuing the negotiations on questions on which it does not at present seem possible to reach agreement;

#### III. OBSERVATIONS ON SUBSTANTIVE ISSUES WHICH COULD FORM THE SUBJECT OF SEPARATE CONVENTIONS

##### (a) *The 200-mile economic zone and the outer limit of the continental shelf*

10. Notes that there is now general acceptance of the principle of extending to 200 nautical miles from the baseline the zone in which coastal States have exclusive rights in respect of the exploitation and conservation of fish stocks as well as the extraction of minerals, petroleum and natural gas reserves from the seabed, and that this acceptance is already reflected in international practice;

11. Considers that it is nevertheless necessary that, in the interests of the legal security and the future development of the Law of the Sea, the Conference should complete its work through the adoption of provisions which regulate all questions connected with the zone;

12. Considers, furthermore, that any agreement drawn up by the Conference should enable coastal States to extend their jurisdiction over the seabed beyond the 200-mile zone where the area of seabed concerned forms part of the natural prolongation of the State in question, subject to stipulations in the Convention as to the conditions under which such extension may take place;

(b) *Exploitation of the international seabed*

13. Endorses the principle that the international seabed and its resources should be regarded as the 'common heritage of mankind';

14. Believes that the exploitation of this 'common heritage' should benefit all mankind;

15. Considers therefore that an international authority should be established having responsibility for the exploitation of the resources of the international seabed and operating under provisions which provide:

- security of access for all countries, under agreed conditions and on a non-discriminatory basis,
- for the possibility of exploitation both by States and companies and by an operational arm of the authority, in which the interests of the developing countries would be especially reflected,
- protection of the interests of developing countries which are producers of the minerals concerned,
- a system of decision-making within the international authority which takes account of the different interests involved, including those of consumer countries;

16. Considers that, in view of the long-term importance of the international authority and the need of the Community to import the greater part of its requirements for the minerals concerned, it would be highly desirable for the Community as such to be represented on the Council of the authority, thus enabling the Community to exert its full influence and to protect its interests in a body whose proceedings may be expected to have a significant impact on the policies and principles under which raw materials are exploited in the future;

(c) *Settlement of disputes*

17. Stresses that worldwide arrangements for settling disputes arising from exploitation of the seas and oceans are in the highest interests of all States;

18. Recommends the adoption at the Conference of a Convention allowing recourse to arbitration proceedings in the event of disputes;

IV. OBSERVATIONS ON CERTAIN OTHER PROBLEMS CONNECTED WITH THE LAW  
OF THE SEA CONFERENCE

19. Reaffirms the principle of freedom of navigation, and in particular, the principle that within the territorial sea of 12 miles all vessels should retain the right of innocent passage and that within the 200-mile zone all States should enjoy freedom of navigation and of over-flight and freedom to lay underwater cables and pipelines;

20. Emphasizes, in view of the increasing pollution of the sea, the need to make rapid progress in the protection of the marine environment and draws attention to the effective steps that can be taken at regional level and through specialized United Nations bodies in this regard;

21. Welcomes the acceptance by the Conference of the principle that all States should be entitled to carry out marine scientific operations for peaceful purposes and in such a way as not to interfere with the legitimate use of the sea by other States;

22. Hopes, moreover, that any conditions applied to this principle will be strictly limited should marine scientific research be made subject, in the economic zone, to the consent of the coastal State;

23. Hopes that approval will be given at international level to the principle that the results of marine scientific research should be made available to all who have an interest therein and that all States will agree to the desirability of promoting the development of such research and of transferring marine technology to the developing countries while taking account of any rights deriving from patents;
24. Trusts that the agreements reached and the pursuit of negotiations on outstanding complex questions will lead to progressive international codification of the Law of the Sea, which will be of lasting benefit to all countries without exception;
25. Instructs its President to forward this resolution, together with the report of its committee, to the Council and Commission and to the Parliaments and Governments of the Member States.

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#### RESOLUTION

embodying the opinion of the European Parliament on the draft Regulations of the Council of the European Communities concluding Cooperation Agreements between the European Economic Community and:

- the Arab Republic of Egypt,
- the Hashemite Kingdom of Jordan,
- the Syrian Arab Republic

*The European Parliament,*

- having been consulted by the Council pursuant to Article 238 of the EEC Treaty (Doc. 98/77),
- considering its resolutions of 15 March 1973 <sup>(1)</sup> on the consequences of the enlargement of the European Community for its relations with the Mediterranean countries, and of 18 December 1975 <sup>(2)</sup> on recent developments in the Community's Mediterranean policy,

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<sup>(1)</sup> OJ No C 19, 12. 4. 1973, p. 34.

<sup>(2)</sup> OJ No C 7, 12. 1. 1976, p. 36.

- considering its resolution of 11 October 1976 <sup>(1)</sup> on the Agreements concluded between the European Economic Community and the Republic of Tunisia, the People's Democratic Republic of Algeria and the Kingdom of Morocco,
  - considering the Agreements between the European Economic Community and the Arab Republic of Egypt of 18 December 1972 <sup>(2)</sup>,
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee, the Committee on Budgets, the Committee on Agriculture and the Committee on Development and Cooperation (Doc. 99/77),
1. Welcomes the Cooperation Agreements signed on 18 January 1977 with Egypt, Jordan and Syria, and hopes that they will mark the beginning of close and enduring cooperation between the Community and these countries;
  2. Welcomes the fact that the Cooperation Agreement with Lebanon has also been signed recently;
  3. Notes with satisfaction that the Community's policy regarding the countries on the Southern shores of the Mediterranean has now been put into effect;
  4. Approves the content of the Agreements;
  5. Draws attention to the fact that relations between the Community and those Member States of the Arab League to whom the Community's Mediterranean policy is applicable are also influenced by the evolution of the North-South dialogue and the Euro-Arab dialogue;
  6. Considers it desirable for permanent Commission delegations to be set up in the respective partner countries to see to the implementation of the policy laid down in the Cooperation Agreements;
  7. Wishes to be informed from time to time of the measures taken to implement this policy;
  8. Requests the Commission and the Council to ensure strict observance of the clauses contained in the Agreements which prohibit discrimination between the Community undertakings;
  9. Declares its willingness to establish regular contacts as quickly as possible with the appropriate bodies representative of the people of Egypt, Jordan and Syria and requests the Cooperation Councils set up under the three Agreements to take all appropriate measures to this end;
  10. Considers that an assessment of the financial implications of these agreements should be based on the following principles:
    - (a) the Commission and Council should make a serious appraisal of the budgetary costs resulting from the tariff concessions provided for in the Cooperation Agreements and submit this appraisal to Parliament in good time;
    - (b) the effective budgetization of the cooperation appropriations must commence with the 1978 budget;
    - (c) Parliament must be consulted on the financial aid provided for in these Agreements when the Council actually decides on the amount of the aid — in other words, as a general rule, before the negotiations commence.

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<sup>(1)</sup> OJ No C 259, 4. 11. 1976, p. 15.

<sup>(2)</sup> OJ No L 251, 7. 9. 1973.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning the conclusion of an Agreement between the European Economic Community and the United States of America concerning fisheries off the coasts of the United States, and establishing the provisions for its application

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 119 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 52/77),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Legal Affairs (Doc. 110/77),
- having regard to the communication from the Commission of the European Communities to the Council on a future external fisheries policy and an internal fisheries system (COM(76) 500 fin.),
- having regard to the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fishery resources<sup>(1)</sup>, and the report by Mr Kofoed (Doc. 474/76),
- having regard to the United Nations Third Conference on the Law of the Sea,
- having regard to the serious depletion of fish stocks and the need to encourage the rational use of the biological resources of the sea,
- having regard to the fact that the basis of fishing policy must be the establishment of scientifically derived quotas and controlled fishing zones managed by the coastal State or States,

1. Approves the Commission's proposal subject to the following reservations and comments;
2. Insists that this Agreement in no way be considered as a model for future Agreements on fishing concluded between the Community and Third States;
3. Expresses deepest concern at the manner in which the United States Congress seeks to impose a pre-established agreement upon the Community without consideration to the Community's special interest and its contribution to the improvement of fishing resources;
4. Believes that the Community should seek as soon as possible or at the latest at the time of the re-examination provided for two years after the entry into force of the Agreement, to include provisions for:
  - closer consultation between the Community and the United States, particularly with regard to levels of quotas and by species and their allocation between Member States,
  - and the examination and settlement of disputes,

and insists furthermore that the overall trade relationships with the United States should be taken into account at the time of such a re-examination of the Agreement.

5. Expresses concern at the size of the fee required by the United States Government for permits, i.e., 3.5 % of the value of the catch on the American market plus a fixed sum, which is equivalent to about 5 % for each vessel.

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<sup>(1)</sup> OJ No C 255, 28. 10. 1976, p. 3.

6. Considers that the Agreement should in no way prejudice the position to be adopted by the Community at the United Nations Law of the Sea Conference, and notes that the Agreement shall be re-examined at the time of the conclusion of a multilateral treaty resulting from that Conference;

7. Urges once more the Council to adopt measures to establish an effective structural policy for the deep-sea fishing sector;

8. Requests the Commission to incorporate the proposed amendments in its proposal to the Council, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Proposal from the Commission of the European Communities to the Council for a Regulation concerning the conclusion of an Agreement between the European Economic Community and the United States of America concerning fisheries off the coasts of the United States, and establishing the provisions for its application**

Preamble, recitals and Articles 1 to 6 unchanged

*Article 7*

1. Where the procedure laid down in this Article is to be followed, the chairman shall refer the matter to the Committee either on his own initiative or at the request of the representative of a Member State.

unchanged

2. The representative of the Commission shall submit a draft of the measures to be taken. The Committee shall deliver its opinion on such measures within a time limit to be set by the chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes.

unchanged

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated by the Commission to the Council. In that event the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall forthwith be communicated by the Commission to the Council. In that event the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

The Council, acting by a qualified majority, may take a different decision within one month, after consulting the European Parliament.

4. The Commission shall present an annual report to the European Parliament and to the Council on the implementation of the Agreement with the United States.

Articles 8 and 9 unchanged

(1) For complete text, see COM(77) 119 fin.

## RESOLUTION

### on the communication from the Commission to the Council on reform of the organization of work (humanization of work)

*The European Parliament,*

- having regard to the communication from the Commission to the Council (COM (76) 253 fin.),
  - having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 116/77),
1. Welcomes every effort to humanize work and considers that the background paper to the Commission's communication on the improvement of the quality of working life drawn up following discussions with the social partners provides a valuable picture of the historical background and the many ideas which have been put forward on the subject;
  2. Regrets however that the specific recommendations made in the background document for the improvement of working conditions have not been incorporated in the Commission's own communication;
  3. Also regrets that the Commission has opted for a simple communication in view of the fact that the social action programme, the basis of the Commission's document, mentions the need to establish an action programme for workers aimed at the humanization of their living and working conditions with particular reference to a reform of the organization of work;
  4. Notes with satisfaction, however, that the Commission is considering the use of Directives for future proposals on the humanization of work, which is extremely important since, if working conditions are in fact to be improved, more binding instruments are required than communications;
  5. Recommends in this connection that the Commission should compile a summary of experiments carried out by companies so far since this would make it easier to determine what initial measures could be taken to gradually improve working conditions and increase worker participation in decisions concerning the running of the company;
  6. Considers it unlikely that the European Foundation for the Improvement of Living and Working Conditions which the Commission itself describes as perhaps the most important element of the Community's contribution to the humanization of work will be able to cope with the tasks listed in the foreseeable future and therefore recommends that the Commission should as far as possible cooperate with all the relevant international organizations such as the Council of Europe and the International Labour Organization, to coordinate work and exchange views on results;
  7. Draws attention at the same time to the danger of overlapping or duplicating work as the result of the creation of two *ad hoc* groups to examine the economic implications of reform and the possibility of introducing more stringent and binding standards for the working environment when the European Foundation for the Improvement of Living and Working Conditions is to tackle similar problems;
  8. Is of the view that the role of trade unions and the cooperation which they must lend to a reform of the present organization of work is of great importance since, if real results are to be achieved, their active participation in the abolition of outdated and inhuman working methods is essential;
  9. Is of the opinion that a reform of the organization of work along more humanitarian lines is consistent both with the desire for optimum efficiency and productivity and the desire to reduce unemployment;
  10. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.



## RESOLUTION

### on the forthcoming Community Tripartite Conference

*The European Parliament,*

- having regard to the report from the Committee on Social Affairs, Employment and Education (Doc. 143/77/rev.),
  - having heard the oral explanatory statement,
1. Takes note that a further Community Tripartite Conference is to be held at the end of June next;
  2. Expresses therefore its satisfaction that consultations are continuing between the social partners at Community level;
  3. Notes that the tripartite discussions have so far led to little more than a measure of verbal agreement between the interested parties and have failed to reach the objectives which had been set, particularly a reduction in unemployment;
  4. Points out nevertheless that, since many socio-economic problems have been aggravated by the world economic crisis and in view of the inter-dependence of the economies of the Member States, only an approach at Community level offers any chance of finding lasting solutions;
  5. Expects all interested parties, therefore, to show awareness of the fact that they must now do their utmost to invest the Community tripartite discussions with a more binding character so that a Community employment policy may be brought into being in the foreseeable future;
  6. Suggests to the Committee on Social Affairs, Employment and Education and the Committee on Economic and Monetary Affairs that they should send representatives to participate as observers at the conference and if necessary to draw up a special report on the results of this conference;
  7. Instructs its President to forward this resolution to the Council and Commission of the European Communities, the social partners and the governments of the Member States.

## RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of Member States' laws, regulations and administrative provisions on the protection of the health of workers occupationally exposed to vinyl chloride monomer**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 459/76),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Social Affairs, Employment and Education (Doc. 122/77),

1. Welcomes the submission of this proposal for a Directive, the object of which is to introduce preventive measures to protect the health of the workers concerned at their place of work;
2. Points out that, as regards the determination of effective danger thresholds, the results of the investigations into exposure — in terms of time and space — to concentrations of vinyl chloride monomer are still open to varying interpretations;
3. Therefore asks the Commission, in the absence of agreement between experts, to adopt the most stringent measures for the protection of the health of the large numbers of workers in this sector;

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<sup>(1)</sup> OJ No C 291, 10. 12. 1976, p. 5.

4. Urges the Commission to work out a Community reference method in order to check the VCM measuring systems so that the workers concerned are not exposed to VCM concentrations reaching the scientifically acknowledged danger thresholds;
5. Takes the view that, for the purpose of determining the maximum concentration to be laid down as the 'technical long-term limit value', no distinction should be made, except for the adjustment period provided for, between existing and new VCM/PVC production units;
6. Believes that the area of application of this Directive should be extended to workers in the PVC processing sector;
7. Shares the Commission's view that the maintenance of the established limit value should on no account result in VCM pollution of the environment outside the works; requests the Commission, however, to deal in a separate Directive with the emission and immission problems which arise in this connection;
8. Believes it essential that the present Directive be continually revised in the light of developments in technology and occupational medicine and that Parliament always be consulted on such revisions;
9. Asks the Commission therefore to make the following amendments to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive on the approximation of Member States' laws, regulations and administrative provisions on the protection of the health of workers occupationally exposed to vinyl chloride monomer**

Preamble and recitals unchanged

*Article 1*

*Article 1*

1. The object of this Directive is the protection of workers employed in works in which:

- vinyl chloride monomer, hereinafter referred to as VCM, is produced, reclaimed, stored, discharged into containers, transported or used in some other way,
- vinyl chloride monomer is converted into unformed vinyl chloride polymers, hereinafter referred to as PVC,

who are exposed to the effects of VCM in their working area.

2. This protection shall be ensured by the establishment of:

- limit values for the atmospheric concentration of VCM in the working area,

1. The object of this Directive is the protection of workers employed in works in which:

- vinyl chloride monomer, hereinafter referred to as VCM, is produced, reclaimed, stored, discharged into containers, transported or used in some other way,
- vinyl chloride monomer is converted into unformed vinyl chloride polymers, hereinafter referred to as PVC and into finished products,

who are exposed to the effects of VCM in their working area.

2. unchanged

<sup>(1)</sup> For complete text, see OJ No C 291, 10. 12. 1976, p. 5.

- measuring and monitoring techniques necessary for this purpose, as well as other preventive measures,
- guidelines for medical surveillance.

Article 2 unchanged

Article 3

3.1. The fundamental aim of technical monitoring shall be to reduce to below measurable levels the atmospheric concentrations of VCM to which workers are exposed. All working areas in works referred to in Article 1.1 shall therefore be monitored for the presence of VCM.

3.2. For new VCM/PVC works, a maximum atmospheric concentration of 5 ppm, which may not be exceeded, shall be laid down as the technical long-term limit value for VCM.

3.3. For existing VCM/PVC works, a maximum atmospheric concentration of 10 ppm, which may not be exceeded, shall be laid down as the technical long-term limit value for VCM.

3.4. The necessary technical measures with respect to the limiting technical values given under 3.2 and 3.3 shall not in any case result in VCM pollution of the environment outside the works.

Article 3

3.1. unchanged

3.2. For new VCM/PVC works, a maximum atmospheric concentration of 1 ppm, which may not be exceeded, shall be laid down as the technical long-term limit value for VCM.

3.3. Existing VCM/PVC works shall be allowed an adjustment period of up to one year.

3.4. The necessary technical measures with respect to the limiting technical values given under 3.2 shall not in any case result in VCM pollution of the environment outside the works. The emission and immission problems arising in connection with the implementation of this Directive are to be dealt with in a separate Directive.

Articles 4 and 5 unchanged

Article 6

A monitoring system which gives continuous mean values for at least one hour shall be provided to detect abnormal increases in concentration levels caused by technical failures in working areas in works producing VCM/PVC.

6.1. The threshold concentration at which the alarm is triggered shall depend on the measuring system and on operating conditions.

6.2. An increase in VCM concentration shall be regarded as abnormal when it exceeds approximately five times the mean weekly value. In such an event, technical measures to discover the causes shall be taken without delay.

Article 6

A monitoring system which gives continuous mean values for at least one hour shall be provided to detect abnormal increases in concentration levels caused by technical failures in working areas in works producing VCM/PVC.

6.1. unchanged

6.2. unchanged

6.3. The alarm threshold shall not, however, be greater than 40 ppm. If this value is exceeded, technical and personal protective measures shall be taken without delay.

6.3. The alarm threshold shall not, however, be greater than 10 ppm. As soon as this value is exceeded, technical and personal protective measures shall be taken without delay.

Articles 7 and 8 unchanged

Article 9

9.1. A register shall be kept of workers employed on operations described in Article 1.1, with particulars of the type and duration of work, and the resulting exposure. A copy of this register shall be given to the industrial medical officer responsible for surveillance, *unless the register is kept by the officer himself.*

Article 9

9.1. A register shall be kept of workers employed on operations described in Article 1.1, with particulars of the type and duration of work, and the resulting exposure. **A copy of this register shall be given to the industrial medical officer responsible for health protection at work, unless the register is kept by them.**

9.2. The register referred to in subparagraph 1 shall be open to inspection by workers and their representatives.

Article 10 unchanged

Article 11

11.1. This Directive shall be reviewed at least every two years in the light of developments in technology and occupational medicine.

Article 11

11.1. This Directive shall be reviewed at least every two years in the light of developments in technology and occupational medicine. **Parliament shall be consulted on such revisions.**

11.2. A Committee consisting of representatives of the Member States, with a representative of the Commission as chairman shall be set up for this purpose.

11.2. unchanged

11.3. The Committee shall draw up its own Rules of Procedure.

11.3. unchanged

Article 12 unchanged

Article 13

13.1. Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.

Article 13

13.1. Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive within **eight months** of its notification and shall forthwith inform the Commission thereof.

13.2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

13.2 unchanged

Article 14 unchanged

Annex I to be amended in accordance with Article 3.2

Annex II unchanged

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the European Cooperation Grouping (ECG)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 340/73),
- having regard to the report of the Legal Affairs Committee and the opinion of the Committee on Economic and Monetary Affairs (Doc. 519/76),

1. Notes that the purpose of this proposal for a Regulation is to introduce into Community law a legal instrument facilitating in particular cooperation between small and medium-sized undertakings regardless of national frontiers;
2. Points out that the cooperation to be promoted must serve to make it easier for persons and companies carrying on business within the European Community to adapt their activities to the conditions of an enlarged market;
3. Recalls that one of the main aims of the European Economic Community is to promote a harmonious development of economic activities by creating within the common market conditions similar to those on a domestic market;
4. Considers this proposal to be a suitable instrument for the achievement of that aim provided that it is not improperly used for purposes contrary to the Treaty and that it safeguards the social rights of those concerned;
5. Stresses that the European Cooperation Grouping should be used only as an instrument of cooperation, for a limited period, between undertakings;

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(<sup>1</sup>) OJ No C 14, 15. 2. 1974, p. 30.

6. Requests the Commission to report to the European Parliament on the experience gained in the operation of the European Cooperation Grouping;
7. Reserves the right to propose amendments to the Regulation if these appear necessary, in particular in the light of abuses;
8. Approves this draft Regulation subject to the following amendments;
9. Requests the Commission to adopt these amendments pursuant to the second paragraph of Article 149 of the EEC Treaty;
10. Delivers this opinion without prejudice to further opinions which it may deliver in the event of major changes to the Commission's draft, and therefore regards its consultation by the Council as a continuous process lasting until the latter takes a final decision on this proposal.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation on the European Cooperation Grouping (ECG)

Preamble and first eight recitals unchanged

#### *Ninth recital*

Whereas *above all* the grouping should be a vehicle for cooperation between undertakings carrying on business on the territory of the Member States;

#### *Ninth recital*

Whereas the grouping should be a vehicle for cooperation between undertakings carrying on business on the territory of the Member States;

10th to 17th recitals unchanged

#### *Article 1*

1. European cooperation groupings may be formed by contract for a *fixed term*, upon and subject to the terms and conditions and in the manner and with the effects laid down by this Regulation.

2. Where in respect of any matter no provision is made by this Regulation, the law applicable thereto shall be the law in force in the State where is situated the head office as specified by the contract forming the grouping.

3. A grouping shall, from the date of its registration as provided by Article 4 (2) of this Regulation, have the capacity to enjoy and be bound by rights and obligations, to make contracts or accomplish other legal acts, and to sue and to be sued.

#### *Article 1*

1. European cooperation groupings may be formed by contract for a **limited period**, upon and subject to the terms and conditions and in the manner and with the effects laid down by this Regulation.

2. **unchanged**

3. **unchanged**

(1) For complete text, see OJ No C 14, 15. 2. 1974, p. 30.

*Article 1a*

1. The representatives of the employees concerned shall be notified in good time before a grouping is formed.

2. If the representatives of the employees consider that the interests of employees will be adversely affected by the formation of a grouping, the management bodies of the companies concerned, or other persons intending to form a grouping, shall open negotiations in good time with and at the request of the representatives of their respective employees in order to reach agreement on the measures to be taken as regards the employees.

3. If no agreement is reached in such negotiations, either side may appeal to a board of arbitration.

*Article 2*

1. The purpose of groupings shall be to facilitate or develop the business of their members and to improve or increase the results of such business. *Groupings shall not seek to make profits for themselves.*

The object of a grouping shall be defined in the contract forming the grouping and must conform to the requirements of paragraph 2 below.

2. The activities of a grouping shall be limited to:
- the provision of services exclusively to its members,
  - the processing of goods, or the packaging of *finished products*, exclusively for the purposes of its members.

3. A grouping may not exercise management functions in respect of the business of its members.

*Article 2*

1. The purpose of groupings shall be to facilitate or develop the business of their members and to improve or increase the results of such business.

Its activities shall be organically related to the business of its members. The aim of the grouping shall not be to make profits for itself and, in conformity with this principle, profits which actually accrue from the activities of the grouping shall rank proportionately as the profits of the members and shall be accounted for on this basis.

The object of a grouping shall be defined in the contract forming the grouping and must conform to the requirements of paragraph 2 below.

2. The activities of a grouping shall be limited to:
- the provision of services exclusively to its members,
  - the production, processing or packaging of goods exclusively for the purposes of its members.

3. unchanged



4. A grouping may not have more than 250 employees.

4. A grouping may not have more than 500 employees.

Article 3 unchanged

Article 4

1. The contract forming a grouping shall designate the head office thereof, which must be situated *within the Community*.

The contract shall furthermore contain at least the following:

- (a) the name of the grouping;
- (b) the object for which the grouping is formed;
- (c) the names, and business names, if any, legal form, permanent address or registered office, and where appropriate the number and place of registration, of each member of the grouping;
- (d) the term for which grouping is formed.

2. The grouping shall be entered in a register designated for that purpose by the Member State where the head office is situated. The contract shall be filed at the time of registration; any subsequent amendments shall be filed also.

The matters referred to in paragraph 1 above shall be published in accordance with formalities to be adopted pursuant to Article 19 of this Regulation and any change in such matters shall be published in like manner. The same shall apply in respect of the names and addresses of the persons referred to in Article 7 (1) of this Regulation and, where appropriate, the indication that they must act jointly.

3. Failing completion of the formalities of registration and publication required by this Regulation the matters which should be published may not be relied upon by administrative parties, who may however themselves rely on such matters.

Article 4

1. The contract forming a grouping shall designate the head office thereof, which must be situated **in the Member State of the Community in which the grouping is established**.

The contract shall furthermore contain at least the following:

- (a) the name of the grouping;
- (b) the object for which the grouping is formed;
- (c) the names, and business names, if any, legal form, permanent address or registered office, and where appropriate the number and place of registration, of each member of the grouping;
- (d) the term for which grouping is formed.

2. The grouping shall be entered in a register designated for that purpose by the Member State where the head office is situated. The contract shall be filed at the time of registration; any subsequent amendments shall be filed also.

The matters referred to in paragraph 1 above shall be published in accordance with formalities to be adopted pursuant to Article 19 of this Regulation and any change in such matters shall be published in like manner. The same shall apply in respect of the names and addresses of the persons referred to in Article 7 (1) of this Regulation and, where appropriate, the indication that they must act jointly.

**Notice of the formation of an ECG together with the date and place of publication shall be given in the 'Official Journal of the European Communities' within one month of its appearance in the respective national publications.**

3. unchanged

Article 5 unchanged

*Article 6*

1. Subject to paragraphs 2 to 5 below and to Article 7 of this Regulation, the organs and the internal regulations of a grouping shall be determined by the contract.

2. The widest powers to pass any resolution or execute or do any act or thing for the purpose of achieving the object of the grouping shall be vested in the members of the grouping in general meeting.

3. Resolutions shall be passed in accordance with the provisions of the contract or of this Regulation.

Unless otherwise provided by the contract, resolutions of the general meeting to amend the contract, for the winding up of the grouping before the expiry of the contractual term or for the extension of the term of the grouping shall be taken unanimously.

4. Each member shall have at least one vote. The contract may however give more than one vote to certain members.

5. A general meeting shall be convened at the request of a manager of the grouping or of *at least one-quarter in number of the members of the grouping*.

*Article 7*

1. A grouping shall be managed by one or more natural persons appointed by the contract or by the general meeting.

2. The acts of a manager shall be binding on the grouping as against third parties even where they do not fall within the objects of the grouping. The contract may however provide that the grouping may be validly bound only by two or more managers acting jointly. Any other limitation on their powers, whether under the contract or a decision of the general meeting, may not be relied upon against third parties, even if it is published.

*Article 6*

1. u n c h a n g e d

2. u n c h a n g e d

3. u n c h a n g e d

4. u n c h a n g e d

5. The contract may provide for decisions of the general meeting to be taken by written procedure on items explicitly stated in the contract with the exception of the decisions referred to in paragraph 3.

6. A general meeting shall be convened at the request of a manager of the European cooperation grouping or of a least two of its members.

*Article 7*

1. u n c h a n g e d

2. The acts of a manager acting on behalf of an ECG, shall be binding on the grouping as against third parties even where they do not fall within the objects of the grouping. The contract may however provide that the grouping may be validly bound only by two or more managers acting jointly. Any other limitation on their powers, whether under the contract or a decision of the general meeting, may not be relied upon against third parties, even if it is published.

3. The name and address, or names and addresses, of the person or persons referred to above, and where appropriate an indication that they must act jointly, shall be published in accordance with the rules on publicity contained in Article 4 of this Regulation.

3. unchanged

*Article 8*

*Article 8*

1. The contract may require the members to make contributions in cash, in kind or by way of services. It may also lay down the terms and conditions on which the members are to make contributions, where necessary, to meet any excess of expenditure over revenue. If no such provision is made by the contract, such terms and conditions shall be laid down by the general meeting, failing which such contribution shall be made in equal shares.

1. unchanged

2. Any assignment of a member's rights shall be subject to authorization by the general meeting. Unless otherwise expressly provided by the contract, such decision shall be taken unanimously by the members of the grouping and shall be published in accordance with the rules on publicity contained in Article 4 of this Regulation.

2. Any assignment of a member's rights shall be subject to authorization by the general meeting. Unless otherwise expressly provided by the contract, such decision shall be taken unanimously by the members of the grouping and shall be published in accordance with the rules on publicity contained in Article 4 of this Regulation.

**The assignment of only part of individual membership rights shall not be permitted.**

3. A grouping may not issue debentures or invite investment by the public.

3. unchanged

*Article 9*

*Article 9*

1. The members of a grouping shall be jointly *and severally* liable out of their own property for the debts thereof.

1. The members of a grouping shall be jointly liable out of their own property for the debts thereof.

2. Creditors of the grouping may not proceed for repayment against an individual member unless they have first made a *written demand for payment from the grouping and failed to obtain satisfaction*.

2. Creditors of the grouping may not proceed for repayment against an individual member unless they have first made a *formal* demand for payment from the grouping.

3. If a member is proceeded against in respect of debts of the grouping he may rely on any defence which would be available to the grouping itself.

3. unchanged

Articles 10 to 16 unchanged

*Article 16a*

1. If the employees' representatives consider that the interests of employees will be adversely affected by the proposed winding-up of a European Cooperation Grouping, the manager or managers of the grouping shall, before the decision to wind up is taken by the general meeting, open negotiations with the employees' representatives with a view to reaching agreement on the measures to be taken in favour of the employees (social plan).

2. Any such agreement on the social plan shall be set down in writing.

3. The manager or managers shall inform the general meeting of the outcome of the negotiations on the social plan.

4. If no agreement is reached in the negotiations on the social plan and the general meeting has decided to wind up the grouping, the subsequent procedure shall be subject to the provisions on the protection of the rights and advantages of employees in the case of mergers, takeovers and amalgamations in force in the Member State in which the European Cooperation Grouping has its head office.

Articles 17 and 18 unchanged

*Article 19*

1. Member States shall take all necessary steps to ensure that the rules of this Regulation on publicity are applied.

They shall ensure that the matters referred to in Article 4 (1), and any changes in such matters, and in addition any other matters which this Regulation requires to be publicized are published in the Official Journal for the publication of matters relating to companies in the State in which the grouping has its head office. They shall also ensure that all persons have access to the register designated under Article 4 (2) of this Regulation and to the documents filed therein.

*Article 19*

1. Member States shall take all necessary steps to ensure that the rules of this Regulation on publicity are applied.

The shall ensure that the matters referred to in Article 4 (1), and any changes in such matters, and in addition any other matters which this Regulation requires to be publicized, are published in the Official Journal for the publication of matters relating to companies in the State in which the grouping has its head office. They shall also ensure that all persons have access to the register designated under Article 4 (2) of this Regulation and to the documents filed therein.

Member States shall take all necessary steps to transmit in good time to the appropriate organs of the European Communities the information to be published in the 'Official Journal of the European Communities' pursuant to Article 4 of this Regulation.

2. Member states shall take appropriate steps to penalize:

(a) the unlawful use of the description 'European Cooperation Grouping', or of any other expression likely to give rise to confusion therewith, by any grouping which is not constituted in accordance with the provisions of this Regulation;

(b) any offence against Article 10.

2. unchanged

Article 20 unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council on a Directive concerning the elimination of double taxation in connection with the adjustment of transfers of profits between associated enterprises (arbitration procedure)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (1),
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 490/76),

(1) OJ No C 301, 21. 12. 1976, p. 4.

— having regard to the report by the Committee on Economic and Monetary Affairs and the opinion of the Legal Affairs Committee (Doc. 126/77),

1. Approves the arbitration procedure contained in the proposal for a Directive on the elimination of double taxation as an effective means of ensuring such elimination given:

— the distortions of competition and of capital movements double taxation causes within the Community,

— the inadequacy of the bilateral conventions and mutual agreement procedures in this field,

— the likely increase in the number of cases of double taxation as a result of the application of the Directive concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation <sup>(1)</sup>;

2. Regrets, however, that the scope of this arbitration procedure may be restricted by the domestic legislation in force in some Member States which does not allow their tax authorities to depart from the decisions of their judicial authorities and hopes that the Commission will undertake the preparatory work necessary for harmonization of legislation in this field;

3. Hopes that the time allowed for the submission of cases will be reduced or payment of taxes deferred, subject to the production of guarantees, from the date of presentation referred to in Article 1 (1) until either mutual agreement or a decision by the arbitration commission has been reached;

4. Considers it desirable, at the same time, in order to ensure the best possible protection of the taxpayers' interests;

— to extend to the enterprises concerned the right of refusal granted to the authorities by Article 4 (2);

— to match the obligation on the enterprises concerned to appear or be represented before the arbitration commission with a corresponding right to appear or be represented;

5. Considers that the right to carry out tax adjustments on the basis of the amount payable may lead to tax distortions between the Member States and should therefore be eliminated after a certain transition period;

6. Hopes that the Commission will submit as rapidly as possible, in accordance with the timetable of its fiscal programme, proposals concerning the problem of artificial transfers of profits between enterprises belonging to the same group;

7. Points out that the only entirely satisfactory solution to tax distortions will be found in a gradual harmonization of taxation and, more generally, in economic and monetary union;

8. Approves the proposal for a Directive, subject to the above remarks.

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(1) De Broglie report (Doc. 372/76).

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on bird conservation

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 512/76),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 113/77),

1. Notes with satisfaction that the Commission has now submitted the proposal for a Directive on bird conservation long requested of it, since it represents the first specific measure by the Community aimed at counteracting the imminent extinction or large-scale destruction of many bird species in Europe;
2. Calls on the Commission to base its proposal Articles 43, 100 and 235 of the EEC Treaty;
3. Draws attention to the fact that the reduction in the number of existing species which has been recorded in recent years and the decline in their population are a serious threat to the preservation of our natural environment since the biological equilibria, which these species help to maintain are thereby in danger of being disrupted or destroyed;

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<sup>(1)</sup> OJ No C 24, 1. 2. 1977, p. 3.

4. Sees as the keynote of the Directive the idea that mankind's proper role in nature is not that of a master, but rather of an integral part wholly dependent on the other parts that make up the ecological systems of ours called 'Earth';
5. Points to the great importance of birds as the bio-indicators of a clean environment, since the most sensitive and susceptible species of bird will be the very ones to die out in the situations where mankind can still survive;
6. Emphasizes that the threat of extinction or the destruction of bird species are to a large extent due to birds being indiscriminately hunted as well as to human interference with their habitats, particularly through the use of chemical fertilizers and pesticides;
7. Is aware of the fact that it is not sufficient to implement the provisions contained in the Directive solely in the territory of the Member States but that measures to promote bird protection must be realized on a world-wide basis, and accordingly urges the Commission to take the necessary steps to ensure that in the near future the Community initiates appropriate negotiations with third countries;
8. Agrees with the principle adopted by the Commission that a satisfactory level for the bird population needs to be established, bearing in mind not just the one criterion of bird protection but a number of different criteria, yet stresses that bird protection is a crucial factor if the objective of maintaining the bird population is to be achieved;
9. Notes with satisfaction that the small songbirds which are hunted in the countries bordering the Mediterranean receive better protection under the new Directive;
10. Considers it essential that the species of bird listed in Annex II, Part 2, be subject to the regional protective measures contained in the Directive throughout the Community;
11. Supports without reservation the provisions laid down in Article 8 prohibiting the use of large-scale and/or non-selective capturing and slaughtering methods in the hunting of birds, and stresses that these prohibitions must be strictly applied and observed;
12. Fears that the derogations allowed by Article 9 from the standards of bird protection, which are laid down in principle, are so liberal and wide-ranging that there is a danger of abuse, and can only endorse them therefore if the supervisory function to be exercised by the Commission is retained and the Council institutes the proposed derogation procedures after consulting the European Parliament;
13. Urges that the coordination of the necessary research activities into the protection and wise use of bird populations be entrusted to the Commission;
14. Calls on the Commission to consider and put into effect measures to inform and educate the populations of those Member States where customary hunting practices will be reduced or abolished as a result of the implementation of this Community Directive;
15. Calls on the Council, in view of the urgent need to implement the provisions contained therein, to adopt the Directive and bring it into effect as soon as possible, and at all events, in conformity with the obligation it entered into in the 1973 environmental action programme, within nine months of its having been submitted, i.e. by September 1977 at the latest;
16. Emphasizes that, in the interests of those species of bird that are threatened with extinction or further severe reductions in their numbers, it is imperative that swift action be taken, and therefore urges that the time limit for incorporating the Directive into national law be reduced to one year from the date of notification of the Directive;
17. Requests the Commission to incorporate the following amendments in its proposal, pursuant to the second paragraph of Article 149 of the FEC Treaty.



**Council Directive on bird conservation**

Preamble, recitals and Article 1 unchanged

*Article 2*

The Member States shall take the requisite measures to maintain the population of these species at a level compatible with ecological, economic, recreational and scientific requirements.

*Article 2*

The Member States shall take the requisite measures to maintain the population of these species at a level, or restore it to a level, which is compatible with ecological, economic, recreational and scientific requirements.

Article 3 unchanged

*Article 4*

1. The species listed in Annex I shall be the subject of more stringent protection measures aimed at the conservation of habitats in a sufficient number of areas to ensure the survival and reproduction of these species throughout the territory of the Member States. To this end, after consulting the Commission, the Member States shall designate and classify the most appropriate areas as special protected areas.

*Article 4*

1. The species listed in Annex I shall be the subject of more stringent protection measures aimed at the conservation of habitats in a sufficient number of areas to ensure the survival and reproduction of these species throughout the territory of the Member States. To this end, after consulting the Commission, the Member States shall designate and classify the most appropriate areas as special protected areas.

Steps should be taken in this connection to ensure that, in each Member State, an adequate part of the areas of international importance for the migratory species is protected from all disturbing factors (pollution, alteration of ground structure, urbanization, etc.). Such areas, moreover, shall be the subject of a total ban on the hunting of all bird species.

Paragraphs 2 and 3 unchanged

Article 5 unchanged

*Article 6*

The Member States shall prohibit the sale, the keeping for sale and offering for sale of live or dead birds, with the exception of *dead birds* of the species listed in Annex III *during the periods in which they may be hunted*.

*Article 6*

The Member States shall prohibit the sale, the keeping for sale and offering for sale of live or dead birds, with the exception of the species listed in Annex III.

Article 7 and 8 unchanged

<sup>(1)</sup> For complete text, see OJ No C 24, 1. 2. 1977, p. 3.

*Article 9*

1. For certain specific species, the Member States may, in accordance with the procedure provided for in paragraph 2, derogate the provisions of Article 5, 6 and 8, if there is no other satisfactory solution, *for the following reasons:*

- (a) to prevent serious damage to crops, forests and water, and, in general, to economic activity;
- (b) to protect indigenous flora and fauna;
- (c) for the purpose of scientific research, and for teaching and rearing.

2. To this end, they shall submit such derogations to the Commission before implementation thereof, accompanied by a full statement of reasons. The Commission, by means of a decision, may at any time request that such a derogation be revoked, suspended or amended if it produces or threatens to produce consequences jeopardizing the objectives of this Directive. The Member State or States to whom such a decision is addressed may put the matter before the Council, which acting by a qualified majority shall decide if the derogation may be authorized and under what conditions. The Commission's decision shall remain valid until the Council has acted.

*Article 9*

1. For certain specific species, the Member States may, in accordance with the procedure provided for in paragraph 2, derogate the provisions of Article 5, 6 and 8, if there is no other satisfactory solution, **and in particular:**

- (a) **u n c h a n g e d**
- (b) **u n c h a n g e d**
- (c) for the purpose of scientific research, and for teaching, rearing **and repopulation.**

2. To this end, they shall submit such derogations to the Commission before implementation thereof, accompanied by a full statement of reasons. The Commission, by means of a decision, may at any time request that such a derogation be revoked, suspended or amended if it produces or threatens to produce consequences jeopardizing the objectives of this Directive. The Member State or States to whom such a decision is addressed may put the matter before the Council, which **after consulting the European Parliament** and acting by a qualified majority shall decide if the derogation may be authorized and under what conditions. The Commission's decision shall remain valid until the the Council has acted.

**Article 10 unchanged**

*Article 11*

1. *The Member States* shall forward to the Commission every two years *starting from the date of notification of this Directive* a report on the implementation of national provisions taken thereunder. This report shall also contain a progress report on the work referred to in Article 10.

*Article 11*

1. The Member States shall forward to the Commission within six months of the date of adoption of this Directive a progress report on national and international investigations in the field of bird conservation and on the funds available for these purposes together with details of their sources.

2. They shall forward to the Commission every two years a report on the application of national provisions implemented in pursuance of this Directive and on measures that are planned in connection with its implementation. This report shall also contain details of the current state of progress with the work stipulated in Article 10 and of any contraventions of national provisions adopted in pursuance of this Directive and the nature and scope of the penalties imposed.

Articles 12 to 15 unchanged

*Article 16*

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within *two years* of its notification. They shall forthwith inform the Commission thereof.

2. The Member States shall notify to the Commission the texts of the main provisions of national law which they *adopt in the field covered by this Directive*.

*Article 16*

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within **one year** of its notification. They shall forthwith inform the Commission thereof.

2. The Member States shall notify to the Commission the texts of the main provisions of national law which they **propose to adopt** in the field covered by this Directive, **in sufficient time to enable it to express its opinion on them**.

Article 17 unchanged

Annexes I to III unchanged

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal of the Commission of the European Communities to the Council for a Regulation on the necessary measures to achieve comparability between the accounting systems and annual accounts of railway undertakings

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council<sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 33/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 144/77),
- welcoming the proposal as a necessary step towards the improvement of the situation of railway undertakings and the harmonization of rules governing financial relations between such undertakings and the Member States,

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 91, 15. 4. 1977, p. 1.

## RESOLUTION

### on voting rights in direct elections

*The European Parliament,*

- desirous to safeguard the right to vote in European direct elections of all citizens of the Community who are eligible to take part in national elections in each Member State,
  - having regard to its resolution of 14 January 1975 containing a draft Convention on elections to the European Parliament by direct universal suffrage <sup>(1)</sup>,
  - having regard to the Council Decision of 20 September 1976 including an Act concerning the election of the representatives of the Assembly by direct universal suffrage <sup>(2)</sup>,
  - having regard to Article 8 of the Council Act which states that no one may vote more than once in any election of representatives to the European Parliament,
  - having regard to the report of the Political Affairs Committee (Doc. 43/77),
1. Recommends that the Governments and Parliaments of the Member States of the European Communities should ensure that every citizen of one of the Member States who fulfils all the conditions necessary to have the right to vote, save that of residence, should be able to exercise a vote in the direct election of the European Parliament;
  2. Urges, therefore, that the countries concerned should take the necessary steps and offer each other mutual assistance to ensure that the citizens of a Member State who fulfil the conditions laid down in paragraph 1 can exercise a vote in the country which they are in on the date of the election for the lists of candidates in their country of origin, save where different systems apply in individual Member States;
  3. Calls upon the Council so to coordinate action taken by Member States to enfranchise citizens in direct elections as to prevent double voting;
  4. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the Parliaments and Governments of the Member States.

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<sup>(1)</sup> OJ No C 32, 11. 2. 1975, p. 15.

<sup>(2)</sup> OJ No L 278, 8. 10. 1976, p. 1.

## RESOLUTION

### on the inter-institutional dialogue on certain budgetary questions

*The European Parliament,*

- having regard to the inter-institutional agreement on the joint annual consideration of certain budgetary questions,
- having regard to the report on the inter-institutional dialogue held in 1976 (Doc. 97/76) <sup>(1)</sup>,
- having regard to the report of the Committee on Budgets (Doc. 119/77),

1. Approves the conclusions and recommendations of the Committee on Budgets as set forth in the explanatory statement of the report of the Committee on Budgets. They may be summarized as follows:

- (a) the Community must rationalize and develop its borrowing and lending activities authorized and supervised by the budgetary authority;
- (b) Parliament must be consulted in good time on the budgetary implications of Cooperation Agreements, which should be financed by the Communities' budget in the form of non-compulsory expenditure;
- (c) decisions on the opening of new lines for commitment authorizations and on the annual amount of these commitments are to be taken during the budgetary procedure;
- (d) under a full-scale system of own resources supplementary budgets must become a rare exception mainly as a result of using rectifying budgets;
- (e) the budgetary authority should be responsible for amending the nomenclature, chiefly on the basis of the proposed improvements submitted by the Commission in the preliminary draft budget;
- (f) the structural decentralization of the Commission must be closely monitored to ensure the budgetary consistency and clarity of the activities of this institution;

2. Expects to pursue the inter-institutional dialogue in accordance with these conclusions;

3. Firmly hopes that this dialogue will enable the institutions concerned to reach agreement on the main questions in time for the opening of the budgetary procedure for the 1978 budget;

4. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission.

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<sup>(1)</sup> OJ No C 125, 8. 6. 1976, p. 30.

## RESOLUTION

embodying the opinion of the European Parliament on the second Financial Protocol between the European Economic Community and Greece

*The European Parliament,*

- having regard to the importance of the second Financial Protocol (Doc. 8/77) as a technical instrument for restructuring the Greek economy with a view to its integration into European economic structures when Greece joins the EEC,
- having been consulted by the Council pursuant to Article 238 of the EEC Treaty (Doc. 8/77),
- having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee and the Committee on Budgets (Doc. 130/77),

1. Welcomes the signing of the second Financial Protocol between the EEC and Greece on 28 February 1977 in Brussels;

2. Emphasizes the supreme importance of the second Financial Protocol for the restructuring of the Greek economy, and considering that in this case, in the light of Article 238 of the Treaty of Rome, ratification by the Member States is not necessary, urges that the Protocol should be implemented immediately;

3. Welcomes the opportunity for Greece to examine with the European Investment Bank the procedures relating to financing, as soon as the Protocol is signed;

4. Hopes that full use will be made of the opportunity to examine the procedures relating to financing so that financial cooperation may be established immediately after the entry into force of the Financial Protocol;

5. Welcomes the efforts made by the Greek Government to restructure the country's economy and is convinced that the second Financial Protocol will be of supreme importance in helping the Greek Government in this task;

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6. Considers that an assessment of the financial implications of these agreements should be based on the following principles:

- (a) the effective budgetization of the cooperation appropriations must commence with the 1978 budget;
- (b) Parliament must be consulted on the financial aid provided for in this Protocol when the Council actually decides on the amount of the aid — in other words, as a general rule, before the negotiations commence.

## RESOLUTION

### on the harmonization of export aid systems

*The European Parliament,*

- having regard to the motion for a resolution tabled by the Liberal and Allies Group (Doc. 312/75) at the end of the discussion on the oral question by Mr Kofoed on the harmonization of export aid systems (Doc. 276/75) <sup>(1)</sup>,
  - having regard to Article 113 of the EEC Treaty, pursuant to which commercial policy is the responsibility of the Community,
  - having regard to the opinion of the Court of Justice of the European Communities of 11 November 1975 <sup>(2)</sup>,
  - having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Economic and Monetary Affairs (Doc. 129/77),
1. Notes that the disparities between national export aid systems applied in the Member States may distort competition and damage the Community and, ultimately, each of the Member States themselves;
  2. Opposes any stepping-up of national export aid measures and stresses that responsibility in this field lies with the Community bodies;
  3. Stresses the increasing importance of implementing a Community commercial policy and the need to adopt a common Community position on the question of export aids *vis-à-vis* the developing countries, the industrial countries and especially the State-trading countries;
  4. Notes that by its Decision of 14 March 1977, the Council has adopted the 'gentlemen's agreement' as an element of Community policy; notes further, however, that the European Parliament has so far had to rely on press reports to enable it to assess the details of this agreement;
  5. Notes the Commission's apparent inactivity, particularly since 1973, as regards the implementation of the necessary measures to harmonize export aids while maintaining and improving the Community's competitive position;
  6. Calls on the Commission and the Council, acting within their respective terms of reference, to:
    - further limit the number of economic sectors excluded by this Council Decision,
    - tighten up the provisions relating in particular to mixed financing, minimum interest rates and credit duration so that derogations may only be authorized by a majority decision;
  7. Hopes that the proposal for a Regulation on the establishment of a Community investment guarantee system will be brought up to date and resubmitted to the Council;
  8. Hopes that an inventory of the various export support measures accorded by the Member States of the Community will be drawn up as soon as possible, on the basis of which, at a first stage, new national measures will be permitted only within a compulsory Community consultation procedure, and, at a second stage, all measures in this field will become the responsibility of the Community bodies as provided for in the Treaties;
  9. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission.

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<sup>(1)</sup> OJ No C 257, 10. 11. 1975, p. 11.

<sup>(2)</sup> OJ No C 268, 22. 11. 1975, pp. 18 to 23.



**RESOLUTION**  
on the free movement of goods

*The European Parliament,*

- having regard to the Oral Question to the Commission of the European Communities on the free movement of goods (Doc. 27/77),
- having regard to the reasoning behind this oral question and the Commission's reply <sup>(1)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 132/77),

1. Notes with concern that administrative barriers at internal frontiers in the Community are imperilling the progress towards integration which has been achieved, as well as hampering further realization of the free movement of goods — by rail and road — in the common market;

2. Considers that a series of bilateral administrative agreements between individual Member States concerning the transport of goods jeopardizes the proper operation of the common market and is against the spirit of the Treaty. Asks the Commission to examine thoroughly the reasons put forward by individual Member States for administrative measures to see whether they are compatible with the provisions of the EEC Treaty and to submit on this basis proposals for Community provisions to the Council;

3. Calls upon the Commission to place more emphasis on meeting its obligation under the Treaty to produce conditions similar to a national market and criticizes in this context the fact that the Commission has not so far given Parliament adequate information on the difficulties being experienced with some Member States in obtaining solutions in accordance with the Treaties;

4. Requests that the Commission present a report in the near future on the outcome of the contacts mentioned in its reply with the governments concerned between the end of 1976 and April 1977;

5. Points out the enormous additional costs because the transport of goods is delayed at frontiers, that large sections of European industry have to bear and stresses that, in periods of high inflation, it must be a priority of economic policy to eliminate precisely this kind of burden;

6. Regrets greatly the fact that the internal market is undergoing major difficulties of this kind partly because there is a lack of will on the part of the Council and of the Governments of the Member States to implement a common transport policy;

7. Instructs its President to forward this resolution and the report of its committee to the Governments and Parliaments and to the Council and Commission.

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<sup>(1)</sup> Debates of the European Parliament, Annex No 216 (April 1977).

**RESOLUTION**

embodying the opinion of the European Parliament on the initial list of requests for the carry-over of appropriations from the 1976 to the 1977 financial year (non-automatic carry-over)

*The European Parliament,*

- having regard to the list submitted by the Commission of the European Communities (COM(77) 144 fin.),
- having been consulted by the Council pursuant to Article 6 (2) of the Financial Regulation <sup>(1)</sup> (Doc. 64/77),
- having regard to the report of the Committee on Budgets (Doc. 127/77),

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<sup>(1)</sup> OJ No L 116, 1. 5. 1973.

1. Approves the non-automatic carry-over of appropriations requested by the Commission of the European Communities in respect of the following amounts:
    - (a) 184 000 u.a. (Chapters 21 and 27), for the 'Parliament' section;
    - (b) 5 046 675.44 u.a. (Chapters 21, 30 and 32) for the 'Commission' section;
    - (c) 22 163 896.79 u.a. (Chapter 8) for the 'Commission (EAGGF)' section;
  2. Reserves the right to look more closely into the management of the appropriations carried over during the discharge procedures in respect of the financial years 1976 and 1977;
  3. Confirms its views on the desirability of abolishing non-automatic carry-overs expressed during its consideration of the proposed revisions of the Financial Regulation;
  4. Stresses once more the disadvantages — both political and practical — of the Council unlawfully taking over the powers of implementation of the budget conferred on the Commission by Article 205 of the EEC Treaty, and calls on the Council to desist in future from this practice, which violates the Treaty.
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#### RESOLUTION

on the estimates of revenue and expenditure of the European Parliament for the 1978 financial year

*The European Parliament,*

- having regard to Rules 49 and 50 of its Rules of Procedure,
  - having regard to the draft estimates drawn up by its committee responsible and to the report on the draft estimates (Doc. 155/77),
- i. Points out that:
    - (a) the estimates for 1978 are intended to cover the normal evolution of parliamentary activities and of the work of the Secretariat;
    - (b) the establishment plan must correspond to real and permanent needs arising from the special working conditions of Parliament and of its Secretariat (in particular the lack of a single seat and the multi-lingual system);

- (c) it considers it appropriate, during consideration of the annual budget of the Communities, to review its decisions relating to the enlargement of the establishment plan in the light of real needs and the guidelines from the Committee on Budgets which would enable rationalization measures to be taken;
- (d) it has taken no account of the needs of a directly-elected Parliament since a great many administrative decisions on this matter are still outstanding;
- (e) it will therefore be necessary during 1978 to submit a supplementary and amending budget;
- (f) having regard to the inevitable repercussions of direct elections on the estimates and on the establishment plan, it will be essential, when the time comes to draw up the supplementary and amending budget, to make a detailed study of the desirable organization of the activities of Parliament in order to achieve rationalization and to make substantial savings;
- (g) pending the supplementary and amending budget, it has held down as far as possible — to a greater extent than in previous years — the increase in appropriations for the financial year, limiting it to 3.6 % compared with 1977;

### Changes in the establishment plan

#### *Permanent establishment plan*

- 2. Creates 83 new permanent posts, to be frozen in accordance with the principles laid down in paragraph 1 (c) and (f) of this resolution; abolishes seven established posts;
- 3. Converts 30 local staff posts into established posts, since these are now permanent posts which have been filled for at least four years; also converts 51 auxiliary staff posts into established posts;
- 4. Furthermore, creates three reserve posts for officials seconded to the secretariat of the political groups and also abolishes three such posts;
- 5. Regrades 15 permanent posts on the establishment plan, considering that the level of the tasks performed is higher than the present grade and that in certain cases there are grounds for awarding promotion after several years; grants one promotion on a personal basis to LA 3;

#### *Temporary establishment plan*

- 6. Creates two posts for the secretariat of the political groups — to be frozen in accordance with the decisions taken on the creation of established posts — and regrades seven; also creates two additional posts for the office of the President;
- 7. Breaks down the posts created (frozen), converted or regraded as shown below;

#### *As regards the actual estimates*

- 8. Adopts its estimates of revenue and expenditure for 1978 at 70 625 744.25 u.a. corresponding to 85 500 217 EUA, according to the breakdown set out below;
- 9. Instructs its President, according to the budgetary provisions of the Treaties, to forward this resolution, the draft estimates annexed thereto and the report of its committee responsible to the Commission and, for information, to the Council.

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## RESOLUTION

on supplementary and amending estimates No 1 of the revenue and expenditure of the European Parliament for the financial year 1977

*The European Parliament,*

- having regard to Rule 50 of its Rules of Procedure,
  - having regard to draft supplementary and amending estimates No 1 for 1977 drawn up by the appropriate committee and the report thereon (Doc. 115/77),
    - (a) whereas it is desirable:
      - firstly, to enter henceforth, as do the other institutions, appropriations relating to any increases in the salaries of officials under Title I of the budget, 'Expenditure relating to persons working with the institution', rather than under Chapter 100, 'Provisional appropriations',
      - secondly, to adjust the appropriations in accordance with the Council Decisions of 21 December 1976 concerning the increases in the salaries of officials and the inclusion of the weighting in the salary scales,
    - (b) whereas also the decision taken by the Council in December 1976 to include the weighting in the salary scales entails an increase not only in expenditure but also in revenue resulting from the increase in the Community tax and whereas these estimates therefore constitute an amending rather than a supplementary budget,
1. Amends its estimates of revenue and expenditure for 1977 and fixes total expenditure at 68 166 260.50 u.a. as itemized below;
  2. Instructs its President, pursuant to the provisions of Article 203 of the Treaty, which also applies, according to Article 12 of the Financial Regulation of the Communities, to supplementary and rectifying budgets, to forward this resolution, the attached draft supplementary and amending estimates No 1 of Parliament and the report of its committee to the Commission and, for information, to the Council.

## RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation implementing, in respect of the own resources from VAT, the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 100/77),
  - having regard to the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources,
  - having regard to the sixth Directive on the harmonization of the laws of the Member States relating to turnover taxes (VAT),
  - having regard to the report of the Committee on Budgets (Doc. 159/77),
1. Welcomes the Commission's proposal for a Regulation;
  2. Reminds the Council of the need for early adoption of this Regulation which is a precondition for the introduction of Community VAT on 1 January 1978;

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<sup>(1)</sup> OJ No C 110, 6. 5. 1977, p. 2.

3. Reminds the Commission of the problems of the availability of funds which will arise as a result of the application of the 'financial year rule' and hopes that these problems will be discussed openly and settled rapidly;

4. Requests the Commission to incorporate the following amendments pursuant to the second paragraph of Article 149 of the Treaty establishing the EEC;

5. Calls on the Council to initiate the conciliation procedure should it intend to depart from this opinion.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation implementing, in respect of the own resources from VAT, the  
Decision of 21 April 1970 on the replacement of financial contributions from Member  
States by the Communities' own resources**

Preamble, recitals and Articles 1 to 3 unchanged

*Article 4*

*Article 4*

1. With regard to taxable transactions effected by farmers taking advantage of the common flat-rate scheme provided for in Article 25 of the sixth VAT Directive, the assessment base shall be the added value calculated by the Member States in accordance with the common method of calculation provided for in Annex C to that Directive.

1. unchanged

2. The assessment base for:

2. The assessment base for:

(a) operations effected by taxable persons with an annual turnover, calculated in accordance with the provisions of Article 24 (4) of the sixth VAT Directive, of more than 10 000 EUA and with an exemption under Article 24 (2);

(a) unchanged

(b) transactions as set out in Annex F to the sixth VAT Directive which the Member States exempt in accordance with the option provided for in Article 28 (3) (b) of that Directive;

(b) unchanged

shall be the added value as established from declarations to be made by the taxable persons or, failing these, from appropriate data.

shall be the added value as established from declarations to be made by taxable persons or, failing these, from appropriate data, such as other tax declarations, professional accounts and complete statistical series. The resources thus established shall be increased by 10 %.

<sup>(1)</sup> For complete text, see OJ No C 110, 6. 5. 1977, p. 2.

3. The Member States shall inform the Commission, before the beginning of each financial year and prior to its presenting the preliminary draft budget, of the solutions they propose to adopt to determine the assessment base for each of the categories of transaction referred to in paragraph 2, indicating where applicable the nature of the data which they consider appropriate.

This information for the financial year 1978 shall be sent as soon as possible and not later than 1 October 1977.

4. Either on its own initiative or at the request of a Member State the Commission shall examine, on the spot if need be, problems arising from implementation of the provisions of paragraph 2.

3. unchanged

4. Either on its own initiative or at request of a Member State the Commission shall examine, on the spot if need be, problems arising from implementation of the provisions of paragraph 2 and shall decide on the data to be used in the manner provided for in Article 12 of this Regulation.

Articles 5 to 9 unchanged

Article 10

1. The Member States shall conduct the verifications and inquiries concerning the determination and making available of VAT resources. They shall associate the Commission with these checks at its request. During these checks the Commission shall *also* ascertain that the appropriate data have been used and that the calculations made to determine the amount of own resources in the cases provided for in Article 4 (1) and (2) comply with the provisions of this Regulation.

2. The Commission may request the Member States to conduct additional checks. *It may be associated in them* on request.

3. The provisions of Council Regulation (EEC, Euratom, ECSC) No 165/74 of 21 January 1974 shall apply to checks relating to VAT resources.

Article 11

1. A Committee on VAT own resources (hereinafter called 'the Committee') is hereby set up.

Article 10

1. The Member States shall conduct the verifications and inquiries concerning the determination and making available of VAT resources. **The Commission may take part in them on request.** During these checks the Commission shall ascertain in particular that the operations involved in the centralization of the assessment basis have been conducted in a proper manner, that the appropriate data have been used and that the calculations made to determine the amount of own resources in the cases provided for in Article 4 (1) and (2) comply with the provisions of this Regulation.

2. The Commission may request the Member States to conduct additional checks. **It may take part in them** on request.

3. unchanged

Article 11

1. A Committee on VAT own resources (hereinafter called 'the Committee'), **having advisory capacity**, is hereby set up.

2. The Committee shall consist of representatives of the Member States and of the Commission. Each Member State shall be represented on the Committee by not more than five officials. The chairman of the Committee shall be a representative of the Commission. Secretariat services for the Committee shall be provided by the Commission.

2. unchanged

3. The Committee shall adopt its own rules of procedure.

3. unchanged

Articles 12 and 13 unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulations (EEC) No 1599/75 and (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 38/77),
- having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 131/77),

<sup>(1)</sup> OJ No C 81, 1. 4. 1977, p. 9.



1. Notes with regret that the system in force under the former regulation did not function properly and led to imbalances because:
  - in the case of rice, it transpired that the provision on the prevention of deflections of trade was superfluous since Articles 8 and 9 of Regulation (EEC) No 706/76 stipulate that in the case of imports from the ACP States or the OCT into the Community account must be taken of the threshold price reduced by the accession compensation amount, thus excluding the possibility of any deflection of trade and avoiding distortion of competition for the importers,
  - the preferential position of the ACP States and the OCT has sometimes been handicapped by the fact that the accession compensation amounts have cancelled out the reduction in the import levy (Regulation (EEC) No 1599/75);
2. Hopes that the new arrangements will enable the technical and other obstacles to trade to be eliminated;
3. Expresses the earnest desire to see the products in question from the ACP States and the overseas countries and territories given equal treatment when imported into Community countries;
4. Trusts that the new arrangements will lead to an expansion of trade to the benefit of the ACP States and the overseas countries and territories;
5. Approves, therefore, the Commission's proposal:
  - since it corrects a technical error made in the past and makes an exception for rice in the provisions on deflection of trade (second paragraph of Article 21 of Regulation (EEC) No 706/76);
  - since it aims at enabling a refund to be paid for rice imported into the Community from the ACP states and the OCT in cases where the accession compensation amounts in trade between the Member States were higher than the import levy.

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## RESOLUTION

### on the need for a Community policy on the use of solar energy

*The European Parliament,*

- having regard to the report from the Committee on Energy and Research (Doc. 120/77),
1. Believes that the correct strategy for seeking substitutes for oil is to consider all the alternative sources which together may make substantial contributions;

2. Recommends that the close coordination between Community actions and national programmes in this sector be maintained;
3. Believes that efforts should be made in the member countries to collect the data on solar radiation and meteorological conditions necessary to determine the feasibility of solar energy applications, and to compare the data on more closely observed meteorological conditions with the data on solar radiation over the same period;
4. Believes that all research into the use of solar energy for the heating of buildings should be accompanied by research and programmes to discover the best methods of drawing economic advantage from improved insulation and from investments in solar energy;
5. Notes that on the basis of existing knowledge and experience it is possible to obtain hot water for domestic use at competitive prices by means of equipment for the collection of solar energy; calls upon the Commission and the Member countries to encourage this application;
6. Hopes that studies on the storage of heat produced, both for short and long periods, will be intensified;
7. Recommends that, with the aim in this sector too of ascertaining what practical applications are possible and until acceptable storage methods have been developed, close attention be paid to current experiments in various climatic conditions in the Community on ambient heating by solar collectors, using additional heat sources;
8. Stresses that solar energy applications in agriculture, through the use of simple and robust apparatus, should be carefully studied by the Community, in view of their advantages, especially for the developing countries;
9. Stresses the importance of providing the manufacturers of solar collectors with sufficiently extensive production programmes to bring about a reasonable reduction of their costs;
10. Believes that although the production of electrical energy using solar radiation appears for the time being distinctly more expensive than other existing possibilities experiments should be continued both on the process utilizing the concentration of rays by means of mirrors, and with the photovoltaic method, to facilitate its medium and long-term application;
11. Points out that if solar energy is to be effective, it will have to make a breakthrough at various levels, through technology, through harmonization of standards and through a policy of tax concessions;
12. Believes that solar energy could be usefully applied by Member States in the construction of public buildings;
13. Hopes that every Member country will participate actively in the EEC programme;
14. Believes that cooperation between industrialized countries and developing countries on the use of solar energy is essential;
15. Holds the view, nevertheless, that neither the development of this alternative source of energy, nor that of others, can, in the short or medium terms, replace the vital contribution of energy from nuclear fission;
16. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down, in respect of hops, the amount of the aid to producers for the 1976 harvest

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 214 fin.),
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 160/77),
  - having regard to the report of the Committee on Agriculture (Doc. 164/77),
1. Approves the Commission's proposal;
  2. Requests the Commission to arrange for the necessary steps to be taken to bring about, by means of an agreement with other producing areas in third countries, the adaptation of production to the market situation.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a research programme in the field of treatment and use of sewage sludge (concerted action)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 536/76),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Budgets (Doc. 123/77),
1. Notes with great interest the structure and scope of the proposed research programme, which is intended to promote action in the field of the treatment and use of sewage sludge;
  2. Considers that this constitutes an important and urgent task for the Community in the field of environmental protection and that Article 235 of the EEC Treaty should thus be applied;
  3. Expresses its agreement, therefore, with the principle of coordination, but stresses the need for such coordination of research activities to be primarily carried out by specialists at Community level to make for greater efficiency;
  4. Considers it particularly important for this draft Decision to take account of the Council Directive of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment <sup>(2)</sup>;
  5. Requests the Commission, pursuant to the second paragraph of Article 149 of the EEC Treaty, to incorporate the following amendments into its proposal.

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<sup>(1)</sup> OJ No C 86, 6. 4. 1977, p. 8.

<sup>(2)</sup> OJ No L 129, 18. 5. 1977, p. 23.

**Council Decision adopting a research programme in the field of treatment and use of  
sewage sludge (concerted action)**

Preamble and first to fourth recitals unchanged

**New recital**

Whereas on 4 May 1976 the Council approved a Directive on pollution caused by certain dangerous substances discharged into the aquatic environment;

*Fifth recital*

Whereas a Community concerted research action in the field of treatment and use of sewage sludge *is likely to contribute effectively* to the achievement of the abovementioned aims, in particular with regard to the reduction of environmental pollution and to the economic use of resources;

*Fifth recital*

Whereas a Community concerted research action in the field of treatment and use of sewage sludge **should** contribute to the achievement of the abovementioned aims, in particular with regard to the reduction of environmental pollution and to the economic use of resources;

Sixth to eighth recitals unchanged

Article 1 unchanged

*Article 2*

The financial contribution by the Community to the realization of the coordination action will be determined in the budgetary procedure. It is estimated at 140 000 units of account, the unit of account being defined according to the Financial Regulation in force.

*Article 2*

The financial contribution by the Community to the realization of the coordination action will be determined in the budgetary procedure. **The overall contribution** is estimated at 140 000 units of account, the unit of account being defined according to the Financial Regulation in force.

Article 3 unchanged

*Article 4*

(b) The Commission shall prepare yearly progress reports *on the basis of the information supplied.*

*Article 4*

(b) The Commission shall prepare yearly reports on the progress and outcome of coordination and transmit them to the European Parliament.

Paragraph (a) unchanged

Paragraph (c) unchanged

(1) For complete text, see OJ No C 86, 6. 4. 1977, p. 8.

Article 5 unchanged

Article 6

Annex I to this Decision may be amended by the Council on a proposal by the Commission, after consulting the *Committee*, in the event of a substantial change in the financial or technical conditions governing the research which is covered by the coordination action.

Article 6

Annex I to this Decision may be amended by the Council on a proposal by the Commission, after consulting the **European Parliament** in the event of a substantial change in the financial or technical conditions governing the research which is covered by the coordination action.

Article 7 unchanged

Annexes I and II unchanged

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RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Council Regulation amending Regulations (EEC) No 816/70, (EEC) No 2893/74 and (EEC) No 817/70 as regards the maximum total sulphur dioxide content of wines other than liqueur wines

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the Treaty establishing the EEC (Doc. 53/77),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 147/77),

1. Approves the Commission's proposal;
2. Strongly urges that the sulphur dioxide content of wines should be further reduced as soon as sufficient oenological information is available.

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<sup>(1)</sup> OJ No C 88, 13. 4. 1977, p. 5.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Articles 43 and 227 of the EEC Treaty (Doc. 73/77),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 128/77),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 102, 26. 4. 1977, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive laying down additional provisions relating to the surveys to be carried out by Member States on cattle production

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Articles 43 and 209 of the EEC Treaty (Doc. 103/77),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 133/77),

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<sup>(1)</sup> OJ No C 110, 6. 5. 1977, p. 9.

1. Approves the Commission's proposal;
2. Urges Member States to ensure that the results of the interim surveys on cattle production are forwarded promptly to the Commission so that the Community may pursue an efficient management policy on the basis of precise and up-to-the-minute data;
3. Draws attention to the need to continue to encourage harmonization of basic statistics in the Member States.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 137 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 102/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on External Economic Relations and the Committee on Budgets (Doc. 153/77),

1. Approves the Commission's proposal;
2. Calls for the compilation of adequate statistical data at Community level so that a sound policy may be pursued with regard to the products in question;
3. Is disappointed to note that the Commission has merely studied the suggestion by the European Parliament that temporary suspension of customs duties be replaced by the total abolition of such duties for products originating in third countries in respect of which Community production is insufficient, and urges that a proposal on these lines now be submitted without delay;



4. Considers it important that the Community examine possible ways of stimulating the growth of the tropical products industry in the developing countries and of achieving a reasonable balance between the interests of producers and consumers in the Community and producers and consumers in third countries belonging to the Third World;

5. Calls on the Commission to consider the extent to which the total or partial suspension of autonomous common customs tariff duties is being beneficial to agricultural products in the developing countries.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down a licensing system to control the fishing operations of non-member countries in the maritime waters coming under the sovereignty or falling under the jurisdiction of Member States and covered by the Community system for the conservation and management of fishery resources

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 142/77),
- having regard to the report of the Committee on Agriculture (Doc. 150/77),
- having regard to the communication from the Commission of the European Communities to the Council on a future external fisheries and an internal fisheries system (COM(76) 500 fin.),
- having regard to the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fishery resources <sup>(2)</sup>, and the report by Mr Kofoed (Doc. 474/76),
- having regard to the serious depletion of fish stocks and the need to encourage the rational use of the biological resources of the sea,
- having regard to the fact that the basis of fishing policy must be the establishment of scientifically derived quotas and controlled fishing zones managed by coastal State or States,

1. Approves the Commission's proposal, subject to the following reservations and comments;
2. Considers that each licence should state, in addition to the conditions laid down in Article 4, the name and address of the owner and/or charterer and the master, the total permitted catch by fish species, the method of fishing permitted, and the type and number of fishing gear;
3. Considers that a fee should be charged by the Commission for such licences;
4. Requests that agreements concluded with third countries include reciprocal provisions for the supervision of landings;

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<sup>(1)</sup> OJ No C 138, 11. 6. 1977, p. 10.

<sup>(2)</sup> OJ No C 255, 28. 10. 1976, p. 3.

5. Requests further information as to whether the resources of the Commission are at present sufficient to coordinate inspection systems and to collate and act upon reports required of third country vessels in Community waters; earnestly requests the Member States immediately to establish the closest possible cooperation between their sea and air patrols responsible for the Community fishing zone;

6. Believes that the cost of inspection by Member States, carried out on behalf of the Commission, should be considered as part of the total cost of the implementation of the common fisheries policy, and that financial aid should be granted to Member States where necessary;

7. Emphasizes that the effective implementation of an external fisheries policy must depend partly upon the implementation of provisions for an internal policy;

8. Requests the Commission to incorporate the proposed amendments in its proposals to the Council pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Regulation laying down a licensing system to control the fishing operations of non-member countries in the maritime waters coming under the sovereignty or falling under the jurisdiction of Member States and covered by the Community system for the conservation and management of fishery resources**

Preamble and recitals unchanged

*Article 1*

*Article 1*

Paragraphs 1 and 2 unchanged

3. The term 'fishing activities' used in this Regulation refers to the catching, processing, freezing and transporting of fish in the waters referred to in paragraph 1.

3. The term 'fishing activities' used in this Regulation refers to the catching, processing, freezing, **canning** and transporting of fish in the waters referred to in paragraph 1.

Articles 2 and 3 unchanged

*Article 4*

*Article 4*

1. The Commission shall issue to non-member countries a licence for each vessel to be licensed in accordance with Article 3.

1. The Commission shall issue, **on payment of a fee**, to non-member countries a licence for each vessel to be licensed in accordance with Article 3.

2. Each licence shall state the name and registration number of the vessel to which it applies,

2. Each licence shall state the name and registration number of the vessel to which it applies,

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(1) For complete text, see OJ No 138, 11. 6. 1977, p. 10.

the periods and areas in which that vessel is allowed to engage in fishing activities, and any other condition deemed appropriate.

3. The Commission shall not issue any licences to a non-member country, unless that country has taken such measures as are required to ensure that its vessels comply with the provisions of Annex II hereto.

**the name and address of the owner and/or charterer, the name and address of the master, the periods and areas in which that vessel is allowed to engage in fishing activities, the total permitted catch by fish species, the method of fishing permitted, the type and number of fishing gear, and any other condition deemed appropriate.**

3. unchanged

4. **The revenues derived from such licence fees shall be employed for the purposes of the common fisheries policy.**

Article 5 unchanged

Article 6

Article 6

Paragraph 1 unchanged

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt conditions and rules for the application of paragraph 1.

2. The Council, **after consulting the European Parliament and** acting by a qualified majority on a proposal from the Commission, shall adopt conditions and rules for the application of paragraph 1.

Articles 7 and 8 and Annexes I and II unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 118/77),

<sup>(1)</sup> OJ No C 124, 26. 5. 1977, p. 4.

— having regard to the report of the Committee on Agriculture (Doc. 149/77),

1. Regrets that the Commission did not provide that acidification of wine products should be carried out exclusively by the producers;
2. Regrets that the Council has not yet adopted the Commission's proposal on a Regulation supplementing Regulation (EEC) No 816/70 by introducing new provisions concerning oenological processes <sup>(1)</sup>, on which it delivered a favourable opinion on 13 February 1974 <sup>(2)</sup>; therefore urges the Council to adopt these provisions as soon as possible;
3. Regrets that the Commission has not yet published a digest of regulations in the wine sector;
4. Approves the Commission's proposal, subject to the reservation expressed in paragraph 1;
5. Requests the Commission to incorporate the following amendment to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

<sup>(1)</sup> Doc. 91/73.

<sup>(2)</sup> OJ No C 23, 8. 3. 1974, p. 32.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Regulation amending Regulation (EEC) No 816/70 laying down additional provisions  
for the common organization of the market in wine**

Preamble, recitals and Articles 1 to 5 unchanged

*Article 6*

*Article 6*

Article 20 (2) of Regulation (EEC) No 816/70 is hereby amended to read as follows:

unchanged

'2. In years when climatic conditions have been exceptional:

unchanged

— first indent . . .

— unchanged

— second indent . . .

— unchanged

— acidification of the products mentioned in paragraph 1 may be authorized in wine-growing Zones C Ia and C Ib in the same circumstances as in Zones C II and C III.'

— acidification of the products mentioned in paragraph 1 may be authorized in wine-growing Zones C Ia and C Ib in the same circumstances as in Zones C II and C III and shall be carried out exclusively by the producers.'

*Article 7*

*Article 7*

The second subparagraph of Article 22 (2) of Regulation (EEC) No 816/70 is hereby amended to read as follows:

unchanged

'However, concentration by cooling and the acidification referred to in the last indent of

'However, concentration by cooling and the acidification referred to in the last indent of

<sup>(1)</sup> For complete text, see OJ No C 124, 26. 5. 1977, p. 4.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES

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Article 20 (2) may be practised throughout the year. The same applies to acidification in Zones C II and C III provided it is carried out within each of the two wine-growing production zones.'

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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of Article 20 (2) may be practised throughout the year. The same applies to acidification in Zones C II and C III provided it is carried out within each of the two wine-growing production zones **exclusively by the producers.'**

Articles 8 to 10 unchanged

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the application of the provisions of the Financial Protocol concluded with Malta

*The European Parliament,*

- having regard to the Cooperation Agreement concluded with Malta and its opinion on this Agreement <sup>(1)</sup>,
- having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,
- having been consulted by the Council (Doc. 101/77),
- having regard to the report of the Committee on Budgets and the opinion of the Committee on External Economic Relations (Doc. 189/77),

1. Approves the proposal for a Regulation on the following conditions:

- (a) Even for budgetized aid administered directly by the European Investment Bank the Commission should retain overall responsibility *vis-à-vis* the budgetary authority for the implementation of the budget, as provided for under Article 205 of the EEC Treaty and in the Financial Regulation of the Communities;
- (b) The role of the management committee required to give its opinion on draft financing proposals or action programmes should in no way infringe the Commission's powers and responsibilities under the Treaty in respect of implementation of the budget;
- (c) The European Investment Bank, which is to administer part of the budgetized aid, should henceforth be directly accountable in respect of the administration thereof to the Commission so that the latter may report regularly to Parliament and its Committee on Budgets;
- (d) At least once a year the Commission should inform the Council and Parliament of the conditions under which the financing projects administered by it have been implemented and carried out;

2. Requests the Commission to endorse the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 100, 3. 5. 1976, p. 8.

<sup>(2)</sup> OJ No C 110, 6. 5. 1977, p. 6.

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TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### Council Regulation on the application of the provisions of the Financial Protocol concluded with Malta

Preamble, recitals and Article 1 unchanged

*Article 2*

1. The appropriations for the financing of aid not covered from the bank's own resources shall be administered by the Commission, in accordance with

*Article 2*

1. The appropriations for the financing of aid not covered from the bank's own resources shall be administered by the Commission, pursuant to Article

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<sup>(1)</sup> For full text see OJ No C 110, 6. 5. 1977, p. 6.

the Financial Regulation of 25 April 1973 applicable to the general budget of the Communities.

205 of the EEC Treaty and in accordance with the Financial Regulation of 25 April 1973 applicable to the general budget of the Communities.

2. The Commission shall itself administer the grants for technical assistance programmes or schemes.

2. unchanged

A general mandate will be given to the bank by the Commission in the name of the Community, to administer the interest rate subsidies for loans from its own resources, the special loans and the risk capital operations.

3. Operations covered by the mandate established pursuant to paragraph 2 shall be undertaken by the bank on behalf and at the risk of the Community.

3. unchanged

The bank shall act in accordance with the procedures laid down by its statute, subject to Articles 9 and 10 of this Regulation.

The special conditions of the mandate — in particular the provisions concerning movements of funds and the remuneration for executing the mandate — shall be the subject of an agreement between the Commission and the bank.

4. *The limit of the sums which may be committed by the bank in any year in executing the mandate shall be fixed annually. This limit may be reviewed during the year in question.*

4. deleted

Article 3 unchanged

*Article 4*

The Commission shall provide the Member States with information obtained from Malta as regards the content and prospects of their development plans, the objectives they have set themselves and projects already identified which are likely to attain these objectives.

The Commission shall compile this information in collaboration with the bank.

Member States shall at the same time inform the Commission of any bilateral aid they have granted or intend to grant.

Furthermore, the Commission shall forward to the Committee referred to in Article 6 all available information on any other bilateral or multilateral aid granted or envisaged for Malta.

To this end, and in order to keep Member States informed, the Commission shall obtain all relevant

*Article 4*

The Commission shall provide the Member States each year with information obtained from Malta as regards the content and prospects of its development plans, the objectives it has set itself and projects already identified which are likely to attain these objectives.

unchanged

unchanged

unchanged

unchanged

information on aid to the States concerned which Member States, international institutions and other aid donors have already granted or intend to grant.

*Article 5*

The position to be taken by the Community *with a view to defining aid guidelines* within the Association Council shall be adopted by the Council on a proposal from the Commission drawn up in close cooperation with the bank. In the event of disagreement, the bank shall state its position in the Council.

*Article 5*

The position of the Community within the Association Council shall be adopted by the Council on a proposal from the Commission drawn up in close cooperation with the bank. In the event of disagreement, the bank shall state its position in the Council.

Articles 6 and 7 unchanged

*Article 8*

The draft financing proposals referred to in Article 7, together with the opinion of the Article 6 Committee, shall be submitted to the Commission for its decision.

If the Commission *decides to differ from* the opinion expressed by the Committee, or if the *Committee* has not delivered a favourable opinion, *it* shall either withdraw the financing proposal, or, at the earliest opportunity, refer the proposal to the Council, which shall decide on it by a qualified majority.

*Article 8*

unchanged

If the Commission **does not accept** the opinion expressed by the Committee, or if the **latter** has not delivered a favourable opinion, **the Commission** shall either withdraw the financing proposal or, at the earliest opportunity, refer the proposal to the Council, which shall decide on it by a qualified majority.

Article 9 unchanged

*Article 10*

1. The document in which the bank submits draft financing proposals to the Article 9 Committee shall, in particular, explain the relevance of the projects to the development prospects of the country or countries concerned and, where appropriate, indicate the situation as regards loans granted by the Community.

2. Where the Article 9 Committee and the Commission deliver a favourable opinion in respect of a request for a loan with an interest rate subsidy, the request shall be submitted for a decision to the Board of Directors of the bank, which shall act in accordance with the provisions of the bank's statute.

In the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable opinion from the Commission, the bank shall either withdraw the application or request

*Article 10*

1. unchanged

2. unchanged

In the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable opinion from the Commission, the bank shall either withdraw the application or request



that the Member State taking the chair of the Article 9 Committee bring the matter before the Council as soon as possible <sup>(1)</sup>.

3. Where, in respect of a draft financing proposal by special loan or risk capital, the Article 9 Committee and the Commission deliver a favourable opinion, the proposal shall be submitted for a decision to the Board of Directors of the bank, which shall act in accordance with the provisions of the bank's statute.

In the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable opinion from the Commission, the bank shall either withdraw the proposal or request that the Member State taking the chair of the Article 9 Committee bring the matter before the Council as soon as possible.

4. Where, in the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable opinion from the Commission, the matter is brought before the Council in accordance with paragraphs 2 and 3, the bank's request or proposal shall be submitted to the Council together with the reasoned opinions of the Article 9 Committee and the Commission <sup>(2)</sup>.

The Council shall act by a qualified majority.

If the Council decides to confirm the position taken by the Article 9 Committee or by the Commission, the bank shall withdraw its proposal.

If, however, the Council is in agreement with the bank's proposal, the bank shall implement the procedures provided for in its statute.

#### Article 11

1. The Commission shall ascertain how the Community aid *administered by it* is used by Malta, or by any other recipients.

<sup>(1)</sup> *The EIB wishes to replace this subparagraph by the following:*

*'In the absence of a favourable opinion from the Article 9 Committee or in the event of an unfavourable opinion from the Commission, the bank shall either withdraw the request or decide to uphold it. In the latter event, this request, together with the reasoned opinion of the Committee and the opinion of the Commission, shall be submitted for a decision to the Board of Directors of the bank, which shall act in accordance with the provisions of the bank's statute.'*

<sup>(2)</sup> Wording requested by the EIB in order to take account of its position regarding paragraph 2:

*'In the latter event, the bank's proposal shall be submitted to the Council together with the reasoned opinions of the Article 9 Committee and the Commission.'*

that the Member State taking the chair of the Article 9 Committee bring the matter before the Council as soon as possible.

3. unchanged

4. unchanged

#### Article 11

1. The Commission shall ascertain how the Community aid is used by Malta, or by any other recipients.

<sup>(1)</sup> deleted

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TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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2. It shall also ascertain, in close collaboration with the relevant authorities of Malta, how projects financed with Community aid are used by the recipients.

2. unchanged

3. When ascertaining how Community aid and projects are used, as provided for in paragraphs 1 and 2, the Commission shall examine jointly with the bank the extent to which the objectives defined pursuant to Article 21 of the Protocol and Articles 9 and 16 of the Financial Protocol thereto have been attained.

3. unchanged

4. The Commission shall inform the Council at least once a year of its findings pursuant to paragraphs 1, 2 and 3.

4. The Commission shall inform the Council **and the European Parliament, when requested and** at least once a year, of its findings pursuant to paragraphs 1, 2 and 3.

Article 12 unchanged

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## RESOLUTION

embodying the opinion of the European Parliament on

I. the communication from the Commission of the European Communities to the Council on action in the field of transport infrastructure and the proposals from the Commission of the European Communities to the Council for a Decision instituting a consultation procedure and creating a committee in the field of transport infrastructure and a Regulation concerning aid to projects of Community interest in the field of transport infrastructure,

and on

II. the motion for a resolution on the construction of a tunnel under the English Channel

*The European Parliament,*

- having regard to the communication and proposals from the Commission of the European Communities to the Council in the field of transport infrastructure <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 244/76),
  - having regard to the motion for a resolution tabled by Mr Berkhouwer, Mr Girardin, Mr Krieg, Mr Martens and Mr Osborn on the construction of a tunnel under the English Channel (Doc. 7/76),
  - having regard to the interim and final reports of its Committee on Regional Policy, Regional Planning and Transport, and the opinion of the Committee on Budgets (Doc. 377/76 <sup>(2)</sup> and Doc. 185/77),
  - reaffirming the general welcome it has already given to the initiative taken by the Commission in this field,
1. Stresses the need to ensure that, as far as the outlying regions of the European Community are concerned, and in particular islands, the concept of 'transport infrastructure' should clearly include airports and seaports;
  2. Considers it essential that any consideration of transport infrastructure and possible assistance to specific projects should take place within the framework of coordination and cooperation with the various Community bodies concerned with the development and well-being of the regions of the Community;
  3. Considers that it is necessary to ensure both that assistance for transport infrastructure projects should be deployed speedily after the final adoption of the Budget, and that adequate control and supervision should be applied to such assisted projects;
  4. Calls for the initiation of a conciliation procedure in accordance with the Joint Declaration of the European Parliament, the Council and the Commission of 4 March 1975 <sup>(3)</sup>, if the Council should intend to depart from the method proposed by the Commission for the taking of decisions on projects;
  5. Points out that the Governments of France and the United Kingdom will have the opportunity to apply for assistance for the Channel Tunnel project and the Governments of the Federal Republic of Germany and Italy will be able to apply for assistance for a low-lying rail tunnel across the Alps under the provisions of the Regulation concerning aid to projects of Community interest in the field of transport infrastructure when that Regulation is adopted;
  6. Requests the Commission of the European Communities to incorporate the following amendments to its proposals pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 207, 2. 9. 1976, pp. 7 and 9.

<sup>(2)</sup> OJ No C 293, 13. 12. 1976, p. 57.

<sup>(3)</sup> OJ No C 89, 22. 4. 1975, p. 2.

**Council Decision establishing a consultation procedure and creating a committee for  
transport infrastructure**

**Preamble and recitals unchanged**

*Article 1*

For the purposes of this Decision:

1. Plans and programmes are defined as any overall framework for future work in the field of infrastructure serving as a guide for action by the Governments of the Member States.
2. A project of Community interest is defined as any project aimed to create new lines of communication or to appreciably increase the capacity of existing lines belonging to one of the following categories:
  - (a) cross-frontier projects;
  - (b) projects of one Member State likely to affect the trade of one or more Member States with this Member State, with other Member States or with non-member countries;
  - (c) projects improving access to outlying or less developed regions;
  - (d) projects likely to have an appreciable influence on the effectiveness of a common policy;
  - (e) projects which make use of new transport technologies which could be used for long-distance inter-urban transport.

*Article 1*

For the purposes of this Decision:

1. unchanged
2. A project of Community interest is defined as any project aimed to create new lines of communication or to appreciably increase the capacity of existing lines belonging to one of the following categories:
  - (a) cross-frontier projects;
  - (b) projects of one Member State likely to affect the trade of one or more Member States with this Member State, with other Member States or with non-member countries;
  - (c) projects improving access to outlying or less developed regions including airports and seaports;
  - (d) projects likely to have an appreciable influence on the effectiveness of a common policy;
  - (e) projects which make use of new transport technologies which could be used for long-distance inter-urban transport.

**Articles 2, 3 and 4 unchanged**

*Article 5*

The Committee, in order to contribute to the harmonious development of the Community transport network, shall undertake the following tasks:

1. The Committee shall serve as the basis for the consultation on projects of Community interest referred to in Article 3.
2. On the request of the Commission, or on its own initiative, the Committee shall organize:

*Article 5*

The Committee, in order to contribute to the harmonious development of the Community transport network, shall undertake the following tasks:

1. The Committee shall serve as the basis for the consultation on projects of Community interest referred to in Article 3.
2. On the request of the Commission, or on its own initiative, the Committee shall organize, **where**

<sup>(1)</sup> For full text, see OJ No C 207, 2. 9. 1976, p. 7.

necessary in cooperation with other interested  
Community bodies:

- |   |               |
|---|---------------|
| (a) an exchange of information on the plans and programmes for transport infrastructure and also on the projects of transport infrastructure of Community interest which have been notified;  | (a) unchanged |
| (b) Examination of the selection methods and criteria applied to transport infrastructure investments with a view to their harmonization and the establishment of a joint system;   | (b) unchanged |
| (c) An analysis of the results of forecasting studies for freight and passenger traffic and the determination of the constraints and objectives of the various policies, notably regional development, to be integrated in the transport infrastructure measures; | (c) unchanged |
| (d) Investigation of how the projects, plans and programmes diverge from the forward studies and Community requirements;  | (d) unchanged |
| (e) Detailed examination of any other question relative to the development of a Community network of transport links.   | (e) unchanged |
3. The Committee shall provide an opinion on the periodic report referred to in Article 8.      3. unchanged

Articles 6 and 7 unchanged

*Article 8*

Every three years the Commission shall forward to the Council a report on the information it has received in conformity with this resolution and the Committee's activities. The report shall include in particular the results of consultations on the projects of Community interest and, if the case arises, observations to inform the Member States of the Community's infrastructure requirements.

The Commission shall forward the draft report for the opinion of the Committee referred to in Article 3.

*Article 8*

Every three years the Commission shall forward to the Council **and the European Parliament** a report on the information it has received in conformity with this resolution and the Committee's activities. The report shall include in particular the results of consultations on the projects of Community interest and, if the case arises, observations to inform the Member States of the Community's infrastructure requirements.

The Commission shall forward the draft report for the opinion of the Committee referred to in Article 4.

Articles 9 and 10 unchanged

**Council Regulation on support for projects of Community interest in transport  
infrastructure**

Preamble and recitals unchanged

Articles 1, 2 and 3 unchanged

*Article 4*

The request for financial support shall be forwarded to the Commission by the Member State or Member States on whose territory the project is to be carried out.

It shall include the necessary assessment factors, in particular:

- the assessment of the expenditure forecast, broken down into the various items,
- an estimated schedule of work and financial commitments,
- a cost-benefit study.

The Commission may ask the Member States for any additional information which it may consider necessary for assessing the project.

*Article 5*

1. The Commission shall consult the Member States on the request for financial support forwarded to it. This consultation shall take place within the Committee established in accordance with Article 4 of the Council Decision of . . . . . establishing a consultation procedure and establishing a committee for transport infrastructure.

2. The Commission will prepare a report with a justified opinion including notably:

- (a) the possible allocation of the aids figuring under Article 2 of this Regulation;
- (b) the obligations towards the Community that the beneficiary has to agree to.

*Article 4*

The request for financial support shall be forwarded to the Commission by the Member State or Member States on whose territory the project is to be carried out.

It shall include the necessary assessment factors, in particular:

- the assessment of the expenditure forecast, broken down into the various items,
- an estimated schedule of work and financial commitments,
- a cost-benefit study including regional, social and environmental implications.

The Commission may ask the Member States for any additional information which it may consider necessary for assessing the project.

*Article 5*

1. unchanged

2. unchanged

(1) For full text, see OJ No C 207, 2. 9. 1976, p. 9.

3. This report and the justified opinion are to be forwarded to the Council and the Parliament annexed to the general introduction to the draft budget of the European Communities, which will include, in the section dealing with the expenditure of the Commission, *a special chapter intended to bring together* all the credits for the financial support of projects mentioned in Article 1.

*Article 6*

The party or parties responsible for carrying out a project receiving financial support in accordance with this Community Regulation shall forward to the Commission, at the Commission's request, a report on the state of progress of the work on this project and on the expenditure allocated to its accomplishment. The Commission shall have access at all times to the accounts relating to each project.

*Article 7*

The information received in accordance with this Regulation shall be treated in confidence.

**Article 8 and Annex unchanged**

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3. This report and the justified opinion are to be forwarded to the Council and the Parliament annexed to the general introduction to the draft budget of the European Communities, which will include, in the section dealing with the expenditure of the Commission, **under Chapter 373**, all the credits for the financial support of projects mentioned in Article 1.

4. **Following the final adoption of the budget, any appropriations decided on in accordance with the provisions of this Regulation shall be deployed without any further legal acts.**

*Article 6*

The party/or parties responsible for carrying out a project receiving financial support in accordance with this Community Regulation shall forward to the Commission, at the Commission's request, **and to the supervisory bodies of the budgetary authority and the European Court of Auditors, at their request**, a report on the state of progress of the work on this project and on the expenditure allocated to its accomplishment. The Commission **and these other bodies** shall have access at all times to the accounts relating to each project.

*Article 7*

The information received in accordance with this Regulation **may, if there are particular reasons justifying it**, be treated in confidence.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision subscribing, on behalf of the Community, to a joint declaration of intent to implement a European project in the field of transport on the subject: 'Electronic traffic aids on major roads' (COST Project 30)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 39/77),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Energy and Research (Doc. 186/77),
1. Considers that practical application of the research activities proposed may contribute to greater road safety, more rational use of the transport infrastructure and a reduction in energy consumption;
  2. Therefore gives its approval to the Commission proposal;
  3. Expresses the hope that all the European states which have acceded to the COST programme will shortly sign the joint declaration of intent;
  4. Believes that the Community should be responsible for the running of the secretariat of the project's management committee;
  5. Requests the Commission to conduct a study immediately to determine the best method of apportioning costs involved in applying the research results.

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<sup>(1)</sup> OJ No C 91, 15. 4. 1977, p. 11.



## RESOLUTION

### on the crisis in the Community's iron and steel industry

*The European Parliament,*

- having regard to the motion for a resolution by Mr Suck (Doc. 489/76), and the resolution it adopted on 21 April 1977 <sup>(1)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 198/77),

1. Notes that the economic crisis which has been affecting the world economy since 1973 and which is reflected in increased inflation and unemployment rates has also hit the European iron and steel industry very severely and that the present level of production, prices, productivity and the financial situation of the undertakings in this sector have revealed its vulnerability, both on the world market and within the Community;
2. Expresses its grave concern at the continuing deterioration in the situation of the Community's iron and steel industry and the serious threats this poses to employment, regional balance and the future of this vital industrial sector;
3. Points out that under Article 2 of the ECSC Treaty the task of the ECSC is economic expansion and the growth of employment; expects, therefore, the Commission to take appropriate steps to implement a Community iron and steel policy to deal with the present crisis conditions;
4. Approves, in view of the present state of the iron and steel market, the short-term economic measures adopted by the Commission in 1976 involving the establishment of delivery programmes for groups of undertakings and for individual projects, and the introduction of guide prices for laminated products and automatic licences for imports into the Community; notes that the Commission has fixed minimum prices for concrete reinforcing bars;
5. Considers that minimum prices are essential where delivery programmes are not complied with and notes that these short-term measures are only applicable until the end of 1977; fears the dangers of protectionism, which could only aggravate the unemployment situation, increase inflation and run counter to the general interest; considers that the Commission should also encourage the discussion of production programmes with the trade-union organizations that are most representative of the workers, with a view to avoiding the adoption of the binding measures provided for in the Treaties, for example the measures relating to minimum prices;
6. Expects the Commission, in cooperation with the steel industry and in consultation with the social partners, to explore all possible methods for adjusting production volumes and for countering dumping practices in order to obviate the need for recourse to the extreme emergency measures provided for under Articles 58, 61 and 74 of the Treaty, not least because of the repercussions these would have on the Community, which relies heavily on exports;
7. Emphasizes that the success of internal measures is closely linked to the reform of world-wide competition, notably by means of international agreements, and in particular favours a tripartite conference within the framework of the OECD, especially to avoid the danger of protectionism;
8. Emphasizes also that these short-term arrangements are a necessary preliminary to the implementation of restructuring measures;
9. Points out that in view of the situation of the Community iron and steel industry restructuring and rationalization measures are vital; emphasizes in this connection the responsibility of holding companies, the Governments of the Member States and the Community;

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<sup>(1)</sup> OJ No C 118, 16. 5. 1977, p. 56.

10. Emphasizes that the Community has special responsibility for coordinating the national restructuring plans and that Articles 54 and 56 of the Treaty provide financial means in the form of investment aid and aid to help workers affected by reorganization;
11. Requests that all the resources available, including those from the Social Fund and the Regional Fund, be put to work to support social plans, retraining programmes and other social policy measures;
12. Approves the Commission's evident willingness to establish a framework for national aids on the basis of common criteria, in accordance with the provisions of the Treaty;
13. Invites the Commission to submit a programme for the reorientation of the Community iron and steel industry towards products involving a high rate of added value; emphasizes in this connection the importance of a Community programme of applied research;
14. Expects the Commission to take particular care to ensure that the maintenance of or the conditions for a return to free competition are not jeopardized either by the effects of the short-term economic measures relating to delivery quotas and prices or by the risk of the renewed formation of cartels;
15. Hopes that the Commission will devote the necessary attention to analyzing the possible repercussions of the short-term measures taken to help the iron and steel industry on the situation of industrial sectors supplied by that industry;
16. Invites the Commission to incorporate measures aimed at restructuring the iron and steel industry into the general framework of a sectoral structural policy, which is urgently needed;
17. Approves the anti-dumping provisions adopted by the Commission to protect the Community iron and steel industry against abusive practices;
18. Is convinced that the serious crisis facing the Community iron and steel industry can be overcome only by maintaining market unity and pursuing cohesive policies; calls, therefore, for determination on the part of the Commission to use all the means provided by the Treaty and for full cooperation between the Governments of the Member States;
19. Expects the Commission to enforce a full public scrutiny and accountability in these policies and to provide Parliament within 12 months with a full statement of their effects in the reorganization of the steel industry, its degree of industrial concentration, level of investments and employment.
20. Instructs its President to forward this resolution to the Commission and Council and to the Governments and Parliaments of the Member States.

## RESOLUTION

on economic and trade relations between the European Community and the People's Republic of China

*The European Parliament,*

— having regard to the report of the Committee on External Economic Relations (Doc. 76/77),

1. Welcomes the establishment, since 1975, of normal diplomatic relations between the Community and the People's Republic of China and the support given by the latter to the efforts of the Member States to endow the Community with an identity of its own in its relations with third countries;
2. Notes also with satisfaction the rapid development of economic and trade relations between the two parties that has enabled the Community to become, in the space of a few years, the second largest trading partner of the People's Republic of China;
3. Points out that, since 1 January 1973, the Community has had sole authority to administer the Nine's commercial policy and to negotiate with the People's Republic of China a new Agreement which will replace the existing bilateral conventions between the Member States and that country.
4. Notes with satisfaction the approval given by the People's Republic of China several months ago to the opening of negotiations with a view to the conclusion of such an Agreement and the intention recently shown by that country's Ambassador to the Community to resume shortly the preparatory talks to that end;
5. Observes that, pending such an Agreement, the Community has introduced autonomous import arrangements for the People's Republic of China and is gratified that substantial progress has been made in recent years towards liberalizing trade between the two parties;
6. Considers it desirable for the future agreement to go beyond the customs administration provisions laid down in the draft outline Agreement addressed by the Community to the State-trading countries and contain a framework and instruments for closer and more diversified economic relations between the two parties;
7. Requests the Council and Commission to report to it regularly on the progress of negotiations between the Community and the People's Republic of China;
8. Instructs its President to forward this resolution, together with the report of its committee, to the Council and Commission.

## RESOLUTION

### on the economic relations between the European Communities and the Nordic countries outside the EEC

#### *The European Parliament,*

- noting that present relations between the Nordic countries outside the EEC (i.e. all except Denmark) and the EEC Member States are extremely good,
- having regard to the common economic, political and social problems and those in the field of energy and the environment now facing the western European countries,
- having regard to the need to extend cooperation to all western European countries, including the northern ones, with a view to solving these problems,
- pointing out the desirability of greater cooperation with the Nordic countries in the field of passports and customs duties with reference to the Nordic passport union between Denmark, Finland, Iceland, Norway and Sweden,
- noting the establishment on 1 July 1977 of a Western European free-trade area encompassing 16 countries (the nine EEC countries plus the seven EFTA countries),
- having regard to the economic and commercial interdependence between the EEC Member States and Sweden, Norway, Iceland and Finland,
- emphasizing the democratic political traditions common to the above nations,
- recalling that Norway voted in a referendum against EEC membership,
- having regard to the significant cooperation already existing between the EEC Member States and the above-mentioned Nordic countries, for example in the matter of free-trade Agreements, monetary cooperation through the 'snake', Euratom research, trade-union organizations,
- considering, however, that broader cooperation between the EEC States and their Nordic neighbours is desirable and feasible only if based on the following fundamental principles:
  - (a) respect for each other's economic and political freedom of action and autonomy,
  - (b) respect for each other's interest in being informed of and consulted on economic and political questions,
- in view of Denmark's particular responsibility, as the only country which is both a member of the EEC and a Nordic country for relations between the EEC countries and Nordic countries,

1. Notes with satisfaction the close cooperation and contacts already existing between the EEC States and Sweden, Norway, Iceland and Finland;
2. Requests the Commission to draw up a general report before the end of the year on the possible areas and forms of more intensive cooperation between the EEC States and the abovementioned Nordic countries;
3. Calls on the Commission to prepare a reply as soon as possible to the Declaration <sup>(1)</sup> adopted by the EFTA countries (four, thus a majority, of which are Nordic) at their summit meeting in Vienna on 13 May 1977, and to submit appropriate concrete proposals to the Council;
4. Requests the Council to contact the EFTA Council of Ministers with a view to the possible organization of joint meetings of ministers or officials. This type of institutionalized political contact could be particularly useful in dealing with the problems of removing technical barriers to trade;
5. Asks the Council and the Foreign Ministers meeting in political cooperation to establish regular contacts with the governments of the Nordic countries referred to on matters of common Western European interest in international negotiations and organizations and through direct meetings between the countries;
6. Looks forward to closer contacts between these countries at the level of trade unions and interest organizations, possibly through collaboration between the Economic and Social Committee, the EFTA Consultative Committee, the ETUC and other industrial and trade organizations;
7. Declares itself ready to take up contacts with a view to establishing parliamentary relations with the Nordic countries that are not members of the EEC and invites its President to draw up a report on this subject in an appropriate manner before the end of the year;
8. Instructs its President to forward this resolution to the Council and the Commission, the Foreign Ministers meeting in political cooperation and to the Nordic Council.

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(<sup>1</sup>) Point 2 of the Declaration deals with 'A European market comprising sixteen countries', and point 4 'The development of trade and economic cooperation with the European Community'.

The complete text of the declaration is annexed to this report. See also Annexes 3 and 4 (Reaction of the Commission and the Press Conference by Mr Haferkamp, *Vice-President of the Commission*).

## RESOLUTION

### on the political situation in Spain following the recent elections

#### *The European Parliament,*

- recalling its resolutions of 25 September 1975 <sup>(1)</sup> and 12 May 1976 <sup>(2)</sup> on the situation in Spain,
  - reaffirming its political resolve to see Spain take its place in the European Community as soon as possible,
1. Expresses its satisfaction at the organization of the recent elections in Spain which are a decisive step towards democracy in that country;
  2. Instructs its President to forward this resolution to the Council and Commission of the European Communities and to the Spanish Parliament.

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<sup>(1)</sup> OJ No C 239, 20. 10. 1975, p. 41.

<sup>(2)</sup> OJ No C 125, 8. 6. 1976, p. 25.

## RESOLUTION

### on the Community fisheries policy

#### *The European Parliament,*

- having regard to its resolution of 9 February 1977 on the Community's fisheries policy <sup>(1)</sup>,
  - having regard to the provisions of the EEC Treaty on agriculture and fisheries policies,
1. Points out that a Community decision on an interim fisheries system in joint Community maritime waters is necessary in order, among other things, to enable agreements to be reached with third countries covering fishing operations in these areas;
  2. Regrets the damage suffered by the fishing and fish-processing industries through the lack of an interim common fisheries system;
  3. Considers the implementation of an interim system in the common maritime waters to be an essential prerequisite for the adoption of definitive fisheries arrangements at Community level;
  4. Regrets the inability of the Council and the Member States to reach agreement on fisheries policy;
  5. Draws attention to the need to conserve the biological resources of the sea and prevent their depletion so as to safeguard catches in future;
  6. Agrees in principle with the Commission's proposal; believes that there should be a total ban on herring fishing in the North Sea until the end of 1978 and that quotas in herring or other fish should be provided in recompense in other Community waters;
  7. Calls on Member States to initiate without delay fresh negotiations within the Council with a view to working out an interim fisheries system before the end of July, to apply until the end of 1977;
  8. Calls on the Council to take the earliest opportunity after the conclusion of an Agreement on an interim fisheries system — taking Parliament's resolution into account <sup>(1)</sup> — to open negotiations on long-term fisheries policy;
  9. Calls on the Commission to seek the Council's approval to permit Member States to grant interim national support to the fishing industry in accordance with common guidelines, in order to keep the production facilities intact until herring fishing can be resumed in the North Sea;
  10. Instructs its President to forward this resolution without delay to the Commission and Council.

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<sup>(1)</sup> OJ No C 57, 7. 3. 1977, p. 44.

## RESOLUTION

on draft amending and supplementary budget No 1 of the European Communities for the financial year 1977

*The European Parliament,*

- having regard to the preliminary draft amending and supplementary budget,
  - having regard to the letter of amendment to the preliminary draft amending and supplementary budget,
  - having regard to the draft amending and supplementary budget drawn up by the Council (Doc. 192/77),
  - having regard to the report of the Committee on Budgets and the opinion of the Committee on Agriculture (Doc. 202/77),
  - having regard to the time table difficulties in which it has been placed as a result of Council's delays in drawing up the draft budget,
  - aware of the difficulties that the Commission would be placed in were the amending and supplementary budget not to be adopted, as the decisions in the context of the agricultural price review have automatically increased the charge to the Community budget by nearly 10 %,
  - and aware that the Commission needs extra administrative facilities in order to carry out the new tasks assigned to it in the context of the new fisheries policy,
1. Protests at the delays by Council which have placed it in an extremely difficult position, both as regards its time table and the carrying out of its budgetary responsibilities;
  2. Draws attention to the fact that such a procedure is contrary to the spirit of the Treaties laying down the budgetary powers of the European Parliament, and its position as an integral part of the Budgetary Authority;
  3. Points out that the size of this amending and supplementary budget far exceeds the acceptable level inasmuch as it amounts to some 10 % of all intervention expenditure, thus defying any notion of the annuality of the budget;
  4. Underlines that, given that this amending and supplementary budget is the last before the definitive financing of the Community budget by own resources, the introduction of any supplementary budget in subsequent financial years would not be desirable since its adoption would require a revision of the VAT rate;
  5. Observes that most of the expenditure is due to increases in agricultural spending as a result of Council decisions on the farm price review and as a result of the considerable increase in monetary compensatory amounts;
  6. Insists that the Council, on the basis of proposals from the Commission, and in agreement with the European Parliament, tackles the problem of escalating agricultural spending;
  7. Regrets the failure of Council to agree to revised research appropriations thus causing further delays in the execution of Community research projects;
  8. Agrees exceptionally to increases in expenditure for staff appropriations for the creation of a new Directorate-General for Fisheries, in view of the extra tasks that have been assigned to the Commission by Council in this domain;
  9. Reminds the institutions, however, that the administrative expenditure should normally be fixed definitively at the time of the adoption of the annual budget;
  10. Reiterates its contention that supplementary budgets should only contain that expenditure which is urgent, unforeseeable and unavoidable;
  11. Approves draft supplementary and amending budget No 1 for the financial year 1977; considers that as a result this budget shall be deemed to be finally adopted and therefore instructs its President to implement Article 203 (7) of the EEC Treaty regarding the adoption of the budget.

## RESOLUTION

embodying the opinion of the European Parliament on the amended proposal from the Commission of the European Communities to the Council, in accordance with Articles 149/EEC and 119/EAEC, for Title VII — Special provisions applicable to the research and investment appropriations of the Council Regulation (ECSC, EEC, Euratom) amending the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities

*The European Parliament,*

- having regard to the EAEC Treaty,
  - having regard to amendments Nos 14 and 15 to the general budget of the European Communities for the financial year 1977,
  - having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 87/77),
  - having regard to the report of the Committee on Budgets (Doc. 168/77),
  - having regard to paragraph 11 of its resolution of 14 December 1976 (Doc. 469/76) <sup>(2)</sup>,
- (a) anxious to secure greater budgetary transparency;
- (b) wishing, in particular, to give effect to the proposals put forward in the context of the 1977 budget to ensure greater clarity in regard to the presentation of the research and investment appropriations;
- (c) noting that the present proposal will simplify considerably the research part of the budget;
1. Approves the Commission's amended proposal which constitutes a revised version of an element in the earlier Commission proposal for amendments to the Financial Regulation;
  2. Reiterates its belief that the Financial Regulation should constitute a unified text and, therefore, asks that a consolidated version of the revised Regulation be published as soon as may be after its adoption;
  3. Urges the Council to proceed rapidly with its consideration of the present proposal;

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<sup>(1)</sup> OJ No C 107, 3. 5. 1977, p. 17.

<sup>(2)</sup> OJ No C 6, 10. 1. 1977, p. 18.



4. Notes that the proposal is in line with the position adopted by the European Parliament when considering the 1977 budget;

5. Requests the Commission to adopt the following amendments, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

Council Regulation (ECSC, EEC, Euratom) amending the Financial Regulation of  
25 April 1973 applicable to the general budget of the European Communities

TITLE VII

SPECIAL PROVISIONS APPLICABLE TO THE RESEARCH AND INVESTMENT  
APPROPRIATIONS

Article 93 unchanged

*Article 94*

The appropriations relating to research and investment shall be entered in a special chapter in the section of the budget relating to the Commission.

That special chapter shall contain:

- *the appropriations intended to finance all research objectives;*
- *the appropriations for concerted activities;*
- *the appropriations for other activities.*

*Article 94*

unchanged

That special chapter shall contain, in particular, appropriations intended to finance:

- direct actions;
- indirect actions; and
- concerted actions.

Direct actions mean research programmes executed in the four establishments of the Joint Research Centre and financed, in principle, entirely by the Community budget.

Indirect actions mean programmes executed by way of contracts by national organizations and partly financed by the general budget of the European Communities.

Concerted actions consist of Community efforts undertaken to coordinate individual national research activities and in respect of which the general budget of the European Communities bears only expenditures of an administrative nature.

<sup>(1)</sup> For full text, see OJ No C 107, 3. 5. 1977, p. 17.

*Article 95*

1. An overall allocation covering several years (hereinafter called 'tranche') *shall be made for each activity covered by Article 94*

In budgetary terms, the tranche for the research and investment objectives and for the concerted activities shall be the total allocation provided in the budget for each research and investment objective, taking into account any financial reserves, except where the objective or the concerted activity comprises several specific stages each forming a self-contained whole.

2. Amounts authorized annually in the budget to cover research and investment expenditure shall comprise appropriations for commitment and appropriations for payment.

3. The appropriations for commitment *within each tranche* are intended to enable the Commission fully to cover all the legal obligations which it may contract.

They represent the upper limit of expenditure to which the Commission may commit itself during the financial year in question for the attainment of the objectives to which this expenditure relates.

*Notwithstanding the provisions of Article 6 (3) (b), the appropriations for commitment shall remain valid until they are cancelled under the budgetary procedure.*

4. The appropriations for payment represent the upper limit of expenditure which may be paid or authorized for payment during each financial year to cover commitments entered into during the current year or earlier financial years.

*Notwithstanding the provisions of Article 6, the appropriations for payment corresponding to appropriations for commitment shall be carried forward until cancelled under budgetary procedure.*

Article 96 unchanged

*Article 97*

1. In addition to the documents referred to in Article 12, financial schemes shall be drawn up to support the preliminary draft budget. These financial schemes, amended if necessary in accordance with the budget, shall be used for management of the appropriations entered under the special chapter provided for in Article 94.

*Article 95*

1. An overall allocation covering several years (hereinafter called 'tranche') **which is indicative in nature and which may be modified in the annual budget, shall be made for all direct and indirect actions.**

unchanged

2. unchanged

3. The appropriations for commitment are intended to enable the Commission fully to cover all the legal obligations which it may contract

unchanged

They shall remain valid until they are cancelled under the budgetary procedure.

4. unchanged

The appropriations for payment corresponding to appropriations for commitment shall be carried forward until cancelled under budgetary procedure.

*Article 97*

1. In addition to the documents referred to in Article 12, financial schemes shall be drawn up to support the preliminary draft budget. These financial schemes, amended if necessary in accordance with the budget, as adopted, shall be used for management of the appropriations entered under the special chapter provided for in Article 94.

Paragraphs 2, 3, 4 and 5 unchanged

*Article 98*

The special chapter provided for in Article 94 shall include a provisional schedule of commitments and payments drawn up for each article and item showing, *for each tranche*, the time table for utilization of the corresponding appropriations for commitment and for payment; the schedule shall be reviewed annually.

*Article 98*

The special chapter provided for in Article 94 shall include a provisional schedule of commitments and payments drawn up for each article and item showing the time table for utilization of the corresponding appropriations for commitment and for payment; the schedule shall be reviewed annually.

Articles 99 to 101 unchanged

I

DECISION

on the accounts of the European Parliament and the discharge in respect of the 1975 financial year

*The European Parliament,*

- having regard to the interim report of the Committee on Budgets (Doc. 19/76),
- having regard to its resolution of 9 April 1976 <sup>(1)</sup>,

<sup>(1)</sup> OJ No C 100, 3. 5. 1976, p. 32.

- having regard to the revenue and expenditure accounts and the statements of assets and liabilities of the Communities for the accountancy procedures in respect of the 1975 budget and to the report of the Audit Board on the accounts for the 1975 financial year (Doc. 523/76),
  - having regard to the report of the Committee on Budgets (Doc. 165/77),
1. Fixes the budget of the European Parliament as at 31 December 1975 at a final figure of 39 688 435·78 u.a. in expenditure commitments incurred during that financial year, of 36 516 769·94 u.a. actually spent and 3 171 665·84 u.a. still to be paid out at the end of that financial year;
  2. Calls on its Administration and the other institutions, to take appropriate action on the comments of the Audit Board;
  3. Requests the responsible bodies and in particular the financial controller to ensure that the provisions of the Financial Regulation are applied;
  4. Grants a discharge to its President and Secretary-General pursuant to Rule 50 A (3) of its Rules of Procedure.

## II

### DECISION

**on the discharge to be granted to the Commission in respect of the implementation of the budget of the European Communities for the 1975 financial year and on the report of the Audit Board**

*The European Parliament,*

- having regard to the revenue and expenditure accounts and the statements of assets and liabilities of the Communities for the accountancy procedures in respect of the 1975 budget and the accounts of the Euratom Supply Agency (Doc. 523/76),
  - having regard to the report of the Audit Board on the accounts for the financial year 1975 and the answers of the institutions to the report (Doc. 523/76),
  - having regard to the Council Decision of 25 April 1977 on the granting of a discharge to the Commission (Doc. 97/77),
  - having regard to the report of the Committee on Budgets (Doc. 165/77),
1. Notes that expenditure to be met from revenue for the financial year totalled 6 213 608 628·64 u.a.;
  2. Notes that appropriations utilized during the year totalled 6 242 846 173·01 u.a., broken down as follows:
 

Payments:	5 004 669 618·40 u.a.
Carried forward to the 1976 financial year:	1 238 176 554·61 u.a.;
  3. Grants a discharge in respect of the following amounts shown in the accounts for the 1975 financial year:
 

(a) Revenue (entitlement):	6 213 709 270·10 u.a.
(b) Expenditure (payments effected during the financial year):	6 411 227 569·24 u.a.
broken down as follows:	
— payments from appropriations for the 1975 financial year:	5 004 669 618·40 u.a.
— payments from appropriations brought forward from previous financial years:	1 406 557 950·84 u.a.;

4. Reserves judgement on the management of the European Centre for the Development of Vocational Training;
5. Draws attention to its resolution embodying the comments accompanying the Decision granting a discharge and requests the institutions to report on the measures taken following those comments in accordance with Article 92 of the Financial Regulation;
6. Requests its President to communicate this Decision and the attached comments to the Commission of the European Communities, to forward them to the other institutions and to arrange for their publication in the 'L' series of the *Official Journal of the European Communities*.

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### III

#### RESOLUTION

embodying the comments accompanying the Decisions granting a discharge in respect of the implementation of the budget of the European Communities for the 1975 financial year<sup>(1)</sup>

*The European Parliament,*

1. Calls on all the institutions to take appropriate action on the comments made by the Audit Board in its report and requests them to give an account of the relevant measures taken pursuant to Article 92, third paragraph, of the Financial Regulation;
2. Is of the opinion that the institutions should, pursuant to Article 90, second paragraph, of the Financial Regulation, forward their replies to the comments contained in its report to the Court of Auditors and proposes that the latter should publish these replies under the relevant chapters of the report;

*Parliamentary control of the implementation of the budget*

3. Believes that the political responsibility of the Commission finds its clearest expression in the implementation of the budget and that Parliament's budgetary control constitutes the appropriate means for the exercise of this responsibility;

*Transition from the Audit Board to the Court of Auditors*

4. Draws attention to the fact that, according to the provisions of the Treaty of 22 July 1975, one of the tasks of the Court of Auditors is to assist Parliament in exercising its power of control over the implementation of the budget and to submit to it not only the annual report but also, on request, *ad hoc* reports on specific questions;
5. Consequently intends — in order to facilitate permanent control and close cooperation with the Court of Auditors — to organize its structure accordingly;
6. Draws attention once more to the need for continuity in external control, which must not be interrupted by the setting up of the Court of Auditors;
7. Calls on the Court of Auditors to examine jointly with Parliament the problems involved in the extension and improvement of external Community control;

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<sup>(1)</sup> Article 92, second paragraph, of the Financial Regulation of 25 April 1973: 'The institutions shall take all appropriate steps to take action on the comments appearing in the Decisions giving discharge'.

8. Takes the view that relations between Community and national external control bodies should be based on the provisions of the Treaty of 22 July 1975 and that the development of these relations could lead to integrated external Community control;

#### *Implementation of the 1975 budget*

9. Notes that most Community policies stagnated in the 1975 financial year but welcomes the swift start made by the Regional Fund;

10. Believes that the experience of recent financial years has provided sufficient proof of the fact that the supplementary budgets policy was not only harmful but avoidable;

11. Suggests once more that supplementary budgets should be avoided by making the fullest possible use of techniques which enhance the budget's role as a forecasting instrument, in order to ensure sound budgetary policy while safeguarding complete financial autonomy;

12. Reaffirms that the Commission's responsibility as regards the implementation of the budget requires it to use all the means at its disposal to achieve the political objectives underlying the budget estimate, and expects the Commission to adopt a clear position on this matter;

13. Formally disapproves of the 'open transfer' procedure, which entails a fundamental modification of the budget as adopted by the budgetary authority and enables the Commission to reallocate appropriations without the approval or knowledge of Parliament;

14. Proposes closer cooperation with the other institutions as regards staff policy and the administration of buildings and equipment;

15. Disapproves of the setting up of decentralized institutions in instances where such an administrative structure is not fully justified by the functions to be performed by these institutions and rejects the system of 'operating subsidies' which, without creating autonomy *vis-à-vis* the Commission, precludes any control by the budgetary authority;

#### *Management of the Funds*

16. Calls on the Commission to put forward concrete proposals for the revision of the current structure of the budget, which is based on a classification by fund, since this structure constitutes an obstacle to the coordination of the Community's various roles and to budgetary transparency, and proposes that its structure should give a clearer picture of the various areas of Community policy;

17. Believes that the Council's interference in the implementation of the budget must be stopped, irrespective of whether such interference occurs directly or through committees;

#### *Revenue*

18. Asks the control subcommittee to report on the adequacy of the present means of auditing and controlling Community revenue;

19. Also asks the control subcommittee to examine the different systems applying Community legislation in the sphere of resources with a view to determining whether they are sufficiently standardized to ensure that there is no risk of trade being diverted from one place to another or of Community revenue being lost because of lack of uniformity in administration;

20. Calls on the Commission to apply macro-economic ratios in its calculation of estimated own resources and in its checking of receipts patterns;

21. Urges the Audit Board to continue to pay particular attention to the aspect of verification of certificates of origin, invoices and statements of account;
22. Calls on the Commission to establish a system for combating irregularities and for the recovery of funds outstanding similar to that laid down in Regulation (EEC) No 283/72;

#### *Operating expenditure*

23. Considers it essential to push ahead with the reorganization of the administrative departments in order to achieve optimal use of staff;
24. Stresses the urgency of adopting the long-overdue revision of the law relating to civil servants;
25. Insists that the currency situation in Europe must not be allowed to lead to unjustified advantages and disadvantages for European officials;
26. Considers it essential for institutions to introduce a medium-term policy on buildings in order to reduce expenditure on buildings and equipment;
27. Calls on the Commission to forward to it systematically in future the special report of the Court of Auditors on the Euratom Supply Agency;
28. Is not able at present to grant a discharge to the Management Board of the European Centre for the Development of Vocational Training and asks the latter to meet the justified demands made by the Audit Board;

#### *Research and investment*

29. Requests the Commission to keep the research and investment part of the budget under constant review so as to (i) simplify presentation and layout and (ii) facilitate effective audit and control;
30. Urges the Commission to use the tendering system <sup>(1)</sup> on the widest possible scale when purchasing or procuring equipment and supplies;
31. Stresses the importance of effecting a rapid cut-back of unproductive lines of research and asks the Commission to keep this factor constantly in mind;
32. Calls on the Council to give effect, in the revision of the Financial Regulation, to the changes in the Articles dealing with the research and investment appropriations which were endorsed by the European Parliament in its resolution of 14 December 1976 <sup>(2)</sup>;
33. Asks the Commission to simplify and standardize the rules on financing of research performed under contract;
34. Believes that the Commission should seek to ensure that, as sought by Parliament, an optimum balance is maintained between operational research costs, and staff expenditure;

#### *Social Fund*

35. Takes note of the Commission's efforts during 1976 to ensure the more rapid use of Social Fund appropriations but takes the view that a number of difficulties still existed in 1975 which prevented the implementation of a genuine common social policy, for which in any case insufficient resources were available to solve the serious social problems in the Community;

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<sup>(1)</sup> 'Appel d'offre'.

<sup>(2)</sup> OJ No C 6, 10. 1. 1977, p. 18.

36. Notes that insufficient cooperation between the Member States was one of the main reasons for the delay in using the resources of the Social Fund;

37. Is of the opinion that the deficiencies observed in respect of 1975 must be eliminated when the Fund is reformed, especially in view of the fact that, despite the efforts of the Commission, they continued to hamper budgetary management in 1976. These deficiencies may be summarized as follows:

- (a) delays in decisions on the financing of projects and on applications for reimbursements of expenditure incurred;
- (b) the inadequacy of the remedy of granting part-payments higher (up to 85 %) than those provided for in respect of aid from the old Social Fund;
- (c) the systematic cancellation of substantial appropriations as a result of the slowness of the payments procedure;
- (d) the dilatoriness of Member States in submitting applications;
- (e) the infrequency of the meetings of the Social Fund Committee, which must give its opinion on the financing of projects;
- (f) the fact that the forms used for the submission of applications and the instructions they contain as to the implementation of projects are much too complicated;
- (g) the excessive complexity of the implementation and audit machinery arising from the application of the principle of payment on the basis of actual costs;
- (h) the adverse effect of the settlement of earlier operations on the promotion of new projects;
- (i) finally and most seriously, the disregard for regularity and sound management of Community finances and the requirements of a rigorous auditing procedure reflected in the delays in financing and implementing projects;

#### *Regional Fund*

38. Requests the Commission to reconsider its procedures so that they ensure that the different instruments of Community policy are coordinated to enable every possible benefit to be drawn from a global regional policy and budgetary resources to be utilized in the best possible way;

39. Calls on the Commission to ensure that the functioning of the Regional Fund in no way diminishes the role of the Commission in regard to implementation of the general budget of the European Communities;

40. Anxious to safeguard Community resources, calls on the Commission to arrange for national funds released by the granting of Regional Fund appropriations to be treated as supplementary resources for regional development so that the principle of additionality is respected;

41. Considers that the submission of global applications for Regional Fund aid could result in adequate control of Community expenditure and reduce budgetary transparency, and therefore calls on the Commission to give priority whenever possible to applications other than those of a global nature;

42. Aware of the importance of appropriate publicity for aid granted by the Regional Fund, requests that projects receiving aid from the Fund in future be given publicity as soon after they are approved as possible so that the provisions of Article 14 (2) of the basic Regulation can be complied with in full;



43. Calls on the Commission once again to establish direct contacts with local and regional authorities in regions receiving Regional Fund aid in order to ensure close liaison with them;
44. Deplores the fact that the impact of the fund could be weakened as a result of excessive dispersal of aid for projects of minor importance, and requests that in future there should be greater concentration of expenditure on specific regions and projects in order to increase the impact of Community solidarity in this area;
45. Proposes, in order to avoid giving the impression that grants of Regional Fund aid are approved by the Member States themselves rather than by the Community, that recipients be fully informed of the source of the aid they receive;
46. Requests the Commission to analyze the results carefully each year in order to draw the maximum benefit from past experience;
47. Notes that the Commission has introduced a series of procedures for controlling the use of fund resources in order to ensure that the most efficient use is made of Community aid, and requests the Commission to pursue and, if necessary, intensify those procedures;
48. Intends to keep a particularly close check on the management of the Regional Fund in the framework of the report on the discharge in coming years in order to eliminate any irregularities;

*EAGGF, Guarantee Section*

49. Urges the Council to refrain, in future, from using so wide a range of techniques — carry overs, transfers, supplementary and amending budgets — to assemble appropriations that should properly have been provided in the initial budget;
50. Asks the Council not to have recourse again to the so-called 'open transfer' mechanism which results in appropriations that have been brought forward being diverted, in a later year, to finance expenditures which are radically different from those for which they were initially authorized by Parliament;
51. Fears that the growing cost of the agri-monetary measures might hamper the evolution of the common agricultural policy, and calls on the Council to press ahead, as a matter of the greatest urgency, with the broad economic and monetary measures needed to bring about a situation in which monetary compensatory amounts will constitute a much-diminished share of the budget;
52. Believes that a strengthening of the position of Parliament in relation to the budgetary decisions in the sphere of the common agricultural policy renders essential the amendments to Articles 107 and 113 of the Financial Regulation which were proposed on 14 December 1976 and asks the Council to give effect to these proposals in the amended version of the Financial Regulation;
53. Noting the rise in the number of frauds and irregularities that have been disclosed, urges the Commission, the Audit Board, Council and Member States to intensify the campaign against these breaches of Community legislation;
54. In particular, urges Member States to reinforce mutual aid measures in the struggle against irregularities, use data processing on a much wider scale, harmonize auditing techniques, and give maximum training and assistance to national officials engaged in this work;
55. Concerned lest the very high level of national aid to agriculture might, in part, run counter to overall Community policy in regard to agriculture and weaken the impact of Community budgetary outlay, calls on the Commission to watch the trend and direction of national aid very carefully, reporting, if necessary, to Parliament on the situation;

56. Also concerned about the effect of technical obstacles to trade which might detract from the effectiveness of the common agricultural policy, asks the Commission to check continually on such potential obstacles and report, if necessary, to Parliament on them;

57. Insists that accounts for past years must be closed within reasonable time limits and that, in future, the provisions of Article 5 (2) (b) of Regulation (EEC) No 729/70 be complied with in a regular manner;

58. Believing that codification of Community legislation relating to the EAGGF would facilitate the work of all concerned with its management, calls on the Commission to make available a loose-leaf binder, to be kept up-to-date by a regular system of amendments, of this legislation;

59. Asks that the tendering system be used as much as possible to ensure that market forces operate as fully as possible in the agricultural sector;

60. Calls on the Audit Board to report, in particular, on the subject of storage with special reference to movements between regions of commodities for storage;

61. Also asks the Audit Board to devote special attention to cooperation between Member States themselves and between Member States and the Commission in the matter of efforts to repress frauds and irregularities.

#### *EAGGF, Guidance Section*

62. Deplores the Council's inability to introduce a genuine Community agricultural structures policy; feels in particular that neither existing appropriations nor current Regulations make it possible to envisage the restoration of balance between Community and national projects in this field;

63. Requests the Commission, therefore, to draw up proposals for:

- the introduction of a simpler and more efficient financing system that will provide more of an incentive to Member States and recipients,
- determining the appropriations to be allocated to such projects in keeping with requirements and as part of the budgetary procedure;

64. Requests the Commission and the Council to state the objectives of the Regulations in order to ensure that appropriations are used for those objectives and to make possible greater coordination of those objectives, so that the EAGGF Guidance Section does not become a demagogic system of mutual social aid;

65. Reiterates its disapproval of movements of appropriations that result in appropriations allocated for the improvement of agricultural structures not being used for their intended purpose;

66. Is of the opinion that a considerable increase in the financing of joint schemes forming an integral part of a coherent agricultural structures policy should not necessarily result in the abolition of the system for financing individual projects;

67. Calls on the Commission to consider to what extent the system for financing individual projects that meet a real need can be maintained if its functioning is improved;

68. Feels that those measures financed by the Guidance Section that have a greater effect on the economic situation than on agricultural structures should be considered as coming within the scope of the Guarantee Section;

*Food aid*

69. Considers that the erratic budgetary management of food aid is clear evidence of the lack of an overall Community policy in this area;
70. Strongly supports the Commission's present efforts to remedy this state of affairs; will oppose any Community food-aid measures consisting of the financing of individual projects;
71. Requests the Court of Auditors to report to it on the effectiveness of Community control in this area and on the effectiveness of procedures for the allocation of funds;

*Development Fund*

72. Emphasizes its intention to exercise to the full the control responsibilities in respect of the EDF assigned to it by the implementing texts of the Convention of Lomé, pointing out that these responsibilities imply the budgetization of the EDF at an early date;
73. Instructs its control subcommittee to consider jointly with the parties concerned the conditions necessary for ensuring effective control of the effects of Community financing on the development of the recipient countries.

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IV

RESOLUTION

embodying the opinion of the European Parliament on the granting of a discharge to the Commission of the European Communities in respect of the activities of the first, second and third European Development Funds in 1975

*The European Parliament,*

- having regard to the report of the Audit Board on the accounts for the financial year 1975 and the institutions' replies to that report (Doc. 523/76),
  - having regard to the report of the Committee on Budgets and the opinion of the Committee on Development and Cooperation (Doc. 165/77),
1. Requests the Council to give a discharge to the Commission in respect of the financial management of the first, second and third EDF's during the financial year 1975;
  2. Notes the inadequacy of Community control, which fails to allow a precise assessment of the effects of Community financing on the development of the recipient countries, or to provide detailed information on the extent and implications of the shortcomings revealed;
  3. Requests the Commission to suspend all decisions on financing from the second EDF and to transfer the unused balances to the third EDF;
  4. Calls upon the Commission to prepare the incorporation of the European Agency for Cooperation into the central administrative and budgetary structures of the Community.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation (EEC, ECSC, Euratom) introducing the European unit of account (EUA) into the Staff Regulations of officials and the conditions of employment of other servants of the European Communities, and into other Council Regulations applying to officials and former officials and to other servants of the Communities

### *The European Parliament,*

- having regard to the proposal from the Commission of the European Communities <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 65/77),
  - having regard to the report of the Committee on Budgets (Doc. 218/77),
  - whereas the Council Decision of 5 April 1976 on the European unit of account should apply not only to the Community budget but also to the regulations concerning the staff of the Communities;
  - whereas the sole purpose of the Commission's proposals submitted to Parliament is to express in European units of account those values (remunerations, allowances, transfers of funds, weightings, tax) hitherto expressed in Belgian francs, without affecting the rights of staff or exposing their emoluments to possible fluctuations;
  - whereas it is appropriate, by means of a European unit of account based on the real values of the various national currencies, to take account of the evolution of currency values and hence to abandon the exchange ratios introduced in 1965;
  - whereas following the introduction of the European unit of account, weightings will no longer be required to correct exchange parities and will henceforth be used principally to take account of increases in the cost of living, as originally intended;
  - whereas the Commission has given assurances that its proposals will in no way adversely affect the remunerations and other allowances of officials and other servants of the European Communities;
1. Approves the Commission's proposal;
  2. Asks the Commission to introduce, in good time, the administrative arrangements needed to ensure that the application of the European unit of account does not disrupt existing administrative practices or even temporarily harm the interests of the European civil service;
  3. Calls on the Commission to report as soon as possible on the application of this proposal and also on the views of the staff, who have so far expressed a number of reservations within the Joint Committee on the Staff Regulations;

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<sup>(1)</sup> OJ No C 99, 22. 4. 1977, p. 5.

4. Notes the Commission's assurance that its proposal will in no way affect the real value of the payments made to officials in the form of remunerations, pensions and allowances.

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#### RESOLUTION

on the proposal from the Commission of the European Communities on the Council resolution concerning consultation at Community level on the siting of power stations and, embodying the opinion of the European Parliament, on the proposal from the Commission of the European Communities to the Council for a regulation concerning the introduction of a Community consultation procedure in respect of power stations likely to affect the territory of another Member State

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty and Article 203 of the Euratom Treaty (Doc. 506/76),
  - having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Regional Policy, Regional Planning and Transport and the Committee on the Environment, Public Health and Consumer Protection (Doc. 145/77),
  - having regard to its resolution of 13 January 1976 on the conditions for a Community policy on the siting of nuclear power stations taking account of their acceptability for the population <sup>(2)</sup>,
1. Emphasizes once again that the lack of a Community siting policy constitutes a further obstacle to the development of nuclear energy and thus to the securing of the Community's energy supplies;
  2. Finds that the Commission's proposals represent no more than a small step in the direction indicated by the European Parliament;
  3. Recognizes, however, that these measures, being the first in this field, can only have limited scope;

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<sup>(1)</sup> OJ No C 31, 8. 2. 1977, p. 3.

<sup>(2)</sup> OJ No C 28, 9. 2. 1976, p. 12.

4. Considers that the introduction of a Community consultation procedure on the siting of nuclear power stations can and must eventually lead to the establishing of common criteria in this field;
5. Stresses the need for the Commission to obtain, within the framework of its dialogue with experts, the opinion of specialists possessing direct, practical experience concerning the siting of power stations;
6. Trusts that the introduction of a Community consultation procedure in respect of power stations likely to affect the territory of another Member State will rapidly lead to genuine trans-frontier cooperation on the siting of power stations;
7. Believes that this procedure must be extended to countries bordering on the Community;
8. Points out that the opinions to be forwarded by the Commission to Member States concerned in respect of the possible siting of power stations lack any binding force;
9. Considers that the benefit of the Community consultation procedure is limited because of the lack of such a procedure, and of any mechanism for arbitration in the event of persistent disagreement between two Member States;
10. Notes the Commission's proposals.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council

- I. for a Regulation extending the arrangements applicable to trade with Malta beyond the date of expiry of the first stage of the Association Agreement, and
- II. for a Regulation extending the arrangements applicable to trade with the Republic of Cyprus beyond the date of expiry of the first stage of the Association Agreement

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 151/77),
- having regard to the report of the Committee on External Economic Relations (Doc. 206/77),

approves the Commission's proposals.

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<sup>(1)</sup> OJ No C 135, 8. 6. 1977, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for seven Regulations on the safeguard measures provided for in the respective Cooperation Agreements and Interim Agreements between the European Economic Community and

- the Arab Republic of Egypt,
- the Hashemite Kingdom of Jordan,
- the Syrian Arab Republic,
- the Lebanese Republic,
- the Kingdom of Morocco,
- the People's Democratic Republic of Algeria, and
- the Republic of Tunisia,

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 246 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 170/77),
- having regard to the report by the Committee on External Economic Relations (Doc. 201/77),

approves the Commission's proposals.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 522/77 laying down special provisions on trade in tomato concentrates and peeled tomatoes between the Community as originally constituted and the new Member States

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 205/77),
- having regard to the report of the Committee on Agriculture (Doc. 217/77),

approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 155, 2. 7. 1977, p. 9.

## RESOLUTION

on the fifth financial report on the European Agricultural Guidance and Guarantee Fund,  
year 1975

*The European Parliament,*

- having regard to the fifth financial report submitted by the Commission of the European Communities to the Council and the European Parliament (Doc. COM(76) 553 final),
- having regard to the report of the Committee on Budgets and the opinion of the Committee on Agriculture (Doc. 190/77),

1. Considers that the review of the annual financial report on the activities of the EAGGF provides an invaluable means of assessing the financial and budgetary problems associated with the agricultural policy and of helping Parliament to form an opinion on the discharge to be given in respect of the implementation of the budget for a given financial year and on the budgetary policy to be followed for the following financial year;

2. Points out, however, that in order to meet these requirements, the financial report must provide full and pertinent information on the fundamental problems, on the causes of any inadequacies, on possible remedies and on the agricultural policy programming measures announced by the Commission when submitting the preliminary draft budget;

3. Notes that, even where it is able to implement regulations of general application, before doing so the Commission often issues *ad hoc* Regulations which have substantial financial implications; considers that these procedures often impede the main function of the budget, which is to determine the annual volume of expenditure, and hinder Parliament in the exercise of its powers either at the time of the establishment of the annual budget or when it deems it necessary to ask the Council to initiate the consultation procedure so that a joint assessment may be made of the financial implications of Community acts of a general nature;

4. Wonders, moreover, following its examination of the fifth report, whether certain provisions relating to the implementation of the agricultural markets policy are not also contradictory and so in practice increase the burden of expenditure to be borne by the Community;

5. Considers it essential for a careful forecast to be made of expenditure under the agricultural markets policy, given that from 1978 the Community budget will be entirely financed from own resources; is convinced, moreover, that trends in the agricultural sector being unpredictable, the necessary expenditure and revenue should be fixed on an annual basis in the budget estimates;

6. Emphasizes once again that the management policy adopted for agricultural markets and the measures taken to finance the elimination of agricultural surpluses directly affect farming structures and must therefore take account of the existing imbalances in the various regions of the Community;

7. Considers that the appropriations entered in the budget for the agricultural markets policy should not escape, in practice, the requirement as to specificity, and thus should not be the subject of systematic transfers during the financial year;

8. Is of the opinion that the policy of financing agricultural surpluses must necessarily be complemented by a policy for the disposal of Community agricultural products, such as to avoid the possibility of financial strain on the Community budget;

9. Considers that the delays in carrying out inspections prior to the settlement of accounts, apart from constituting a permanent breach of the Financial Regulation, may also have serious financial consequences, making nonsense of the Commission's responsibility for the utilization of appropriations under the Guarantee Section;

*Guidance Section*

10. Points out that, although programmes have already been adopted in the agricultural structures policy sector, adequate financial instruments have still not been established;



11. Calls upon the Commission to use its considerable experience to promote the most efficacious possible financing systems that will provide maximum stimulus to action by beneficiaries and the Member States and satisfactory guarantees of effectiveness in bringing about the desired changes in structures;

12. Asks the Commission in particular to consider how the arrangements for funding individual projects can be improved and thus kept part of the effort to improve agricultural production structures;

*Inspections and irregularities*

13. Considers it of the utmost importance, in view of the delegation to the national administrations of the management of Community funds, that on-the-spot inspections should be carried out under satisfactory conditions, and that they should cover a sufficient number of projects and be completed within reasonable time limits;

14. Takes note of the progress achieved in combating fraud and irregularities through the application of Regulation (EEC) No 283/72 and the activities of the Special Committee of Inquiry; considers, however, that greater efforts should be made to reduce the number of 'grey areas' in this sector;

15. Feels that a single text consolidating all the agricultural Regulations, as proposed by the Commission in 1974, would help to make them better known and thus also to reduce uncertainties about application procedures and, probably, to lessen irregularities as well;

*Food aid*

16. Wonders whether the management of the relevant part of the budget is at all consistent and requests the committee responsible to consider to what extent the links in the budget between food aid and the Guarantee Section provide scope for a food-aid policy separate from the policy of market support;

17. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC, 68/193/EEC, 69/208/EEC, 70/457/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, material for the vegetative propagation of the vine, seed of oil and fibre plants, vegetable seed and on the common catalogue of varieties of agricultural plant species

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 146/77),
- having regard to the report of the Committee on Agriculture (Doc. 203/77),

1. Notes that the proposal merely envisages making possible an adaptation to technical progress in packaging and related operations which will have a beneficial effect on quality, and resolving some technical problems in the marketing of seeds and propagating materials, and therefore gives its approval to the proposal;

2. Draws attention to the need to maintain uniform Regulations and a stringent control on the quality of seeds and propagating materials in order to encourage the productivity of agricultural and vegetable crops and species of vine in the Community.

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<sup>(1)</sup> OJ No C 130, 3. 6. 1977, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for a Regulation on the application of the provisions of Protocol 1 to the Cooperation Agreements concluded with Algeria, Morocco and Tunisia

*The European Parliament,*

- having regard to the Cooperation Agreements concluded with Algeria, Morocco and Tunisia (Doc. 306/76) and its resolution on these Agreements <sup>(1)</sup>,
- having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,

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<sup>(1)</sup> OJ No C 259, 4. 11. 1976, p. 15.

<sup>(2)</sup> OJ No C 99, 22. 4. 1977, p. 2.

- having been consulted by the Council (Doc. 81/77),
  - having regard to the report of the Committee on Budgets and the opinions of the Committee on External Economic Relations and the Committee on Development and Cooperation (Doc. 199/77),
1. Considers that budgetized aid granted by the Community under Cooperation Agreements should be administered under the responsibility of the Commission, even if the European Investment Bank is made responsible for administering special loans;
  2. Calls on the Commission to report regularly to it and to the Committee on Budgets on the administration of the budgetized aid carried out by the bank;
  3. Questions the expediency of giving an *ad hoc* committee, as part of the decision-making process proposed by the Commission, the power of suspensive veto and recalls that the Commission is responsible for decisions concerning implementation of the budget;
  4. Stresses the importance of the provisions for implementation of the financial protocol to the Agreements between the EEC and the Maghreb countries which, as far as the general principles are concerned, could serve as a model in laying down the provisions of other protocols concluded by the Community;
  5. Requests the Commission to endorse the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation on the application of the provisions of Protocol 1 to the Cooperation Agreements concluded with Algeria, Morocco and Tunisia**

Preamble, recitals and Article 1 unchanged

*Article 2*

1. The appropriations for the financing of aid not covered from the bank's own resources shall be administered by the Commission, in accordance with the financial Regulation of 25 April 1973 applicable to the general budget of the Communities.

2. The Commission shall itself administer the special loans for rural development and social infrastructure, and the grants for technical assistance programmes or schemes in whatever sector.

A general mandate will be given to the bank by the Commission in the name of the Community, to administer the interest-rate subsidies for loans from its own resources, the special loans and the risk capital operations in the industrial, energy, mining, tourism and economic infrastructure sectors.

*Article 2*

1. The appropriations for the financing of aid not covered from the bank's own resources shall be administered by the Commission, pursuant to Article 205 of the EEC Treaty and in accordance with the Financial Regulation of 25 April 1973 applicable to the general budget of the Communities.

2. unchanged

(1) For full text, see OJ No C 99, 22. 4. 1977, p. 2.

3. Operations covered by the mandate established pursuant to paragraph 2 shall be undertaken by the bank on behalf and at the risk of the Community. The bank shall act in accordance with the procedures laid down by its statute, subject to Articles 9 and 10 of this Regulation.

3. unchanged

The special conditions of the mandate, and in particular the provisions concerning movements of funds and the remuneration for executing the mandate, shall be the subject of an agreement between the Commission and the bank.

4. *The limit to the sums which may be committed by the bank in any year in executing the mandate shall be fixed annually. This limit may be reviewed during the year in question.*

4. deleted

Article 3 unchanged

Article 4

Article 4

The Commission shall provide the Member States with information obtained from Algeria, Morocco and Tunisia as regards the content and prospects of their development plans, the objectives they have set themselves and projects already identified which are likely to attain these objectives.

The Commission shall provide the Member States each year with information obtained from Algeria, Morocco and Tunisia as regards the content and prospects of their development plans, the objectives they have set themselves and projects already identified which are likely to attain these objectives.

The Commission shall compile this information in collaboration with the bank.

unchanged

Member States shall at the same time inform the Commission of any bilateral aid they have granted or intend to grant.

unchanged

Furthermore, the Commission shall forward to the Committee referred to in Article 6 all available information on any other bilateral or multilateral aid granted or envisaged for Algeria, Morocco or Tunisia.

unchanged

To this end, and in order to keep Member States informed, the Commission shall obtain all relevant information on aid to the States concerned which Member States, international institutions and other aid donors have granted or intend to grant.

unchanged

*Article 5*

*The position to be taken by the Community with a view to defining aid guidelines* within the Cooperation Council shall be adopted by the Council on a proposal from the Commission drawn up in close cooperation with the bank. In the event of disagreement, the bank shall state its position in the Council.

*Article 6*

1. A Committee (hereinafter called the 'Article 6 Committee') consisting of representatives of the Member States, shall be set up under the auspices of the Commission.

The Article 6 Committee shall be chaired by a representative of the Commission; its secretariat shall be provided by the Commission.

A representative of the bank shall take part in its work.

2. The Council, acting unanimously, shall adopt the Rules of Procedure of the Article 6 Committee <sup>(1)</sup>.

3. Within the Article 6 Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

The Article 6 Committee shall act by a majority of 41 votes.

Article 7 unchanged

*Article 8*

The draft financing proposals referred to in Article 7, together with the opinion of the Article 6 Committee, shall be submitted to the Commission for its decision.

If the Commission *decides to differ from* the opinion expressed by the Committee, or if *the Committee* has not delivered a favourable opinion, *it* shall either withdraw the financing proposal or, at the earliest opportunity, refer the proposal to the Council which shall decide on it by a qualified majority.

*Article 9*

1. The draft financing proposals drawn up by the bank, in implementation of the general mandate

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<sup>(1)</sup> *The rules of procedure would make provision for the Committee to be consulted by written procedure.*

*Article 5*

The position of the Community within the Cooperation Council shall be adopted by the Council on a proposal from the Commission drawn up in close cooperation with the bank. In the event of disagreement, the bank shall state its position in the Council.

*Article 6*

1. unchanged

2. The Council, acting unanimously, shall adopt the Rules of Procedure of the Article 6 Committee.

3. unchanged

*Article 8*

unchanged

If the Commission **does not accept** the opinion expressed by the Committee, or if **the latter** has not delivered a favourable opinion, **the Commission** shall either withdraw the financing proposed or, at the earliest opportunity, refer the proposal to the Council, which shall decide on it by a qualified majority.

*Article 9*

1. unchanged

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<sup>(1)</sup> deleted

referred to in Article 2 (2), shall be submitted for an opinion to a Committee consisting of representatives of the Member States, hereinafter called the 'Article 9 Committee'.

The Article 9 Committee shall be chaired by the representative of the Member State currently assuming the Presidency of the Board of Governors of the bank; its secretariat shall be provided by the bank.

A representative of the Commission shall take part in its work. He shall express the Commission's opinion on the financing proposals submitted by the bank.

The assessment by the Committee and the Commission shall cover the conformity of the projects with Community development aid policy, with the objectives of financial and technical cooperation laid down by the Agreements and with the general guidelines adopted by the Cooperation Councils.

In addition, this Committee shall be informed by the bank of any loans without interest rate subsidies that it intends to grant.

2. The Council, acting unanimously, shall adopt the Rules of Procedure of the Article 9 Committee <sup>(1)</sup>.

3. Within the Article 9 Committee, the votes of the Member States shall be weighted in accordance with Article 148 (2) of the Treaty.

4. The Article 9 Committee shall act by a majority of 41 votes.

2. The Council, acting unanimously, shall adopt the Rules of Procedure of the Article 9 Committee.

3. unchanged

4. unchanged

Article 10 unchanged

Article 11

1. The Commission shall ascertain how the Community aid *administered by it* is used by Algeria, Morocco and Tunisia or by any other recipients.

2. It shall also ascertain, in close collaboration with the relevant authorities of the country or countries concerned, how projects financed with Community aid are used by the recipients.

<sup>(1)</sup> *The rules of procedure would make provision for the Committee to be consulted by written procedure.*

Article 11

1. The Commission shall ascertain how the Community aid is used by Algeria, Morocco and Tunisia or by any other recipients.

2. unchanged

<sup>(1)</sup> **deleted**

3. When ascertaining how Community aid and projects are used, as provided for in paragraphs 1 and 2, the Commission shall examine jointly with the bank the extent to which the objectives defined pursuant to Article 5 of the Agreements and Articles 9 and 16 of Protocol 1 thereto have been attained.

4. The Commission shall inform the Council at least once a year of its findings pursuant to paragraphs 1, 2 and 3.

3. unchanged

4. The Commission shall inform the Council **and the European Parliament, when requested and at least once a year**, of its findings pursuant to paragraphs 1, 2 and 3.

Article 12 unchanged

#### RESOLUTION

**embodying the opinion of the European Parliament to the communication from the Commission of the European Communities to the Council concerning the 1977 skimmed-milk powder and butteroil food-aid-programmes**

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 125/77),
- having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Budgets and the Committee on Agriculture (Doc. 191/77),
- having regard to the persistently unsatisfactory situation in many developing countries,

1. Approves the Commission's proposals for the milk products food-aid programme for 1977, that is the supply of 150 000 tonnes of skimmed-milk powder and 45 000 tonnes of butteroil;

<sup>(1)</sup> OJ No C 123, 25. 5. 1977, p. 3.

2. Regrets that the only funds so far available are for a first instalment of 105 000 tonnes, therefore calls upon the Council to release without delay the remaining 14 million units of account for the second instalment of 45 000 tonnes of milk powder;
3. Considers that, in view of the Community's milk-powder mountain, it is entirely feasible to expand the milk-powder programme;
4. Sympathizes with the desire to cut back skimmed-milk powder stocks rapidly by processing into cattle feed, but not with the refusal simultaneously to step up supplies to the needy countries, particularly in view of the high nutritional value of milk powder;
5. Calls upon the Commission to take appropriate steps, including the provision of adequate funds, to ensure the availability in the recipient countries of the technical facilities required for proper and hygienic processing of the skimmed-milk powder;
6. Hopes that the necessary effort will also be made to increase deliveries of butteroil, since applications are far in excess of intended deliveries;
7. Considers, moreover, that the basic principles of Community aid must be laid down in conjunction with a long-term development strategy and policy and must not be governed in any way by the existence of agricultural surpluses;
8. Supports the view of the Commission that food aid in the form of milk products should be concentrated on the poorest countries;
9. Also thinks it right that a large part of the aid should be free, because the commercial markets for milk products are generally limited in the developing countries and this method of distribution creates virtually no distortion of the market;
10. Agrees that a large part of the aid should be distributed indirectly, by the international organizations, which already have considerable experience in this field;
11. Welcomes the fact that in implementing the 1977 milk-powder programme the Commission has again taken measures to avoid health hazards, and in particular to ensure that the skimmed-milk powder is enriched with vitamins A and D;
12. Is in principle in favour of a tendering procedure, so that deliveries can be made at favourable prices, but considers that non-bureaucratic and flexible methods may be necessary in special situations;
13. Calls upon the Commission to ensure that on-the-spot distribution operates in such a way as to ensure that the food actually reaches the poorest sections of the population;
14. Requests the Commission, in this connection, to draw up a report in the next few months providing information on how well the distribution system is working; this should deal with not only direct aid but also that which is distributed through the international organizations;
15. Also advocates the stepping up of agricultural production in the developing countries, particularly on small farms, since this would not only improve food supplies but also create jobs and increase purchasing power; considers, however, that, until an adequate basis for food production has been created in the developing countries, it is necessary to continue with food aid at an increased level.



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning Community aid for financing cyclical stocks of hard coal, coke and patent fuel

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 49/77).
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 226/77),
- having regard to its earlier resolutions, in particular
  - its resolution on the Commission's proposal 'Medium term guidelines for coal 1975 to 1985' <sup>(2)</sup>,
  - its resolution on the future guidelines of the Community's coal policy in the framework of the overall concept of a Community energy policy <sup>(3)</sup>,
- 1. Stresses the importance of coal as the Community's largest indigenous source of energy;
- 2. Recognizes the problems at present facing Community coal and coke producers;
- 3. Accepts the principle of financial support for coal stocks in order to maintain the Community's coal capacity;
- 4. Notes with approval
  - that the proposed aid would be provided only for Community coal and for coke and patent fuels derived from Community coal,
  - that the required funds would be raised through the general budget of the European Communities,
  - that the rate of aid per tonne, taken in conjunction with national aids, may not exceed the cost of holding stocks,
  - that the Commission intends to report regularly to the European Parliament and the Council on the application of this regulation;
- 5. Insists on the provision enabling the Commission to revoke aid granted as a result of inaccurate declarations on the part of applicants being strictly applied;
- 6. Considers it important that, as aid is to be granted on the basis of stocks shown on the books of coal, coke and patent fuel producers, the Commission should be sure that stocks, in respect of which aid is granted, exist in fact in the quantities indicated in the books;
- 7. Believes that, after each calendar year, the European Parliament should be consulted if it is proposed to modify either the rate per tonne of aid or the upper or lower limits for the quantities of grant-aided stocks;
- 8. Approves the Commission's proposal subject to the reservations outlined above and the adoption of the following amendments pursuant to Article 149, second paragraph, of the EEC Treaty, while insisting that the financial implications and staff requirements, as set out in the financial record sheet, are merely indicative for the financial year in question pending completion of the budgetary procedures, and in no respect do they impose any obligation or limitation on the European Parliament in the exercise of its budgetary powers.

<sup>(1)</sup> OJ No C 87, 7. 4. 1977, p. 6.

<sup>(2)</sup> OJ No C 179, 6. 8. 1975, p. 15.

<sup>(3)</sup> OJ No C 159, 12. 7. 1976, p. 33.

**Council Regulation (EEC) concerning Community aid for financing cyclical stocks of  
hard coal, coke and patent fuel**

Preamble, recitals and Articles 1 to 9 unchanged

*Article 10 (1)*

1. In an emergency, and otherwise at the end of each calendar year, the Council, acting on a proposal from the Commission, may decide to modify the following by means of a Regulation:

- the rate per tonne of aid for stocks,
- the upper or lower limits for the quantities of stocks.

2. The Commission shall revoke aid unduly granted or, particularly, where granted as a result of inaccurate declarations on the part of the applicants.

*Article 11*

If at the request of a Member State or on its own initiative the Commission finds that:

1. The application of this Regulation is likely to give rise to serious disturbances in the common market for coal or difficulties which may result in the deterioration of the general coal supply situation; or that
2. Appreciable changes are taking place in the conditions or volume of intra-Community trade on the market for coal because the economic conditions which prompted the adoption of this resolution have changed.

The commission *may suspend application of this Regulation wholly or partially. The Commission shall report the matter to the European Parliament and the Council forthwith.*

*Article 10*

1. In an emergency, and otherwise at the end of each calendar year, the Council, acting on a proposal from the Commission, may decide to modify the following by means of a Regulation:

- the rate per tonne of aid for stocks,
- the upper or lower limits for the quantities of stocks.

**However, at the end of each calendar year, the European Parliament will be consulted if the rate per tonne of aid or the upper or lower limits for quantities of stocks are to be changed.**

2. The Commission shall revoke aid unduly granted or, particularly, where granted as a result of inaccurate declarations on the part of the applicants.

*Article 11*

If at the request of a Member State or on its own initiative the Commission finds that:

1. the application of this Regulation is likely to give rise to serious disturbances in the common market for coal or difficulties which may result in the deterioration of the general coal supply situation; or that
2. appreciable changes are taking place in the conditions or volume of intra-Community trade on the market for coal because the economic conditions which prompted the adoption of this resolution have changed.

The Commission, **having consulted the European Parliament,** may suspend application of this Regulation wholly or partially **with the agreement of the Council.**

Articles 12 to 14 unchanged

(1) For full text see OJ No C 87, 7. 4. 1977, p. 6.

(2) New text of Article 10 proposed by the Commission.

## RESOLUTION

### on the floods in south-west France and in Italy and in Tuscany

*The European Parliament,*

- deeply troubled by the consequences of the torrential rains and devastating floods which hit four Departments in south-west France in July 1977 and as a result of which 18 people died, 12 disappeared, several thousands were injured, villages were wiped out, and harvests were destroyed,
- concerned also at the consequences of the very severe storms in certain areas of Tuscany, particularly in the province of Massa e Carrara, which are likely to affect the living conditions of the local population for some time to come,
- recalling the determination expressed many times by the European Community to show solidarity with the victims of such disasters,
- having regard to the 1977 budget and in particular Chapter 59 thereof, which provides for appropriations for emergency measures to meet such contingencies,

1. Asks the Commission:

- (a) to initiate without delay the procedures necessary for providing the populations concerned with initial emergency aid, and
- (b) to propose as soon as possible measures for aid commensurate with the damage sustained and the repairs necessary;

2. Instructs its President to forward this resolution to the Council and Commission.

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## RESOLUTION

### on the internal rules of procedure for consideration of the draft general budget of the European Communities for the 1978 financial year

*The European Parliament,*

- having regard to the amendments to the budgetary provisions of the ECSC, EEC and EAEC Treaties as a result of the Treaty of 22 July 1975, which entered into force on 1 June 1977,
- pending adjustment of the provisions of its Rules of Procedure,

1. Renews, in respect of the budget for the 1978 financial year, the internal rules of procedure adopted on 17 September 1976 by adapting them to the Treaty of 22 July 1975;

2. Instructs its President to arrange for the publication, for internal use, of the provisions referred to in paragraph 1 above.

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**RESOLUTION**  
**on Community consumer policy**

*The European Parliament,*

- having regard to the preliminary programme of the European Economic Community for a consumer protection and information policy dated 14 April 1975 <sup>(1)</sup>,
- having regard to the summary report of the Commission on the European symposium held in Montpellier from 10 to 12 December 1975 on the judicial and quasi-judicial means of consumer protection,
- having regard to the outcome of the abovementioned symposium in Montpellier, of the colloquium of Consumers' Organizations in the Community held on 2-3 December 1976 in Brussels and of the Fourth European Consumers' Forum held on 26-27 January 1977 in Berlin,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Legal Affairs Committee (Doc. 114/77),

1. Insists that the Commission and Council implement the preliminary programme of the European Economic Community for a consumer protection and information policy within the set period;

2. Urges the Commission, therefore, to put forward at an early date proposals for a Community system of consumer advice centres and for a directive on the provision of advice to consumers by certain bodies which draws on the experience gained in a number of countries and guarantees the greatest possible degree of consumer protection;

3. Requests the Commission to submit, within a reasonable period, a proposal for a directive on the setting up of conciliation bodies to resolve disputes between consumers and purveyors of goods or services and on the establishment of a binding arbitration procedure, as this will be an important contribution to consumer protection;

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<sup>(1)</sup> OJ No C 92, 25. 4. 1975, p. 1.

4. Advocates furthermore that Community measures be drawn up and implemented at an early date to improve, simplify and harmonize judicial procedures in legal disputes on consumer matters, and considers it appropriate that provision be made in these measures for collective legal action by consumer organizations;
5. Requests the Commission to propose in the near future preventive measures at Community level aimed at:
  - introducing techniques which cause a minimum of environmental pollution,
  - encouraging manufacture of products which can be re-used or from which the waste can be re-cycled,
  - increasing the life-span of certain products,
  - banning the use of packages that are excessively large and packaging materials that are unjustifiably expensive in the light of the value and fragility of the product concerned;
6. Regards it as essential that the Commission make an important contribution to the war on waste by putting forward taxation proposals to encourage the recycling of goods and to apply the minimum rate of value added tax for repair and maintenance work;
7. Stresses the need for the Commission to embark and make rapid progress on the measures envisaged in paragraph 30 of the preliminary consumer protection programme, to provide protection against forms of advertising which encroach on the consumer's freedom of decision, including measures to supervise written, oral and visual advertising;
8. Requests the Commission to include in its final proposal for a directive on deceptive and misleading advertising provisions enabling the consumer to rescind any contract concluded on the basis of such advertising and to lodge a claim for compensation for any damage he may have suffered;
9. Points out that, pursuant to Article 39 of the EEC Treaty, one of the objectives of the common agricultural policy is to ensure that supplies reach consumers at reasonable prices, and is of the view that the system of agricultural market organizations needs to be examined and shaped more in accordance with consumer interests than hitherto;
10. Requests the Commission furthermore to take all necessary steps to secure the rapid implementation of the priority measures of consumer protection as laid down in paragraph 16 of the Preliminary Consumer Protection Programme under the heading of the approximation of laws in the agricultural, foodstuffs and industrial sectors, and to ensure that such protection is not jeopardized by other policies;
11. Calls for the development of scientific research to be pursued with the final consumer in mind and for continuous information on the essential data required to strike a balance between progress and consumer protection;
12. Calls on the Commission to submit, at an early date and in accordance with paragraphs 35 and 36 of the preliminary consumer protection programme, further proposals for directives on measures to provide the consumer with information concerning goods and services, and on comparative product tests;
13. Urges the Commission to submit appropriate proposals designed to ensure that:
  - consumers are given precise information on the composition of products and, where appropriate, on the presence of any preservatives, dyes or other additives which could adversely affect the health and safety of the consumer,
  - steps are taken to harmonize the procedures in the Member States relating to the supervision of products and withdrawal of those considered dangerous, and to harmonize within the Community the penalties for any contravention;
14. Attaches particular value to the Commission's support for the exchange and dissemination of information on topics of interest to the consumer, especially the publication, as laid down in paragraphs 39 and 45 of the preliminary programme, of an annual report on steps taken by the Community and the Member States in the consumer interest;

15. Insists that the Commission in future include in all proposals affecting consumer policy a provision obliging the Member States to monitor scrupulously the application of provisions of national law enacted on the basis of the directive in question and, in cases of non-compliance, to impose severe penalties;
16. Insists moreover emphatically that, in keeping with the statement by its President, Roy Jenkins, the Commission forward all opinions of the Consumers' Consultative Committee, immediately the final version is available, to the European Parliament and its appropriate committees for their information;
17. Calls upon the Commission and the Council to replace their current concept of 'defending and protecting the consumer' with the more general and more active concept of 'furthering the interests of the consumer';
18. Supports in principle the view that the harmonization of national legislation must take account of progress and incorporate or improve further on such provisions as are most favourable to the consumer, and therefore requests the Commission to take account of this objective in future proposals for measures on harmonization;
19. Endorses the right of the consumer to be heard as an equal economic partner, and therefore asks the Commission to consider how it can strengthen consumer participation in the preparation and application of Community legislation;
20. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the parliaments and governments of the Member States.

#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive to protect the consumer in respect of contracts which have been negotiated away from business premises**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (1),
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 550/76),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Legal Affairs Committee (Doc. 227/77),
1. Welcomes the fact that in submitting this proposal, the Commission has complied with paragraphs 24 and 25 of the preliminary programme of the European Economic Community for a consumer protection and information policy of 14 April 1975 (2);
  2. Insists once more that in future, the Commission should submit to it the opinions of the Consumers' Consultative Committee on all proposals relating to consumer policy, so that its appropriate committees may express their views in full knowledge of the facts;
  3. Emphasizes the significance for consumer policy of this Directive, which aims at ensuring greater protection for the consumer in respect of contracts negotiated away from business premises;
  4. Insists that the scope of the Directive should be extended to include goods exceeding 15 EUA in value, thus giving the Directive the practical significance that it should have;
  5. Calls on the Commission to stipulate that the consumer must be given a copy of the contract immediately and not to admit the possibility of its being forwarded at a later date;
  6. Approves the provisions by which the consumer may exercise his right to cancel a contract, especially since they permit the trader to demand compensation for any damage to his goods;

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(1) OJ No C 22, 29. 1. 1977, p. 6.

(2) OJ No C 92, 25. 4. 1975, p. 7.

7. Believes that the activities of mail order companies should be excluded from the scope of this Directive, and if necessary should be dealt with by a separate measure;
8. Calls on the Commission to shorten from 18 to 12 months the period within which the Directive must be brought into force, in the interests of both consumers and traders, especially since the issue of the Directive is laid down in the preliminary programme for consumer protection as one of the priority measures;
9. Again emphasizes the need for all national legal provisions, and not simply the main provisions, to be notified to the Commission in sufficient time for it to express an opinion on them;
10. Insists that the Council take a decision on this proposal for a Directive within nine months of its notification, i.e. by October 1977 at the latest, in accordance with its commitment in the preliminary programme for consumer protection;
11. Calls on the Commission also to regard as a priority the submission of proposals for Directives on consumer credit, home-study courses, securities and insurance contracts, in accordance with the preliminary programme for consumer protection;
12. Requests the Commission to make the following amendments to its proposal, pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive to protect the consumer in respect of contracts which have been  
negotiated away from business premises**

Preamble and recitals unchanged

*Article 1*

1. This Directive shall apply to contracts between a consumer and a trader, and unilateral engagements by a consumer towards a trader, negotiations for which have been initiated away from business premises.

Such contracts and engagements are hereinafter referred to as 'doorstep contracts'.

2. For the purpose of this Directive:

— 'consumer' means a natural person who in transactions covered by this Directive acts otherwise than in a commercial or professional capacity;

— 'trader' means a natural or legal person who in the exercise of a commercial or professional activity concludes contracts with consumers;

*Article 1*

1. This Directive shall apply to contracts between a consumer and a trader in goods or services, and unilateral engagements by a consumer towards a trader in goods or services, negotiations for which have been initiated away from business premises.

Such contracts and engagements are hereinafter referred to as 'doorstep contracts'.

2. For the purpose of this Directive:

— 'consumer' means a natural person who in transactions covered by this Directive acts otherwise than in a commercial or professional capacity;

— 'trader' means a natural or legal person who in the exercise of a commercial or professional activity concludes contracts with consumers or anyone acting on behalf of such a person;

(1) For complete text, see OJ No C 22, 29. 1. 1977, p. 6.

— 'business premises' mean the permanent place of business at which a trader exercises his commercial or professional activity as well as stalls at fairs and markets.

— 'business premises' mean the permanent place of business at which a trader exercises his commercial or professional activity as well as stalls at fairs and markets.

*Article 2*

*Article 2*

This Directive shall not apply to:

This Directive shall not apply to:

(a) — (d) unchanged

(e) contracts under which the price payable by the consumer does not exceed 25 European units of account;

(e) contracts under which the price payable by the consumer does not exceed 15 European units of account;

(f) contracts concluded between a trader and a consumer for the supply of goods and services to him provided: —

— the agreement was concluded on the basis of the trader's catalogue which the consumer has a proper opportunity of reading in the absence of a trader's representative, and

— there is intended to be continuity of contact between the trader's representative and the consumer in relation to that or any subsequent transaction, and

— the agreement confers on the consumer the right to return goods to the supplier within 14 days after the receipt or otherwise to cancel the agreement within that period without obligation of any kind (other than to take reasonable care of them).

Member States may make regulations for the purpose of ensuring that this exclusion shall not prejudice the interests of consumers and for the purpose of defining the term 'catalogue';

(g) foodstuffs and drinks delivered by regular roundsmen without limitation on price.

Remainder unchanged

Articles 2 bis and 3 unchanged



*Article 4*

*Article 4*

Paragraph 1 unchanged

2. A copy of the doorstep contract must be given to the consumer on the signing thereof or *forwarded to him immediately thereafter.*

2. A copy of the doorstep contract must be given to the consumer on the signing thereof.

Article 5 unchanged

*Article 6*

*Article 6*

1. The consumer shall have a right of cancellation by giving the trader notice within a period of not less than seven days after signature by the consumer of the doorstep contract in accordance with the procedure laid down by national law. It shall be sufficient if the notice is dispatched before the end of the period.

1. The consumer shall have a right of cancellation by giving the trader notice within a period of not less than seven days after signature by the consumer of the doorstep contract in accordance with the procedure laid down by national law. It shall be sufficient if the notice is dispatched before the end of the period. **Such cancellation shall be notified by registered letter.**

Paragraphs 2, 3 and 4 unchanged

*Article 6 bis*

*Article 6 bis*

Where the services concern a direct insurance other than a life assurance, and where immediate cover of risks is agreed, *the provisions of Article 6 shall not apply if the consumer so requests.*

Where the services concern a direct insurance other than a life assurance, and where immediate cover of risks is agreed, **the consumer shall be required, even if the agreement is cancelled, to pay a pro-rata premium for the period before the deadline for cancellation.**

Articles 7 and 8 unchanged

*Article 9*

*Article 9*

Except for any payment of a deposit required under national law, the trader shall be forbidden to require the consumer before expiration of the period mentioned in Article 6:

Except for any payment of a deposit required under national law, the trader shall be forbidden to require **or accept from the consumer** before expiration of the period mentioned in Article 6:

(a) *to make* full or partial payment of the contract price or *to provide* any other kind of payment or any surety; or

(a) **full or partial payment of the contract price or any other kind of payment or any surety; or**

(b) *to sign* a bill of exchange, cheque or other kind of negotiable instrument *or, for the trader, to take such a document.*

(b) **a bill of exchange, cheque or other kind of negotiable instrument signed by the consumer.**

Articles 10 — 12 unchanged

*Article 13*

Member States may prohibit the initiation of negotiations by a trader for doorstep contracts generally or in relation to certain goods or services only or may subject them to prior authorization

*Article 13*

Member States may prohibit the initiation of negotiations by a trader for doorstep contracts **which this Directive applies** generally or in relation to certain goods or services only or may subject them to prior authorization

*Article 14*

1. The Member States shall bring into force the measures necessary to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission hereof.

2. The Member States shall ensure that the texts of the *main* provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

*Article 14*

1. The Member States shall bring into force the measures necessary to comply with this Directive within **12** months of its notification and shall forthwith inform the Commission hereof.

2. The Member States shall ensure that the texts of the provisions of national law which they **intend to** adopt in the field covered by this Directive are communicated to the Commission **in sufficient time for it to deliver an opinion on them.**

Article 15 unchanged

Annex unchanged

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**RESOLUTION**  
on the economic situation in the Community

*The European Parliament,*

- having regard to the statement of 11 May 1977 by the Commission on the economic situation in the Community,
- having regard to its resolutions of 15 October 1974 <sup>(1)</sup>, 13 November 1974 <sup>(2)</sup>, 13 March 1975 <sup>(3)</sup> and 13 November 1975 <sup>(4)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Social Affairs, Employment and Education (Doc. 200/77),

1. Notes the continuing tendency for the economies of the Member States to diverge, which impedes the development of Community solidarity when it is more than ever necessary to overcome the economic crisis;
2. Calls on the Member States, therefore, to observe the economic policy guidelines adopted by the Community for 1977 with a view to reducing these disparities as far as possible and facilitating an economic revival in the Community, and requests the Commission to do all that lies within its power to get these guidelines observed;
3. Agrees with the Commission on the vital importance of substantially reducing unemployment and takes the view that a policy aimed at reducing inflation will contribute to this objective;
4. Notes that countries with an external surplus and countries with an external deficit are given different responsibilities: countries with an external surplus on current account should encourage internal demand in order to stimulate exports from deficit countries; and countries with an external deficit should boost exports by curbing production costs and encourage investment which will make them more productive;
5. Stresses that an active employment policy, to be pursued at national and Community level, will be necessary in addition to any general measures for promoting economic growth, and therefore welcomes the Commission's intention to improve the working of the Social Funds and the Regional fund;
6. Trusts that the Tripartite Conference will be successful in creating a climate more favourable for economic recovery, and specifically that it will succeed in producing concrete proposals to deal with the acute problem of unemployment among the under-25's;
7. Underlines the need to stimulate investment, both public and private, and agrees with the Commission as to the importance of creating a favourable climate for investment;

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<sup>(1)</sup> OJ No C 140, 13. 11. 1974, p. 15.

<sup>(2)</sup> OJ No C 155, 9. 12. 1974, p. 22.

<sup>(3)</sup> OJ No C 76, 7. 4. 1975, p. 27.

<sup>(4)</sup> OJ No C 280, 8. 12. 1975, p. 44.

8. Supports the Commission in its initiative in bringing forward proposals for Community-backed investment projects, and looks forward to the submission of its detailed plans in this connection;
9. Supports the Commission in its call for a better distribution of international liquidity in the context of a reform of the international monetary system and hopes that the Commission will play an active role in negotiations to achieve this;
10. Regrets that the establishment of a new monetary structure in the Community is hampered by the economic divergencies which continue even though policies to deal with the situation are now showing greater similarity;
11. Regrets the absence in the Commission's assessment of more detail to show how the necessary short-term measures will be linked with a Community industrial structural policy for which the European Parliament has often called in the past; and invites the Commission to submit as soon as possible a specific programme for the promotion of small- and medium-sized undertakings;
12. Welcomes the eventual adoption of the Fourth Medium-Term Economic Policy Programme which should play a key role in the necessary restructuring of the European economy, but considers that it will have to be complemented by further structural policy recommendations at Community level;
13. Does not doubt the determination of the European institutions to contribute to the alleviation of the economic crisis, but nevertheless emphatically points out that these institutions have very inadequate instruments and financial resources with which to regulate developments in the social and economic situation;
14. Calls upon the Commission in this connection to submit a detailed progress report specifying what action has been taken on the proposals which the European Parliament has put forward over a period of many years in reports on the social situation in the Community, and what practical results have been obtained from the conclusions drawn at Tripartite Conferences;
15. Takes the view that the call for better utilization of resources (for example those of the Social Fund) cannot in itself bring about any appreciable improvement in the social situation, since the Fund's appropriations are so modest by comparison with the magnitude of the problem which it must contribute to solving;
16. Endorses, therefore, the call for increased operating appropriations for the Community's funds, but at the same time points out that the various types of aid from these funds should not in any way be used as an excuse to discontinue national aid measures;
17. Instructs its President to forward this resolution to the Council and the Commission of the European Communities.

**RESOLUTION**  
**on the Multifibre Agreement**

*The European Parliament,*

— in view of the serious disruption of the textile sector as a result of the anarchy that prevails in certain areas of trade with third countries,

1. Strongly urges the Commission to take particular care in the negotiations for the renewal of the International Textile Agreement;
2. Invites the Council to ratify the Commission's proposals on the method of fixing overall quotas at its meeting on 20 September 1977;
3. Requests the Council to give the Commission a mandate, with a view to ensuring the stabilization of imports of textile products into the EEC, to negotiate realistic bilateral agreements with supplier countries which include a periodic revision clause, and are based on selective criteria which will ensure aid in priority for the development of truly national industries in developing countries;
4. Recommends that the safeguard measures provided for in Article 19 of GATT should be applied in the event of a breakdown in the negotiations for the renewal of the Multifibre Agreement;
5. Instructs its President to forward this resolution to the Council and Commission of the European Communities.

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**RESOLUTION**

**embodying the opinion of the European Parliament on the complete list of requests for the carry-over of appropriations from the 1976 to the 1977 financial year (non-automatic carry-overs)**

*The European Parliament,*

— having been consulted by the Council pursuant to Article 6 (2) of the Financial Regulation <sup>(1)</sup> of the Communities (Doc. 181/77),  
— having regard to the report of the Committee on Budgets (Doc. 275/77),

1. Approves the non-automatic carry-over of appropriations requested by the Commission in respect of the following amounts:
  - (a) 9 603 834 u.a. (Chapter 33),
  - (b) 92 355 265.43 u.a. (Chapters 60, 61 and 62),
  - (c) 17 150 000 u.a. (Chapter 92),in the 'Commission' section of the 1976 budget;
2. Reserves the right to look more closely into the management of carry-overs during the discharge procedures in respect of the 1976 and 1977 financial years;
3. Reaffirms its views on the desirability of abolishing non-automatic carry-overs expressed during its consideration of the proposal to amend the Financial Regulation;
4. Stresses that some of the carry-overs are the consequence of dilatoriness on the part of the Council in adopting the decisions required to implement certain programmes;
5. Expresses the strongest reservations regarding the irregular procedures adopted by the Commission in implementing certain appropriations and feels that the budgetary authority must be informed in good time when use is made of such procedures, which must in any case remain the exception.

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<sup>(1)</sup> OJ No L 116, 1. 5. 1973.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for a four-year programme for the development of informatics in the Community

*The European Parliament,*

- having regard to the Council resolution of 15 July 1974 on a Community policy on data processing <sup>(1)</sup>,
- having regard to the proposals from the Commission of the European Communities to the Council <sup>(2)</sup>,
- having been consulted by the Council (Doc. 433/76),
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Legal Affairs Committee, the Committee on Budgets and the Committee on Energy and Research (Doc. 235/77),

### **A — as regards the report concerning developments in the data-processing sector**

1. Notes from the Commission's report on developments in the data-processing sector that in the areas which are expanding rapidly, such as peri-informatics, software and electronic components, there are still considerable possibilities for development in the European data-processing industry;
2. Points out, however, that because the position of the European data-processing industry on the world market is weak at the moment, these possibilities for development will soon be lost if a Community policy for this sector is not implemented in the immediate future;
3. Notes that this key industry, especially the sector involving medium and large scale central processing units, has for several years been dominated by one large undertaking;
4. Notes in this connection that insufficient effort has been made to implement such a policy since the Council's resolution of 15 July 1974, despite the importance of informatics for the Community and its economic and technological position in the world; looks to the Council to adopt and implement the second data-processing programme as rapidly as possible <sup>(3)</sup>;
5. Notes furthermore, that the report draws attention to the serious lack of information on informatics in the Community;

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<sup>(1)</sup> OJ No C 86, 20. 7. 1974, p. 1.

<sup>(2)</sup> OJ No C 39, 16. 2. 1977, p. 2.

<sup>(3)</sup> Proposal submitted by the Commission to the Council on 22 September 1975 (OJ No C 14, 21. 1. 1976, p. 5) and approved by the European Parliament on 12 January 1976 (OJ No C 28, 9. 2. 1976, p. 6).

6. Calls upon the Commission and Council to take the necessary steps to ensure that the Community is in possession of the basic statistics which are vital to both users and industries and essential if a sectoral policy for this area is to be implemented effectively;

**B — as regards the four-year programme for the development of informatics**

*(a) The environment of data-processing*

7. Stresses the need to establish international standards as a matter of priority and approves the measures provided for in the multiannual programme with a view to introducing a standardization policy to prevent the Community market from being dominated by the standards of a single manufacturer; calls upon the Commission, after consultation with the various sectors of industry, to draw up practical proposals on this matter with the primary aim of standardizing the specifications and procedures essential to the users of European data-processing before they are introduced on the technical level;

8. Approves the measures to coordinate public procurement policies in the Community as proposed by the Commission; considers, however, that more binding and specific public contract measures must be adopted in order to support and develop the European data-processing industry within the context of a standardized market;

9. Notes in this connection that the Directive on the coordination of procedures for the award of public supply contracts adopted by the Council on 21 December 1976 will not be applicable to data-processing until 1981; bearing in mind the complexity of the measures to be taken, calls on the Commission to draw up an initial proposal for this market before the end of the following year;

10. Approves the studies proposed in the programme, relating in particular to: the effects of data-processing on employment, the harmonization of legislation with a view to providing effective protection for the public and the legal protection of computer programmes; asks for these studies to be followed up by specific proposals;

11. Calls on the Commission to draw up as soon as possible a Directive on 'data-processing and freedom' which will provide maximum protection for the individual against any abuse of or defectiveness in data-processing before any contradictory national legislative provisions can be enacted; stresses, moreover, that in order to safeguard access to data-processing systems, the necessary technical and scientific studies should be carried out;

12. Stresses that the Commission must be provided with the means required to detect and take immediate action against any abuse of a dominant position;

*(b) Community support for the data processing sector*

13. Considers that the Community support machinery provided for in the multiannual programme will be effective in remedying the serious effects of the present lack of coordination between the activities of undertakings and those of the Member States;

14. Regrets, however, in view of the importance of these sectors that the four-year programme does not cover medium to large scale central processing units or the electronic components sector, contrary to the overall objective laid down in the resolution of 15 July 1974;

15. Considers that a rigorous selection of projects eligible for Community support on the basis of their importance and effectiveness, chiefly in the peripherals and components sector, is necessary in order to ensure the economic success and viability of the projects undertaken; in this respect, the Commission must encourage the European undertakings by means of financial incentives not only to cooperate on a permanent basis but also to sub-contract work to each other, making any adjustments which prove necessary;

16. Points out that the appropriations proposed are on the low side and stresses that a viable and competitive European data-processing industry requires large-scale funding at Community level with an increasing proportion of funds being transferred from the Member States to the Community;

17. Feels that the four-year programme ought to make provision for cooperation agreements with the non-dominant companies outside Europe;

18. Supports the principle of establishing a Community Leasing Fund administered by the European Investment Bank and calls on the Commission to submit a proposal on this matter at an early date;

19. Also feels that the Commission should submit additional proposals for the development and use of data-processing in the Community;

20. Stresses the need to step up and extend European data-processing research especially in the important field of electronic components and software particularly through greater coordination of national efforts at Community level, if progress is to be achieved;

#### **C — as regards the electronic components industry**

21. Agrees with the Commission that a European capability in integrated circuits is essential to the European economy;

22. Considers it necessary to reorganize the European integrated circuits industry, while respecting the Treaty provisions;

23. Considers also that a joint technological development programme should be put into effect and subsidized by national and Community funds;

24. Greatly regrets, however, that the Commission has so far done no more than draw up a communication — which is simply a declaration of intent — on a matter that is so crucial to the future of the Community's data-processing industry and urges the Commission to submit practical proposals in this area without delay;

25. Strongly urges the Council and Commission to make every effort to ensure that the objective of establishing a viable and competitive Community-based data-processing industry by the early 1980's is given practical effect;

26. Asks the Commission, in view of the reservations expressed by the Committee on Budgets, to bring up to date its proposals for a four-year programme for the development of informatics in the Community and to submit an additional multi-annual programme after adequate consultation with all the industrial and trade associations covering both manufacturers and users in the data-processing sector;

27. Requests the Commission to incorporate the following amendment in its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty, and, subject to this amendment, approved the Commission's proposals;

28. Instructs its Committee on Economic and Monetary Affairs, which alone is competent in matters of industrial policy, to keep developments in the European data-processing sector under review in the light of the Commission's report on the implementation of the four-year programme and to report back to Parliament on this matter if necessary.



**Council Decision on a four-year programme (1978 to 1981) for the data-processing sector**

Preamble, recitals and Articles 1 to 3 unchanged

*Article 4*

The Commission shall submit an annual report to the Council and to the Parliament. The programme shall be subject to review in 1979 to permit the implementation of possible modifications from the beginning of 1980. The Commission, on the advice of the Management and Coordinating Committee of the Data Processing Programmes, shall make to the Council any relevant proposals for appropriate amendments to the programme.

*Article 4*

The Commission shall submit an annual report to the Council and to the Parliament. The programme shall be subject to review in 1979 to permit the implementation of possible modifications from the beginning of 1980. The Commission, on the advice of the Management and Coordinating Committee of the Data Processing Programmes, shall, **after consulting the Assembly**, make to the Council any relevant proposals for appropriate amendments to the programme.

Annex unchanged

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(1) For complete text see OJ No C 39, 16. 2. 1977, p. 2.

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**RESOLUTION**

**on economic and trade relations between the European Community and Portugal**

*The European Parliament,*

1. Welcomes the signing of the Additional Protocol and the Financial Protocol which took place on 20 September 1976;
2. Approves the Additional Protocol and the Financial Protocol and hopes that they will be applied by the Member States at the earliest opportunity;
3. Considers that Parliament should be consulted on the financial aid provided for in the financial protocols when the Council actually decides on the amount of the aid, in other words, as a general rule, before the negotiations commence;
4. Notes with satisfaction that customs duties on imports into the Community of industrial products originating in Portugal were finally abolished on 1 July 1976 instead of 1 July 1977, the date proposed under the Agreement and emphasizes that this measure will help to increase Portugal's industrial exports to the EEC, thereby contributing to the development of Portuguese industry and the improvement of its balance of payments;
5. Considers that the provisions of the Agreement for tariff reductions by the Community on certain agricultural products and preserved fish, the increased quotas for certain wines, and other measures to increase Portugal's agricultural exports to the EEC are vitally important to the achievement of balanced trade relations between the EEC and Portugal, since any increase in Portuguese exports is likely to be led by certain agricultural products;
6. Is aware of the serious economic situation in Portugal and of the need to redress its trade balance, and supports therefore the tariff measures taken to this end by the Portuguese Government, while also requesting the Joint Committee responsible for administering the Agreement to invoke in good time, when such need arises, the right granted to Portugal under the Agreement to introduce effective protective measures;

7. Notes with satisfaction the fundamental difference between the new Agreement and that of 1972 as regards means of cooperation in the field of social security and labour, and financial, industrial and technological cooperation;

8. Requests the Joint Committee to adopt all the necessary measures for administrative cooperation in the social security and labour sectors, to ensure that Portuguese migrant workers in the EEC enjoy equal treatment with national workers;

9. Notes with satisfaction the signing of the Financial Protocol and stresses that this Protocol includes provision for cooperation aimed at speeding up Portugal's economic and social development and strengthening existing ties to the benefit of both parties;

10. Requests the Joint Committee and the appropriate bodies in the Member States to ensure that the financial, industrial and technological cooperation provided for under the Agreement is geared towards restructuring Portuguese industry;

11. Emphasizes the advantages for both parties of strengthening and extending their economic, trade and cooperation relations;

12. Affirms that the establishments of the economic conditions necessary for Portugal to attain full membership of the EEC is the joint responsibility of both parties;

13. Welcomes the response already made by the Community and its Member States to appeals from Portugal for financial aid, and urges the continuation of a positive and coordinated response;

14. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

#### **RESOLUTION**

**embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:**

**I. a Regulation prohibiting the direct fishing and landing of herring for industrial purposes**

**II. a Regulation laying down conservation measures in respect of herring stocks in the North Sea in 1978**

**III. a Regulation relating to certain interim measures for the conservation and management of certain herring stocks**

**and a communication from the Commission of the European Communities to the Council concerning the proposal for a Regulation relating to certain interim measures for the conservation and management of certain herring stocks**

#### *The European Parliament,*

— having regard to the proposals and communication from the Commission of the European Communities to the Council (COM(77) 360 final, COM (77) 324 final, COM(77) 194 final and COM (77) 306 final),

— having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 236/77),

— having regard to the report of the Committee on Agriculture (Doc. 280/77),

— having regard to the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fish resources <sup>(1)</sup>,

— having regard to the opinion of the European Parliament thereon <sup>(2)</sup>,

— having regard to the need to conserve the biological resources of the sea by means of a fishing policy based on the establishment of scientifically derived quotas and management policies,

— having regard to the very dangerous depletion of herring stocks in the North Sea, the Irish Sea and the North East Atlantic, which threatens the continued existence of the herring fishing industry,

— having regard to the failure of the Council to adopt a policy for the conservation and management of fish resources,

1. Believes that all measures required to conserve herring stocks in Community waters should be taken immediately;

2. Regrets the delay on the part of the Community in coming forward with measures to preserve herring stocks;

<sup>(1)</sup> OJ No C 255, 28. 10. 1976, p. 3.

<sup>(2)</sup> OJ No C 57, 7. 3. 1977, p. 44.

3. Reminds the Council that quotas in themselves are not sufficient to ensure control of fishing levels, and draws attention to its resolution of 9 February 1977 <sup>(1)</sup> in which it called for effective permits and licensing to cover boats, equipment, fishing skippers, and the number of days on which boats may operate, as a basic minimum; considers that the Community must ensure an efficient fisheries inspection system; to this end, immediate consideration must be given to the question of financial assistance to Member States needing to extend their enforcement capability;

4. Approves the Commission's proposal to ban herring fishing in the North Sea in 1977 and 1978; to establish herring quotas in the West Celtic Sea, the Irish Sea, West Ireland and West Scotland until 31 December 1977; and to prohibit all direct herring fishing for industrial purposes;

5. Asks the Commission to present a proposal restricting bycatches of herring to the absolute minimum which is technically possible;

6. Points out, at the same time, that such measures would create serious social problems in regions particularly dependent upon herring fishing and the related processing industries, but believes that the repercussions may be limited:

(a) by compensation, granted as far as possible by means of quotas for other fish species, to those fishing communities largely dependent on herring, and

(b) by the relaxing of any import restrictions on herring from third countries in force, so as to relieve problems of supply to the processing industries; bearing in mind the need to conserve herring stocks also in the waters of those third countries;

7. Urges the Commission, in the light of the report made by the marine biologist Ursing and other studies, to come forward urgently with proposals for safeguarding species already listed as endangered, such as plaice, haddock, mackerel and cod, so as to maximize the economic and biological possibilities of Community waters;

8. Reminds the Council furthermore that urgent consideration must be given to the legal problem involved in the control of fishery management systems in Community waters by national inspection systems, particularly where important fish stocks cut across lines of national jurisdiction;

9. Requests the Commission to come forward before the end of 1977 with a communication on measures which will be required beyond 1978 to maintain herring stocks, and the problems facing other principal fish species.

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<sup>(1)</sup> OJ No C 57, 7. 3. 1977, p. 44.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down uniform costing principles for railway undertakings

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 214/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 287/77),
- welcoming the proposal as a necessary step towards better cooperation between railway undertakings, the improvement of their financial situation and the harmonization of rules governing financial relations between such undertakings and the Member States,

1. Points out that the implementation, before the end of 1977, by the Council of this proposal and of the proposal for a Regulation on the necessary measures to achieve comparability between the accounting systems and annual accounts of railway undertakings <sup>(2)</sup>, will enable the Council to fulfil its engagement in its Decision of 20 May 1975 <sup>(3)</sup> to adopt the necessary measures to achieve comparability between the accounting systems and annual accounts of the railway undertakings and to lay down uniform costing principles before 1 January 1978.

2. Considers that the conclusions of the Advisory Committee to be set up under Article 10 of the proposal should be included in the report which the Commission is to submit to the Council every two years on the improvement of the situation of railway undertakings, and the harmonization of rules governing financial relations between such undertakings and the States.

3. Requests the Commission of the European Communities to incorporate the following amendment to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

<sup>(1)</sup> OJ No C 155, 2. 7. 1977, p. 10.

<sup>(2)</sup> Doc. 33/77.

<sup>(3)</sup> OJ No L 152, 12. 6. 1975.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation laying down uniform costing principles for railway undertakings

Preamble, recitals and Articles 1 to 9 unchanged

*Article 10*

1. There is hereby attached to the Commission an Advisory Committee to assist the latter in studying the application of the principles set out in this Regulation.
2. The Committee shall give its opinion on any question relating to the implementation of this Regulation and shall study measures designed to improve its provisions.

*Article 10*

1. unchanged
2. unchanged

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<sup>(1)</sup> For complete text, see OJ No C 155, 2. 7. 1977, p. 10.

3. The Committee shall have as its Chairman a representative of the Commission and shall consist of two representatives designated by each Member State. The Members of the Committee may obtain the assistance of experts designated by them. The Committee shall be convened by the Commission which shall provide the necessary secretarial services.

3. unchanged

4. The Committee's conclusions shall be included in the report which the Commission is to submit to the Council every two years pursuant to Article 14 (1) of Council Decision 75/327/EEC of 20 May 1975 on the improvement of the situation of railway undertakings and the harmonization of rules governing financial relations between such undertakings and States.

Article 11 and Annexes unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Decision regarding European Social Fund assistance towards women
- II. a Regulation concerning operations qualifying for a higher rate of intervention by the European Social Fund

*The European Parliament,*

- having regard to the document of the Commission of the European Communities (Doc. COM(77) 442/fin.),
- having been consulted by the Council pursuant to Article 127 of the EEC Treaty (Doc. 313/77),
- having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 314/77),

1. Welcomes the Commission's initiative, already mentioned in the proposals on the reform of the Social Fund <sup>(1)</sup>, aimed at applying Article 4 for measures to help women and at defining measures for specific areas particularly hit by the economic crisis involving a higher rate of intervention from the European Social Fund;

2. Doubts, however, whether the commitment appropriations entered in the 1978 budget for measures between now and 1980 to help women over 25 are adequate and calls for a firm undertaking that additional funds will be made available if the successful applications in 1978 exceed the instalment for that year;

<sup>(1)</sup> Doc. 50/77, 18. 4. 1977.

3. Emphasizes the need for appropriations from the Social Fund to be used for operations promoting the specialized training of careers guidance officers, instructors and placement specialists for female workers, as proposed by the Commission in Article 1 (2) of its document, since the lack of proper qualifications among many of those responsible for placing workers makes the situation even more difficult for women who are looking for work;
4. Agrees in general with the Commission's forecast that the operations to be financed will only gradually become effective but fears that their scope and initial duration in no way reflect the already alarming degree of discrimination against women on the labour market;
5. Fully supports, however, the Commission's arguments concerning operations meriting a higher rate of intervention from the Social Fund in regions of the Community in particular jeopardy;
6. Welcomes the fact that in determining these regions, the Commission has followed regional policy guidelines and has thus begun the coordination of the various policies called for by the European Parliament in paragraph 4 of the motion for a resolution contained in its report <sup>(1)</sup> on the reform of the Social Fund;
7. Regrets that the Council has not complied with the recommendations of the Commission and the European Parliament that in certain cases the rate of intervention from the Social Fund should be increased to a maximum of 65 %;
8. Calls on the Council of Social Affairs Ministers to support the views of the Commission and the European Parliament and, in view of the urgency of the existing problems, to adopt the present proposals at its next meeting.

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<sup>(1)</sup> OJ No C 133, 6. 6. 1977, p. 39.

#### RESOLUTION

**embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council concerning Regulations relating to the application for the year 1978 of the generalized tariff preferences of the European Community**

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM (77) 330 fin.),
- having regard to the Communication from the Commission of the European Communities to the Council on the future development of the European Community's generalized tariff preferences (COM(75) 17 fin.),
- having been consulted by the Council pursuant to Articles 43 and 113 of the EEC Treaty (Doc. 245/77),
- referring to its resolutions of 6 October 1970 <sup>(1)</sup>, 9 June 1971 <sup>(2)</sup>, 13 December 1973 <sup>(3)</sup>, 12 July 1974 <sup>(4)</sup>, 17 October 1974 <sup>(5)</sup>, 16 October 1975 <sup>(6)</sup>, and 14 October 1976 <sup>(7)</sup>,

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<sup>(1)</sup> OJ No C 129, 26. 10. 1970, p. 13.

<sup>(2)</sup> OJ No C 66, 1. 7. 1971, p. 15.

<sup>(3)</sup> OJ No C 2, 9. 1. 1974, p. 55.

<sup>(4)</sup> OJ No C 93, 7. 8. 1974, p. 91.

<sup>(5)</sup> OJ No C 140, 13. 11. 1974, p. 42.

<sup>(6)</sup> OJ No C 257, 10. 11. 1975, p. 30.

<sup>(7)</sup> OJ No C 259, 4. 11. 1976, p. 27.

— having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Agriculture and the Committee on Economic and Monetary Affairs (Doc. 302/77),

1. Regrets that compared with 1977, the increase in the Community's offer of generalized preferences for 1978 is very modest in extent and shows no significant improvements;
2. Recognizes that the Commission's proposals had to be fixed at a relatively low level because of the persistent difficulties in the Community's economic and social situation but fears that the planned increase will not even be sufficient to compensate for the monetary depreciation caused by inflation;
3. Considers this situation all the more serious because the system of generalized preferences supplements the Convention of Lomé and is a decisive instrument in the Community's development policy; is aware, however, that substantial increases are only possible if the other donor countries make similar efforts and are prepared to accept greater responsibility;
4. Welcomes the inclusion of a further eleven processed agricultural products in the system of generalized preferences, but considers this offer inadequate and therefore calls on the Commission to review its proposal, since past experience has shown that the import of these products, which originate mainly in tropical countries, causes virtually no disturbance on the EEC market and is of particular advantage to the industrially backward developing countries;
5. Notes with satisfaction that the Commission wishes to constitute 20 % reserve shares of sensitive products, which will facilitate exports from the developing countries to the EEC;
6. Supports the arrangements proposed by the Commission according to which the poorest countries will be exempt from the reintroduction of duties if they exceed the ceilings for semi-sensitive and non-sensitive products and considers this the only substantial improvement in the 1978 system of generalized preferences;
7. Requests the Commission to draw up the rules of origin in the simplest possible terms since excessively complicated provisions adversely affect the system of generalized preferences;
8. Urges the Commission to open negotiations at world level with a view to amending the list of beneficiary countries, because the developing countries which have reached an adequate level of competitiveness enjoy an excessive share of preferential trade, thus distorting the purpose of the system of generalized preferences;
9. Deplores the fact that in the past the available preferences have been utilized only to some 60 % and this to the disadvantage of the poorest countries;
10. Hopes that, in the competent international negotiating bodies, the Community will propose all necessary measures to achieve harmonization of the various preference systems, since this would result in a qualitative improvement of the system;
11. Requests the Commission, when submitting its proposals for 1979, to report on how the Community should implement the proposals regarding generalized tariff preferences which were adopted at the North-South Conference in Paris;
12. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to UNCTAD.

## RESOLUTION

**embodying the opinion of the European Parliament on the draft Regulation of the Council concluding the Cooperation Agreement between the European Economic Community and the Lebanese Republic**

*The European Parliament,*

- having been consulted by the Council pursuant to Article 238 of the EEC Treaty (Doc. 304/77),
  - having regard to its resolutions of 15 March 1973 on the consequences of the enlargement of the European Community for its relations with the Mediterranean countries <sup>(1)</sup>, and of 18 December 1975 on recent developments in the Community's Mediterranean policy <sup>(2)</sup>,
  - having regard to its resolution of 13 May 1977 on the draft Council Regulation concluding Cooperation Agreements between the European Economic Community and the Arab Republic of Egypt, the Hashemite Kingdom of Jordan and the Syrian Arab Republic <sup>(3)</sup>,
  - having regard to the Agreement between the European Economic Community and the Lebanese Republic of 21 May 1965,
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee, the Committee on Budgets and the Committee on Development and Cooperation (Doc. 312/77),
1. Welcomes the Cooperation Agreement signed on 3 May 1977 between the Community and the Lebanese Republic, which followed very quickly after the conclusion of the Cooperation Agreements with Egypt, Jordan and Syria, and approves the contents thereof;
  2. Notes with satisfaction that the Community's overall approach to relations with the Mediterranean countries decided upon at the Paris Summit Conference of 19 October 1972 has been rounded off by the signing of this Agreement;
  3. Draws attention to the close economic and cultural links that have long existed between the European countries and Lebanon and hopes that they will be further strengthened by the implementation of this Agreement;
  4. Recommends that the procedures necessary for the Cooperation Agreement to enter into force should be completed as soon as possible so that it can be fully implemented;
  5. Expects that the trade concessions granted by the EEC, which already apply under the Interim Agreement, together with the financial aid and economic cooperation aimed at in the Cooperation Agreement, will both encourage productive investments and promote further agricultural development;
  6. Considers it desirable, for the implementation of the policy set out in this Cooperation Agreement, for a permanent delegation from the Commission to be set up in Lebanon;

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<sup>(1)</sup> OJ No C 19, 12. 4. 1973, p. 34.

<sup>(2)</sup> OJ No C 7, 12. 1. 1976, p. 36.

<sup>(3)</sup> OJ No C 133, 6. 6. 1977, p. 52.



7. Wishes to be informed from time to time of the measures taken to implement the Agreement in its entirety;
8. Calls on the Commission and the Council to give consideration to the request by the Lebanese Government for the granting of a 100 million units of account credit for the reconstruction of the country, having regard to the situation in which Lebanon finds itself;
9. Declares its willingness to establish regular contacts as quickly as possible with the Lebanese Parliament and requests the Cooperation Council set up under the Agreement to take all appropriate measures to this end.

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### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation opening, allocating and providing for the administration of a Community tariff quota for wines known as 'Cyprus sherry' falling within subheading ex 22.05 C III of the Common Customs Tariff, originating in Cyprus, and introducing subsidies for similar wine products produced in the Community (1977)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Articles 43 and 113 of the Treaty establishing the EEC (Doc. 169/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on External Economic Relations and the Committee on Budgets (Doc. 290/77),
- having regard to the fact that the preferential system for the product in question has been in force since 1973 for exports to the United Kingdom and Ireland — so that its abolition would be very disadvantageous to Cyprus — and that, moreover, Community producers of similar liqueur wines are sufficiently protected by it,

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 146, 22. 6. 1977, p. 9.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision amending the Decision of 22 July 1975 adopting common research programmes and programmes for the coordination of research in the fields of animal leucoses, livestock effluents, beef production and plant protein production (75/460/EEC)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 196/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 310/77),

Requests the Commission to withdraw its proposal.

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<sup>(1)</sup> OJ No C 154, 1. 7 1977, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation laying down special measures for castor seeds
- II. a Regulation amending Regulation (EEC) No 1900/74 laying down special measures for soya beans

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 240/77 and Doc. 238/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets (Doc. 311/77),

1. Approves the Commission's proposals, subject to the following reservations;
2. Wonders whether the special measures for soya beans really offer satisfactory guarantees to help this crop over the initial difficult period, but feels that it is too early to abandon the chosen scheme;
3. Appreciates the effort made to find alternative agricultural products for the Community's Mediterranean regions and in particular the fact that the proposal for a Regulation on castor seeds provides for a marketing system based on production contracts, thus promoting the programmed and controlled development of castor seeds;
4. Considers, however, that the proposal for a Regulation should be amended in order to provide, in line with the provisions of the basic Regulation on hops, for recognition of producers' associations and the direct payment of price subsidies to agricultural producers through their associations on the basis of the cultivated area agreed on in the contracts between the associations and the processing undertakings;
5. Points out that, as the cultivation of the castor seed is a new departure and yields are likely to be low in the first few years, the minimum price, which is the only guaranteed income for the producers, must be set at a sufficiently high level so as not to discourage producers who intend to grow castor seeds;
6. Draws attention to the need to provide information to familiarize producers as quickly as possible with the proper method of cultivation and start production as rationally as possible.

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<sup>(1)</sup> OJ No C 192, 11. 8. 1977, pp. 5 and 12.

## RESOLUTION

### on the negotiations on the enlargement of the Community

*The European Parliament,*

- aware of the political and economic importance of the accession of the new countries that have applied for membership of the European Community,
  - anxious to follow the development of the accession negotiations,
1. Instructs the Commission to report regularly to Parliament on the stage reached in the negotiations;
  2. Instructs its President to forward this resolution to the Council and Commission.
- 

## RESOLUTION

### on the Court of Auditors of the European Communities

*The European Parliament,*

- having regard to the Treaty of 22 July 1975 amending certain financial provisions of the Treaties establishing the European Communities and of the Treaty establishing a single Council and a single Commission of the European Communities,
  - having regard to Article 78e of the ECSC Treaty, Article 206 of the EEC Treaty and Article 180 of the Euratom Treaty,
  - having regard to the Council's request for an opinion (12 September 1977) concerning the appointment of the members of the Court of Auditors of the European Communities (Doc. 277/77),
  - on a proposal from the Committee on Budgets,
  - having regard to the motion for a resolution tabled by the President of the European Parliament on behalf of the enlarged Bureau (Doc. 301/77),
1. Expects the Court of Auditors, immediately after its constitution, to discuss with the European Parliament the functional aspects of external control in the Community with a view to achieving optimum cooperation between the various control bodies;
  2. Instructs its President to forward this resolution to the Court of Auditors and, for information, to the institutions of the Communities.
-

## RESOLUTION

embodying the opinion of the European Parliament on the appointment of the members of the Court of Auditors of the European Communities

### *The European Parliament,*

- having regard to the Treaty of 22 July 1975 amending certain financial provisions of the Treaties establishing the European Communities and of the Treaty establishing a single Council and a single Commission of the European Communities,
  - having regard to Article 78e of the ECSC Treaty, Article 206 of the EEC Treaty and Article 180 of the Euratom Treaty,
  - having regard to the Council's request of 12 September 1977 for an opinion on the appointment of the members of the Court of Auditors of the European Communities ((Doc. 277/77),
  - having regard to the resolution of the European Parliament of 12 October 1977 (Doc. 329/77),
  - on a proposal from the enlarged Bureau,
1. Endorses the list of persons nominated as members of the Court of Auditors of the European Communities (Doc. 277/77);
  2. Instructs its President to forward this resolution to the Council and Commission and, for information, to the other organs of the European Communities.

## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council concerning guidelines for Community regional policy

### *The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 195 fin.),
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 183/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Budgets (Doc. 307/77),
- referring to its last resolution of 21 April 1977 on aspects of the Community's regional policy to be developed in the future <sup>(1)</sup>, in which it stressed the fundamental economic and political necessities which require the development of an effective Community regional policy, and in particular, the threat to the sound operation of the common market and the internal cohesion of the Community which widening regional disparities constitute <sup>(2)</sup>,

#### (a) *General outline of a Community regional policy*

1. Notes that the Commission has very largely taken account of the proposals contained in the abovementioned resolution and has complied fully with its responsibilities and with the provisions of Article 2 (2) of the Regulation establishing the European Regional Development Fund;
2. Congratulates the Commission on opting for an overall approach to regional policy <sup>(3)</sup>, giving a broad interpretation of the notion of infrastructure <sup>(4)</sup>, stressing coordination of policies and financial instruments <sup>(5)</sup> and reiterating the importance of regional development programmes <sup>(6)</sup>;
3. Considers that the definition of an overall analytical and conceptional framework, assessment of the regional impact of the Community's policy and coordination of national regional policies constitute the only means of moving gradually from simply managing the Fund to introducing a genuine Community regional policy, and calls upon the Commission to include an assessment of the regional impact of all proposals for the development of Community policies. This assessment should be included in the explanatory memorandum of all proposals made from now on;
4. Feels that the Commission, which allocates aid from the Fund 'taking special account of ... whether the investment falls within a frontier area' (Article 5 (1) (d)), should take into consideration regions adjacent to a third country, particularly if cooperation with the neighbouring regions of that country is difficult or impossible;

<sup>(1)</sup> OJ No C 118, 16. 5. 1977, p. 51, and Delmotte report (Doc. 35/77, 6. 4. 1977).

<sup>(2)</sup> Recitals and paragraphs 1 to 3 of the resolution of 21 April 1977.

<sup>(3)</sup> Paragraphs 4 to 8 of the resolution of 21 April 1977.

<sup>(4)</sup> Paragraphs 14 and 15 of the resolution of 21 April 1977.

<sup>(5)</sup> Paragraph 17 of the resolution of 21 April 1977.

<sup>(6)</sup> Paragraph 18 of the resolution of 21 April 1977.

5. Welcomes the fact that the Regional Policy Committee is studying the scope for coordinating disincentive measures (paragraph 28) and supports the Commission's view that such measures would make an effective contribution to maximizing the use of the Community's manpower and land resources (paragraph 30). The Commission should consult Parliament on the review of the system for coordinating regional aids (paragraph 31);

*(b) The formation of inter-disciplinary teams*

6. Considers that the introduction of these measures will necessitate the setting up by the Commission of study groups comprising specialists from various fields with the principal task of putting forward 'scenarios' to enable the various policies to be assessed in terms of regional impact and brought into alignment;

7. Stresses the need to increase the number of official in the Directorate-General for Regional Policy employed in managing the ERDF to that the regional development programmes which will be compulsory from 1 January 1978 and which are to be the basis for Fund activity can be examined;

8. Considers that, if regional aid is to be effective, local or regional officials with a high level of competence will be essential and that, in certain regions, it may be necessary to give them further training, possibly with Community aid <sup>(1)</sup>;

*(c) The role of local and regional authorities*

9. Recalls that it has already proposed that 'the committee *shall* in accordance with the provisions of its rules of procedure, take evidence from interested parties from the regions and from trade union and business organizations when a regional problem concerns them' <sup>(2)</sup>;

10. Points out that it considers it essential, in view of the general character of the development, for the public to participate in the development process through their elected representatives at all levels, since such participation is likely to ensure the success of the development programmes <sup>(3)</sup>;

11. Points out that it has already recommended to the Commission that it should define, in collaboration with the Member States, the role of the different local, regional and national bodies in working out and implementing programmes for which Community aid is granted <sup>(4)</sup>;

12. Reiterates the importance it attaches, particularly with the approach of direct elections, to developing its contacts with the official representatives of the local and regional authorities of the Community;

*(d) Publicity given to activities*

13. Points out that appropriate publicity should be given to aid from the fund in order to make the public more aware of the Community's activities <sup>(5)</sup>;

14. Deplores the fact that the new Article 10 (2) (new) does not specify the minimum information to be published, namely, for each economically significant region and for each programme, whatever the amount involved: identification, nature and amount of investment, the amount of national aid and any other sources of finance, the amount of aid from the Fund and the number of posts created or maintained <sup>(6)</sup>;

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<sup>(1)</sup> Paragraph 15 of the resolution of 21 April 1977.

<sup>(2)</sup> OJ No C 76, 7. 4. 1975, p. 21 (paragraph 12).

<sup>(3)</sup> Paragraphs 20 and 21 of the resolution of 21 April 1977.

<sup>(4)</sup> Paragraph 23 of the resolution of 21 April 1977.

<sup>(5)</sup> Paragraph 24 of the resolution of 21 April 1977.

<sup>(6)</sup> Paragraphs 25 and 26 of the resolution of 21 April 1977.

(e) *Modification to fund mechanisms*

15. Considers that the budgetary appropriations allocated to the Fund in years to come should be the subject of a genuine debate between the Commission and the budgetary authority on the basis of an indicative financial statement attached to the Commission's proposals <sup>(1)</sup>;
16. Considers that the national quota system should be used merely as a guide since the size of the quotas is given in the Annex to the Regulation;
17. Approves the setting up of a non-quota reserve <sup>(2)</sup> and the fact that specific Community projects are based on Community criteria <sup>(3)</sup> and requests that these projects should not be linked to the Council's approval on a case-by-case basis, so as to enable the Fund to intervene more rapidly;
18. Is in favour of financing new investments, that is investments which post-date the request for aid from the Fund;
19. Welcomes the simplification of procedures, which removes the need to consult the Fund Committee on small projects;
20. Considers that the setting up of a system of budgetary advances and the greater flexibility of the Fund's intervention rates are to be welcomed <sup>(4)</sup>;
21. Feels that interest subsidies and exchange rate guarantees should be granted, particularly to small and medium-sized undertakings, so long as this does not alter the Commission's responsibility for management or Parliament's budgetary control <sup>(5)</sup> — and that interest subsidies should also be used to encourage and improve regional savings, particularly in the least-developed areas;
22. Invites the Commission to put forward practical proposals for the establishment, within the framework of the regional policy, of a borrowing and lending mechanism <sup>(6)</sup>;

(f) *Additionality and control*

23. Points out that aid from the Fund is not intended merely to support national aid but to strengthen it through the complementary nature of Community operations, but recognizes the necessity for national governments to determine initially their own priority schemes;
24. Notes the statement at the end of paragraph 27 of the communication that 'it is at the level of these programmes that the complementary nature of Community action and that of the Member States will be ensured . . .' and regrets that this concept, which Parliament itself has proposed, is not included in the revised Fund Regulation <sup>(7)</sup>;
25. Invites the Commission to cooperate with Parliament so that the latter can, with the help of the Court of Auditors, exercise on-going political control over the regularity and effectiveness of Fund operations; a *posteriori* monitoring by Parliament is essential, especially in those cases where the Council has no monitoring powers over the decisions taken;

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<sup>(1)</sup> Paragraph 28 of the resolution of 21 April 1977.

<sup>(2)</sup> Paragraph 29 of the resolution of 21 April 1977.

<sup>(3)</sup> Paragraphs 35 and 36 of the resolution of 21 April 1977.

<sup>(4)</sup> Paragraph 32 of the resolution of 21 April 1977.

<sup>(5)</sup> Paragraph 34 of the resolution of 21 April 1977.

<sup>(6)</sup> Paragraph 29 of the resolution of 21 April 1977.

<sup>(7)</sup> Paragraph 40 of the resolution of 21 April 1977.

(g) *The Fund Committee*

26. Considers that the Fund Committee should have a consultative role and that the Commission should have the final say on financing projects <sup>(1)</sup>;

(h) *Conclusions*

27. Invites the Commission to adopt the following amendments, pursuant to the second paragraph of Article 149 of the EEC Treaty;

28. Requests initiation of the procedure of conciliation with the Council, which is opened for 'Community action of a general nature with significant financial implications ... if the Council intends to diverge from the opinion adopted by the Assembly'.

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<sup>(1)</sup> Paragraph 33 of the resolution of 21 April 1977.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Regulation amending Regulation (EEC) No 724/75 establishing a European  
Regional Development Fund <sup>(2)</sup>**

Preamble, recitals and Articles 1 and 2 unchanged

*Article 3*

*Article 3*

In Article 2:

In Article 2:

1 and 2 unchanged

3. Paragraph 3 shall read as follows:

3. Paragraph 3 shall read as follows:

'The following may be financed by the Fund with a view to contributing to the realization of the objective referred to in Article 1:

'The following may be financed by the Fund with a view to contributing to the realization of the objective referred to in Article 1:

(a) Community action in support of regional policy measures taken by the Member States, as provided for in Title II of this Regulation.

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The resources of the Fund intended for financing these activities shall be distributed in accordance with the *following table*:

The resources of the Fund intended for financing these activities shall be distributed in accordance with the **provisional table contained in the Annex to this Regulation**.

*Belgium: 1.5 %*

*Denmark: 1.3 %*

*France: 15.0 %*

*Ireland: 6.0 %*

*Italy: 40.0 %*

*Luxembourg: 0.1 %*

*Netherlands: 1.7 %*

*Federal Republic of Germany: 6.4 %*

*United Kingdom: 28.0 %*

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<sup>(1)</sup> For complete text, see OJ No C 161, 9. 7. 1977, p. 11.

<sup>(2)</sup> OJ No L 73, 21. 3. 1975, p. 1.

*There shall be allocated to Ireland a further sum calculated so as to ensure that it receives an extra 0.5 %, which shall be deducted from the shares allocated to the other Member States, except Italy.*

- (b) Specific Community regional development measures, as provided for in Title III of this Regulation.

The whole of the Fund's resources for financing these measures shall be used having due regard to the relative intensity of regional imbalances as shown by, in particular, the following indicators:

- the trend of unemployment rates in the regions during the preceding five years,
- the proportion of the active population occupied in agriculture,
- the proportion of the active population occupied in declining industrial sectors,
- the migration balance of the regions during the preceding five years,
- the development and the level of the gross domestic product.

- (b) Specific Community regional development measures, as provided for in Title III of this Regulation.

The whole of the Fund's resources for financing these measures shall be used having due regard to the relative intensity of regional imbalances, **especially in relation to the Community average** as shown by, in particular, the following indicators:

- the trend of unemployment rates in the regions during the preceding five years,
- **structural underemployment;**
- the proportion of the active population occupied in agriculture **and related industries such as fisheries and forestry,**
- the proportion of the active population occupied in declining industrial sectors,
- the migration balance of the regions during the preceding five years,
- the development and the level, of the gross domestic product.

Article 4 unchanged

Article 5

Article 5

In Article 4:

In Article 4:

1 to 4 unchanged

5 to 9:

5 to 9:

2. The amount of the Fund's contribution shall be:

2. The amount of the Fund's contribution shall be:

- (a) In respect of investments covered by paragraph 1 (a), 20 % of the investment cost without however exceeding 50 % of the aid accorded to each investment by public authorities under a system of regional aids, such contributions being limited moreover to that part of the investment which does not exceed 100 000 European units of account per job created and 50 000 European units of account per job maintained.

- (a) In respect of investments covered by paragraph 1 (a), 20 % of the investment cost without however exceeding 50 % of the aid accorded to each investment by public authorities under a system of regional aids, such contributions being limited moreover to that part of the investment which does not exceed 100 000 European units of account per job created and 50 000 European units of account per job maintained.



In the case of services, by way of derogation, from the preceding subparagraph, the Fund's contribution may exceed 20 % of the investment cost, provided that the amount does not exceed in such a case 10 000 European units of account per job created or maintained, or 50 % of the national aids.

The State aids to be taken into consideration in this connection shall be grants, interest rebates, or their equivalent where loans at reduced rates of interest are concerned, whether these aids are linked to the investment or to the number of jobs created. These aids may include aids paid to undertakings in connection with the transfer of workers. The aid equivalent will be calculated in accordance with an implementing Regulation referred to in Article 17. The aid granted in the form of rent rebates or exemptions from payments of rents of buildings, including plant may also be taken into account, provided that this form of calculation can be applied.

The contribution from the Fund thus defined may, pursuant to a prior decision of the Member State concerned communicated at the same time as the request for this contribution, either supplement aid granted to the relevant investment by public authorities or remain credited to those authorities and considered as a partial repayment of such aid.

In the case of services, by way of derogation from the preceding subparagraph, the Fund's contribution may exceed 20 % of the investment cost, provided that the amount does not exceed in such a case 10 000 European units of account per job created or maintained or 50 % of the national aids.

The State aids to be taken into consideration in this connection shall be grants, interest rebates, or their equivalent where loans at reduced rates of interest are concerned, whether these aids are linked to the investment or to the number of jobs created. These aids may include aids paid to undertakings in connection with the transfer of workers. The aid equivalent will be calculated in accordance with an implementing Regulation referred to in Article 17. The aid granted in the form of rent rebates or exemptions from payments of rents of buildings, including plant may also be taken into account, provided that this form of calculation can be applied.

The contribution from the Fund thus defined may, pursuant to a prior decision of the Member State concerned communicated at the same time as the request for this contribution, either supplement aid granted to the relevant investment by public authorities or remain credited to those authorities and considered as a partial repayment of such aid, provided that it is added to the aid granted by the public authorities for other identifiable investments in the same region.

10 unchanged

*Article 6*

*Article 6*

In Article 5:

In Article 5:

1 and 2 unchanged

3. Add the following to paragraph 1 (d):

(d) whether the investment falls within a frontier area, that is to say, within adjacent regions of separate Member States or in region adjacent to a third country.

3.

4. text unchanged

Articles 7 to 9 unchanged

*Article 10*

*Article 10*

1 to 3 unchanged

4. In Article 9 add a paragraph 7:

7. The Commission shall inform Parliament immediately of any circumstance having a significant effect either on the regularity of the transactions financed by the Fund or their compliance with the principles of publication and complementarity referred to in Articles 10 and 18 of this Regulation.

*Article 11*

*Article 11*

Article 14 shall become Article 10.

Article 14 shall become Article 10.

Add a paragraph 3:

3. This publication shall contain, for each economically significant region and for each programme whatever the amount involved: the identification, nature and amount of investment, the amount of national aid and any other sources of finance, the amount of aid from the Fund and the number of posts created or maintained.

Articles 12 to 14 unchanged

*Article 15*

*Article 15*

Article 11 shall become Article 14.

Article 11 shall become Article 14 and shall read as follows:

*Article 14*

*Article 14*

1. A Fund Committee (hereinafter referred to as 'the Committee') is hereby established. It shall be composed of representatives of the Member States and chaired by a representative of the Commission.

1. A Fund Committee (hereinafter referred to as 'the Committee', with a consultative role, is hereby established. It shall be composed of representatives of the Member States and chaired by a representative of the Commission.

2. *In the Committee the votes of Member States shall be weighted in accordance with Article 148 (2) of the Treaty. The Chairman shall not vote.*

2. **deleted**

*Article 16*

*Article 16*

Article 12 shall become Article 15

Article 12 shall become Article 15 and shall read as follows:

Article 15

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Committee either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit the drafts of the decisions to be taken. The Committee shall deliver its opinion on the drafts within *the time limit which the Chairman may fix according to the urgency of the questions under consideration*. An opinion shall be adopted by a majority of 41 votes.

3. The Commission shall adopt decisions which shall apply immediately. However, if these decisions are not in accordance with the opinion of the Committee, *they shall forthwith be communicated by the Commission to the Council. In that event the Commission shall defer application of the decisions which it has adopted for not more than two months from the date of such communications. The Council, acting by a qualified majority, may take a different decision within two months.*

Article 15

1. unchanged

2. The representative of the Commission shall submit the drafts of the decisions to be taken. The Committee shall deliver its opinion on the drafts **within one month at the latest**. An opinion shall be adopted by a majority of 41 votes.

3. The Commission shall adopt decisions which shall apply immediately. However, if these decisions are not in accordance with the opinion of the Committee, **their application shall be deferred for two months, after which the Commission shall take a final decision.**

Articles 17 to 23 unchanged

ANNEX

Provisional table showing the distribution of the Fund's resources intended for the measures provided for in Article 2 (3) (a):

Belgium: 1.5 %

Denmark: 1.3 %

France: 15.0 %

Ireland: 6.0 %

Italy: 40.0 %

Luxembourg: 0.1 %

Netherlands: 1.7 %

Federal Republic of Germany: 6.4 %

United Kingdom: 28.0 %

There should be allocated to Ireland a further sum calculated so as to ensure that it receives an extra 0.5 %, which shall be deducted from the shares allocated to the other Member States, except Italy.

**Council Regulation establishing an interest rebate scheme within the European Regional  
Development Fund**

Preamble, recitals and Articles 1 to 8 unchanged

*Article 9*

The Commission shall report to the Parliament and to the Council on the application of this Regulation in the report provided for in Article 20 of Regulation (F.E.C) No 724/75.

*Article 9*

**The Commission shall retain general responsibility for the administration of all loans subject to interest rebates. It shall report to the Parliament and to the Council on the application of this Regulation in the report provided for in Article 20 of Regulation (EEC) No 724/75.**

Article 10 unchanged

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(1) For complete text, see OJ No C 161, 9. 7. 1977, p. 17.

**RESOLUTION**

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation extending the period of validity of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products, originating in the African, Caribbean and Pacific States

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 410 fin.),
  - having been consulted by the Council (Doc. 258/77),
  - having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products, originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2841/76,
  - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 303/77),
1. Approves the proposal for a Regulation extending the beneficial arrangements for the ACP countries concerned until 31 December 1978;
  2. Believes that the proposed measures will provide continued stability for the key exports of a number of ACP countries which are in an economically precarious situation.

RESOLUTION  
on the Multifibre Agreement

*The European Parliament,*

- whereas the Multifibre Agreement, signed on 20 December 1973 and to which the Community acceded in 1974, expires on 31 December 1977,
  - whereas the Multifibre Agreement has had grave consequences for the Community, because one of its objectives, the balanced development of trade in textiles and clothing, has not been attained,
  - whereas approximately half a million jobs in the textile and clothing industries have been lost in the past five years,
1. Supports the Commission's efforts to create the conditions for extending the Multifibre Agreement when it expires on 31 December 1977 by means of bilateral Agreements with the most important supplier countries in the textile sector, in accordance with the mandate conferred upon it by the Council;
  2. Supports the objectives of the Commission and Council, the aim of which is *inter alia*:
    - (a) to stabilize imports of textile products,
    - (b) to prevent the Member States of the Community from taking autonomous protectionist measures,
    - (c) not to call into question the policy of bilateral and multilateral cooperation with the countries concerned (ACP countries, Mediterranean countries, Greece and Turkey);
  3. Is concerned, in so doing, not only to safeguard jobs but also to acknowledge responsibility for the preservation of free world trade and for providing appropriate marketing opportunities for the developing countries;
  4. Considers it necessary for the bilateral Agreements to ensure:
    - (a) that the growth rates of textile imports are related to the expansion of the Community market and that the development of the various imports of textiles and clothing into the Community and its Member States should be phased,
    - (b) that the technologically-advanced low-cost countries and State-trading countries impose appropriate restrictions on their textile exports to the Community,
    - (c) that all technologically-advanced low-cost countries also open up their markets for textile imports from the Community as a reciprocal move,
    - (d) that the poorer developing countries obtain improved marketing opportunities;
  5. Takes the view that clear provisions must be made concerning the country of origin to prevent circumvention of the bilateral Agreements;
  6. Takes the view that the success of the abovementioned bilateral Agreements is a *conditio sine qua non* for renewal of the Multifibre Agreement at the end of 1977;
  7. Is convinced — especially in view of the great efforts made by all the Member States to improve their export opportunities in the world — that a protectionist trade policy is wrong;
  8. Wishes, however, to ensure that the necessary structural changes in the Community's textile industry are not jeopardized by deliberate flooding of its market with cheap textile imports as a result of other industrial nations' protectionist measures;
  9. Expects the Commission to inform the appropriate committees and the European Parliament as a whole in December on the progress of the negotiations, before a final decision is taken on the extension of the Multifibre Agreement;
  10. Instructs its Committee on Economic and Monetary Affairs to submit its report on the crisis in the textile industry as soon as possible.

## RESOLUTION

embodying the opinion of the European Parliament on the recommendation from the Commission of the European Communities to the Council for a Decision concerning the conclusion of a Financial Protocol between the European Economic Community and Turkey

*The European Parliament,*

- having regard to the recommendation from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council, pursuant to Article 238 of the Treaty establishing the EEC (Doc. 225/77),
  - recalling its resolution of 11 February 1977 on the recommendations adopted by the EEC-Turkey Joint Parliamentary Committee in Nice on 28 April 1976 and in Ankara on 9 November 1976 <sup>(2)</sup>,
  - having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Budgets (Doc. 330/77),
1. Draws attention to the serious problems which beset the Turkish economy, in spite of the Turkish Government's determined and, in many respects successful, efforts to develop it;
  2. Welcomes, therefore, the signing at Brussels on 12 May 1977 of a third Financial Protocol under the EEC-Turkey Association Agreement, as an important contribution to the creation of a better economic infrastructure and more efficient agriculture and industry in Turkey;
  3. Considers that consultation of Parliament on the financial implications of these Agreements — in particular on the budgetized loans and aids — should take place before operative decisions are taken by the Council, that is, in most cases, before the opening of negotiations;
  4. Recommends that the procedures necessary for the Financial Protocol to enter into force should be completed as soon as possible so that it can be fully implemented;
  5. Calls again for the ratification of the Supplementary Protocol, in order to enable the release of the 47 million units of account outstanding under the Second Financial Protocol.

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<sup>(1)</sup> OJ No C 169, 15. 7. 1977, p. 2.

<sup>(2)</sup> OJ No C 57, 7. 3. 1977, p. 63.

## RESOLUTION

on Community aid for the areas of north-west Italy affected by the recent floods

*The European Parliament,*

- concerned at the serious damage caused by the recent torrential rains in many provinces of Piedmont and Liguria, and in Valle d'Aosta, with losses of life, the destruction of homes and crops and the disruption of transport,
  - recalling the determination expressed many times by the European Community to show practical solidarity with the victims of natural disasters,
  - having regard to the 1977 budget and in particular Chapter 59 thereof, which provides for appropriations for emergency measures to meet such contingencies,
1. Asks the Commission:
    - to initiate without delay the procedures necessary for providing the populations concerned with initial emergency aid, and
    - to consider and adopt appropriate measures to mitigate the effects of the damage sustained;
  2. Urges the Commission to make adequate contributions to the current analyses and to increase efforts to reafforest the mountain areas subject to landslide as provided for in the preliminary programme on the environment adopted by the Council;
  3. Instructs its President to forward this resolution to the Council and Commission.

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## RESOLUTION

embodying the opinion of the European Parliament on the following proposals from the Commission of the European Communities to the Council:

- I. a proposal for a Regulation (EEC, Euratom, ECSC) implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources
- II. a second amended proposal under Article 149 of the EEC Treaty and 119 of the Euratom Treaty for a Regulation (ECSC, EEC, Euratom) amending the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities
- III. an amended proposal for a Regulation implementing, in respect of the own resources from VAT, the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 396 fin.),
- having been consulted by the Council (Doc. 274/77),

— having regard to its previous opinions on the original proposals from the Commission <sup>(1)</sup>,

— having regard to the report of the Committee on Budgets (Doc. 326/77),

1. Welcomes the substance of the Commission's new proposals which, following the adoption by the Council of a Community basis of assessment of VAT, are aimed at organizing the whole system of own resources and Community financial autonomy;
2. Notes that the mechanisms proposed by the Commission depart somewhat from strictly orthodox budgetary procedure and do not establish a direct link between the European taxpayer and the Community budget;
3. Acknowledges, however, that these mechanisms are aimed at ensuring that the Community finances for which the Commission is responsible operate as smoothly as possible, and concedes, in particular, the necessity, for the time being of adopting a 'cash budget' system for own resources;
4. Feels, therefore, that the Commission's proposals should be re-examined — and possibly amended — by the budgetary authority on the basis of a report by the Commission, to be submitted by 30 June 1979 at the latest;
5. Expresses reservations about several proposed provisions of secondary importance and requests the Commission to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty;
6. Urgently requests the Council to adopt these proposals for Regulations as soon as possible so that the own resources system can be implemented on 1 January 1978;
7. Reserves the right to ask for the conciliation procedure to be initiated should the Council intend to depart from this opinion.

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<sup>(1)</sup> OJ No C 6, 10. 1. 1977, p. 18.  
OJ No C 6, 10. 1. 1977, p. 165.  
OJ No C 163, 11. 7. 1977, p. 62.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Proposal for a Council Regulation implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources**

Preamble, recitals and Articles 1 to 10 unchanged

*Article 11*

*Article 11*

1. The own resources established referred to in Article 8 (1) shall be entered at the latest by the 20th day of the second month following the month during which the entitlement was established.

1. unchanged

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<sup>(1)</sup> For complete text, see COM(77) 396 fin.



2. The Member States shall make payment of these resources one month in advance on the basis of the information available to them on the 15th day of the same month.

Each payment shall be adjusted in the following month when the entry referred to in paragraph 1 is made. This adjustment consists in making a negative entry of an amount equal to that of the advance payment.

3. Nevertheless, the own resources accruing from VAT or, where appropriate, the financial contributions based on GNP, shall be entered on the first day of each month, the amount being one-twelfth of the total entered under this heading in the budget.

Calculation of the one-twelfth for the month of January of each financial year shall be based on the amounts entered in the draft budget; this amount shall be adjusted when the next month's instalment is paid. If the budget has not been adopted before the beginning of the financial year, the twelfths shall similarly be calculated from the amounts entered in the draft budget; the adjustment shall be made on the first due date following the adoption of the budget to allow the responsible authorities one clear calendar month.

4. Each Member State shall, in the light of the annual summary statement provided for in Article 6 (3), be debited with the amount of his establishment calculated on the basis of the rate fixed for the previous financial year and credited with the 12 payments made during that previous financial year. The Commission works out the balance and informs the Member States in good time in order that the latter may:

- in the event of a debit balance, pay the difference on the first of August of the same year, or
- in the event of a credit balance, deduct the difference from the twelfths payable in respect of the current financial year, beginning with the payment scheduled for the first of August of the same year.

5. With effect from 1 January 1979, those Member States having paid financial contributions based on GNP during the previous financial year shall, on the due dates given in paragraph 4 and by the same

2. unchanged

3. Nevertheless, the own resources accruing from VAT or, where appropriate, the financial contributions based on GNP; shall be entered on the first day of each month, the amount being one-twelfth of the total entered under this heading in the budget.

Calculation of the one-twelfth for the month of January of each financial year shall be based on the amounts entered in the draft budget; this amount shall be adjusted when the next month's instalment is paid. If the budget has not been adopted before the beginning of the financial year, the twelfths shall similarly be calculated from the amounts entered in the draft budget; the adjustment shall be made on the first due date following the adoption of the budget to allow the responsible authorities one clear calendar month.

The system of advance payments in twelfths of own resources accruing from VAT shall be reviewed at the latest during the second financial year following that in which it enters into force.

4. unchanged

5. unchanged

method, adjust the said financial contributions so as to restore, on the basis of the actual yield from own resources accruing from VAT, the original distribution in the budget between the latter and the financial contributions based on GNP.

6. Any change in the rate of VAT or, if appropriate, in the financial contributions based on GNP, occasioned by the adoption of a supplementary or amending budget shall give rise to a readjustment of the twelfths which have fallen due since the beginning of the financial year.

This adjustment operation shall be carried out on the first due date following the adoption of the supplementary or amending budget in order to give the responsible authorities a clear calendar month.

7. The operations referred to in paragraphs 4 and 5 constitute modifications to revenue in respect of the financial year in which they occur.

6. unchanged

7. unchanged

Article 12 unchanged

Article 13

1. The Commission shall have at its disposal the amounts credited to the account referred to in Article 8 of this Regulation in order to replenish the accounts via which it makes payments arising from the implementation of the budget and the transfers intended, as regards funds held in the form of currency, to restore the structure of the EUA basket so as to cover exchange risks, in accordance with the provisions of Article 16 of the Regulation on the application of the EUA <sup>(1)</sup>.

2. *The adjustments provided for in Article 11 (6), occasioned by a supplementary or amending budget raising the rate of VAT or of the contributions provided for in Article 4 (2) and (3) of the Decision of 21 April 1970, may be made in advance with the authorization of the Council, acting by a qualified majority.*

Article 14

1. In order to meet possible liquidity difficulties arising from:

- (a) a difference between revenue and expenditure in a given month; or

<sup>(1)</sup> Reservations expressed by the Legal Service on Article 16 of the EUA Regulation.

Article 13

1. unchanged

2. deleted

Article 14

1. In order to meet possible liquidity difficulties arising from:

- (a) a difference between revenue and expenditure in a given month; or

(b) own resources' receipts lower than the original estimates,

the Commission may, *having taken any appropriate steps to defer the expenditure*, negotiate overdrafts.

2. The geographical distribution of the overdrafts shall take account of the local requirements of the European Communities as well as the distribution of the own resources provided for in the budget or of the actual amounts collected when these are known in respect of at least three months.

(b) own resources' receipts lower than the original estimates,

the Commission may negotiate overdrafts.

2. unchanged

Articles 15 to 17 unchanged

Article 18

The Commission shall, before the end of *November* in each financial year, make an estimate of the own resources collected for the entire year, on the basis of the information at its disposal at that time.

If this estimate differs appreciably from the original estimates, the latter shall, after a review of the cash situation, be the subject of a letter of amendment relating to the draft budget for the following financial year which is in process of approval.

The balance to be carried forward to the second financial year following the one in question, as laid down in Article 29 of the Financial Regulation of 25 April 1973 shall take this entry into account.

Article 18

The Commission shall, before the end of **October** in each financial year, make an estimate of the own resources collected for the entire year, on the basis of the information at its disposal at that time.

If this estimate differs appreciably from the original estimates, the latter shall, after a review of the cash situation, be the subject of a letter of amendment relating to the draft budget for the following financial year which is in process of approval.

The balance to be carried forward to the second financial year following the one in question, as laid down in Article 29 of the Financial Regulation of 25 April 1973 shall take this entry into account.

Articles 19 to 27 unchanged

Article 28

The Commission shall, before 30 June 1979, submit a report on the implementation of this Regulation and any proposed amendments to it which are likely to emphasize the principle of financial autonomy of the Communities and improve its operation.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Directive on the performance, maintenance and regulation of heat generators and the insulation of the distribution system in new buildings
- II. a Directive on energy savings from the modernization of existing buildings in the Community

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 161/77 and Doc. 162/77),
- having regard to its previous resolutions:
  - on the objectives of a common energy policy <sup>(2)</sup>,
  - on the first periodical report on the programme for the rational use of energy and draft recommendations of the Council <sup>(3)</sup>,
- having regard to the report of the Committee on Energy and Research and the opinion of the Legal Affairs Committee (Doc. 309/77),

1. Stresses again that the main aim of the energy policy should be greater energy savings, the rational exploitation of indigenous resources and the development of alternative sources of energy;

2. Is of the opinion that, in order to avoid a further increase in Community dependence on imported energy, particularly oil, measures taken in the various Member States to promote the rational use of energy savings must be harmonized and strengthened;

3. Feels that the methods used to estimate possible energy savings and their cost ought to be improved;

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<sup>(1)</sup> OJ No C 138, 11. 6. 1977, pp. 2 and 4.

<sup>(2)</sup> OJ No C 76, 7. 4. 1975, p. 30.

<sup>(3)</sup> OJ No C 153, 9. 7. 1975, and OJ No L 140, 28. 5. 1976.

4. Considers it absolutely essential for drastic measures to be taken to improve the heat production and heat utilization by means of better insulation and heat regulation in order to reduce the consumption of energy and in particular of petroleum products for heating purposes;
5. Regards as essential the impetus given to the Community energy savings programme as a contribution to speedily defining and implementing technical solutions capable of reducing energy consumption, while protecting the environment and creating many new jobs;
6. Recognizes the importance of the measures proposed for reducing as far as possible the quantity of energy used for the air-conditioning and heating of buildings;
7. Notes that, apart from the price mechanism, certain administrative, financial and legal measures are also necessary; Member States should strive to establish a better relationship between economic growth and an overall increase in energy consumption;
8. Wishes to be sure that any decrease in investments in production will be at least partly offset by increased investment in energy savings; it is in the common interest to promote such systems by national and, where appropriate, Community measures;
9. Approves the Directives and recommendations proposed by the Commission and hopes that strong and effective measures will be proposed for the future programme on the rational use of energy.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation temporarily and totally suspending the autonomous Common Customs Tariff duties on dessert apples

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 319/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on External Economic Relations and the Committee on Budgets (Doc. 331/77),

1. Approves the Commission's proposal;
2. Calls on the Commission to provide more comprehensive information at an early date on possible ways of meeting consumer demand in the first half of 1978 and on the measures it is contemplating either to avert serious deficits or to achieve a better balance of the market and of Community production of the various qualities of apples.

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<sup>(1)</sup> OJ No C 243, 11. 10. 1977, p. 3.

## RESOLUTION

### on the draft general budget of the European Communities for the 1978 financial year

#### *The European Parliament,*

- having regard to the preliminary draft budget of the European Communities and, in particular, to the Général Introduction — Section III (Commission) [COM(77)160],
- having regard to the draft general budget of the European Communities for the 1978 financial year, drawn up by the Council and the accompanying explanatory memorandum (Doc. 270/77), and the letter of amendment (Doc. 322/77), forwarded by the Council on 10 October 1977,
- having regard to the dialogue on the budget with the Commission and the Council,
- having regard to the report of the Committee on Budgets, the opinions of the other committees and the draft amendments and proposed modifications annexed to the report (Doc. 341/77),
- (a) Recalling the guidelines adopted by it in regard to the budgetary and financial policy of the European Communities for 1978 (Doc. 83/77);
- (b) Appreciating the special political significance attaching to the 1978 budget;
- (c) Aware that the budget is, primarily, a political document;
- (d) Convinced that the budget cannot, in any event, be reduced to a mere statement of expenditure resulting from decisions taken by the Council;
- (e) Conscious of the increased responsibility of Parliament in regard to the budget now that the Treaty of 22 July 1975 has been ratified;
- (f) Considering that the establishment of the European Court of Auditors will enable Parliament to carry out its budgetary role more effectively;
- (g) Anxious to see several structural reforms in operation in time for the 1978 financial year;
- (h) Appreciating the increased significance, from the budgetary policy aspect, of the triennial financial estimates, and also the need to preserve budgetary annuality;

#### *Political significance of the 1978 budget*

1. Recalls that the application of the Treaty of 22 July 1975 enhances the responsibility of the European Parliament, notably in regard to the determining of the level of own resources;
2. Stresses, therefore, that the 1978 budget and financial year must mark a new departure to be reflected in an improved political balance in Community activities;
3. Affirms that full achievement of financial autonomy for the Community requires a strengthened parliamentary control;
4. Declares that in the context of its direct election the link between the European taxpayers and their representatives will take on special significance;

#### *Structural aspects of the budget*

5. Considers it imperative that the new budgetary structures — namely, the European unit of account, the VAT Financial Regulation and associated texts, and the amended Financial Regulation — should be set up in time to be in operation for the 1978 financial year;

6. Believes that prompt attention should be given by Council and Commission to the proposals put forward by Parliament for improvements in the budgetary procedures and presentation;

7. Regrets that both of the other institutions failed to react satisfactorily to the suggestions <sup>(1)</sup> put forward by Parliament this year concerning, in particular,

- (a) EEC borrowing and lending policy;
- (b) budgetization of cooperation appropriations;
- (c) the commitments authorization system;
- (d) attitude to supplementary budgets; and
- (e) budgetary nomenclature and transparency;

and considers it is essential that these problems be resolved by common accord as soon as possible;

#### *The budget as a policy instrument*

8. Reiterates its conviction that the budget should constitute a comprehensive budgetary and fiscal policy document and should not be regarded as being a mere accounting text;

9. Stresses, once again, that the budget should be decided in the light of Community needs and goals and should not be determined, on a statistical basis, by considerations arising from past trends in the GNP, the national budgets and the price patterns of Member States;

10. Believes that the coherence and continuity of Community policies can best be assured by having regard to medium-term aspects while safeguarding budgetary annuality;

#### *The budgetary calendar*

11. Considers that recent reforms in the budgetary calendar have improved the situation, notably with regard to the time for consideration of amending letters, and asks the Committee on Budgets to examine the possibilities for further improvements;

#### *The inter-institutional dialogue on the budget*

12. Stresses that the Council, on the basis of the new inter-institutional balance, should be prepared to enter into a real dialogue with the Parliament;

#### *The preliminary draft budget*

13. Notes the partly positive response given by the Commission, in the preliminary draft budget, to the budgetary and financial policy guidelines of the European Parliament for 1978;

14. Considers that the general introduction to the preliminary draft budget contains a very considerable amount of worthwhile information on Community revenue and expenditure and that the part containing the political analysis and the general review of the estimates should be published in the *Official Journal of the European Communities* so that the public may be more fully aware of the details of Community budgetary policy;

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(<sup>1</sup>) Doc. 119/77.

### *The draft budget*

15. Deplores the Council's failure to reflect Parliament's policy guidelines for 1978 in the draft budget;
16. Criticises sharply the fact that, despite the clearly expressed opposition of Parliament to supplementary budgets, the Council foreshadowed supplementary budgets when presenting the draft budget;
17. Protests vigorously at the fact that the Council failed to provide any political explanation for departing from proposals made in the preliminary draft budget, thus making it difficult for Parliament, which has the last word on the adoption of the budget, to appreciate the political motives underlying Council decisions;
18. Calls on the Council to present, with future draft budgets, a statement of the policy considerations underlying the budgetary strategy endorsed by it;

### *Triennial financial estimates*

19. Recognizes that multiannual estimates are essential if the budgetary authority is to arrive at a better informed overall view of the medium-term implications of the annual budget;
20. Considers that such estimates are all the more necessary if the impact of commitments authorizations is to be taken into account and flexibility within the fiscal basis of the Community budget is to be gauged;
21. Believes that maximum benefit would be gained from the triennial financial estimates if they were to outline desirable policies for the future and were not confined solely to projecting existing policies;
22. Criticises the Commission for having interpreted, in a timid fashion, the scope for presenting comprehensive triennial estimates and calls on it to present, next year, forecasts with an adequate new policy content;
23. Demands that, in future, the Council should revise the triennial financial estimates so as to enable the medium-term impact to be appreciated should it alter substantially the preliminary draft budget;
24. Insists that the basic decision <sup>(1)</sup> be amended so as to ensure that these estimates may form an integral part of the budgetary dialogue involving both Parliament and the Council;
25. Will give its definitive reaction to the triennial financial estimates 1978/80 at the December part-session;

### *Resources*

26. Appreciates its enhanced responsibility in regard to the revenue side of the budget now that conditions of financial autonomy exist and now that it is responsible for finally adopting the amount of Community resources;
27. Will not tolerate any attempt to have own resources changed into disguised contributions;
28. Reiterates its belief that it is essential to improve Community financing capacity by way of long-term borrowings;

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<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 23.



29. Asks the Committee on Budgets and its subcommittee to pay particular attention to the verification of the collection of the own resources of the Communities;

30. Calls on the Commission (a) to present a report on the medium-term and longer-term evolution of Community revenue, (b) to submit an analysis of the tax burden in the Community and (c) to take into account the fact that the budget should, in the future, cover activities that can be dealt with more efficiently and more economically by the Community budget than at the level of Member States;

#### *Operating expenditure*

31. Recalls that, in the matters of staff and administrative expenditure, the budgetary authority should have special regard to the need for austerity and financial control;

32. Believes, nevertheless, that it is necessary to authorize the creation of the posts proved to be required for the implementing of tasks which the Commission is called upon to carry out;

33. Deplores the fact that the Council cast aside, without adequate explanation, Commission demands for extra staff and gave only an arbitrary figure without any apparent justification;

34. Is satisfied that, after account is taken of reasonable reorganization and redeployment, some further increase in the executive and clerical staff of the Commission is essential and, therefore, approves the establishment plans incorporated in the draft budget as amended;

35. Stresses that continued improvements in recruitment procedures and retirement provisions are needed to ensure greater flexibility of Community staff management;

36. Calls on the Commission to present a report, by 31 March 1978, on possible modifications in the Community retirement and pensions policy;

#### *Satellite bodies*

37. Asks the Commission to submit proposals to incorporate the decentralized organizations which are outside the direct control of the budgetary authority within the administrative structures of the institutions;

38. Expects that in future there should be supplied to the budgetary authority, with the preliminary draft budget, full estimates for each of these organizations, together with their establishment plans and economic programmes, and considers it essential to prevent the continuing expansion of establishment plans and administrative costs without adequate justification;

39. Calls on the Committee on Budgets and its subcommittee to examine the budgetary functioning of all these organizations;

#### *Research, investment and related policies*

40. Recognizes that some steps relating to the development of European industry, in particular the strengthening of advanced technology, can best be effected at the Community level;

41. Believes that there is an obligation on the Community (a) to assist, through the budget, the financing of research and coordination in regard to some of the advanced technology sectors, the securing of some energy and raw materials, research and investment actions, and policies in regard to transport and (b) to develop a Community energy policy;

42. Acknowledges that this implies an effort on the budgetary plane which, though not inconsiderable, would represent an overall saving since there would be greater economy in total outlay than would be the case if these measures were undertaken by Member States themselves;

#### *European Social Fund*

43. Reiterates its belief that, to give a more acceptable image of the European Communities, a worthwhile and balanced social policy is needed;

44. Stresses, once again, its belief that this effort should be concentrated on the least favoured sectors of the population, namely, the elderly, the unemployed — especially women and young unemployed — and migrant workers;

45. Considers that it should be possible to make a worthwhile impact on crucial Community social problems by operating through the Community budget;

46. Deplores that delays in payments attributable to complicated procedures, particularly at the national level, should persist and calls on the Commission to put forward proposals for the elimination of the delays in question which damage the effectiveness and the image of the Fund;

#### *European Regional Development Fund*

47. Notes with concern the evidence of growing disparities between the Community regions;

48. Considers that an effective regional policy is essential to the continued long-term existence of the European Communities as a social and economic entity;

49. Sharply criticises the Council for the negative attitude it displayed in the draft budget towards the clearly needed effort to improve regional balance;

#### *Agriculture*

50. Considers that, due to the fact that EAGGF expenditure accounts for more than three-quarters of the Community budget, a serious imbalance constantly reappears in the draft budget because the common agricultural policy is the only policy that has been developed in the past 15 years and that it should be supplemented by the other major common policies;

51. Believes that the need for an effective common agricultural policy cannot be contested, but that greater flexibility must be sought, especially in the application of Titles 6 and 7, in order to take account of natural fluctuations in the Community's agricultural production;

52. Calls for the avoidance, by means of production better orientated to take account of Community and external markets, of persistent structural surpluses which entail a waste of resources;

53. Asks the Commission to check that national expenditure in relation to agriculture does not run counter to Community policies;

54. Demands that a better balance be secured between the EAGGF Guarantee and Guidance sections so as to ensure that market support and structural policies are more consistent;

55. Recognizes that monetary compensatory amounts are not a permanent feature of the Community budget and that their phasing out is an essential budgetary policy objective;

### *Cooperation with the developing countries*

56. Adverts to its continuing belief that a comprehensive overall policy in regard to the developing countries should be reflected in the Community budget;
57. Reiterates its policy attitude that agricultural markets support policy and aid policy should be kept separate;
58. Recalls that Parliament was largely responsible for fostering Community policy in regard to the non-associated developing countries and urges the Commission to ensure that adequate and sustainable provisions for this policy are proposed;

### *Legislative part of the budget*

59. Congratulates the Council for having recognized that the budget may contain legislative provisions;
60. Amends the draft text of the Commission and the Council regarding transfers within the Euratom part of the budget so as to make it clear that the approval of such transfers is a matter for the budgetary authority and not for Council alone;
61. Adds, in the same spirit, a decision concerning the list of items in regard to which commitment authorizations may be entered into in accordance with Article 1, paragraph 3, of the Financial Regulation;

### *Conclusions*

62. Calls on the Commission and the Council to transmit, as soon as possible, the draft budget of the Court of Auditors, so that it may be examined while respecting the budgetary procedures;
63. Considers it essential, in the overall interest of the Communities, that the reshaping of the draft budget 1978 which has been voted by Parliament be endorsed by the other partner in the budgetary authority thus obviating avoidable supplementary budgets and ensuring that appropriate Community policies may be implemented;
64. Proposes that
- (a) the only appropriations entered in Chapter 100 should be for payments intended to be carried out — after transfer — during the financial year;
  - (b) the expenditure to be entered in the draft budget be increased on the basis of the amendments and proposed modifications adopted by Parliament;
  - (c) in consequence the annual rate of VAT should be fixed accordingly;
65. Instructs its President to forward this modified draft budget, this resolution, the minutes of its sitting and the report of its Committee on Budgets to the Council.

## RESOLUTION

on the amendments to the estimates of revenue and expenditure of the European Parliament for the financial year 1978 (Section I of the draft general budget of the European Communities)

*The European Parliament,*

- having regard to Rules 23 (A), 49 and 50 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets and the draft amendments annexed thereto (Doc. 340/77),
1. Points out that the amendments which it is making to its estimates adopted on 16 June 1977 are essentially in the nature of corrections necessitated by decisions taken after that date and by subsequent new factors;
  2. Notes that these amendments are intended to permit the normal development of parliamentary activities and of the work of the secretariat in 1978 without, at this stage, making full allowance for the requirements of the Parliament elected by direct universal suffrage;
  3. Points out once again that it will be appropriate to meet those needs through a supplementary and amending budget to be adopted during the next financial year on the basis of a thorough review of the desirable organization of the activities of Parliament;
  4. Deems it appropriate to release 64 of the 83 posts created in the estimates adopted on 16 June last, considering firstly that detailed documentation which may give rise to a rationalization of the services has now been submitted to the Committee on Budgets, and secondly that this committee proposes to agree with the Bureau on the implementation of certain measures for rationalization of the activities of the secretariat which might be taken when the supplementary and amending budget for 1978 is established;
  5. Reserves the right, before completion of the budgetary procedure, both to release the 19 linguists' posts created for 1978 on adoption of its estimates, and possibly to create others to meet the growing translation requirements of the political groups;
  6. Amends its estimates of revenue and expenditure and its establishment plan as detailed in the annexed amendments;
  7. Therefore establishes its budget for 1978;
  8. Instructs its President to forward this resolution and the amendments adopted by it to the Council.

## RESOLUTION

on Sections II (Council) and IV (Court of Justice) of the draft general budget of the European Communities for the financial year 1978

*The European Parliament,*

— having regard to the report of the Committee on Budgets (Doc. 338/77),

1. Approves Section II of the draft budget in respect of the revenue and expenditure of the Council, subject to the amendments it has adopted;
2. Considers it appropriate, having regard to the requirements arising from the increased workload of the secretariat of the Economic and Social Committee, to make certain changes to the draft budget of that body; these changes are shown in the amendments adopted by Parliament;
3. Approves Section IV of the draft budget in respect of the revenue and expenditure of the Court of Justice, subject to the amendments it has adopted.

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## RESOLUTION

on Section V (Court of Auditors) of the draft general budget of the European Communities for the financial year 1978

*The European Parliament,*

— having regard to the interim report of the Committee on Budgets (Doc. 339/77),

Hopes that the Court of Auditors will be able to draw up provisional estimates of its expenditure as soon as possible so that Parliament may receive the draft budget of the Court for the 1978 financial year at an early date and consider it in accordance with the conditions laid down in Article 203 of the Treaty establishing the European Economic Community <sup>(1)</sup>.

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<sup>(1)</sup> Article 78 of the ECSC Treaty, Article 177 of the Euratom Treaty.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive concerning the progressive implementation of the principle of equality of treatment for men and women in matters of social security

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 522/76),
- having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 355/77),

1. Welcomes this important initial step towards achieving the principle of equality of treatment for men and women in matters of social security which was expressly laid down in the social action programme and the relevant Council resolution as well as in the Council Directive adopted in 1976 on equality of treatment concerning access to employment, vocational training and promotion and working conditions;

2. Appreciates in particular the fact that the scope of this proposal extends to 'all social assistance arrangements', even if only 'in so far as the payments concerned supplement or substitute' the social security provisions and schemes as laid down in Article 2 (1);

3. Notes with satisfaction that the Community, by gradually issuing specific binding Directives, is taking a lead in the practical recognition of the general principle of equal treatment for men and women which is essential both for the personal fulfilment of each human being and for the construction of a more equitable society; however, until

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(<sup>1</sup>) OJ No C 34, 11. 2. 1977, p. 3.

such time as all laws in the Member States which discriminate against women are abolished, there can be no real progress towards equality;

4. Shares the realistic view that the principle of equality of treatment must for the time being be introduced and achieved within the various national systems of social security, but at the same time urges the Commission not to lose sight of the basic aim of the long-term harmonization of these schemes and to pursue this objective whenever the opportunity arises;

5. Agrees further with the principle of first eliminating from the mandatory schemes and occupational arrangements the most serious discrimination which, as a rule, affects women, but stresses that the ultimate aim must always be the elimination of all discrimination;

6. Deplores the derogations from the scope of application of this proposal as regards widows and family charges or benefits which, as the Community legislation on migrant workers demonstrates, are an integral part of the concept of social security, and invites the Commission to provide the judicial instruments required to overcome this serious deficiency at an early date;

7. Considers it necessary in this context that the problems of widowhood and the reciprocity of pensions should be thoroughly reviewed on the basis of equality and resolved by granting allowances to the surviving partner, not only to the widow but also to the widower;

8. Fears that the obligation to eliminate discrimination could be seriously jeopardized by the right given to the Member States for an indefinite period to exclude from the scope of the Directive a number of important aspects such as the determination of pensionable age for old age and retirement pensions and the determination of periods of employment for pension purposes, particularly as regards the reckoning of periods spent outside employment for reasons of pregnancy or childbirth;

9. Calls on the Commission to submit new proposals with regard to the sectors excluded so as to ensure that such discrimination is ended once and for all, and insists further, especially as regards the sectors mentioned above, that future regulations should be based on the following principles:

(a) the determination of pensionable age should be the same for men and women and apart from this, in recognition of the family duties generally incumbent upon them, there should be the possibility of earlier retirement for women at their own request,

(b) periods spent outside work for reasons of pregnancy or childbirth or for caring for young children should be considered as reckonable periods for pension purposes;

10. Considers that, given the obvious complexity of the measures required to achieve the progressive elimination of discrimination, a system of multi-annual stages can be considered a necessary evil, but at the same time calls urgently on the Member States to respect the deadlines laid down which are in any case fairly generous;

11. Stresses that effective equality of treatment in the field of social security depends entirely on the practical and complete implementation of the same principle in the matter of salaries and access to employment, vocational training and promotion and other working conditions;

12. Emphasizes the need for the Member States as far as possible to take uniform and simultaneous action in eliminating discrimination since the costs of such action must be borne by all the Member States under similar conditions so as not to create or aggravate any imbalance between the various national socio-economic systems;

13. Requests the Commission to make the following amendments to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

**Council Directive concerning the progressive implementation of the principle of equality  
of treatment for men and women in matters of social security**

Preamble, recitals and Articles 1 to 6 unchanged

*Article 7*

1. Member States shall put into force the laws, regulations and administrative provisions necessary to comply with this Directive:

- within two years of its notification as regards the first stage of its implementation as set out in Article 4 above,
- within three years of its notification as regards the second stage as set out in the said Article,
- within four years of its notification as regards the third stage as set out in the said Article.

2. Member States shall communicate to the Commission the text of laws, regulations and administrative provisions which they adopt in the field covered by this Directive, including measures adopted in fulfilment of the provisions of Article 6 (2). They will also inform the Commission of the justification for any provisions they maintain by virtue of Article 6 (1) and the possibilities for revision at a later date.

3. Within one year following the expiry of each of the periods laid down in paragraph 1 Member States shall forward all necessary information to the Commission to enable it to draw up a report on the application of this Directive for submission to the Council and to propose such further measures as may be required for the implementation of the principle of equal treatment.

*Article 7*

1. unchanged

2. unchanged

3. Within one year following the expiry of each of the periods laid down in paragraph 1 Member States shall forward all necessary information to the Commission to enable it to draw up a report on the application of this Directive for submission to the Council and to the European Parliament, and to propose such further measures as may be required for the implementation of the principle of equal treatment.

*Article 7a*

Member States shall introduce into their respective national legislations the necessary regulations so that all persons who consider themselves wronged by the failure to apply to them the principle of equal treatment as laid down in this Directive may pursue their claims by judicial process, after possible recourse to other competent authorities.

Article 8 unchanged

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(1) For complete text, see OJ No C 34, 11. 2. 1977, p. 3.



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the harmonization of laws in the Member States to combat illegal migration and illegal employment

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 426/76),
- having regard to the report of the Committee on Social Affairs, Employment and Education and the opinion of the Legal Affairs Committee (Doc. 352/77),

1. Congratulates the Commission for having tackled the very serious phenomena of illegal migration and illegal employment which lead to unacceptable exploitation of individuals as well as to social and economic imbalances, and approves the type of action proposed;

2. Agrees with the basic objectives of preventing and penalizing such occurrences and with that of mitigating as far as possible the wrongs suffered by illegal migrant workers as a result of their situation, and emphasizes that this last consideration should guide all action taken in their regard;

3. Consequently strongly deplores and finds it unacceptable that the Directive wholly overlooks the fundamental principle of the employers' obligations and the correlative protection of the rights of illegal migrant workers deriving from the work they perform;

4. Considers it essential to undertake an extensive information campaign on the Member States' legislation on immigration, on the actual living and working conditions in these countries and on the distressing human, social, economic and legal consequences of illegal migration, not only in the Community countries but, above all, in the migrant workers' countries of origin, where unquestionably the aim of prevention can be better achieved and misleading propaganda more effectively countered;

5. Considers it of the greatest importance that public opinion should be made aware of these problems and that workers' and employers' organizations should share in the responsibility for prosecuting the aims of the Directive;

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<sup>(1)</sup> OJ No C 277, 23. 11. 1976, p. 2.

6. Stresses the need for the maximum strengthening, extension and diversification of controls to stop the inflow of illegal entrants;
7. Expresses its deep disappointment that the Commission of the European Communities has totally failed to propose, as it could have done, notably under Articles 5 and 100 of the EEC Treaty, any measures aimed at harmonizing national legislations, with particular reference to the definition of identical offences and the stipulation of equivalent penalties;
8. Points out that this legislative omission may in practice result in differences in national attitudes and policies towards illegal migration and illegal employment, thus jeopardizing the efforts to combat these phenomena;
9. Invites, therefore, the Commission of the European Communities to tackle as soon as possible the problems arising from the need to harmonize penal measures against offences in the areas with which this Directive is concerned, turning to account the progress already achieved, be it only for the present at the level of studies and projects, in the fields of taxation, customs and excise, agriculture and food products;
10. Hopes that in the longer term the Community will succeed in achieving 'common legal standards', including penal provisions, in the critical area of the protection of human rights, both civil and social;
11. Expressly requests that in respect of illegal migrant workers, prevention should be the primary consideration and that a strict policy of prosecuting all those who, in whatever way, draw illicit benefit from the irregular situation of these workers should be pursued: for it would be unjust to place the profiteers and their victims on the same footing, especially in the matter of penalties;
12. Further requests that the Member States adopt, in their legislation, as liberal an attitude as possible when it comes to regularizing the position of illegal migrants and their families;
13. Draws attention to the fundamental importance of close cooperation among Member States in all spheres, making maximum use of the machinery for reciprocal administrative and legal assistance, particularly for the purpose of stopping the inflow of illegal migrants and of identifying and prosecuting all those who traffic in and exploit this particular type of labour, in whichever country they may operate;
14. Appeals urgently to the Member States to adopt rules that are as far as possible uniform, so as to prevent imbalances which might vitiate the aims of this Directive;
15. Joins the Legal Affairs Committee in regretting that the proposal does not fully put into effect the Council resolution of 9 February 1976 on illegal migration and looks to the Commission to submit further proposals in the near future, concerning in particular the social and the legal aspects of the problem;
16. Acknowledges and supports the valuable liaison work which the Commission of the European Communities will have to perform to promote uniform legislation in the Community and increase still further the effectiveness of the cooperation among its Member States;
17. Expresses its own deep conviction that the final solution of the distressing problem of migration, legal and illegal, is to be found in practical economic development aid to improve local employment opportunities in the migrants' countries of origin and, in the Member States, in a new appreciation of, and a new approach to, the many kinds of occupations disdained by Community citizens because they are regarded as having insufficient status and being insufficiently remunerative, and which, despite high unemployment in the Community, inevitably attract, and are filled by, manpower from third countries;
18. Considers it essential that, in pursuing the aims of the present Directive, practical expression be given to the principles laid down in the preceding paragraphs;
19. Invites the Commission to make the following amendments to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

**Council Directive on the harmonization of laws in the Member States to combat illegal migration and illegal employment**

**Preamble, recitals and Article 1 unchanged**

*Article 2*

*Article 2*

The Member States shall take the measures necessary to ensure that:

- (a) workers subject to the provisions of this Directive are duly and accurately informed of the employment, living and working conditions and of the conditions and procedures laid down by their national regulations governing the entry, residence and employment of such workers;
- (b) for the purposes of preventing and identifying illegal migration and illegal employment there shall be an adequate control:
  - at places of entry to their territory or at places of employment,
  - of temporary employment agencies which make manpower available to third parties in another Member State.

The Member states shall take the measures necessary to ensure that:

- (a) unchanged
- (b) unchanged
- (c) the socio-economic categories concerned and public opinion in the individual countries are made aware of the need to combat illegal migration and put an end to the exploitation associated with it.

*Article 3*

*Article 3*

The Member States shall take the measures necessary to ensure that:

- (a) sanctions shall be applied to natural or legal persons who knowingly either organize or participate in activities which either are intended to lead or lead to illegal migration and illegal employment, as defined in Article 1 of this Directive;
- (b) the sanctions foreseen against the persons referred to in subparagraph (a) of this Article shall include the possibility of imprisonment in serious cases of violation of the national legislation con-

The Member States shall take the measures necessary to ensure that:

- (a) unchanged
- (b) the sanctions foreseen against the persons referred to in subparagraph (a) of this Article shall include the possibility of imprisonment in serious cases of violation of the national legislation con-

(1) For complete text, see OJ No C 277, 23. 11. 1976, p. 2.

cerning entry, residence and employment, and liability in respect of repatriation costs of the workers concerned.

*Article 4*

The Member States shall take the necessary measures to ensure that workers sentenced for taking up illegal employment may appeal against such sentence. Where the sentence is of deportation, appeal shall involve a stay of execution.

cerning entry, **aiding and abetting illegal entry**, residence and employment, and liability in respect of repatriation costs of the workers concerned.

*Article 4*

The Member States shall take the necessary measures:

- (a) to ensure that workers sentenced for taking up illegal employment may appeal against such sentence. Where the sentence is of deportation, appeal shall involve a stay of execution.
- (b) to grant in a general way to illegal workers every practical means of upholding their rights in criminal, administrative and civil proceedings, enabling them to rely on all possible proofs and to obtain, where necessary, free legal assistance.

Articles 5 to 8 unchanged

**RESOLUTION**

**on the fixing of the date of elections to the European Parliament by direct universal suffrage**

*The European Parliament,*

- recalling the decisions taken and confirmed by the Heads of State or Government at meetings of the European Council,
- recalling the preamble to the Act of 20 September 1976 which states that the election must be held during the period May/June 1978,

1. Solemnly requests the European Council to ensure that all the Member States take the measures necessary for the elections to the European Parliament by direct universal suffrage to take place during the period unanimously agreed, in accordance with the Act of 20 September 1976;
2. Insists that a date be finally fixed during this period;
3. Instructs its President to forward this resolution to the Council and Commission and to the Foreign Ministers meeting in political cooperation.

**RESOLUTION**  
**on acts of terrorism in the Community**

*The European Parliament,*

- noting with deep concern the increase in acts of terrorism committed in several Member States of the European Community, which may begin or be continued outside the Community,
- noting that these acts of terrorism frequently appear to be the result of international criminal planning and that terrorists increasingly cross the Member States' frontiers before or after perpetrating their crimes, thus demonstrating the international dimension of their activities,
- considering that the Parliaments and the Governments of the Member States have approved, or are in the process of adopting various special measures designed to provide the best possible protection for the individual person as well as for the general public against acts of terrorism,
- considering that a systematic reinforcement of the joint efforts by the Governments of the Member States to fight terrorism is essential in order to provide effective protection for the citizens of the Community and its democratic system,
- reaffirming the necessity that anti-terrorist legislation and concrete measures taken by the Parliaments and the Governments of the Member States must fully respect the democratic rights of freedom of expression and freedom of political activity,
- recalling its resolution of 14 January 1977 <sup>(1)</sup> which it adopted unanimously and in which it called on the Governments and the Parliaments of the Member States of the European Community to ratify the European Convention on the suppression of terrorism drawn up by the Council of Europe,
- having regard to the report of the Political Affairs Committee (Doc. 372/77),

1. Condemns unconditionally all acts of terrorism and the authorities of countries which aid and abet them, either by making it easier for them to be committed or by directly participating in them, in particular by receiving hostages on their territory in defiance of all the precepts of international law and of respect for human rights;

2. Calls on the Governments of the Member States to make full and continuous use of the Community and European political cooperation machinery, with the full participation of the Commission of the European Communities, and with special conferences as appropriate, in order to improve the already existing cooperation between national authorities within the Community and international bodies outside the Community;

3. Calls on the Governments of the Member States to give effect to existing international agreements in order effectively to suppress terrorism, and in this context requests that in the United Nations Organization they should try to accelerate the conclusion of a Convention against the taking of hostages which is to be submitted to the General Assembly in order to achieve worldwide and binding agreements in the matter;

4. Instructs its President to forward this resolution to the Foreign Ministers meeting in political cooperation, to the Parliaments and the Governments of the Member States, as well as to the Council and the Commission of the European Communities.

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<sup>(1)</sup> OJ No C 30, 7. 2. 1977, p. 34.

## RESOLUTION

on the granting of special rights to be citizens of the European Community in implementation of the decision of the Paris Summit of December 1974 (point 11 of the final communiqué)

### *The European Parliament,*

- having regard to the decision of the Conference of the Heads of State or Government of December 1974 on the granting of special rights to citizens of the Community, and the preliminary study by the Commission of the European Communities published under the title 'Towards a citizens' Europe',
- emphasizing the political importance for the development of the European Community — not least with a view to direct elections in 1978 — of strengthening the ties of solidarity among its citizens by granting special rights falling within the category of civil and political rights,
- whereas European union should lead progressively to profound changes in the civil and political status of Community citizens,
- recalling its resolution of 10 July 1975 on European union <sup>(1)</sup>, in which *inter alia* it expressed the hope that, 'with a view to giving the peoples of the Community a sense of common destiny, a "charter of the rights of the peoples of the European Community" will drawn up and that practical measures capable of contributing to the development of a European Community consciousness will be adopted',
- having regard to the Tindemans report <sup>(2)</sup>, which considers that not only the acknowledgement of Community citizens' basic rights, but also protection of those rights by the Community are 'essential' for the development of the Community,
- whereas, in order to ensure the equality of Community citizens in the enjoyment of civil and political rights, these rights should be protected not only against acts by the Community organs, but also against acts by the national governments, as is already the case for economic rights,
- considering that the civil and political rights to be protected should be defined with reference to the solemn declaratory acts and documents which form part of the common heritage of all the Member States,
- considering that uniform application of these civil and political rights can be adequately ensured by intervention by the Court of Justice of the European Communities,
- whereas, in order to facilitate the necessarily gradual recognition of the equality of Community citizens in the enjoyment of civil and political rights, both at the level of the Community as a whole and within each individual Member State, it would appear advisable to lay down the necessary measures in Community Regulations,
- having regard to the report of the Political Affairs Committee and the opinion of the Legal Affairs Committee (Doc. 346/77),

### *Requests the Commission of the European Communities*

1. To draw up proposals relating to special rights, in the light of the above preamble and recitals, and as a first step towards European Union;

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<sup>(1)</sup> OJ No C 179, 6. 8. 1975, p. 28.

<sup>(2)</sup> See Doc. 481/75.

2. To press for an agreement between the Member States, on the basis of Article 235 and, possibly, Article 236 of the EEC Treaty, under the terms of which, the following would be considered — in the light of the Universal Declaration of human rights, adopted by the United Nations General Assembly on 10 December 1948 — as integral parts of the Treaties establishing the Communities:

- (a) the European Convention on human rights of 4 November 1950 and subsequent Protocols,
- (b) the International Covenant on civil and political rights, adopted by the United Nations General Assembly on 19 December 1966,
- (c) the civil and political rights provided for in the constitutions and laws of the Member States;

3. To consider the following among the rights to be granted as a matter of priority to Community citizens:

- (a) Community protection for civil and political rights equivalent to that provided for in the Treaties establishing the European Communities for economic rights,  
(The legal instrument introducing Community protection for civil and political rights must also make provision for rules to govern the respective roles of the Council, the Commission and the Court of Justice of the European Communities in this field.)
- (b) the rights proposed in the Tindemans report and first and foremost the right for individuals to appeal to the Court of Justice of the European Communities,
- (c) the right to submit petitions,
- (d) the right to stand for and vote at elections and to hold any public office for which they would normally be eligible at local authority level,
- (e) the right of Community citizens who have been resident in a Member State for at least 10 years to stand for and vote at elections and to hold public offices for which they are eligible in all regional administrative authorities between local authority and State level (departments, provinces, countries, regions, etc.),
- (f) the right to stand for and vote at elections for political office, for Community citizens satisfying special conditions,
- (g) all the rights connected with the right to stand for and to vote at elections, and in particular the freedom of assembly and association,
- (h) equality with citizens of the Member State in which the Community citizen concerned resides as regards the assertion of rights and access to offices and posts in the professional, social and economic sphere, if necessary after a suitable period of residence,
- (i) the right to belong to a trade union of one's choice,
- (j) the right of residence for all Community citizens,
- (k) the right of Community citizens to use their mother tongue and to choose freely lawyers from any Member State for their defence in court actions,
- (l) the right of Community citizens to open educational establishments and to teach and study under the same conditions laid down in respect of nationals;

4. Instructs its President to forward this resolution and the report of its committee to the European Council, the Council and Commission of the European Communities and to the Parliaments of the Member States of the Community.

## RESOLUTION

on draft amending budget No 2 of the European Communities for the financial year 1977

*The European Parliament,*

- having regard to the preliminary draft supplementary budget No 1,
  - having regard to the draft amending budget No 2 drawn up by the Council (Doc. 333/77),
  - having regard to the report of the Committee on Budgets (Doc. 387/77),
  - aware that this draft budget, being introduced so late in the financial year, is a result of a twofold failure of Council to decide:
    - first, on the programmes of research submitted to it,
    - second, on the preliminary draft supplementary budget No 1,
  - aware of the complexities in the presentation of the research items of the general budget,
  - having regard to its consistent hostility to supplementary and amending budgets, except where necessary, urgent and unforeseen,
1. Renews its protest at the delays by Council which have threatened the continuity of the Community's research activities;
  2. Points out the unsatisfactory nature of the present procedure which concerns the adoption of a draft budget based on a preliminary supplementary draft, submitted six months earlier;
  3. Points to the need for an improvement in the presentation of the research chapters of the budget, in order to render them comprehensible;
  4. Instructs its Committee on Budgets to present proposals to it for the improvement of clarity in these chapters during the course of the 1979 budgetary procedure;
  5. Notes that the long delayed decision on the siting of the Joint European Torus has at last been reached, years after the proposal was launched by the Commission;

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6. Recalls that:

- (a) only the budget can constitute the authorization to commit expenditure,
- (b) because of the delayed decision on the siting of the Joint European Torus the draft submitted by the Council has not been able to take account of that decision;

7. Therefore, cannot agree to adopt an amending budget concerning research activities right at the end of the financial year, with the appropriations still not finalized and with appropriations still left in the provisional chapters of the budget; thus, if its budgetary rights are to be respected, leaving the way open for a further amending of the budget in the last days in the financial year, which would ridicule the principle of annuality for the budget;

8. Requests its President, during the conciliation procedure on the budget on 22 November 1977, to inform the Council that the European Parliament is in favour of the breakdown of appropriations for the JET project.



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting the annual report on the economic situation in the Community and laying down the economic policy guidelines for 1978

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 494 fin.),
  - having been consulted by the Council pursuant to Article 4 of the Council Decision of 18 February 1974 on the attainment of a high degree of convergence of the economic policies of the Member States of the European Community (Doc. 350/77),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 377/77),
1. Notes that the Commission's report indicates that, although there has been an improvement in the balance of payments situation, and a slackening of the rate of inflation, the current high level of unemployment may well increase;
  2. Appreciates that the need to curb inflation prevents an all-out concentration on rapid economic growth, but believes that the rate of growth will appreciably increase if Member States respond to the Commission's proposals to ensure close coordination of economic policies and fully respect the Commission's economic guidelines;
  3. Concurs with the Commission that measures to stimulate economic growth and measures to fight inflation should have priority in the short term over the balancing of national budgets and external accounts;
  4. Agrees that the changes deemed essential or desirable in the international division of labour can be carried out smoothly only in the context of greater economic growth of the right quality;
  5. Points out that the measures taken so far by the Community to promote employment have mainly taken the form of public aids and subsidies which have not proved very effective;
  6. Considers that the structural change for which the Commission calls will require a significant increase in investment and a developing Community industrial policy;
  7. Welcomes the news that the Commission has presented proposals for the next European Council designed to give new impetus to economic and monetary union by striving together to combat inflation and unemployment, achieving currency stability and reducing economic disparities between the different regions;

8. Supports the Commission's proposal for a new Community financing instrument for improving structures;
9. Stresses that the resolution of current economic problems will depend not only upon the willingness of Member States' Governments to take the necessary measures, but also upon the active participation of employers and employees in policies to stimulate growth, curb inflation and lower unemployment;
10. Regrets therefore that the Tripartite Conference this year was somewhat desultory and unfruitful, and calls on the Commission to do its best to ensure that next year's Conference is better prepared, is better publicized and plays a larger role in economic strategy;
11. Whilst recognizing that sustained economic growth is vital if unemployment is to be reduced, attaches particular importance to the implementation of a specific employment policy as for example by the extension of public investment; this policy should include the development of vocational training and re-training, the improvement of employment exchanges, an examination of the effectiveness of job creation measures, and especially for women and young people; an examination should also be made of measures to reduce working hours;
12. Supports the Commission's call for:
  - the coordination of national aid measures at Community level,
  - research into and application of new technology,
  - the provision of tax facilities and easier access to capital for small- and medium-sized firms,
  - measures to encourage the establishment of new firms, both public and private.

The Parliament awaits concrete proposals from the Commission in these fields;

13. Recalls the importance of the Council Decision of 18 February 1974 on the attainment of a high degree of convergence of the economic policies of the Member States and supports therefore the Commission's current proposals <sup>(1)</sup> to ensure a more satisfactory implementation of this Decision;
14. Instructs its President to forward this resolution to the Council and Commission and to the Governments and Parliaments of the Member States.

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<sup>(1)</sup> 'Improving coordination of the national economic policies'; Commission communication to the Council (COM(77) 443 fin.) of 5 October 1977.

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#### RESOLUTION

on the conclusions to be drawn from the Tripartite Conference of 27 June 1977

*The European Parliament,*

- having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 345/77),

1. Regrets that the 1977 Tripartite Conference not only failed to pursue the search for a constructive approach — in evidence at the 1976 conference — but, despite the fact that economic and social problems are becoming acute, displayed a general lack of vision;
2. Expresses its disappointment that a dialogue did not develop among the parties present and that the government representatives failed to make any clear statement on the topics considered, and regards the inability of the parties concerned to agree on a joint final communiqué simply as typical of the spirit in which the conference took place;
3. Fears that the failure of the parties in the discussion to hold a dialogue is due less to inability than to the governments' and social partners' unwillingness to coordinate at Community level their efforts to implement the radical structural measures needed to consolidate national economies;
4. Stresses the fact that the tendency to mask the divergent trend in the economic and therefore social structures of the Member States with general appeals for European solidarity, while simultaneously implementing nationally oriented programmes, may in the long term pose a threat to the democratic future of the European Community;
5. Urges, therefore, that the appeals repeatedly made over the years by the European Parliament and its ideas for combating the economic crisis should finally be embodied in a binding overall concept for the Community, defining the aims of economic, monetary and social policy and setting out the means required to attain these goals;
6. Considers it necessary to assign responsibility for the development of this concept to existing European institutions, primarily the Economic and Social Committee, the Standing Committee on Employment and joint working parties to be set up for specific sectors; this work should be closely linked with that of the Commission in order to guarantee a continuing dialogue;
7. Points once again to the paramount importance of a Community structural and regional policy at a time when development is leading to a shift in emphasis in the various economic sectors and regions and, to this end, calls for the formulation of a general investment plan, which should both fix priorities and stimulate investment particularly in threatened areas of the economy;
8. Recalls with deep concern the heavy burden of responsibility which mass unemployment, caused by economic change, places on all the Member States and calls for the adoption of special, rapidly effective measures to aid workers in particularly hard hit branches of the economy and the social groups particularly threatened by unemployment, e.g. young people and women;
9. Regards it as essential that appreciable increases should be made in the financial means required to make fresh progress towards long-term restructuring and that the existing European institutions should play a new, practical role in the general efforts to bring about economic stability and growth;
10. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

on the sixth report of the Commission of the European Communities on competition policy

*The European Parliament,*

- having regard to the sixth report of the Commission of the European Communities on competition policy (Doc. 70/77),
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 347/77),

1. Emphasizes the importance of competition policy as an essential factor in ensuring responsible price trends and the efficiency of the economy, particularly in the present economic situation, which is characterized by the need for structural changes, an increased requirement for competitiveness and the struggle against inflation;
2. Notes with satisfaction that the Commission has acted on several requests put forward by the European Parliament on the occasion of its last report;
3. Looks to the Commission to ensure that in scope and application, the competition policy in general covers all economic activities;
4. Notes the ruling of the European Court of Justice on 4 April 1974 that the rules of competition are applicable to air and sea transport and awaits the Commission proposals;
5. Appreciates the priority given by the Commission to the conduct of firms which, through mergers, specialization, technological advance or by any other means, acquire a dominant position, the abuse of which may prove prejudicial to the consumer;
6. Looks to the Commission to submit at an early date its proposal for a Regulation on a block exemption for patent licensing agreements in order to preclude any misunderstandings in the matter, and reiterates its request that this Regulation should contain precise guidelines to promote the economic use of new techniques within the Community <sup>(1)</sup>;
7. Expects the amendments now in course of preparation to Regulation No 67/67/EEC of 22 March 1967 on the application of Article 85 (3) of the EEC Treaty to certain categories of exclusive distribution agreements to take due account of complex situations, particularly with regard to highly specialized products, for which the adoption of an unduly restricted territorial definition of the market would have prejudicial effects;
8. Considers that a system of trademark law applicable throughout the territory of the Community would help to promote the free movement of goods and services covered by these trademarks, and consequently awaits fresh initiatives from the Commission to follow up the memorandum which it presented in August 1976;
9. Regrets once more that insufficient progress has been made to eliminate both technical and administrative barriers to trade, which distort the conditions of competition; recalls in this connection the European Parliament's repeated wish to see the adoption of a new procedure;
10. Reiterates its attachment to the idea of introducing a greater degree of clarity into financial relations between States and the public undertakings referred to in Article 90 of the EEC Treaty and expects the Commission to submit a proposal for a Directive to this end;

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<sup>(1)</sup> See Article 43 of the Convention for the European patent for the common market (OJ No L 17, 26. 1. 1976).

11. Expresses the wish that the Commission should resolutely pursue the steps which are still required for the complete abolition, in all Member States, of exclusive rights for the national monopolies of a commercial nature referred to in Article 37 of the EEC Treaty;
12. Notes that the Commission's first *exposé* of the main developments in national competition policies reveals fundamental differences in the nature and degree of the control exercised according to the legal systems in force in the different Member States; considers it necessary that the Commission should take action to ensure that these legal disparities have no prejudicial effects upon trade;
13. Expects the Commission to continue its work of scrutinizing and coordinating sectoral and regional aids and aids to the environment with the object of ensuring their compatibility with the goal of restructuring and the need for ensuring that our economy is competitive;
14. Deplores once more the fact that the Council has not yet adopted the Regulation on the control mergers between undertakings;
15. Asks the Commission to take an active part in applying the principles to be observed by enterprises in their international economic activity, as laid down in the declaration published by the OECD in June 1976 and in conformity with the report adopted by the European Parliament <sup>(1)</sup>, and to report to it on this subject; asks the Commission, in particular, to provide all necessary information on the present state of cooperation between the anti-trust authorities in the United States and the Commission departments responsible for competition policy;
16. Looks to the Commission to submit, as soon as possible, the outstanding proposals called for in Parliament's resolution of 12 December 1974 on multinational undertakings;
17. Welcomes the Commission's intention to review the specific problems facing small- and medium-sized firms, which make an important contribution to the dynamism of the economy and to innovation, and to establish a programme of measures for their support, in particular improved access to credits and to public contracts;
18. Encourages the Commission to pursue its disparity studies which, even in their present, non-definitive state, convey some very useful indications, in order to acquire a better knowledge of the way competition functions at the level of distribution; considers the price disparities already observed to be unacceptable to the consumer and a source of inflation, and consequently requests the Commission to take the necessary steps to combat the causes of these disparities, regardless of whether they may be attributed to the state of competition on the market;
19. Requests the Commission at an early date to report on the progress of its study of the application of competition rules within the financial sector;
20. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> Lange report (Doc. 547/76).

## RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the harmonization of provisions laid down by law, regulation or administrative action in respect of standard exchange of goods exported for repair**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 233/77),
- having regard to the report of the Committee on External Economic Relations (Doc. 343/77),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 182, 30. 7. 1977, p. 4.

## RESOLUTION

**embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the common policy in the field of science and technology**

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 229/77),

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<sup>(1)</sup> OJ No C 187, 5. 8. 1977, p. 3.

- having regard to its previous resolutions on the Community's policy relating to research and development and more particularly on:
    - a scientific and technical policy programme <sup>(1)</sup>,
    - the 'objectives, priorities and resources for the common research and development policy' <sup>(2)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 361/77),
1. Points to the need for the Community to have a common research and development policy in the field of science and technology;
  2. Emphasizes that a common policy can only be carried out effectively on the basis of clearly defined objectives which must constitute a coherent entity in conformity with the general aims of the Community;
  3. Emphasizes further that the objective of the research and development policy can only be realized through projects selected according to detailed criteria in conformity with the objectives of priority areas;
  4. Feels that the Commission's communication on the guidelines for the period 1977 to 1980 meets these fundamental requirements for a coherent policy in this field since the objectives, resources and priorities of research and development policy are clearly laid down and soundly based both on the Community's general aims and on the objectives of sectoral policies;
  5. Supports the Commission's view that, even though an actual common policy does not yet exist in a number of sectoral policy areas, major research and development projects relating to aspects of these policies and which pave the way for the creation of policies of this nature can meaningfully be carried out;
  6. Is of the opinion that the energy sector is vital to the development of our society and that this justifies the dominant position which it occupies in the Community's research policy;
  7. Realizes that the present economic situation narrows the scope for increasing the number and scale of projects within other areas of research, but nevertheless calls on the Commission in future proposals to give such areas the place which their importance warrants, not least research within the social policy sector;
  8. Welcomes the fact that the proposed guidelines are calculated in large measure to select a research and development policy which will ensure that implementation of each individual sectoral policy project incorporates as many aspects as possible of other areas of sectoral policy, thus also making provision for interdisciplinary research projects;
  9. Recalls the fact that the Community must command the necessary resources to implement the proposed policy, and urgently requests that declarations of intent and statements of objectives be reflected in the appropriate budgetary appropriations;
  10. Requests the Commission to amend Article 2, concerning budgetary implementing provisions, of the proposed research programme on forecasting and assessment, to bring its wording into line with that proposed by Parliament on 7 July 1977 for Article 95 (1) of the Financial Regulation;
  11. Notes with regret that previous attempts at cooperation and coordination in the field research and development policy, being the very cornerstone of and idea behind a common policy, have not yet been crowned with any substantial degree of success;

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<sup>(1)</sup> OJ No C 108, 10. 12. 1973, p. 58.

<sup>(2)</sup> OJ No C 125, 8. 6. 1976, p. 18.

12. Urges the Commission to apply all its endeavours to changing this state of affairs, but points out at the same time that Member States must abandon their pursuit of national interests, a practice that has been witnessed far too often;
13. Takes the view that the Commission, by reorganizing, rationalizing and improving the effectiveness of the decision-making processes in research and development policy, can make a not inconsiderable contribution to this policy;
14. Welcomes the fact that the Commission, despite the lack of a common industrial policy, intends to provide aid for projects of industrial interest, particularly those of small- and medium-sized high-technology undertakings with considerable innovation potential that can boost competitiveness and create jobs;
15. Expresses satisfaction with the proposal that has been put forward for a research programme on forecasting and assessment, this being an essential preliminary to the creation of an on-going common policy attended by minimum wastage of resources and to being able to shape the future through medium and long-term planning;
16. Requests that the Commission report annually to the European Parliament on the implementation of this research programme;
17. Endorses the Commission's communication and proposals subject to the above comments, and requests the Commission to make the following amendment to its proposal for a research programme on forecasting and assessment, pursuant to the second paragraph of Article 149 of the EEC Treaty, while stressing that the financial implications and staff requirements indicated in the financial record are merely indicative in respect of the financial year in question, until such time as examination of the budget has been completed, and that these figures in no way impose on the European Parliament any kind of obligation or limitation in the exercise of its budgetary powers.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision on a research programme on forecasting and assessment in the field  
of science and technology**

Preamble, recitals and Article 1 unchanged

*Article 2*

*Article 2*

*The upper limit for expenditure commitments and the maximum number of staff necessary for the execution of the programme is estimated to be 4.4 million units of account and 10 staff respectively, the unit of account being defined in Article 10 of the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities.*

Overall expenditure commitments and staff necessary for the execution of the programme are estimated to be 4.4 million units of account and 10 staff respectively, the unit of account being defined in accordance with the Financial Regulations in force. This assessment of expenditure and staff is indicative in nature and as such shall appear in the 'Remarks' part of the budget. Each year the budgetary authority shall enter the appropriations and staff necessary for the execution of this programme in the research and investment programme of the Community.

Articles 3 to 7 unchanged

<sup>(1)</sup> For complete text, see OJ No C 187, 5. 8. 1977, p. 3.



## RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision laying down a multiannual research and development programme in the field of primary raw materials (indirect action) (1978 to 1981)**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 222/77),
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 348/77),
  - having regard to its earlier resolutions on Community research and development policy, particularly on the need for a common policy on technology <sup>(2)</sup>,
  - having regard to its resolution on the Community's supplies of raw materials, particularly to paragraph 4 thereof <sup>(3)</sup>,
1. Draws attention to the need for using raw materials sparingly, particularly those that cannot be recycled;
  2. Welcomes the fact that the Commission has put forward a proposal to make better use of existing but as yet untapped raw materials in the Community;
  3. Agrees with the proposal that the research programme be carried out in the form of 'indirect action' and approves of the arrangements for meeting the expenditure involved and financing the contracts;
  4. Considers it advisable that the proposed advisory committees should have a hand in the preparatory work on decisions of budgetary administration, so that the appropriations can be allocated with maximum efficiency;
  5. Approves of the 'flexibility and decentralization' which the Commission has stipulated as the principle governing the management of the research and development programme;
  6. Approves and supports unreservedly all measures taken under the programme to establish useful contacts in the interest of both sides between the Community Member States and third countries, particularly developing countries;
  7. Calls on the various Member States to join in an unselfish Community spirit of cooperation in order to make the Commission's action more effective and to prevent resources and energy being dispersed on competing and conflicting projects;
  8. Considers it essential that this programme should get under way by the beginning of 1978, as in the present economic situation it is essential to increase the Community's rate of self-supply of raw materials;
  9. Requests the Council therefore to adopt the proposed programme in accordance with Parliament's wishes as speedily as possible and to enter the appropriations required for it in the draft budget instead of a token entry;

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<sup>(1)</sup> OJ No C 209, 1. 9. 1977, p. 9.

<sup>(2)</sup> OJ No C 108, 10. 12. 1973, p. 60.

<sup>(3)</sup> OJ No C 118, 16. 5. 1977, p. 26.

10. Considers that the sum of 23 million European units of account entered in the budget will be barely adequate to carry out the programme and must not therefore be pruned in any way;
11. Feels, in view of the importance of the proposal, that when the programme is reviewed after three years as planned, the findings should be communicated to the Council and to Parliament, but that also when the programme has been completed a report should be made to both institutions on the results obtained and the monies spent in the process;
12. Invites the Commission to submit further proposals for programmes with the same type of objective and designed to obtain other raw materials;
13. Requests the Commission to make the following amendments to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty;
14. Approves the Commission's proposal subject to the reservations outlined above and strongly emphasizes that the data set out in the financial record sheet can be no more than indicative for the financial year in question pending completion of the budgetary procedures and cannot in any way impose obligations or limitations on the European Parliament in the exercise of its budgetary powers.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision laying down a multiannual research and development programme in the field of primary raw materials (indirect action) (1978 to 1981)**

Preamble, recitals and Article 1 unchanged

*Article 2*

*The upper limit for expenditure commitments and for staff necessary for the implementation of this programme is estimated to be 23 million units of account and 11 staff for the duration of the programme. The unit of account is defined according to Financial Regulations in force.*

*Article 2*

**The total amount of expenditure commitments necessary for the implementation of this programme is estimated to be 23 million units of account. The unit of account is defined according to Financial Regulations in force. The number of staff required is estimated to be 11. This total amount and estimate of staff are indicative and shown as such in the remarks column of the budget.**

Article 3 unchanged

*Article 4*

The programme will be submitted to review during its third year for possible revision following established procedures, and taking into account the opinion of the Advisory Committee for Programme Management.

*Article 4*

**The programme will be submitted to review during its third year for possible revision following established procedures, and taking into account the opinion of the Advisory Committee for Programme Management. The Council and Parliament shall be informed of this revision.**

<sup>(1)</sup> For complete text, see OJ No C 209, 1. 9. 1977, p. 9.

In addition, the Commission shall, within the framework of its annual report, submit a report to the Council, and Parliament on the implementation of the programme.

*Article 4a*

When the programme has been completed, a report shall be made to the Council and to Parliament on the results obtained and the monies spent in the process, even if there is no intention of carrying out any further programme in this sector.

Article 5 unchanged

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## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Decision adopting a concerted action in the field of registration of congenital abnormalities
- II. a Decision adopting a concerted action in the field of cellular ageing and decreased functional capacity of organs
- III. a Decision adopting a concerted action in the field of extracorporeal oxygenation

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 230/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Budgets (Doc. 349/77),
1. Draws attention to the need for Community coordination of research in the field of medicine and public health;
  2. Expresses its approval, therefore, of the objectives and scope of the proposal which is intended to promote the prevention of human handicaps;
  3. Expects the Commission, in accordance with the traditionally universal nature of medical knowledge, to continue to promote such research at European level and to ensure that it is coordinated and, where possible, integrated with similar research being carried out in other parts of the world; also calls on the Commission to take appropriate measures as soon as possible in the field of dentistry and above all in that of periodontology;
  4. Requests the Commission to make the following amendments to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 208, 31. 8. 1977, p. 2.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### I.

**Council Decision adopting a concerted action in the field of registration of congenital abnormalities**

Preamble, recitals and Articles 1 to 4 unchanged

*Article 5*

*Article 5*

(a) unchanged

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<sup>(1)</sup> For complete text, see OJ No C 208, 31. 8. 1977, p. 2.

(b) The Commission shall prepare yearly progress reports, on the basis of the information supplied, and shall forward them to the Member States.

(b) The Commission shall prepare yearly progress reports, on the basis of the information supplied, and shall forward them to the Member States and to the European Parliament.

(c) unchanged

Articles 6 and 7 unchanged

Annexes A and B unchanged

II.

**Council Decision adopting a concerted action in the field of cellular ageing and decreased functional capacity of organs**

Preamble, recitals and Articles 1 to 4 unchanged

*Article 5*

*Article 5*

(a) unchanged

(b) The Commission shall prepare yearly progress reports on the basis of the information supplied, and shall forward them to the Member States.

(b) The Commission shall prepare yearly progress reports, on the basis of the information supplied, and shall forward them to the Member States and to the European Parliament.

(c) unchanged

Articles 6 and 7 unchanged

Annexes A and B unchanged

<sup>(1)</sup> For complete text, see OJ No C 208, 31. 8. 1977, p. 2.

III.

Council Decision adopting a concerted action in the field of extracorporeal oxygenation

Preamble, recitals and Articles 1 to 4 unchanged

Article 5

Article 5

(a) unchanged

(b) The Commission shall prepare yearly progress reports on the basis of the information supplied, and shall forward them to the Member States.

(b) The Commission shall prepare yearly progress reports, on the basis of the information supplied, and shall forward them to the Member States **and to the European Parliament.**

(c) unchanged

Articles 6 and 7 unchanged

Annexes A and B unchanged

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<sup>(1)</sup> For complete text, see OJ No C 208, 31. 8. 1977, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation on the granting of financial aids to demonstration projects in the field of energy saving
- II. a Regulation on the granting of financial support for projects to exploit alternative energy sources

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 158/77),
  - having regard to its previous resolutions, particularly those
    - on the objectives of the Community energy policy <sup>(2)</sup>,
    - on the need for and possible features of a Community policy to promote the production of gas from coal <sup>(3)</sup>,
    - on the possibilities and limits of a Community policy to promote the liquefaction of coal for the purpose of manufacturing synthetic fuels <sup>(4)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 362/77),
1. Acknowledges that the Community is in a difficult and vulnerable energy supply situation, to remedy which effective and energetic measures must be taken;
  2. Recalls that one of the most important energy policy objectives is to promote the exploitation of the Community's internal sources of energy, primarily coal, and to encourage energy saving;
  3. Stresses that energy saving and greater use of own energy resources are among the factors of supply and demand on the energy market that the Community itself can influence;
  4. Welcomes therefore the Commission's proposals on aids for demonstration projects in energy saving techniques and for projects to exploit alternative energy sources, geothermal energy and coal gasification and liquefaction, the importance of which has often been stressed;
  5. Draws attention to the fact that the measures proposed merely supplement existing energy policy measures and stresses that further action must continue to be taken on all aspects of the energy policy;
  6. Emphasizes the fact that projects must be selected and assessed only after thorough analysis, since implementation of the Regulations proposed is subject to major factors of uncertainty in the technological and economic spheres;
  7. Emphasizes that all selection and management of projects must be effected in close cooperation with the Member States and that the projects must be related to national and Community research and development programmes and other plans;

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<sup>(1)</sup> OJ No C 138, 11. 6. 1977, p. 5.

<sup>(2)</sup> OJ No C 259, 4. 11. 1976, p. 45.

<sup>(3)</sup> OJ No C 155, 9. 12. 1974, p. 71.

<sup>(4)</sup> OJ No C 100, 3. 5. 1976, p. 6.

8. Stresses that, even if good results are obtained from the demonstration projects in the field of alternative energy sources, their contribution to energy supplies must be regarded as marginal in the short term, i.e. up until 1990; in the medium and long term; however, i.e. from the year 2000 onwards, increasing importance will need to be attached to this contribution;
9. Proposes, in view of the long lead times (10 to 15 years) of projects for coal gasification and liquefaction as also their cost, that the programme be assessed and, if necessary, revised after seven years, and that the European Parliament should deliver its opinion on that revision;
10. Regards the proposed budgetary appropriations as necessary and reasonable, and welcomes the provision that aid shall be repaid in part in the event of commercial success;
11. Emphasizes that among the various energy saving measures, the adoption of a combined system of heat and power production should be especially encouraged in all cases where this is technically possible, by means in particular of demonstration projects;
12. Welcomes the fact that the Commission has incorporated in its proposals many of the proposals often put forward by the European Parliament;
13. Endorses the Commission's proposals as indicated above provided the Commission incorporates the following amendment in its proposal in accordance with the second paragraph of Article 149 of the EEC Treaty, although it stresses that the financial implications and staffing requirements indicated in the financial summary are presented merely as a guide for the financial year in question until examination of the budget has been completed and that they in no way bind or restrict the European Parliament in the exercise of its budgetary powers.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

## II.

### Council Regulation on the granting of financial support for projects to exploit alternative energy sources

Preamble, recitals and Articles 1 to 7 unchanged

#### *Article 8*

The Commission shall report periodically on the application of this Regulation to the European Parliament and to the Council, which shall both express an opinion on the report.

#### *Article 8*

The Commission shall report periodically on the applications of this Regulation to the European Parliament and to the Council, which shall both express an opinion on the report.

**The application of the Regulation on aid for coal gasification and liquefaction projects shall be subject to**

<sup>(1)</sup> For complete text, see OJ No C 138, 11. 6. 1977, p. 5.



review at the end of the seventh year so that any changes to the implementing provisions thereby found necessary may be effected. The Commission shall report on its review to the European Parliament, which shall deliver an opinion on the report.

Article 9 unchanged

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a concerted research action on the growth of large urban concentrations**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 247/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Budgets (Doc. 351/77),
1. Approves the Commission's proposal;
  2. Calls on the Commission to report back to the European Parliament on the progress made in the various studies provided for in the programme.

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<sup>(1)</sup> OJ No C 199, 20. 8. 1977, p. 4.

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## RESOLUTION

### on simplification of customs procedures, customs legislation and institutional methods for dealing with customs matters

*The European Parliament,*

- having regard to the fact that free trade between the three new and six old Member States and between the Community and the countries with which free trade agreements have been concluded has been a reality as from 1 July 1977,
  - having regard to the political, economic and psychological importance of all measures aimed at improving the functioning of the customs union,
  - having regard to its resolutions of 7 July 1975 <sup>(1)</sup> and of 19 April 1977 <sup>(2)</sup>,
  - having regard to the motion for a resolution tabled pursuant to Rule 25 of the Rules of Procedure on simplification of customs procedures, customs legislation and institutional methods for dealing with customs matters (Doc. 356/76),
  - having regard to the interim report of the Committee on Economic and Monetary Affairs (Doc. 376/77),
1. Welcomes the Commission's decision to hold a colloquy in December with the aim of drawing the attention of the public and of national authorities to the progress that has been achieved and to the shortcomings that still exist as regards the implementation of the customs union;
  2. Supports in every respect the Commission's efforts to bring about the harmonization and simplification of the rules and procedures governing imports and exports;
  3. Reiterates its urgent appeal to the Member States to do their utmost to support the efforts of the European authorities towards harmonization in the field of customs legislation;
  4. Instructs its President to forward this resolution to the Council and Commission and to the Governments and Parliaments of the Member States.

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<sup>(1)</sup> OJ No C 179, 6. 8. 1975, p. 7.

<sup>(2)</sup> OJ No C 118, 16. 5. 1977, p. 30.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulations (EEC) No 2052/69, (EEC) No 1703/72 and (EEC) No 2681/74 on the Community financing of expenditure resulting from the supply of agricultural products as food aid
- II. a Decision amending the Decision of 3 August 1972 (72/335/EEC) on the Community financing of certain expenditure arising from the implementation of the Food Aid Convention of 1971

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 237/77 and Doc. 288/77),
  - having regard to the report of the Committee on Budgets and the opinions of the Committee on Development and Cooperation (Doc. 382/77),
1. Reaffirms its firm commitment to a Community food aid policy that is coherent and independent of the policy for supporting the agricultural markets;
  2. Feels that such a policy is not possible unless the Community has an adequate budgetary structure and instruments;
  3. Approves the Commission's initiative to propose in the preliminary draft budget for 1978 a grouping of the appropriations for food aid under Title 9 of the budget;
  4. Feels, nonetheless, that, for reasons of budgetary transparency, the appropriations for refunds must be itemized in the columns reserved for appropriations.

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<sup>(1)</sup> OJ No C 228, 24. 9. 1977, pp. 3 and 5.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 283/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Budgets (Doc. 380/77),

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<sup>(1)</sup> OJ No C 220, 15. 9. 1977, p. 3.

1. Deplores the fact that on two previous occasions <sup>(1)</sup> the Council has taken no account at all of the proposal submitted by the Commission in 1975 <sup>(2)</sup>, which provided for the Community quota to be doubled and which Parliament had approved <sup>(3)</sup>;
2. Cannot understand the attitude of the Council which completely disregards its opinion in the matter;
3. Welcomes the fact that the Commission again proposes that the number of Community transport authorizations should be doubled to meet the substantial demand for transport resulting from the increase in intra-Community trade;
4. Considers that increasing the Community quota in this way is a step towards the final stage of free competition in the carriage of goods by road between the Member States;
5. Urges the Commission nevertheless to keep a very careful check on the use made of Community transport authorizations and on the trend in supply and demand on the transport market;
6. Agrees with the proposed simplification of the record sheets for transport operations effected under the system of Community authorizations;
7. Approves the Commission's proposal.

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<sup>(1)</sup> OJ No L 329, 23. 12. 1975, p. 9, and OJ No L 357, 29. 12. 1976, p. 1.

<sup>(2)</sup> OJ No C 1, 5. 1. 1976, p. 28.

<sup>(3)</sup> OJ No C 280, 8. 12. 1975, p. 47.

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#### RESOLUTION

on the request for the unfreezing of appropriations entered in Article 930 of Section III 'Commission' of the general budget of the European Communities for 1977

*The European Parliament,*

- having regard to its amendment to Article 930 of Section III of the general budget of the European Communities for the 1977 financial year,
- having regard to the budget of the European Communities for the 1977 financial year and in particular to Article 930 of Section III 'Commission',
- having regard to its resolution of 18 June 1976 concerning a procedure for the unfreezing of appropriations <sup>(1)</sup>,
- having regard to the report of its Committee on Budgets <sup>(2)</sup> providing further dispositions for the unfreezing of appropriations,
- having regard to the Commission's request for the unfreezing of these appropriations,
- having regard to the report of its Committee on Budgets (Doc. 388/77),

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<sup>(1)</sup> OJ No C 159, 12. 7. 1976, p. 38.

<sup>(2)</sup> OJ No C 238, 11. 10. 1976, p. 19.

1. Expresses its dismay at the failure of Council to arrive at a decision on the general Regulation concerning financial and technical aid in favour of non-associated developing countries, which was submitted to it in March 1977;
2. Approves the Commission's initiative in, nonetheless, seeking this unfreezing of appropriations as a matter of urgency before the financial year comes to an end;
3. Reiterates its belief that an important contribution from the Community in terms of aid to the non-associated countries should be considered as a priority;
4. Authorizes the unfreezing of 45 million units of account in payments for the financing of Community financial and technical aid for non-associated developing countries;
5. Considers that such an authorization represents an instruction to the Commission to proceed to commit appropriations for projects before the end of 1977 on the basis of the proposals submitted, without awaiting any further action by Council;
6. Calls upon the Commission to submit to it a report before its December part-session on the progress made in committing expenditure under this article and any problems arising;
7. Instructs its President to forward this resolution to the Council and Commission.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the draft Council Regulation concerning the conclusion of the Additional Protocol to the Agreement establishing an association between the European Economic Community and Malta**

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(77) 386/fin.),
  - having been consulted by the Council pursuant to Article 238 of the Treaty establishing the EEC (Doc. 359/77),
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee, the Committee on Budgets and the Committee on Agriculture (Doc. 378/77),
1. Welcomes the negotiations between the Community and Malta for the conclusion of an Additional Protocol to the EEC-Malta Association Agreement which were completed in Brussels on 29 June 1977;
  2. Approves the draft Regulation concerning the conclusion of an Additional Protocol;
  3. Stresses the importance of the content of the Additional Protocol which will enable the Community to make a useful contribution to the economic and social advancement of the people of Malta;
  4. Considers that the deepening and strengthening of economic and trade links between the European Community and Malta may help to strengthen further the political ties between the two parties;

- 
5. Regrets that the clause contained in the Annex to the EEC-Malta Association Agreement which provides for parliamentary contacts with the Republic of Malta has not been implemented;
  6. Instructs its President to forward this resolution and the report of its committee of the Council and Commission and to the Government and Parliament of the Republic of Malta.

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#### RESOLUTION

##### on the abuse of psychiatric medicine in the Soviet Union

*The European Parliament,*

- having regard to the condemnation of the USSR authorities' practice of subjecting political prisoners to psychiatric treatment, which was adopted on 1 September 1977 by a majority at the World Psychiatric Congress in Hawaii,
  - having regard to the report of the Political Affairs Committee (Doc. 373/77),
1. Condemns unequivocally all kinds of psychiatric treatment of political prisoners wherever it may occur and whenever it is designed to suppress the basic democratic freedom of political opinions and activities;
  2. Invites the Governments of the Nine meeting in political cooperation to consider how this condemnation can most effectively be put forward at the present Belgrade follow-up conference;
  3. Instructs its President to forward this resolution to the Governments of the Member States, and to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation opening, allocating and providing for the administration of a Community tariff quota for prepared or preserved sardines falling within subheading 16.04 D of the Common Customs Tariff and originating in Morocco (1978)
- II. a Regulation opening, allocating and providing for the administration of a Community tariff quota for prepared or preserved sardines falling within subheading 16.04 D of the Common Customs Tariff and originating in Tunisia (1978)

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 306/77),

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<sup>(1)</sup> OJ No C 232, 29. 9. 1977, p. 3.

- having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Agriculture and the Committee on Development and Cooperation (Doc. 358/77),

Approves the Commission's proposals.

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#### RESOLUTION

embodying the opinion of the European Parliament on a proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,  
— having been consulted by the Council pursuant to Articles 43 and 113 of the EEC Treaty (Doc. 271/77),  
— having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 353/77),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 216, 9. 9. 1977, p. 12.

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural and forestry tractors

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,  
— having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 234/77),

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<sup>(1)</sup> OJ No C 229, 26. 9. 1977, p. 16.

- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinions of the Legal Affairs Committee, the Committee on Economic and Monetary Affairs and the Committee on the Environment, Public Health and Consumer Protection (Doc. 356/77),
  - noting the emphasis which the Commission has placed on the importance of the proposed Directive as a means towards ensuring the protection of the tractor driver whether he is driving the tractor on the road or operating it on the land,
  - recalling that it has consistently stressed the need to introduce a minimum of compulsory harmonization at Community level, rather than optional harmonization where questions of safety or health arise,
1. Considers that the optional system provided for in the proposed directive should be applicable for a limited period only and that unified Community legislation for all the Member States should be enacted at a later stage,
  2. Requests the Commission to make the following amendment to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive on the approximation of the laws of the Member States relating to  
the driver's seat on wheeled agricultural and forestry tractors**

Preamble, recitals and Articles 1 to 10 unchanged

*Article 11*

1. Member States shall bring into force the provisions necessary in order to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.

2. Once this Directive has been notified Member States shall also ensure that the Commission is informed, in sufficient time for it to submit its comments, of any draft laws, regulations or administrative provisions which they propose to adopt in the field covered by this Directive.

*Article 11*

1. unchanged

2. unchanged

3. The Commission shall subsequently submit to the Council a further proposal for the adoption of a single Community system for all the Member States.

Article 12 and Annexes unchanged

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(1) For complete text, see OJ No C 229, 26. 9. 1977, p. 16.



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the application of a Decision of the ACP-EEC Council of Ministers on the arrangements applicable to the staff of the Centre for Industrial Development as regards taxation, social security and jurisdiction

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 152/77),
- having regard to the report of the Committee on Budgets and the opinion of the Committee on Development and Cooperation (Doc. 321/77),
- having regard to the decisions of Articles 36 and 37 of the Lomé Convention setting up the Centre for Industrial Development,
- having regard to the Decisions of the ACP-EEC Council <sup>(2)</sup>,
- aware that the centre would employ a limited number of individuals for a limited period, who would not be officials of the European Community,

1. Opposes the proliferation of decentralized bodies, undertaking Community activities, which are not accountable to the institutions that comprise the budgetary authority, and intends during the budgetary procedure, to exercise its authority to bring the existing decentralized bodies under control, on the basis of full disclosure of their estimates and establishment plans;
2. Points out that it was not consulted on the setting up of the Centre for Industrial Development, nor on its statute laying down the conditions of employment of its staff, nor on its Financial Regulation;
3. Requests the Commission to forward the estimates and economic plans of the Centre for Industrial Development to its Committee on Budgets;
4. Approves the arrangements as regards social security provisions for the staff of the centre, as well as the proposals for the disputes and grievance procedure;
5. Rejects paragraph 2 of Article 2 of the Decision of the ACP-EEC Council which provides that the proceeds of the tax on the staff of the centre should be entered as revenue in the centre's own budget, and considers that the amounts concerned should be credited to the European Development Fund;
6. In view of the commitment of the institutions to budgetize the European Development Fund in its entirety, proposes that the Regulation apply on a provisional basis and only until the expiry of the present Lomé Convention;
7. Therefore requests the Commission to make the following amendment to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 134, 7. 6. 1977, p. 2.

<sup>(2)</sup> Decision No 2, 14. 7. 1976.

**Council Regulation on the application of a Decision of the ACP-EEC Council of Ministers on the arrangements applicable to the staff of the Centre for Industrial Development as regards taxation, social security and jurisdiction**

Preamble and recitals unchanged

*Article 1*

Decision No .../77 of the ACP-EEC Council of Ministers, annexed to this Regulation, shall apply within the Community.

*Article 1*

Decision No .../77 of the ACP-EEC Council of Ministers, annexed to this Regulation, shall apply within the Community, until the expiration of the present Lomé Convention.

Article 2 unchanged

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<sup>(1)</sup> For complete text, see OJ No C 134, 7. 6. 1977, p. 2.

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## RESOLUTION

embodying the opinion of the European Parliament on the second report from the Commission of the European Communities to the Council on the achievement of Community energy policy objectives for 1985, together with a draft Council resolution

*The European Parliament,*

- having regard to the report from the Commission of the European Communities to the Council and draft Council resolution (COM(77) 395 final),
  - having been consulted by the Council (Doc. 248/77),
  - having regard to its previous resolution on the proposal from the Commission of the European Communities to the Council for a resolution on the objectives of a common energy policy <sup>(1)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Economic and Monetary Affairs (Doc. 433/77),
1. Is appreciative of the Commission's efforts to adapt, in the light of recent developments, the means by which the energy objectives for 1985 can be attained;

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<sup>(1)</sup> OJ No C 76, 7. 4. 1975, p. 30.

2. Emphasises the importance of
  - restricting the Community's dependence on imported sources of energy to not more than 50 % by 1985
  - diversifying the sources and nature of energy imports
  - reducing the proportion of imported oil consumed in the Community;
3. Believes that the Commission's proposals can be put into effect only if the Community's own action *vis-à-vis* the Member States becomes more incisive and effective as regards the more rational use of energy, the use of solid fuels, the development of nuclear energy and research into development of alternative energy sources;
4. Is acutely aware that, without an adequate nuclear sector, the Community would face a serious shortfall in energy supplies which would have severe repercussions on the Community's economic well-being;
5. Draws attention to the difficulties that could face the Community's nuclear industry in the 1980's unless secure supplies of nuclear fuels can be ensured;
6. Believes that every effort must be made by the Community to ensure the safety of nuclear installations and to inform public opinion on this issue;
7. Urges the Commission, in consultation with the International Energy Agency and/or the Organization for Economic Cooperation and Development to establish objectives for 1990 and provisional projections for 2000;
8. Believes that natural gas should not be used as a substitute for oil for electricity generation;
9. (a) is convinced of the importance of coal as the Community's largest indigenous source of energy,
  - (b) considers that fuller use should be made of coal for electricity production,
  - (c) believes that if installed nuclear capacity fails, despite the Commission's efforts, to reach the figures estimated for 1985, then solid fuels should be used, as far as is possible, to compensate for the delay in nuclear programmes,
  - (d) requests the Commission and the Council to give practical encouragement to the production and consumption of Community coal, while not excluding coal imported from third countries,
  - (e) calls on the Commission to develop a policy for coal imports consistent with both the requirements of Community coal consumers and the interests of Community coal producers;
10. Deplores the tendency, on the part of the Governments of the Member States, to reduce investment in energy, and most noticeably in nuclear energy, for the period up to 1985;
11. Asks the Commission to consider, in conjunction with Community financial institutions, the financial means by which new and initially unprofitable sources of energy can be developed and operated;
12. Calls for the creation of a full common market in energy, and for unrestricted intra-Community trade in energy sources, including the removal of technical barriers to trade;
13. Approves the Commission's proposals, subject to these observations.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a programme of research and development for the European Atomic Energy Community on uranium exploration and uranium extraction (indirect action) (1978-1980)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 253/77),
  - having regard to the report by the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 409/77),
  - recalling the Council resolution of 14 January 1974 <sup>(2)</sup> which, in the framework of a science and technology programme, drew attention to the need to support research and development by means *inter alia* of indirect action;
  - in the light of its previous resolutions, which stressed the need to provide the Community with a research and development policy, and in particular Mr Flämig's report (Doc. 219/73),
1. Recognizes the need for a research and development programme to complement the uranium prospection activities in the Community provided for under Article 70 of the EAEC Treaty;
  2. Confirms the need for the Community countries to make use of nuclear energy to meet future electricity generation requirements notwithstanding the existence of an energy saving policy and the utilization of all available energy resources;
  3. Agrees with the analysis of the present situation and the medium-term prospects regarding the availability of uranium while noting the recent difficulties raised by the present supplier countries in delivering uranium for European reactors already in operation;
  4. Shares the opinion that the price trend for uranium completely justifies possible new research and development objectives both inside and outside the Community;
  5. Stresses the need for effective coordination at Community level of research and development projects with a view to avoiding wasteful duplication of effort;

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<sup>(1)</sup> OJ No C 226, 22. 9. 1977, p. 3.

<sup>(2)</sup> OJ No C 7, 29. 1. 1974, p. 2.

6. Draws attention, moreover, to the usefulness of the proposal to provide financial aid, as an incentive to industry, in the form of cost-sharing contracts, under which the Commission would make available part of the necessary funds for carrying out research and development projects in the context of a jointly coordinated and managed programme;

7. Believes, however, that a far greater commitment and practical effort will have to be made than indicated in the Commission's document as regards research into the extraction of uranium from sea-water, which, as a source, is more readily available and less subject to uncertainty;

8. Approves the Commission's proposal and calls upon the Council to adopt the programme as soon as possible so that it can get under way in 1978; stresses, however, that until examination of the budget has been completed, the financial implications set out in the financial statement can be no more than indicative and that they in no way bind the European Parliament or restrict the latter in the exercise of its budgetary powers.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables and Regulation (EEC) No 2601/69 laying down special measures to encourage the processing of certain varieties of oranges

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 389/77),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 410/77),

1. Approves the Commission's proposal;
2. Invites the Commission to extend the Community aid provided for citrus fruit to bergamot oranges and citrons.

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<sup>(1)</sup> OJ No C 274, 15. 11. 1977, p. 2.

## RESOLUTION

### on the conciliation regarding the Financial Regulation of the Communities

*The European Parliament,*

- having regard to its resolution of 14 December 1976 <sup>(1)</sup>,
- having regard to the common position of the Council on the proposed amendments to the Financial Regulation,
- having regard to the reports of the Committee on Budgets (Doc. 305/75, Doc. 296/76, Doc. 469/76 and Doc. 168/77),
- having regard to the special nature of the inter-institutional dialogue in the framework of the Conciliation Committee,
- having regard to the outcome of the conciliation procedure as described in the report of the Committee on Budgets (Doc. 434/77),
- having regard to paragraph 7 of the joint declaration of the European Parliament, the Council and the Commission of 4 March 1975 <sup>(2)</sup>,
- regarding the Financial Regulation as being of fundamental importance to the efficient management of Community finances, the implementing of the budget and the presenting and auditing of accounts,
- taking note of the changes brought about by the Treaty of 22 July 1975, which came into force on 1 June 1977,
- appreciating that great urgency attaches to the early completion of the revision of the Financial Regulation,
- recalling, in particular, that, in its resolution of 26 October 1977 <sup>(3)</sup> on the draft budget of the Communities for 1978, it drew attention, once again, to the need for bringing the revised Financial Regulation into force in time for the financial year immediately ahead,
- considering that special importance attaches to the provisions relating to the annual nature of the budget nomenclature, commitment appropriations, transfers, and carry forwards,
- accepting that certain matters concerning the differences of inter-institutional views on implementing the budget (including borrowing and lending operations), control aspects and research and investment provisions will need to be gone into again in the future by the Conciliation Committee,
- noting that the conciliation (meetings of 7 and 22 November 1977 and 7 December 1977) was successful in that it resulted in the widely differing views of the Council and Parliament being brought sufficiently close to enable definitive action to be taken on the Financial Regulation,
- believing that the experience of this initial conciliation augurs well for the future of this forum as an instrument for resolving political differences between the Council and Parliament,

1. Appreciates the constructive spirit in which the conciliation was carried out;
2. Considers that the attitude of the participating institutions was firmly inspired by the ideal of respect for the budgetary provisions of the Treaties which bind all the institutions of the European Communities;

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<sup>(1)</sup> OJ No C 6, 10. 1. 1977, p. 18.

<sup>(2)</sup> OJ No C 89, 22. 4. 1975, p. 1.

<sup>(3)</sup> OJ No C 280, 21. 11. 1977, p. 24.

3. Gives its approval to the conclusions of the Conciliation Committee relating to the following matters already set out in its resolution of 14 December 1976:

- (a) modifying the budgetary nomenclature during the budgetary procedure,
- (b) determining commitment appropriations within the budgetary procedure,
- (c) granting to Parliament the same rights and responsibilities in connection with transfers as it has in connection with the original budget entries,
- (d) allowing carry forwards for one year, on the budgetary line,
- (e) approving Parliament's amendments, regarding the conveying of information, to Articles 11 and 12 of the Financial Regulation;

4. Notes that, in accordance with the provisions applicable and the respective spheres of competence of the various institutions, the remarks may include conditions governing the execution of the expenditure as authorized by the heading of the article or item in question;

5. Approves the agreement of the principle that, while respecting the rights of the Commission in regard to the implementing of the budget, there should be a possibility for the Commission to refer — before final decisions are taken — to the European Parliament, for its opinion, instances where measures under consideration were of a nature which would probably result in the appropriations under a particular chapter of the EAGGF Guarantee being exceeded substantially;

6. Agrees with reservations to the Council's wishes to reflect this procedure in the minutes of the Conciliation Committee meeting rather than by way of amendment to the Financial Regulation;

7. Calls, with the Council, on the Commission to examine, as a matter of urgency, the complex provisions in the part of the Financial Regulation devoted to research and investment appropriations with a view to finding solutions to the difficulties that arose in the context of the examination of the draft budget for 1978;

8. Calls, with the Council, on the Court of Auditors to furnish an opinion on the Financial Regulation in accordance with Article 18 of the Treaty of 22 July 1975 and undertakes to revise the Financial Regulation, if necessary, in the light of this opinion;

9. Stresses that it is essential, in due course, to provide for the full budgetizing of borrowing and lending operations;

10. Expects that the borrowing aspect will be gone into further in future conciliation on the problems related to the implementing of the budget;

11. Considers that respect for the provisions of the Treaties imposes a distinction between payment appropriations and commitment appropriations and that this separation should be maintained throughout the duration of the budgetary procedure;

12. Agrees that the provisions of Article 203 of the EEC Treaty would apply separately to appropriations for commitment and appropriations for payment;

13. Appreciates, nevertheless, that the effects of the new concept of commitment appropriations cannot yet be completely foreseen, so that the position may require further review in the future;

14. Notes the decision of the Conciliation Committee agreeing to the inclusion of the following entry in the minutes of its meeting of 7 December 1977:

'Without prejudice to the powers of the Court of Auditors, the institutions of the European Communities shall supply the Parliament and the Council with all the information necessary for the exercise of their powers of control over the general budget of the European Communities as provided for under Articles 206a and 206b of the EEC Treaty'

and recognizes the binding nature of this declaration.



15. Agrees with the Council to carry fully into the text of the revised Financial Regulation the principles agreed to in the Conciliation Committee meetings of 7 and 22 November 1977 and 7 December 1977 and set out in this resolution;

16. Stresses, once again, that great importance attaches to a careful standardizing of the texts of the revised Financial Regulation in all the official Community languages;

17. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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## RESOLUTION

on the joint position adopted by the Council on:

- I. a Regulation (EEC, Euratom, ECSC) implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources
- II. an amended proposal for a Regulation implementing, in respect of the own resources from VAT, the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources

*The European Parliament,*

- having regard to the Commission's amended proposals (Doc. 274/77),
  - having regard to its resolution of 14 October 1977 on these proposals <sup>(1)</sup>,
  - having regard to the joint position adopted by the Council on these proposals on 21 November 1977 (Doc. 432/77),
  - having regard to the report of the Committee on Budgets (Doc. 445/77),
  - whereas, despite the Council's favourable response to certain proposals made by Parliament, several of the provisions contained in the joint guidelines and nevertheless inadequate,
  - whereas, moreover, it is absolutely essential for the Regulations establishing the system of own resources and thus giving the Communities complete financial autonomy to be adopted by 1 January 1978,
1. Declines, for the time being, to initiate the procedure for conciliation with the Council in respect of the Regulations under consideration;
  2. Nevertheless considers certain provisions to be inadequate, namely those relating to:
    - Article 12 (1) of the new Regulation 2/71: the Commission must have automatic drawing rights in respect of the own resources made over to it by the national exchequers, as otherwise the Communities would have no real financial autonomy,
    - Article 1, second paragraph of the VAT Regulation: the rate of VAT should be modified during the course of a financial year (as a result of a supplementary budget) only in cases of *force majeure*;
  3. Notes that the Commission considers the joint position adopted by the Council to be an acceptable basis — at least for the time being — for the implementation of the system of own resources;
  4. Considers it essential for the Commission to submit a report on the implementation of the Regulations concerned after one year's experience and, if necessary, to draw up new proposals which could be used in the procedure for conciliation between the Council and Parliament;
  5. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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<sup>(1)</sup> OJ No C 266, 7. 11. 1977, p. 50.

## RESOLUTION

**on the report of the European Coal and Steel Community Auditor for the financial year 1976 and the discharge to be given to the Commission of the European Communities in respect of the financial and budgetary activities of the ECSC in that financial year**

*The European Parliament,*

- having regard to the report of the European Coal and Steel Community Auditor for the financial year 1976 (Doc. 220/77),
- having regard to the report of the Committee on Budgets (Doc. 421/77),

### **A. Organization of the independent audit of the ECSC's financial and budgetary operations**

1. Stresses that it is essential for the European Court of Auditors to ensure that the audit of the ECSC's revenue and expenditure and of all its borrowing and lending operations continues to be aimed above all at assessing financial management;
2. Feels that such an assessment
  - (a) is the only way by which the independent Auditor can make a proper evaluation of the activities of a Community that enjoys financial autonomy,
  - (b) will help to back up an audit which must be regular and permanent and cover the daily activities of the Commission in the fields set out in the ECSC Treaty,
  - (c) will facilitate the task of Parliament, which is required to deliver its opinion on the discharge to be given to the Commission and must therefore be able to base its deliberations on critical and stimulating conclusions drawn by the independent Auditor;
3. Notes with satisfaction that the Commission has considerably facilitated the activities of the independent auditor, which have been based on fruitful and consistent cooperation;
4. Notes the Auditor's statements to the effect that the administrative structures of the control body were no longer numerically sufficient to satisfy the needs of a permanent and growing activity; expects the Court of Auditors to put forward proposals for a system which allows these shortcomings to be eliminated;

### **B. General remarks**

*The inadequacies of internal management control*

5. Feels that the Commission has not taken any action on the remarks made by the Auditor and reiterated by Parliament when giving a discharge in respect of the ECSC's activities in 1975 as to the inadequate nature — often limited to accounting aspects alone — of on-the-spot checks on expenditure for research, rehabilitation, social housing and loans to officials and also checks forming part of the management of the levy on coal and steel production;
6. Urges the Commission to take steps, as the auditor has requested, to ensure that:
  - (a) progress towards attainment of the chosen objectives is accompanied by checks on the relevant documentation,

- (b) greater emphasis is placed on the accounting aspects of financial dossiers and operations,
- (c) the checks are carried out without excessive delays and are based on coordination — hitherto not fully realized — between the responsible services of the Commission;

#### *Administrative machinery*

7. Reiterates, having examined the 1976 report, its criticisms regarding the inadequacies of the administrative machinery provided by the Commission for carrying out a complex and constantly growing activity, and considers it inadmissible that such weaknesses should affect the on-the-spot checks and the updating of the register of research projects;

#### *The accounts and the European unit of account*

8. Stresses the crucial importance, pointed out by the European Parliament on a number of occasions, of the introduction of the EUA into the ECSC's financial, budgetary and accounting machinery, and considers this to represent a step towards the creation of a Community payment system;

9. Points out that the adoption of the EUA brings with it daily variations in exchange value, which makes it difficult for the auditor to carry out his control activities; therefore asks the Commission to provide the auditor with all the information he requires to perform his work and, where appropriate, to make available, in special cases and for a transitional period, a currency account which enables him to carry out the necessary analyses and comparisons;

10. Wishes exclusive use to be made in future of the EUA for all the ECSC's financial operations and calls on the Commission to examine how this objective may be attained;

#### *Accommodation of ECSC activities within political objectives*

11. Urges the Commission to ensure that any ECSC financial and budgetary measures are coordinated with Community structural policy;

12. Notes that the volume of borrowings contracted in 1976 (29 totalling 956 million EUA) and of loans granted as a result has acquired considerable financial importance;

13. Therefore believes it essential for the Commission:

- (a) to draw up a structured programme for borrowing and lending policy within the framework of the provisions of the ECSC Treaty,
- (b) to submit this programme to Parliament, which, each year, must have the opportunity to assess its scope and, where necessary, propose amendments;

14. Believes that, in view of the increase in all activities undertaken in application of the ECSC Treaty, all financial and budgetary operations should be covered by general objectives characterized by greater immediacy and continuity, in particular because ECSC activities relate to economic structures which, moreover, are very sensitive to market trends;

#### *24 years of independent auditing of the ECSC's activities*

15. Remains convinced that rules peculiar to the European Coal and Steel Community have made it possible to organize and develop a form of supervision of its financial and budgetary activities which, because of the principles on which it is based and the level of efficiency achieved, may be regarded as a valuable model for the European Court of Auditors;

16. Thanks the auditor and his predecessors for the efficiency of their audits, which have made a considerable contribution to strengthening the ECSC's image and placed at Parliament's disposal all the information it requires to appraise the ECSC's activities and to make its decisions on the giving of discharges in full knowledge of the facts;

*Basic information on the 1976 financial year*

17. Notes that

	<i>(in EUA)</i>
(a) expenditure totalled:	403 411 941
— services of borrowings and guarantees	263 310 404
— 'budgetary' expenditure	84 188 441
— financial costs	38 626
— excess of income over expenditure	55 874 470
(b) income was broken down as follows:	
— service of loans and guarantees	269 314 897
— levy	92 609 414
— interest on bank deposits and portfolio	28 000 928
— other revenue	13 486 702

18. Gives a discharge to the Commission in respect of the ECSC's financial activities in the 1976 financial year; invites the Commission, however, to create conditions that enable the early elimination of the shortcomings to which the Auditor has drawn attention;

19. Instructs its President to forward this resolution and the report of its committee to the Commission.

## RESOLUTION

on the 'aide-mémoire' from the Commission of the European Communities on the fixing of the ECSC levies and on the drawing up of the operational budget for 1978

*The European Parliament,*

- having regard to the Commission's *aide-mémoire* on the fixing of the ECSC levies and on the drawing up of the operational budget for 1978 (Doc. 413/77),
- having regard to the joint meeting of the Committee on Budgets, the Committee on Economic and Monetary Affairs, the Committee on Social Affairs, Employment and Education and the Committee on Energy and Research,
- having regard to the report of the Committee on Budgets and the opinion of the Committee on Economic and Monetary Affairs (Doc. 439/77),
- having regard to
  - (a) the unfavourable economic situation and the serious difficulties now facing the iron and steel and coal industries,
  - (b) the need, particularly in the present situation, for conversion, retraining and research, and the advisability of improving the structures of the industries in these two sectors so as to make them more competitive and, at the same time, enable them to meet 1985 production targets,
  - (c) the inadvisability of raising the present levy and the vital need not to reduce the Commission's budgetary proposals, which should be considered as a minimum below which the aid policy laid down in the ECSC Treaty would be placed in jeopardy;

*as regards expenditure*

1. Approves unreservedly the Commission's proposals for an operational budget of 152 million EUA;
2. Calls on the Commission to increase coordination of aid activities — particularly social measures involving retraining and redevelopment — with the Community's Social and Regional Funds;

*as regards revenue*

3. Considers it essential for the Commission to hold the ECSC levy for 1978 at 0.29 %;
4. Considers therefore that
  - (a) the budget deficit announced by the Commission to meet the estimated expenditure of 152 million EUA should be covered by the transfer to the Community of a part (32 million EUA) of revenue from customs duties levied on ECSC products,
  - (b) this action should be followed by a decision to include customs duties from ECSC products in the Community's own resources system, adopted on 21 April 1970,
  - (c) these measures are all the more justified as the levy applies to only two economic sectors — coal and steel — and that the revenue from the customs tariff levied on these products should be made available to the ECSC by entering it in the latter's operational budget,
  - (d) in the event of the Council not meeting the ECSC's financial requirements by transferring part of the customs revenue, this should be done by means of a 'special contribution' from the nine Member States,
  - (e) that the Council would be assuming a heavy responsibility if it opposed covering the estimated deficit, upon which implementation of the budget depends;

5. Urges the Commission to submit a report to Parliament that defines an overall approach to the opportunities for action under the general budget and the operational budget of the ECSC, recommends a measure of integration of ECSC and EEC activities (without sacrificing the financial principles of the ECSC Treaty, which must remain the model to be followed) and provides the budgetary authority with a more comprehensive picture of Community finances;
6. Asks the Commission to present to Parliament, as soon as possible, an organic programme for the restructuring of the steel industry;
7. Requests the Commission, both as regards the 1978 operational budget and the levy rate, to respect, as in previous years, the terms of this resolution;
8. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

#### RESOLUTION

on the amendments to the estimates of revenue and expenditure of the European Parliament for 1978 announced at the first reading of the draft budget of the European Communities, and on the Council's deliberations on the amendments made to Section I of the draft budget

*The European Parliament,*

- having regard to the report of the Committee on Budgets and its opinion on the amendments annexed thereto (Doc. 444/77),
  - recalling that, by the resolution passed on 26 October 1977 and forwarded to the institutions, it had reserved the right, before completion of the budgetary procedure, to release the 19 linguists' posts created for 1978 on adoption of its estimates,
  - deeming inadequate the decisions taken by the Council on increasing the mission expenses payable to staff,
1. Releases the 19 translators' posts (7 LA 5/4, 12 LA 6/5) created on adoption of its estimates on 16 June 1977;
  2. Confirms, in respect of its staff, the decisions on raising mission expenses which it adopted on 26 October 1977;
  3. Considers that the Staff Regulations should be revised so that the weighting applicable to salaries that is fixed each year can be applied likewise to mission expenses;
  4. Amends its estimates of revenue and expenditure as detailed in the amendment adopted;
  5. Requests therefore its President to declare that Section I of the budget relating to Parliament has been adopted.

#### RESOLUTION

on Annex I (Economic and Social Committee) to Section II (Council) of the draft general budget of the European Communities for 1978

*The European Parliament,*

- having regard to the report of the Committee on Budgets (Doc. 446/77),
- whereas the decisions taken by Parliament to adopt amendments providing for a modest expansion of the establishment plan of the Economic and Social Committee are justified by the increased workload of that body,
- whereas the deliberations of the Council on the draft budget as amended by Parliament in no way detract from the validity of the amendments adopted by Parliament,

Approves Annex I (Economic and Social Committee) to Section II (Council) of the draft general budget of the European Communities for 1978 on the basis of the adopted amendments.

## RESOLUTION

on the draft general budget of the European Communities for 1978 (Section III — Commission)  
modified by the Council and on the adoption of the budget

### *The European Parliament,*

- having regard to the draft general budget 1978 drawn up by the Council and the accompanying explanatory memorandum (Doc. 270/77) and the letter of Amendment to the draft budget forwarded by Council (Doc. 322/77),
- having regard to the amendments and proposed modifications adopted by Parliament on 26 October 1977,
- having been informed by its delegation of the outcome of the meetings with Council on 22 November and 7 December 1977,
- having regard to the outcome of the Council's deliberations on 22 November 1977 (Doc. 420/77),
- having regard to the interim supplementary report of the Committee on Budgets (Doc. 441/77),
- having regard to Parliament's deliberations of 13 December 1977,
- recognizing the special significance which attaches to the 1978 budget in view of
  - (i) the setting up of the own resources system on 1 January 1978
  - (ii) the implications for Parliament's role in regard to the implementing of the budget, resulting from the revision of the Financial Regulation,
  - (iii) the application of VAT as an own resource and
  - (iv) the presentation of the budget in terms of EUA,
- noting the special political nature of the debate within Parliament and also within the budgetary authority on the 1978 appropriations,
- considering that the 1978 budget should constitute an appropriate budgetary policy instrument for the Communities in the year ahead,
- accepting that the draft budget as amended following Parliament's recommendations shows a greater inclination on the part of the Council to follow the guidelines approved by Parliament in regard to the budgetary and financial policy of the European Communities for 1978,
- believing that the triennial financial estimates accompanying the 1978 budget may be endorsed but considering that their presentation needs to be improved for future years,

### *The nature of the inter-institutional dialogue on the 1978 budget*

1. Notes with approval the fact that the debate within Parliament on the 1978 budget was enhanced by the full involvement of the specialized Committees;
2. Considers that the discussions between both partners in the budgetary authority — Parliament and the Council — on the 1978 budget were highly political in nature which ensured a real and frank dialogue on the budgetary and economic considerations underlying the level of appropriations for the year ahead;
3. Believes that it is particularly noteworthy that the dialogue reflected the evolution of budgetary and economic policy thinking during the second half of 1977 which enabled the Council to begin to appreciate the view of Parliament that a more expansionary policy was essential to the well-being of the Community as a whole;
4. Regards as encouraging the fact that the political discussions between Parliament and the Council ensured the adoption of a position in regard to non-agricultural expenditure that reflects some awareness of the needs of Europe;

### *The new budgetary structures*

5. Approves the application of VAT as an own resource of the Community with effect from 1 January 1978;
6. Welcomes the use of the EUA as the unit in which the budget is expressed;
7. Considers that the use of the conciliation procedure for resolving the differences of opinion between Parliament and the Council on the Financial Regulation has vindicated this new procedure as a valuable forum for settling such differences;
8. Recognizes that the new procedure for dealing with transfers will add appreciably to Parliament's responsibility in regard to budgetary control, and will avoid the risk of Parliament's power being eroded by the diversion of funds previously voted by it for specific purposes;
9. Appreciates that the efficient handling of requests for transfers will necessitate the development of an expeditious method for processing such requests;
10. Notes with approval that, henceforth, nomenclature and commitments entries may be decided in the course of the budgetary procedure;
11. Stresses that the questions of full budgetizing of borrowing and lending operations, the presenting of the research part of the budget and the implementing of the budget need to be examined jointly by Parliament and the Council in a conciliation to take place as early as may be in 1978;

### *Budget presentation*

12. Considers that the revised presentation of the budget, which gives a new emphasis to commitments, should not have the effect of diminishing transparency;
13. Is of the view that this new emphasis, which is related to the margin for manoeuvre of the budgetary authority, should be shown in an annex to the explanatory part so as not to reduce the significance of the payments included in the budget and decided annually;
14. Notes the tables showing the breakdown of the budget into the main sectors of activity and considers that these made possible a more informed examination of the policy content of the budget and the balance between the different categories of expenditure;
15. Calls on its Committee on Budgets to examine the existing decimal breakdown of the budget with a view to establishing whether a clearer and more transparent presentation, which would facilitate the making of political judgments, is possible;

### *Triennial financial estimates*

16. Decides to endorse these estimates for the years 1978 to 1980 subject to the reservations already expressed at paragraphs 21 to 24 of its resolution of 26 October 1977;

### *Adoption of the 1978 budget*

#### *Proposed Modifications*

17. Deplores that the Council accepted only one of the proposed modifications adopted by Parliament, particularly as the areas most affected by this negative attitude are the supply of food aid to the developing countries most in need and agricultural prices;

#### *Amendments*

18. Notes with satisfaction the acceptance without modification by the Council of amendments by Parliament totalling 155 354 000 EUA in payments and 28 559 000 EUA in commitments;



19. Also notes with satisfaction the acceptance in modified form by the Council of further amendments by Parliament totalling 754 700 EUA in payments and 43 089 000 EUA in commitments;

20. Approves the Council's wholly positive reaction to the Social Fund amendments;

21. Believes, nevertheless, that the establishing of an appropriate budget for 1978 requires that it maintains further amendments notably in the areas of energy policy, regional policy, industrial policy, food aid, aid to developing countries and the Commission's establishment plan;

22. Recalls that, under the terms of the Treaties, when the procedure is completed, its President shall declare that the budget of the European Communities is finally adopted and confirms that the establishment plans attached thereto and the estimates are adopted also and that the resultant VAT rate is fixed accordingly;

23. Considers that the fixing of the sums for the Regional Fund by the European Council represents a challenge to the rights of Parliament over an area of expenditure which has at last been recognized by all the institutions as non-compulsory and over which the Parliament has the last word.

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#### RESOLUTION

on Section V (Court of Auditors) of the draft general budget of the European Communities  
for the financial year 1978

*The European Parliament,*

- having regard to the letter of amendment of 23 November 1977 to the draft budget for the financial year 1978 (Doc. 431/77),
  - having regard to its resolution of 26 October 1977 <sup>(1)</sup>,
  - having regard to the supplementary report of the Committee on Budgets (Doc. 440/77),
  - considering, that the Court ought from the outset to equip itself with a highly qualified staff, and that its administrative structure should be suited to specific tasks,
  - considering, that experience alone will reveal the Court's real requirements in staff and that, whatever happens, it would be wise to preserve the career prospects of that staff,
1. Notes the approximative and temporary nature of this first draft budget of the Court of Auditors;
  2. Asks the Court to draw up during 1978 its definite programme of action and establishment plan and to examine the budgetary implications thereof with Parliament;

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<sup>(1)</sup> OJ No C 280, 21. 11. 1977, p. 31.

3. Requests the Court to explore ways of promoting mobility between the institutions of grade A staff assigned to the Court of Auditors;
4. Accepts the creation of temporary posts for staff assisting the members, but feels itself free subsequently to look into the justification for certain blocked posts;
5. Considers that it must, through amendment, establish a balanced distribution of posts reserved for operating staff of category A;
6. Asks its President to declare Section V (Court of Auditors) of the draft budget adopted.

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#### RESOLUTION

on the historic meeting between Mr Anwar-El-Sadat, President of the Arab Republic of Egypt,  
and Mr Menahem Begin, Head of the Government of the State of Israel

*The European Parliament,*

— conscious of its responsibility to promote, both within and outside the Community, the attainment of a just and lasting peace in the Middle East,

1. Welcomes the courageous and historic initiative by Mr Sadat and Mr Begin who, through their meeting in Jerusalem, have for the first time established direct contact between the Governments of two countries that are parties to the conflict in the Middle East;
2. Places great hopes in the dialogue thus begun for the success of the peace efforts in the Middle East and hopes that the Geneva Conference will be resumed at the earliest possible date;
3. Appeals to the representatives of the peoples concerned to join in this dialogue and support the efforts made to open overall negotiations;
4. Is firmly convinced that a just and lasting peace in this part of the world must be based on the principles laid down in the declaration on the Middle East adopted by the European Council on 29 June 1977;
5. Urgently appeals to the Community institutions and the Governments of the Member States to encourage, within the framework of Community activities and of European Political Cooperation, progress towards the establishment of a just and lasting peace in the Middle East;
6. Instructs its President to forward this resolution to the Council and Commission and to the Governments of the Member States.

## RESOLUTION

embodying the opinion of the European Parliament on proposals from the Commission of the European Communities to the Council for

- I. a Regulation laying down technical measures for the conservation of fishery resources
- II. a Regulation laying down certain measures of control for fishing activities by Community vessels
- III. a Regulation defining for 1978 measures for conservation and management of fishery resources by the establishment of quotas
- IV. a Directive on certain immediate measures to adjust capacity in the fisheries sector
- V. a Regulation laying down special aid measures for herring fisheries in the North Sea and the Celtic Sea

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 515, 513, 524, 543 and 531 fin.),
- having been consulted by the Council pursuant to Articles 43 and 209 of the EEC Treaty (Doc. 357/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets, the Committee on Social Affairs, Employment and Education and the Committee on Regional Policy, Regional Planning and Transport (Doc. 442/77),
- having regard to Regulation No (EEC) 101/76 laying down a common structural policy for the fishing industry,
- having regard to Articles 100 to 103 of the Treaty of Accession,
- having regard to the fact that Article 1 of Regulation (EEC) No 101/76 concerning a common structural policy for the fishing industry lays down that common rules should be established for the promotion of the harmonious and balanced development of the fishing industry within the general economy and to encourage the rational use of the biological resources of the sea,
- having regard to the fact that Article 102 of the Treaty of Accession lays down that from the sixth year after accession, at the latest, the Council, acting on a proposal from the Commission, shall determine conditions for fishing with a view to ensuring protection of the fishing grounds and conservation of the biological resources of the sea,
- having regard to the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fishery resources <sup>(1)</sup>,
- having regard to the resolution of the Council of 3 November 1976 adopted at The Hague,
- having regard to the importance of the fishing industry to the economies of certain regions of the Community and the very serious problems created by the depletion of fish stocks,
- having regard to the fact that an internal fisheries policy must seek to conserve the biological resources of the sea by means of scientifically derived management policies, quotas and conservation policies,

### *General considerations*

1. Approves the principles underlying the Commission's proposals;
2. Considers that the fundamental criteria orientating the Community in the development of its internal fisheries policy should be as follows:
  - (a) the requirements of an interspecies fish stock conservation policy,
  - (b) the need to optimize employment possibilities in the sea and land-based fisheries industry,

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<sup>(1)</sup> OJ No C 255, 28. 10. 1976, p. 3.

- (c) the need to minimize regional and social problems, and
  - (d) the need to ensure the widest choice of fish to consumers at reasonable prices;
3. Points out that, in general, the total amount of fish in heavily fished areas, such as the North Sea, may have remained constant, but that problems have arisen from a shift in the balance of species; believes, therefore, that fisheries management policies must be also concerned to establish the optimum balance between species according to the criteria laid down above;
  4. Emphasizes once more that effective conservation policies are not possible without realistic structural policies for deep sea and inshore fishing fleets;
  5. Stresses that the impact of the fishing industry on employment is such that one job in that industry creates at least four others in related sectors;
  6. Finds totally unacceptable the fact that a number of proposals for the Community's fisheries policy did not provide for the consultation of the European Parliament and insists that in future the legal basis for such proposals be more properly defined; therefore instructs the Legal Affairs Committee to examine the legal basis of the proposals put forward by the Commission and the Regulations adopted by the Council during 1977 concerning the Community's fisheries policy;
  7. Regrets that, in drawing up a common fisheries policy, the Commission has almost completely neglected the still very serious problems which pose themselves in this sector for the Community countries bordering the Mediterranean;

#### *Conservation policies*

8. Emphasizes that quotas allocated to Member States are not a sufficient basis for conservation policies, particularly in view of the political difficulties, and that even greater use must be made of measures to control fishing methods, through the establishment of more closely defined zones where fishing is prohibited or restricted to certain periods, certain types of vessels or certain fishing equipment and mesh sizes;
9. Fails to understand why purse seines for the fishing of herring have been prohibited only in a area of the Celtic Sea, and requests that restrictions on the use of purse seines and beam trawlers be extended to all areas for the fishing of herring;
10. Believes that it may be necessary for an active management policy to increase fishing effort on certain species whose total biomass increases to replace over-exploited fish, such as herring, in order to allow for a future increase in fishing effort on species for human consumption; recognizes, however, that bycatches may present a serious problem for such 'culling' techniques; insists that such an increased fishing effort must be made within the overall conservation and management policies; and considers that the Community's conservation policy must be based in the future on marine biological models of the food chain inter-relationship between species;
11. Urges that measures to control fishing methods must keep constantly abreast of developments in fisheries technology;

#### *Conservation and industrial fishing*

12. Recognizes the efforts made in the last year by the Danish industrial fishing fleet to minimize bycatches of species such as whiting and herring, which historically have been unacceptably high;

13. Considers that measures to regulate industrial fishing must be more closely related to the biological characteristics of each fish species, and in particular:

- (a) that for certain fish species, such as sandeel, industrial fishing presents no problems since no significant bycatches occur;
- (b) but that for other species, such as Norway Pout, important bycatches cannot be reduced merely by Regulations concerning mesh size;

considers, however, that acceptably clean catches can only be attained by detailed Community Regulations on industrial fishing concerning location, depth and time of fishing effort;

14. Emphasizes that Regulations on the permitted bycatches of such species as whiting, when expressed as a percentage of total catch of species fished industrially, will lead to unacceptably high bycatches, in view of the very considerable catches of industrially fished species such as Norway Pout;

15. Urges the Commission to examine the problem of fish returned to the sea, and the possibilities for the separation on board of species intended for industrial purposes and those suitable for human consumption;

#### *Conservation of particular species*

16. Reaffirms that a ban on herring fishing in the North Sea and the Celtic Sea should be maintained in 1978, and that the situation then be reviewed;

17. Considers, however, that for certain discrete stocks, such as the Longstone spring spawning herring, the ban on the autumn spawning North Sea stocks should not apply, and that, therefore, for such discrete stocks quotas should be allocated to the littoral inshore fishermen;

18. Welcomes the ban on sea fishing of salmon beyond the 12-mile zone, but believes that much stricter controls should be applied in highly sensitive areas such as straits and other sea waters within the 12 miles;

19. Stresses once more the importance of establishing the scientific and technological information necessary for the exploitation of under-exploited fish species, such as blue whiting and horse mackerel, and whether heavier exploitation of such species will lead to an improvement in size and quality of fish landed;

20. Urges that measures be adopted to protect crustacean and mollusc fishing beds from damage inflicted by other forms of fishing;

21. Urges furthermore that the Mediterranean species such as tunny, which are threatened by indiscriminate fishing, be protected and conserved;

#### *Control measures*

22. Expresses regret that the Commission's proposals no longer contain provisions for the licensing of vessels and skippers; does not believe that the proposal for fishing plans and forward plans to be drawn up by Member States constitutes an adequate substitute; and reminds the Council and the Commission that such licences should cover boats, equipment, fishing skippers and owners, number of days on which the boats may operate and the species which may be caught; such licences should be non-discriminatory and should enable every skipper of a skipper-owned vessel in the country responsible for operating the licencing system to apply for a licence;

23. Believes that the licence should be accompanied by a logbook for each vessel, in which are recorded catches by species, area and equipment employed, and which shall be considered Community property and available for scientific research;

24. Stresses the importance of the speed and efficiency with which records are drawn up, collected and transmitted to the Commission, and to this end that the zones and codes employed by the International Council for the Exploration of the Sea should be employed;
25. Believes that both national inspection vessels and Community inspectors should be considered as agents of the Community, free to move and able to act fully in and between all national zones; believes there should be instituted an appeals procedure for fishermen sanctioned in national courts for alleged contraventions of Community provisions, and considers that potential conflicts can be minimized if inspection vessels carry an inspector from another Member State;
26. Believes that, while authorized landing places are essential to the proper control of fishing effort, disruption of fishing activity should be avoided;
27. Expresses concern that there has been insufficient attention paid to the problem of transfer of fish at sea to motherships landing in third countries;
28. Considers that any system of monitoring catches would be incomplete without records on fish discharged at sea;
29. Does not believe that it will be possible to apply a complete recording system to the very smallest inshore boats, and that the monitoring procedures should be adapted to take this into account;
30. Notes with concern that the Commission provides for nets to be carried on vessels in areas, or during time periods, with smaller than the permitted mesh sizes; provided they are stowed in such a manner that they are not readily capable of being used; and expresses doubts as to whether sufficient control over use of nets can be enforced;
31. Requests the Commission to encourage research into new control techniques, and especially to investigate techniques for the distinguishing from the air of the types of nets in use; also invites the Commission to ensure that the new control techniques are generally adopted;
32. Considers that the Community should bear at least part of the costs incurred in patrolling the Community fishing zone;

#### *Quotas*

33. Accepts that in principle the NEAFC Keys should be employed for the allocation of quotas between Member States;
34. Notes that the Commission is examining the possibility of compensating Member States for losses due to the extension of fishing limits by third countries; and considers that, since there can be no direct compensation in Community waters for losses suffered by distant water fleets, such compensation should be in the form of cash payments or quotas in other distant waters;
35. Believes that, in the event of an upward adjustment of quotas, the ratio of the allocation between Member States should not be modified by more than a fixed percentage each year;

#### *Preferential and regional zones*

36. Recognizes that certain Member States wish to establish 50-mile exclusive zones; but believes that much greater attention must be paid to the problems of local communities largely dependent on the fishing industry, and the need to establish conservation zones;
37. Considers, therefore, that the Community should seek to protect the interests of the small inshore fisherman, in his traditional grounds, by the strict control of size and type of vessel and equipment employed, particularly to catch certain premium species, in regionally limited reserved zones of variable width;

### *Research and disease*

38. Considers that, in order to develop and implement an effective Community stock conservation policy, Community aid should be granted to fisheries research centres within Member States; and that the Commission should propose measures to coordinate the activities of such centres;
39. Urges the Commission to draw up research programmes to examine:
- (a) the impact on the marine environment and fish stocks of pollution, and oil extraction,
  - (b) the problems raised by the transmission of diseases and parasites to and by fish, and
  - (c) the impact on the marine environment of seals;

### *Structural and social measures*

40. Believes that the establishment of effective quotas will lead to a number of fishing vessels, particularly the larger deep-sea vessels, becoming uneconomic, so that measures for the conservation of fish stocks will depend on the existence of an effective structural policy, and this applies also in the Mediterranean;
41. Urges the Council to adopt, together with these structural measures, the previous proposals of the Commission concerning the conditions for granting national aid under the common structural policy for seafishing, and the proposal on a programme for restructuring the non-industrial inshore fishing industry; and stresses the importance of temporary laying-up premiums, in order to ensure an adequate Community fishing fleet when stocks will have been rebuilt;
42. Is of the opinion that the premiums to be granted to encourage the cessation of fishing and the scrapping of boats are in general not sufficient, in that such payments are not tied to compensating those fishermen made redundant or to improving the working conditions of those remaining fishermen continuing to be employed in fishing companies owning more than two vessels;
43. Expresses serious doubts as to whether it will be possible to establish sufficient documentary evidence that vessels receiving a premium have not been laid up for less than 90 days;
44. Believes, while accepting the necessity for premiums to encourage restructuring, that the Commission must seek to regulate problems which will arise in their implementation, and in particular variations in national tax levels on premiums granted for the scrapping of boats;
45. Considers that, in order to develop and implement an effective Community fisheries conservation and management policy, and in particular to ensure the optimum long-term utilization of resources by means of a multi-species approach, it is essential that the Community possess an improved understanding of marine biology and hydrography; and that to this end:
- (a) Community aid should be granted to fisheries research centres within Member States, and
  - (b) the Commission should propose measures, and participate in the drawing up of programmes, to coordinate the activities of such centres;
46. Stresses the important role of fish farming in the future for those peripheral regions of the Community heavily dependent on the fishing industry; and calls upon the Commission to grant financial aid to those bodies presently engaged in research on problems at present retarding the development of large-scale fish farming, and in particular questions relating to appropriate techniques, food chains and fish disease;
47. Requests that the Commission initiate investigations into alternative fishing grounds for the Community's long-distance fishing fleet in the Pacific and South Atlantic Oceans;

*Social aspects*

48. Notes with great satisfaction that, in the proposed measures as a whole, in addition to financial compensation for the interim measures of conservation to be paid from the EAGGF <sup>(1)</sup> and to measures for the adjustment of production capacity <sup>(2)</sup>, it is also envisaged to grant direct Community aid to fishermen <sup>(3)</sup> from 'the appropriations entered for that purpose in the budget' (Article 18 (1));
49. Notes that the last-mentioned provisions, which, according to the title of the proposal, are intended to introduce immediate measures, are only cast in the form of a Directive, in which Title I (adjustment of production capacity) is fully binding, whereas Title II is optional;
50. Requests the Commission to avoid all possibility of giving the impression that social policy in this sphere takes second place to economic policy by reconsidering its position, pursuant to Article 149 of the EEC Treaty, on whether this adjustment of capacity, like the other four proposals, cannot, as regards Title II, be presented in the form of a draft Regulation with, if necessary, flexible transitional arrangements for the adaption of any programmes already existing in the Member States;
51. Points out that the social measures accompanying these arrangements consist of early retirement (Article 18 (1)) or the maintenance of incomes during a transitional period (Article 18 (2)) and fully approves this approach; stresses, however, that the differentiation in the Community's financial participation referred to in Article 18 (3) should, so far as possible, be determined in direct consultation between the Commission and individual Member States so as to ensure that account can be taken in a flexible manner of any existing systems;
52. Requests the Commission to consider whether the provision of Article 2 (4) of the 'herring Regulation' to the effect that 'the benefit of financial compensation (should) be shared equitably between the parties concerned' should not also be incorporated into Article 4 (2) of the draft Directive concerning the restructuring of the fisheries sector, in order to ensure that this aid not only provides compensation for the shipowners but also provides complementary or replacement income for the crews;
53. Considers, in connection with these proposals, that the Commission should immediately begin preparation of an overall social policy for the fisheries sector covering such matters as the maintenance of employment, vocational training, working hours and social security and safety both on board ship and at sea;
54. Is however, of the opinion that the Commission, with these proposals, has taken a notable and welcome step towards helping one specific economic sector through the Community budget and stresses the great political and humanitarian nature of this initiative; therefore urges the Council immediately to approve these proposals without modification;
55. Requests the Commission to incorporate the following amendments in its proposals, pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> COM(77) 531 fin.

<sup>(2)</sup> COM(77) 543 fin., Title I.

<sup>(3)</sup> *Idem*, Articles 13 and 18.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**I**

**Council Regulation laying down technical measures for the conservation of fishery resources**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the  
European Economic Community,

THE COUNCIL OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the  
European Economic Community, **and in particular  
Article 43 thereof,**

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<sup>(1)</sup> For complete text, see COM(77) 515 fin.



7. Requests, in consequence, that the deadline for the submission of results be established as 15 June 1981;
8. Believes that the statistical surveys on the structure of farm holdings should be employed more directly to monitor the effectiveness of particular structural policies;
9. Believes that the survey should include questions relating to technical progress;
10. Requests that greater information be included relating to the publication of the results of previous surveys and improvements in the forms in which surveys are published so as to ensure them a wider audience and greater relevance;
11. Requests the Commission to incorporate the following amendments in its proposal, pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation relating to the organization of a survey on the structure of  
agricultural holdings in 1979**

Preamble, recitals and Article 1 unchanged

*Article 2*

*Article 2*

Paragraph 1 unchanged

2. The survey shall cover:

- (a) agricultural holdings where the agricultural area utilized for farming is one hectare or more;
- (b) agricultural holdings where the agricultural area utilized for farming is less than one hectare, if they market a certain proportion of their products or if their standard gross production exceeds certain physical units.

2. The survey shall cover:

- (a) agricultural holdings where the agricultural area utilized for farming is one hectare or more;
- (b) agricultural holdings where the agricultural area utilized for farming is less than one hectare, if they market a certain proportion of their products and if their standard gross production exceeds certain physical units.

Articles 3 to 8 unchanged

*Article 9*

*Article 9*

Member States shall:

- (a) transcribe the results referred to in Article 8 on to magnetic tape using a standard programme for all Member States. The method of transcription and the standard programme shall be drawn up in accordance with the procedure laid down in Article 12;

Member States shall:

- (a) unchanged

<sup>(1)</sup> For complete text see OJ No C 216, 9. 9. 1977, p. 3.

(b) submit the magnetic tapes referred to in (a) to the Statistical Office of the European Communities. They shall be submitted within 18 months of completion of the field work.

(b) submit the magnetic tapes referred to in (a) to the Statistical Office of the European Communities. They shall be submitted within 12 months of completion of the field work and at the latest by 15 June 1981.

Articles 10 to 14 unchanged

### RESOLUTION

#### on the health hazards of asbestos

*The European Parliament,*

- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 344/77),
- whereas the right to safety in the workplace is an inalienable right and should be recognized as such,
- whereas workers in the asbestos industry, just as workers in all other industries, must enjoy this right,
- whereas the Commission has classed asbestos as a first category pollutant in the Programme of Action of the European Communities on the Environment <sup>(1)</sup>,
- whereas reform is needed in the area of safety regulations for those working with asbestos and for the general population.

<sup>(1)</sup> OJ No C 112, 30. 12. 1973.

1. Welcomes the effort being made by the Commission in the field of study and research into the effects of asbestos on human health;
2. Considers, however, that sufficient evidence has accumulated to show that asbestos presents a danger both to workers in the asbestos industry and to those exposed in other situations and that it is time to draw conclusions from this evidence;
3. Stresses that asbestos is a carcinogen;
4. Emphasizes that all varieties of asbestos in use in the Community can present a danger to human health;
5. Endorses the view that further research into dose/effect relationships is necessary, since as yet no agreement can be found as to whether a 'safe level of exposure' exists;
6. Calls for the setting, at Community level, of temporary limits and relevant measuring methods based on the evaluation of the carcinogenic risk. Such limits must be regularly reviewed by the competent authorities;
7. Calls for a ban on crocidolite in all Member States;
8. Calls for a ban on the spraying of asbestos in all Member States;
9. Calls for the compulsory installation in all Member States, wherever asbestos is handled, of filters designed to reduce the concentration of asbestos particles in the air;
10. Invites the Commission to review, with a view to harmonization, the provisions of the Member States with regard to compensation for asbestos related diseases;
11. Invites the Commission to make a similar review of current legislation relating to safety in the asbestos industry also with a view to harmonization;
12. Hopes that the proposal for a Directive on misleading advertising promised by the Commission will contain provisions to protect the public from the type of irresponsible advertising campaign that has been launched concerning asbestos in some Member States;
13. Insists on the right of all members of the population to unbiased information, particularly in areas such as public health;
14. Calls for a Community-wide information campaign to be initiated to inform the public in a rational manner of the advantages and disadvantages connected with the use of asbestos;
15. Calls upon the Commission to include asbestos in Annex I of the Council Directive of 27 June 1967 <sup>(1)</sup> concerning the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances;
16. Calls upon the Commission to include asbestos in the Annex of Council Directive of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations <sup>(2)</sup>;
17. Considers that every effort should be made to develop safe substitutes for asbestos and that, as these substitutes become available, the use of asbestos should be gradually phased out; where safe substitutes already exist, the use of asbestos should be forbidden;

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<sup>(1)</sup> OJ No 196, 16. 8. 1967.

<sup>(2)</sup> OJ No L 262, 27. 9. 1976, p. 201.

18. Urges the Commission to sponsor research into the development of safe and practical substitutes for asbestos, priority being given to substitutes for asbestos applications presently involving high exposure risk to asbestos fibres;
19. Invites the Commission to include the siting of asbestos factories and waste dumps among the projects for which environmental impact assessment could be used.
20. Calls on the Commission to lay down as soon as possible safety standards in workplaces where asbestos is handled that are binding on all the Member States;
21. Invites the Commission to take steps to ensure that smoking is prohibited wherever asbestos is handled;
22. Recommends that the Commission make full use of the work being done by the European Foundation for the Improvement of Living and Working Conditions particularly concerning safety in the workplace;
23. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and, for information to the Economic and Social Committee.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a recommendation on the fluorocarbons in the environment

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 282/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 417/77),
1. Notes with satisfaction that the Commission's proposal — at least as far as its approach is concerned — meets a demand which the European Parliament has formulated on repeated occasions;

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<sup>(1)</sup> OJ No C 217, 10. 9. 1977, p. 2.

2. Points out, however, that the 'recommendation' formula chosen by the Commission is not binding on the Member States and therefore requests the Commission to submit, in the second half of 1978, the time limit it itself set, a proposal for a Directive on the basis of Articles 100 and 235 of the EEC Treaty in order to compel the Member States to implement the proposed measures in full and within a set period;
3. Urges that the Member States should be obliged to ensure that, pursuant to the new Directive, the capacity of the industry producing the dangerous chemicals chlorofluoromethanes F-11 and F-12 is not further expanded;
4. Deems essential the introduction of Community measures aimed at controlling the use of fluorocarbons as propellants in aerosol products since such measures would help to preserve the ozone layer in the stratosphere and thereby protect human and animal life from skin cancer caused by excessive ultraviolet solar radiation;
5. Is convinced a Community solution is necessary for the additional reason that this constitutes the only means of enabling the relevant industries of the Community to check or reduce the lead which the USA is building up in this sector;
6. Stresses that Community measures must in no event jeopardize jobs in the aerosol industry but be aimed at bringing about a gradual production switch through the use of other, harmless substances in aerosol products, thus safeguarding existing jobs;
7. Welcomes in principle the proposed comprehensive Commission study on a Community-wide basis of the economic and social impact of possible measures to regulate the use of fluorocarbons, but requests the Commission to coordinate this study with research already in progress at international level in order to avoid duplication;
8. Considers it appropriate for the Commission to make use of the practical experience of third countries, especially the USA, as regards the effects of measures limiting the use of fluorocarbons;
9. Is aware that the Commission's proposals, despite their undisputed importance, are merely provisional and therefore calls on the Commission to submit an appropriate proposal for a Directive on the basis of the results of its Community-wide study in the second half of 1978 with a view to providing a definitive solution for the problem of the use of fluorocarbons by introducing specific provisions;
10. Requests the Commission to incorporate the following amendments pursuant to Article 149, second paragraph, of the Treaty establishing the EEC.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council recommendation on the fluorocarbons in the  
environment**

**Council Directive on the fluorocarbons in the  
environment**

Preamble, recitals and paragraphs 1 to 3 unchanged

4. to take all appropriate measures to ensure that  
there will be no further increase in production

4. to take all appropriate measures to ensure that  
there will be no further increase in production

(1) For complete text see OJ No C 217, 10. 9. 1977, p. 2.

capacity in the Community in respect of  
chlorofluoromethanes F-11 and F-12.

capacity in the Community in respect of  
chlorofluoromethanes F-11 and F-12 **and that any  
new products which, directly or indirectly, are  
hazardous to human health are prohibited.**

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on levies applicable to imports of certain adult bovine animals and beef from Yugoslavia

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 354/77),
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 414/77),
1. Recalls that in the Joint Declaration signed in Belgrade on 2 December 1976 the representatives of the Community and Yugoslavia called for greater cooperation between both parties, in particular in trade, industry, agriculture and economic matters;
  2. Points out that the beef trade plays an important part in Yugoslavia's economy;
  3. Approves the Commission's proposal.

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(1) OJ No C 257, 26. 10. 1977, p. 6.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation increasing the Community tariff quota opened for the period 1 July 1977 to 30 June 1978 by Regulation (EEC) No 1331/77 for animals of certain mountain breeds

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>;
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 400/77);
- having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Agriculture (Doc. 415/77);

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 276, 17. 11. 1977, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the draft Regulation of the Council of the European Communities concluding the Financial Protocol and the Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus

*The European Parliament,*

- having been consulted by the Council pursuant to Article 238 of the EEC Treaty (Doc. 293/77),
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Agriculture, the Committee on Budgets and the Political Affairs Committee (Doc. 411/77),
1. Welcomes the completion of negotiations on an Additional Protocol and a Financial Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus;
  2. Welcomes the signing of the Additional Protocol in Brussels on 15 September 1977;
  3. Recommends that the procedures necessary for the Agreement to enter into force should be completed as soon as possible so that it can be fully implemented;
  4. Urges the Council and the Commission to expedite agreement on short-term trading arrangements between Cyprus and the Community so that they may continue after 1 January 1978 within a proper legal framework;
  5. Is of the opinion that, in order to obtain better results from the association, particularly as regards increasing trade between the two parties, obstacles to the development of trade arising from the rules of origin as at present interpreted and applied by the Community should be removed as far as possible;

6. Believes that there is an urgent necessity in Cyprus for economic infrastructures and industrial projects which will tend to reunify the island; and that resources could be made available under the Financial Protocol to pursue this objective;

7. Further believes that this Agreement offers possibilities to improve the economic position of Cyprus as a whole and could form an important element in the initiatives which are being prepared by the two communities, by Foreign Ministers of the EEC countries, and on a wider international scale to achieve a final settlement in Cyprus.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation extending beyond the date of expiry of the first stage of the Association Agreement the term of validity of certain provisions of Council Regulation (EEC) No 1641/77 as regards the arrangements applicable to trade with the Republic of Cyprus

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 628 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 443/77),
- having regard to the report of the Committee on External Economic Affairs and the opinion of the Committee on Agriculture (Doc. 450/77),

Approves the Commission's proposal.

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#### RESOLUTION

on the implementation of the conciliation procedure referred to in paragraph 14 of the European Parliament's resolution of 12 May 1977 on the revision of the European Social Fund

*The European Parliament,*

- having regard to the letter of 11 November 1977 from the President of the Council of the European Communities on the review of the European Social Fund (R 2689/1/77 (Doc. 284) rev.1),
- having regard to the motion for a resolution tabled by the Committee on Social Affairs, Employment and Education (Doc. 436/77),

1. Welcomes the opportunity afforded by the Council of Ministers for a conciliation procedure between the European Parliament and the Council and stresses the far-reaching significance of this proposal;

2. Considers that, although the Council's decision on the revision of the European Social Fund does not adopt the suggestions of the European Parliament on all points, the opening at short notice of a conciliation procedure would be unlikely to lead to any substantial changes in the Council's decisions;



3. Stresses that the European Parliament has a prime interest in not delaying the introduction on 1 January 1978 of the compromise reached on the revision;
4. Emphasizes that the European Parliament will initiate the conciliation procedure whenever future decisions of the Council clash with its own proposals;
5. Instructs its President to forward this resolution to the Council and Commission.

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**RESOLUTION**

on elections by direct universal suffrage

*The European Parliament,*

— noting the decisions taken by national parliaments for the ratification of the Act concerning the election of the representatives of the Assembly by direct universal suffrage,

Requests the Council of the European Communities to submit to it as soon as possible proposals for determining the period referred to in Article 9 (1) of the Act during which Community elections are to be held in the Member States, on which the Assembly must be consulted, pursuant to Article 10 (1) of the Act.

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**RESOLUTION**

on the kidnapping of the son of the President of the Republic of Cyprus

*The European Parliament,*

1. Expresses the sympathy and solidarity of the European Parliament with the family of the President of Cyprus and the Cypriot people in their distress following the kidnapping of the President's son;
2. Instructs its President to forward this resolution to the Commission and Council and the Governments of Member States.

## RESOLUTION

### on the second annual report by the Commission of the European Communities on the European Regional Development Fund

*The European Parliament,*

- having regard to the second annual report on the European Regional Development Fund (1976) presented to it pursuant to Article 16 of Regulation (EEC) No 724/75 <sup>(1)</sup> (Doc. 224/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinions of the Committee on Budgets and the Committee on Economic and Monetary Affairs (Doc. 452/77),
- 1. Congratulates the Commission for having presented the report within the prescribed date of 1 July and stresses the importance of keeping to this date in order to enable Parliament to consider budgetary proposals concerning the European Regional Development Fund in the light of up-to-date information concerning the operation of the Fund;
- 2. Considers that the second annual report clearly demonstrates the inadequacy of the Fund, as endowed for 1976, to remedy by itself the principal regional imbalances within the Community;
- 3. Urges the Commission therefore to continue to give priority consideration to achieving a positive coordination of all Community financial instruments having a regional impact;
- 4. Stresses the need, as a minimum measure, to ensure that the real value of the Fund is not eroded by the effects of inflation, while insisting that its size will also have to be increased in absolute terms if it is to have an effective role in a coordinated Community regional policy;
- 5. Calls on the Commission to continue its efforts to ensure that assistance from the Fund is concentrated as far as possible on the areas of greatest need within the Community;
- 6. Deplores the fact that the Fund Committee was unable, in 1976, to define projects eligible for assistance in the tourist sector since the development of tourism may be of paramount importance in certain regions;
- 7. Regrets that for the year in question comparatively little progress was made towards the production of uniform comparable statistics since such information is essential to arrive at an accurate comparison of the regional problems of the different Member States;
- 8. Regretting the absence in the Second Annual Report of any analysis of the impact and effectiveness of assistance from the Regional Development Fund on the regions and sectors which are eligible for assistance calls on the Commission to ensure that such an analysis is provided in subsequent Annual Reports in those years when the biennial report proposed by the Commission <sup>(2)</sup> does not appear;
- 9. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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<sup>(1)</sup> OJ No L 73, 21. 3. 1975, p. 1.

<sup>(2)</sup> Doc. 183/77, p. 25.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down conditions for the post clearance collection of import duties or export duties which have been underpaid on goods entered for a customs procedure involving the obligation to pay such duties

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Articles 43 and 235 of the EEC Treaty (Doc. 163/77),
- having regard to the report of the Committee on External Economic Relations (Doc. 418/77),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 138, 11. 6. 1977, p. 13.

## RESOLUTION

embodying the opinion of the European Parliament on a communication from the Commission of the European Communities to the Council concerning an action programme for aeronautical research

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(77) 362 fin.),
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 246/77),
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on Energy and Research and the Committee on Budgets (Doc. 454/77),

1. Confirms the need for a common policy for the aeronautical industry so as to ensure the independence and competitiveness on the international market of this sector, which is a source of technical progress and provider of employment;
2. Considers that a multiannual action programme for research must be implemented in this sector at Community level, particularly in the light of likely technological developments and the growing pace of research and development in the United States;
3. Considers that the action programme put forward by the Commission fulfils the criteria of effectiveness and minimum cost needed to justify it at Community level;
4. Points out, however, that the figures given in the programme are only a rough guide and that it is for the budgetary authority to decide each year what funds are required to enable this programme to be pursued on a multiannual basis;
5. Calls on the Commission to ensure that, as regards the implementation of research contracts, its choice of undertakings satisfies the conditions of fair competition as between equally qualified contender firms in the Member States;
6. (a) Urges the Council to take a decision as soon as possible on the action programme for the European aeronautical sector which was put forward by the Commission on 3 October 1975, as the first step towards a genuine common aeronautical policy;
- (b) Awaits the report announced by the Commission <sup>(1)</sup> on the intentions of the Member States and the companies concerned so that the common policy for the aeronautical sector can develop along the most practical lines possible;
7. Approves therefore the provisions of the action programme for aeronautical research submitted by the Commission and expects the Council, pursuant to its declaration of 14 March 1977, to adopt the relevant decisions as soon as possible.

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<sup>(1)</sup> Official Journal — Annex, Debates of the European Parliament, No 211, p. 139.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a second Directive on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 57 (2) of the EEC Treaty (Doc. 502/75),
  - having regard to Article 60 of the EEC Treaty,
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Legal Affairs Committee and the Committee on Budgets (Doc. 381/77),
1. Emphasizes that the principles laid down in the EEC Treaty relating to freedom of establishment and freedom to provide services can be invoked and foreigners are entitled to demand equal treatment with natives irrespective of whether the Council has adopted Directives on the matter;
  2. Takes the view that the wide differences between the provisions in the Member States are an impediment to the effective exercise of the freedom to provide services in insurance in the common market and that extensive coordination of the national laws is therefore needed;
  3. Considers the Commission's proposal as a first step in this direction;
  4. Emphasizes that the provisions relating to insurance are primarily intended for the protection of the policy-holder, and that Community provisions must afford the policy-holder at least the same protection as the national provisions which they are to replace;
  5. Draws attention also to Article 3 (f) of the EEC Treaty under which competition within the common market is to be protected from distortion;
  6. Considers that the Commission's proposal to leave it to the insurance undertaking itself to decide whether to take advantage of the principle of freedom to provide services or the freedom of establishment is right, but this facility must not reduce the protection of the policy-holder;
  7. Considers that the Community provisions on freedom to provide services in insurance must include rules about supervision and reserves; only in this way can consumer interests be safeguarded and equal conditions of competition ensured for the undertakings;
  8. Emphasizes that the situation under public law as regards insurance by the institutions referred to in Article 4 of the first coordination Directive, and the risks covered by them remain unaffected;

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<sup>(1)</sup> OJ No C 32, 12. 2. 1976, p. 2.

9. Fears that implementation of the principle of freedom in the choice of insurance contract law might delay subsequent coordination of national laws governing insurance contracts and result in the possibility of policy-holders and/or third parties inadvertently losing their normal insurance cover;

10. Advises, therefore, against implementation of the principle of freedom in the choice of insurance contract law at the present time, and takes the view that a departure from the principle of Article 60 of the EEC Treaty, under which the freedom to provide services may be exercised under the conditions imposed by the State in which such services are provided, is only defensible in the case of transport insurance and certain industrial and commercial risks;

11. Emphasizes, however, at the same time the need for the Commission to submit proposals for coordinating the laws relating to insurance contracts as soon as possible and not later than three years after promulgation of this Directive, for it is only by this means that the freedom to provide services in the insurance sector within the common market can be effectively promoted;

12. Calls upon the Commission to ensure that insurance companies established within the common market enjoy the same opportunities in the exercise of their business in third countries as insurance companies established in third countries and practising within the Community;

13. Approves the Commission's proposal, subject to these reservations, and requests it to incorporate the following amendments in its proposal pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Second Council Directive on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life insurance and laying down provisions to facilitate the effective exercise of freedom to provide services**

P r e a m b l e a n d r e c i t a l s u n c h a n g e d

*Article 1*

*Article 1*

The object of this Directive is:

- (a) to supplement the First Council Directive of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct insurance other than life assurance;
- (b) to lay down provisions to facilitate the effective exercise of freedom to provide services by the undertakings and in respect of the classes of insurance covered by that coordinating Directive.

1. The object of this Directive is:

- (a) u n c h a n g e d
- (b) u n c h a n g e d

2. This Directive shall not affect the situation under public law as regards insurance by the institutions referred to in Article 4 of the first coordinating Directive and the risks covered by them.

A r t i c l e s 2 a n d 3 u n c h a n g e d

(1) Full text in OJ No C 32, 12. 2. 1976 p. 2.

Article 4

1. *Insurance contracts concluded in the classes covered by the first coordinating Directive shall be governed by the law of the parties' choice. Where the risk is situated within the Community the choice must be made from among the laws in force in the Member States.*

*The parties shall be free to choose the law of a third country if the risk in question is one of those listed under numbers 4, 5, 6, 7, 11, 12, 14 and 15 in point A of the Annex to the first coordinating Directive, where there is a definite connection between the laws of that country and the risk insured or the insured person.*

2. *In the absence of a choice of law to be applied or where the choice made is contrary to the provisions of paragraph 1, the contract shall be governed by the internal law of the Member States in which the risk is situated.*

Article 4

1. **Until the law on insurance contracts is coordinated, which must take place within a period of three years from the date of notification of the present Directive, insurance contracts shall be governed by the law of the country in which the risk is situated.**

2. **The law agreed between the parties shall apply:**

(a) **to contracts covering risks listed under numbers 4, 5, 6, 7, 11, 12, 14 and 15 in point A of the Annex to the first coordinating Directive,**

— **where the policy-holder has the status of a trader, and**

— **where the risk to be covered relates to his business activity;**

(b) **to contracts covering risks listed under numbers 8, 9, 13 and 16 in point A of the Annex to the first coordinating Directive,**

— **where these risks are the subject of a contract concluded for his own account and/or for the account of a third party by a legal or natural person who owns part or all of the interest insured and who, under a law applying to him, has the status of a trader, and**

— **where the amount insured in respect of risks listed under number 8 in point A of the Annex to the first coordinating Directive is not less than 7 million EUA, or where the aggregate amount insured in respect of risks listed under numbers 8, 9 and 16 is not less than 10 million EUA;**

(c) **In the absence of a choice or where the choice made is contrary to the provisions of this paragraph, the contract shall be governed by internal law of the Member State in which the risk is situated.**

Article 5

1. Pending their further coordination, which shall occur within a maximum period of three years from the date of notification of the present Directive, and in cases where the law chosen by the parties is other than that of the Member State where the risk is situated, only those 'essential' dispositions of law applicable in that State may be applied; those essential dispositions can cover:

- the declaration of the risk by the policy-holder, either when the policy is taken out or during the period of the contract, and penalties;
- the payment of the premium and the consequences of non-payment;
- the obligations of the policy-holder on the occurrence of a claimable event, and penalties;
- the circumstances in which the contract may be annulled;
- the rights of third parties;

shall, pending their subsequent coordination, remain applicable.

2. The restrictions imposed by the preceding paragraph on the freedom to choose the law governing the contract shall not apply to contracts covering risks referred to in Article 6 provided that the conditions laid down in that Article are met.

3. Member States under whose legislation or case law the provisions referred to in paragraph 1 are mandatory shall forward the list of those provisions to the Commission within 18 months of the notification of the Directive. The Commission shall forward that list to the other Member States.

Article 6

1. The following is added to Articles 8 (3) and 10 (3) of the first coordinating Directive:

Article 5

3. The figures given in (2) (b) second indent shall be reviewed, and if necessary adapted, at the latest within three years from the date of notification of the present Directive in the light of progress achieved in the coordination of legislation provided for in paragraph 1 above.

1. deleted

2. deleted

3. deleted

Article 6

By way of derogation from Articles 8 (3) and 10 (3) of the first coordinating Directive, Member States

*'However, Member States may not apply provisions which require general and special policy conditions and tariffs to be approved:*

*(a) in respect of risks listed under numbers 4, 5, 6, 7, 11, 12, 14 and 15 in point A of the Annex to the first coordinating Directive:*

*(i) where the policy-holder has the status of a trader, and*

*(ii) where the risk to be covered relates to his business activity;*

*(b) in respect of risks listed under numbers 8, 9, 13 and 16 in point A of the Annex to the first coordinating Directive:*

*(i) where these risks are the subject of a contract concluded for his own account and/or for account of a third party by a legal or natural person who owns all or part of the interest insured and who, under a law applying to him, has the status of a trader, and*

*(ii) where the amount insured in respect of risks listed under number 8 in point A of the Annex to the first coordinating Directive is not less than seven million units of account or where the aggregate amount insured in respect of risks listed under numbers 8, 9 and 16 is not less than 10 million units of account.*

*2. The figures given in point (b), second sentence, shall be reviewed and if necessary adapted, at the latest within three years from the date of notification of the present Directive, in the light of progress achieved in the coordination of legislation provided for in Article 5 (1).*

**may not, in respect of the risks listed in Article 4 (2) apply the provisions which require general and special policy conditions and tariffs to be approved.**

**(a) deleted**

**(b) deleted**

**2. deleted**

**Articles 7 and 8 unchanged**

*Article 9*

1. Subject to the provisions of this Directive, the undertaking must comply with the rules in force in the Member State in which the risk is situated which concern:

— compulsory insurance;

— *the mandatory provisions concerning the insurance contract mentioned in Article 5 (1);*

*Article 9*

1. Subject to the provisions of this Directive, the undertaking must comply with the rules in force in the Member State in which the risk is situated which concern:

— compulsory insurance;

— **provisions existing in the country in which the risk is situated concerning the law on insurance contracts with the exception of the cases mentioned in Article 4 (2);**



- tariffs and the general and special conditions of insurance policies;
- fair trading.

2. If the supervisory authority of the Member State in which the risk is situated is aware that these provisions are being violated by an undertaking exercising freedom to provide services on its territory, it shall submit its complaint to the supervisory authority of the authorizing State and shall propose suitable measures for putting an end to the situation.

3. The supervisory authority of the authorizing State shall take all appropriate measures, which may extend to withdrawal of the authorization referred to in Article 8, to put an end to the infringements of which it has thus been notified. It shall inform the supervisory authority of the Member State in which the risk is situated thereof.

4. If, in spite of the measures thus taken by the authorizing State, the undertaking persists in seriously violating the provisions referred to in paragraph 1, the Member State in which the risk is situated may, after having informed the supervisory authority of the authorizing State thereof, take any appropriate measures which are strictly necessary to put an end to the situation.

*Article 10*

1. *Subject to Articles 6 and 13 and notwithstanding Articles 4 and 5*, contracts concluded by way of the exercise of freedom to provide services and covering risks insurance of which is compulsory in the Member State in which the risk is situated must comply with the legislation in force in that Member State.

This provision shall not apply to the risks referred to in *Article 6*.

2. Where the Member State in which the risk is situated requires proof that the obligation to take out insurance has been complied with, it shall accept for this purpose the certificate issued by the insurance undertaking availing itself of freedom to provide services.

- tariffs and the general and special conditions of insurance policies;
- fair trading;
- **the constitutional, public-law and administrative provisions binding on everyone in the country, in which the risk is situated.**

2. u n c h a n g e d

3. u n c h a n g e d

4. u n c h a n g e d

*Article 10*

1. Contracts concluded by way of the exercise of freedom to provide services and covering risks insurance of which is compulsory in the Member State in which the risk is situated must comply with the legislation in force in that Member State.

This provision shall not apply to the risks referred to in **Article 4 (2)**.

2. u n c h a n g e d

3. Where, in the Member State in which the risk is situated, the insurer has to notify certain competent authorities when cover ceases to be provided, the termination of cover can be invoked against injured third parties only one month after the date on which the competent authorities receive such notification from the insurance undertaking.

3. unchanged

Articles 11 to 14 unchanged

Article 15

The provisions of this Directive shall apply to agencies and branches established within the Community and belonging to undertakings whose head office is outside the Community *which are subject to and which satisfy the provisions of Title III of the first coordinating Directive.*

Article 15

The provisions of this Directive shall apply to agencies and branches established within the Community and belonging to undertakings whose head office is outside the Community, **where the third countries concerned have concluded an agreement with the Community under the conditions specified in Article 29 of the first coordinating Directive.**

Articles 16 to 20 unchanged

RESOLUTION

on compliance by the signatory States with their obligations under the Final Act of the Helsinki Conference, with particular reference to the reunification of families

*The European Parliament,*

- noting that, in the Final Act of the Helsinki Conference on Security and Cooperation in Europe, the signatory States included in the 'Declaration on principles guiding relations between participating States' the 'respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief',
  - noting that the signatory States entered into precise commitments, with respect to cooperation in humanitarian and other fields, to encourage contacts between people and more particularly 'Contacts and regular meetings on the basis of family ties', the 'Reunification of families', 'Marriages between citizens of different States' and 'Travel for personal or professional reasons',
  - having regard to the increasing number of appeals addressed to the Community bodies seeking support for efforts to gain recognition of the rights of citizens of East European countries in this matter,
  - having regard to the political role which the Community can and must play and to its duty not to disappoint the expectations of those from whom it has received appeals,
  - recalling its resolutions of 11 May 1977 on the protection and defence of human rights <sup>(1)</sup> and on the preparatory meeting of 15 June 1977 in Belgrade as provided for by the Final Act of the Helsinki Conference on Security and Cooperation in Europe <sup>(2)</sup>;
  - having regard to the report of the Political Affairs Committee (Doc. 424/77):
1. Calls upon the Council of the European Communities and the Governments of the Member States to jointly take all possible steps to ensure compliance by the signatory States with all their obligations under the Final Act of the Helsinki Conference, with particular reference to the reunification of families;
  2. Instructs its President to forward this resolution to the foreign ministers of the nine Member States of the Community meeting in political cooperation, the Council and Commission and the Governments of the Member States.

<sup>(1)</sup> OJ No C 133, 6. 6. 1977, p. 30.

<sup>(2)</sup> OJ No C 133, 6. 6. 1977, p. 32.

**RESOLUTION**  
**on European political cooperation**

*The European Parliament,*

- noting the development of political cooperation machinery between the Nine over recent years,
- considering that the links between the Foreign Ministers of the Nine and the European Parliament must be improved and strengthened, particularly with a view to providing the European Parliament with wider scope for exercising influence over political cooperation,
- regretting the instances of failure to coordinate the positions and action of the nine Member States of the Community, particularly in certain cases, in the General Assembly of the United Nations and in other international fora,
- expressing its concern at the lack of substantive and up-to-date information given to the European Parliament by the Foreign Ministers of the Nine concerning measures of joint foreign policy,

**A. Requests the Governments of the Member States:**

1. to ensure that the European Parliament is fully informed concerning all joint foreign policy decisions taken by the Nine;
2. to provide Parliament's Political Affairs Committee, in an appropriate form, with substantive and up-to-date information concerning the meetings and activities of the Foreign Ministers of the Nine outside the quarterly meetings and subsequent colloquies;
3. to take account of the foreign policy guidelines adopted by the European Parliament;
4. to instruct the Foreign Ministers to submit a written annual report on European political cooperation to the European Parliament one month in advance of the annual debate in Parliament on European political cooperation;
5. to decide to end the artificial distinction between 'Community' and 'political cooperation' matters, and, in this respect, to invite the Commission to participate fully in all parts of all political cooperation meetings;
6. to instruct the Foreign Ministers to seek agreement on the political and related aspects of negotiations with third countries before the Council of Ministers gives a mandate to the Commission to open negotiations and to establish this mandate in the light of an orientation debate held by the Parliament;
7. to ensure that the Commission represents the Community in all major multilateral economic negotiations following agreement by the Foreign Ministers on the political and related aspects of such negotiations;

**B. Instructs its President to forward this resolution together with the report of its committee to the Council, the Foreign Ministers meeting in political cooperation, the Commission and to the Parliaments and Governments of the Member States.**

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on aid to shipbuilding

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been optionally consulted by the Council (Doc. 391/77),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 465/77),
1. Reiterates that it is urgent and important for the Community to develop an industrial policy embracing the interdependent sectors of shipping, shipbuilding, ship repairing and commercial trade policy <sup>(2)</sup>;
  2. Repeats its call <sup>(2)</sup> to the Commission to convene, at the earliest possible opportunity, a Community conference of all concerned, including representatives from the European Parliament, to discuss the inter-relationships and interdependence of these sectors, though this must not be allowed to cause any unnecessary delay;
  3. Is still of the opinion that the provisions relating to aid granted by the Member States to the shipbuilding industry should be considered part of a structural policy <sup>(3)</sup>;
  4. Stresses the need to conclude international agreements under the aegis of the OECD and/or through bilateral agreements between the Community and the major shipbuilding countries, to ensure the survival of a shipbuilding industry within the Community;
  5. Notes that the recent economic difficulties have contributed to the failure to meet the objectives of the current Directive on shipbuilding, and that the number and extent of individual national aid arrangements within the Community have even increased;
  6. Regrets, moreover, that the proposal from the Commission takes no account of the previous opinions delivered by the European Parliament on these matters;
  7. Considers that harmonization of the aid arrangements in the Member States is even more necessary in the present situation than it was previously; the Commission must ensure that ceilings are observed in order to prevent undesirable competition developing in aid policy;
  8. Notes, in this connection, the significance it ascribes to certain provisions of the proposal for a Directive (Article 4 (1), Article 5 and Article 6 (2)), stipulating that the Commission must approve certain aid measures in

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<sup>(1)</sup> OJ No C 294, 7. 12. 1977, p. 4.

<sup>(2)</sup> OJ No C 57, 7. 3. 1977, p. 57.

<sup>(3)</sup> OJ No C 76, 3. 7. 1974, p. 41.

advance; however, without an agreed industrial policy and with the exemptions allowed, it is difficult to accept that the Directive will be sufficiently effective;

9. Urgently calls on the Council to give the Commission the necessary powers concerning prior approval, since this is the only way of ensuring that national aid measures can in practice be harmonized to a certain extent and of avoiding the most extreme distortion of competition;

10. Stresses the importance of ensuring maximum openness about the substance and scope of aid arrangements; the Commission should therefore report annually to the Council and the European Parliament on its experience with the application of the Directive;

11. Calls on the Commission to insert the term 'European units of account' (EUA) in Article 4 (2) in place of 'units of account' (u.a.);

12. Calls upon the Commission to discuss the matter again with the competent committee of the European Parliament if adoption of the proposed Directive is long delayed, or if the Commission has to make substantial amendments to its proposal to obtain the approval of the Council.

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## RESOLUTION

### on the 1977 Nobel Peace Prize

*The European Parliament,*

— having regard to the report by the Political Affairs Committee (Doc. 398/77),

1. Welcomes the decision to award the 1977 Nobel Peace Prize to Amnesty International;
2. Takes the opportunity to express its support for Amnesty International and for its untiring work in all the countries of the world in defence of all the liberties and rights of man in general;
3. Calls on the Community institutions and the governments of the Member States to support and facilitate the independent activities of this organization;
4. Instructs its President to forward this resolution to the Council and Commission and to the governments of the Member States.

## RESOLUTION

### on the effects of the Mediterranean policy on Community agriculture

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council on Mediterranean agricultural problems (COM(77) 140 fin.),
- having regard to the report from the Committee on Agriculture and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on External Economic Relations (Doc. 467/77),
- in view of the current public debate and the discussions within the Community on the problems of the Community's Mediterranean regions and their products in the light of the possible enlargement of the Community,
- considering that the Mediterranean regions of the Community, in particular the Italian Mezzogiorno, are experiencing grave economic difficulties and their agriculture is unable to provide an adequate income for their farmers,

1. Calls upon the Commission to draw up a more precise and detailed list of the communes and areas to be included in the definition of Mediterranean area, on the lines of that given in Directive 268/75/EEC on mountain and hill farming and farming in less-favoured areas, which should be drawn up on the basis of objective criteria such as climate, type of production and numbers employed in farming so as to avoid the risk of excluding any area from Community measures aimed primarily at the 'Mediterranean' area;

2. Notes that whereas agricultural production in the Mediterranean regions has increased in recent years, their share of exports to the other Community countries has fallen compared with imports from other Mediterranean countries which have various kinds of agreement with the Community;

3. Considers the position of fresh and processed fruit and vegetables, olive oil and wine to be particularly serious;
4. Believes that the Mediterranean agreements signed by the Community have helped to aggravate the already precarious position of the Community's Mediterranean regions, increasing competition from products originating in other Mediterranean countries and thus intensifying the dissatisfaction of Mediterranean farmers whose livelihood is in danger;
5. Notes that the Community's pricing and marketing policy has not, except in a few cases, sufficiently protected southern products, as is demonstrated by the need for more adequate financing from the Guarantee Section of the EAGGF, for these products;
6. Asks, therefore, that the reform of the main market organizations for Mediterranean products be carried out immediately and independently of the negotiations for the accession of the three applicant countries;
7. Firmly believes that this reform should be aimed at providing a higher income for producers in the Community's Mediterranean regions, at ensuring greater protection from imports from other Mediterranean countries at artificially low prices, and at the same time avoiding the creation of costly surpluses through appropriate structural measures;
8. Considers, however, that in cases where the proposed structural reforms entail a reduction in producers' incomes, the latter should be directly supported by appropriate measures;
9. Asks the Commission to take account, in formulating its proposals for this reform, of the practical suggestions for individual products put forward in this report;
10. Stresses in particular the need to strengthen the system of reference prices, which at present do not provide sufficient protection for Mediterranean products, and to consider, where necessary, providing Mediterranean third countries with forms of compensation;
11. Asks, furthermore, that there be set up as soon as possible common market organizations for products important to the Community's Mediterranean regions such as sheepmeat and goat meat, new potatoes, and alcohol, and that typically Mediterranean produce be protected at Community level;
12. As regards structural and regional aid, calls upon the Commission to present as soon as possible the proposals for irrigation in the Mediterranean regions which it has already announced;
13. Asks that certain Community aids, which should be primarily reserved for the Mediterranean areas, be concentrated in certain regions;
14. Insists on the need to coordinate aid from the various Community funds to make it more effective and decisive;
15. Believes that without a thorough reform of the common agricultural policy and a more effective regional policy, the problems of the Community's Mediterranean regions will become increasingly, and unacceptably, acute;
16. Stresses, therefore, that it is vital that current debate focuses on a series of practical measures commensurate with the acuteness of the problems;
17. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

**RESOLUTION**  
on the deportation of political and trade union personalities in Chile

*The European Parliament,*

- having learnt with indignation of the measures taken by the military junta of Chile on 13 January 1978 to deport to Iquique the Christian-Democratic political and trade union leaders Mrs Georgina Aceituno and Mr Thomas Reyes Vicuna (Vice-Chairman of the Christian-Democratic Party and former President of the Chilean Senate), Mr Belisario Velasco (Head of Radio 'Presidente Balmaceda' which has been banned by the régime), Mr Adolfo Zaldivar, Mr Andrés Aylwin, Mr Ignacio Balbontin, Mr Samuel Astorga, Mr Guillermo Jungue, Mr Elias Sanchez, Mr Juan Manuel Sepulveda, Mr Herman Mery, Mr Enrique Fernandez Andrade and Mr Juan Reyes, and of the arrest on 12 January 1978 at Rancagua of Mr Octavio Burotto (former Governor of the province of Chiloe, who has not been heard of since),
- reaffirming its previous condemnation of the military dictatorship and the persistent violation of human rights in Chile,
  1. Protests vigorously against these arbitrary arrests and deportations, and asks the Chilean Government to reconsider these decisions which constitute an infringement of basic human rights and fundamental freedoms;
  2. Expresses its solidarity with the arrested and deported Chilean personalities and with their families;
  3. Asks the governments of the Member States and the Presidents of the Council and Commission to make joint representations without delay to the Chilean military régime with regard not only to those recently arrested and deported but also to all political prisoners whose release is awaited by international public opinion;
  4. Instructs its President to forward this resolution to the Council and Commission and to the Governments of the Member States.



## RESOLUTION

embodying the opinion of the European Parliament on the amended proposal from the Commission of the European Communities to the Council for a Regulation concerning producer groups and associations thereof

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Articles 42 and 43 of the EEC Treaty (Doc. 156/77),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 375/77),
1. Considers that the proposal submitted by the Commission can contribute effectively to promoting the formation of producer groups and associations thereof in those regions of the Community where they are most needed;
  2. Gives its approval to a territorially limited measure, having regard to the impossibility, evidenced by the failure of previous proposals, of arriving at uniform Community rules in this field and also to the serious structural deficiencies of the regions in question as regards the supply of agricultural products;
  3. Considers that a greater concentration of supply, which could be achieved by the formation of groups and associations, would not only enable the objectives of Article 39 of the Treaty to be pursued more expeditiously, but would also help to overcome certain difficulties that have adverse effects on the Community budget by reducing surpluses of certain products, improving the quality of supply and ensuring a more effective control on the way in which Community funds are spent;
  4. Asks that potatoes should also be included in the list of products to which the Regulation applies;
  5. Considers that it should be left to the Member States concerned to decide whether to include in producer groups persons other than agricultural producers;
  6. Takes the view that the concept of 'producer' should be defined in the present Regulation and that the Standing Committee on Agricultural Structures should not be asked to define it;
  7. Considers it essential, if this measure is to be as effective as possible, that it should be made valid for a period of five years and that the upper limits of the aids laid down in the proposal should be raised;

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<sup>(1)</sup> OJ No C 146, 22. 6. 1977, p. 2.

8. Considers also that the groups and associations mentioned in this Regulation should have priority as regards access to the investment aids laid down in Regulation (EEC) No 355/77 concerning the improvement of the conditions under which agricultural products are processed and marketed <sup>(1)</sup>;

9. Approves the Commission proposal, subject to the amendments indicated;

10. Requests the Council to approve the proposal as soon as possible, especially in view of the fact that in a resolution adopted at its meeting of 14/15 February 1977 it undertook to approve it by 30 June 1977;

11. Requests the Commission to adopt the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No L 51, 23. 2. 1977.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### Council Regulation concerning producer groups and associations thereof

Preamble, recitals and Article 1 unchanged

#### Article 2

This Regulation shall apply to the products of the soil and to the livestock products listed in Annex II to the Treaty, excluding the following products:

- products referred to in Article 1 (2) of Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables;
- fishery products falling within heading Nos 03.01 to 03.03 of the CCT;
- hops, heading No 12.06 of the CCT;
- *potatoes falling within subheading 07.01 A of the CCT;*
- silkworms ex 01.06 of the CCT.

#### Article 3

2. The Council acting by a qualified majority on a proposal from the Commission may decide to amend the Annex.

#### Article 2

This Regulation shall apply to the products of the soil and to the livestock products listed in Annex II to the Treaty, excluding the following products:

- products referred to in Article 1 (2) of Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables;
- fishery products falling within heading Nos 03.01 to 03.03 of the CCT;
- hops, heading No 12.06 of the CCT;
- **deleted**
- silkworms ex 01.06 of the CCT.

#### Article 3

2. The Council acting by a qualified majority on a proposal from the Commission, **and after consulting the European Parliament**, may decide to amend the Annex.

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<sup>(1)</sup> For complete text see OJ No C 146, 22. 6. 1977, p. 2.

Article 4 unchanged

Article 5

1. Producer groups shall:
  - be set up for the purpose of jointly adapting the produce and output of the producers who are members of it to market requirements;
  - consist of:
    - (a) producers, or
    - (b) producers and other persons whose activity is calculated to facilitate the attainment of the object of the group, on condition that these be set up under a legal form provided by national law for the specific purpose of ensuring that producers, whether individual or associated, retain control of the groups and their decisions.
2. Associations shall consist of recognized producer groups and shall pursue the same objectives as those groups.
3. *The concept of 'producer', for the purposes of paragraph 1 (a), shall be defined according to the procedure provided for in Article 17 within two months from the entry into force of this Regulation.*

Article 5

1. Producer groups shall:
  - be set up for the purpose of jointly adapting the produce and output of the producers who are members of it to market requirements.

They shall consist of agricultural producers.
2. unchanged
3. The term 'agricultural producer' shall mean the farmer who, operating individually or as member of a group, produces for the market and who, either individually or as a group member, is the owner of an agricultural holding and can dispose, either in whole or in part, of the product for which the group to which he belongs is recognized.
4. The Member States may allow other persons to become members of these groups, provided their activity is calculated to facilitate the attainment of the object of these groups and on condition that the groups be set up under a legal form provided by national law for the specific purpose of ensuring that producers, whether individual or associated, retain control of the groups and their decisions.
5. Agricultural producers' associations which were founded before the Regulation was issued may be recognized as producer groups and associations thereof if they comply with requirements laid down in this Regulation.

Articles 6 to 9 unchanged

*Article 10*

1. The concerned Member States shall grant to recognized producer groups, during the three years following the date of their recognition, aid to encourage their formation and facilitate their operation. The amount of such aid, for the first, second and third year respectively,

(a) shall be equal to

- a minimum of 1.5 %, 1 % and 0.5 % and
- a maximum of 3 %, 2 % and 1 %

of the value of the produce to which the recognition refers and which are placed on the market;

(b) may not exceed 60 %, 40 % and 20 % of the actual formation and operation expenses.

*However, the aid provided for in paragraph 1 may be paid over five years.*

2. Larger amounts may be fixed by the Council for certain regions and for certain products for a specified period, acting by a qualified majority on a proposal from the Commission.

*Article 10*

1. The concerned Member States shall grant to recognized producer groups, during the three years following the date of their recognition, aid to encourage their formation and facilitate their operation. The amount of such aid, for the first, second and third year respectively,

(a) unchanged

(b) unchanged

The aid provided for in paragraph 1 shall be paid in full at the latest within five years.

2. Larger amounts may be fixed by the Council for certain regions and for certain products for a specified period, acting by a qualified majority on a proposal from the Commission, **and after Parliament has given its opinion.**

Article 11 unchanged

**Article 11a**

Recognized producer groups and associations thereof shall be given priority in the allocation of the investment aids laid down in Regulation (EEC) No 355/77 concerning the improvement of the conditions under which agricultural products are processed and marketed.

Articles 12 to 14 unchanged

*Article 15*

1. Applications for reimbursement shall relate to expenditure incurred by the Member States during the calendar year *and shall be submitted* to the Commission before 1 July of the following year.

*Article 15*

1. Applications for reimbursement shall relate to expenditure incurred by the Member States during the calendar year. **These applications, together with full supporting documents and proof of utilization, shall be made available** to the Commission before 1 July of the following year.

Paragraphs 2 to 4 unchanged

Articles 16 to 21 and Annex unchanged

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the exchange rates to be applied for the purposes of the agricultural structures policy

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 392/77),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 453/77),

1. Considers that the application to the agricultural structures policy of the fluctuating representative rates of the agricultural prices policy runs counter to the original aim of the system;
2. Emphasizes that the annual fixing of representative rates for the agricultural structures policy would benefit weak currencies in a manner which is questionable from the point of view of finance policy and therefore feels that the additional expenditure arising from such fixing should be met by the Member States concerned rather than the Community budget;

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<sup>(1)</sup> OJ No C 283 24. 11. 1977, p. 19.

3. Calls for the European unit of account to be applied to the EAGGF, Guidance Section, as this could lessen the effects of currency fluctuations on structures policy;
4. Stresses that the possibility of fixing the daily fluctuating EUA should be considered only after the latter has been introduced;
5. Rejects, therefore, the Commission's proposal.

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a multiannual programme of research and development in the European Communities on paper and board recycling (indirect action 1978 — 1980)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 254/77),
  - having regard to its resolution on the proposal for an initial outline programme of the European Communities in the field of science and technology <sup>(2)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 464/77),
1. Welcomes the objectives of the proposed research programme because their achievement will mean for the Community reduced dependence on raw materials, energy savings, an improvement in Member States' balance of payments and protection of the environment; asks, therefore, that the public be kept constantly and adequately informed of the significance of such measures, and therefore feels that the Member States should support and offer tax incentives towards the collection of waste paper and waste board for recycling;
  2. Also welcomes the clear and well-arranged presentation of the proposals that make up the programme and asks the Commission to take this as a model for subsequent proposals;
  3. Calls on the Commission to give priority to the drawing up and submission of further projects designed to achieve energy savings in the industrial sector;
  4. Criticizes, however, the delay in the forwarding of this document, tied as it is to specific dates, for Parliament's opinion, and urges the Community institution responsible to draw the appropriate conclusions when fixing its timetables;

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<sup>(1)</sup> OJ No C 209, 1. 9. 1977, p. 7.

<sup>(2)</sup> OJ No C 108, 10. 12. 1973, p. 58.

5. Disclaims any responsibility should the delays in the consultation procedure be such that a start cannot be made on this welcome programme in time;

6. Would welcome, for environmental protection reasons, special priority being accorded to the research topic on de-inking in connection with the recycling of waste paper;

7. Calls on the Council finally to adopt in the form approved by Parliament, the proposals for Directives encouraging forestry measures for the purpose of improving agrarian structures and reducing water pollution caused by wood pulp mills in the Member States, these proposals having been before the Council since February 1974 and January 1975 respectively, since the impact of this eminently desirable research programme will otherwise be lessened;

8. Approves the Commission's proposal with the proviso that the Commission, pursuant to the second paragraph of Article 149 of the EEC Treaty, incorporates the following amendment in its proposal while emphasizing that any information relating to financial implications and staff requirements can only be taken as indicative until the budgetary procedure for the financial year in question has been completed, and that such information in no way imposes on the European Parliament any obligation in the exercise of its budgetary powers.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Multiannual programme of research and development in the European Communities on  
paper and board recycling (indirect action 1978—1980)**

Preamble, recitals and Article 1 unchanged

*Article 2*

The upper limit for expenditure commitments and for staff necessary for the implementation of this programme is evaluated at 2.9 million units of account and 2 staff, the unit of account being defined in accordance with the Financial Regulations in force.

*Article 2*

The upper limit for expenditure commitments and for staff necessary for the implementation of this programme is evaluated at 2.9 million units of account and 2 staff, the unit of account being defined in accordance with the Financial Regulations in force.

These figures can only be taken as indicative until the budgetary procedure for the financial year in question has been completed, and in no way imposes on the European Parliament any obligation in the exercise of its budgetary powers.

Articles 3 and 4 unchanged

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(1) For full text see OJ No C 209, 1. 9. 1977, p. 7.

## RESOLUTION

### on the First Report by the Commission of the European Communities on the State of the Environment

*The European Parliament,*

— recalling its resolutions of

- (a) 18 April 1972 on the Commission's first communication on Community environment policy <sup>(1)</sup>,
- (b) 6 July 1972 on the communication from the Commission to the Council on a European Community programme for protecting the environment and on proposals for environmental protection measures <sup>(2)</sup>,
- (c) 3 July 1973 on the proposals from the Commission to the Council on the programme of environmental action of the European Communities together with proposed measures to be taken in this field <sup>(3)</sup>,
- (d) 8 July 1976 on the continuation and implementation of a European Community policy and action programme on the environment <sup>(4)</sup>,

— having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 468/77);

1. Has noted with satisfaction this first report on implementation of the Programme of Action of the European Communities on the Environment;
2. Notes that, because of the relatively short period during which the Directives have actually been in application, the report has largely had to be confined to a description of Community activities between 1974 and 1976;
3. Nonetheless regrets that this report was produced only after some delay;
4. Requests, however, that the Commission should strengthen its next annual report by including, in particular, a uniform and detailed country-by-country assessment of the implementation of Community measures for environmental protection;
5. Asks the Commission, therefore, to urge Member States to supply their information on environmental protection regularly and punctually;
6. Notes with regret that the delays in the Community's environmental policy are attributable not least to the procrastination of the Council, which in many cases, has not acted in keeping with its Declaration of 22 November 1973 on the Programme of Action of the European Communities on the Environment, in which it undertook to decide on the Commission's proposals within a period of nine months from the date of dispatch thereof <sup>(5)</sup>;
7. Agrees with the Commission that it is now of decisive importance to build on the successes of the Programme of Action of the European Communities on the Environment, to complete it where it needs to be completed and to pursue this work over the next several years with determination;
8. Approves the Commission's efforts to combat water pollution by laying down maximum admissible concentrations for pollutants and setting standards for discharges, particularly with regard to the production of drinking water;
9. Expresses its concern to maintain the purity of usable groundwater resources and hopes that the Commission will draw up concrete proposals in this area;

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<sup>(1)</sup> OJ No C 46, 9. 5. 1972, p. 10.

<sup>(2)</sup> OJ No C 82, 26. 7. 1972, p. 42.

<sup>(3)</sup> OJ No C 62, 31. 7. 1973, p. 16.

<sup>(4)</sup> OJ No C 178, 2. 8. 1976, p. 44.

<sup>(5)</sup> OJ No C 112, 20. 12. 1973, p. 2.



10. Urges the Commission to pursue more actively the policy of reducing the rise of emissions of and exposure to substances which are dangerous to man, flora and fauna;
11. Insists that the Council should finally approve the Directive concerning the lead content of petrol;
12. Draws attention to the great potential impact on the environment of the use of new chemicals;
13. Considers it essential, therefore, for the Council to take a decision without delay on the sixth modification of the Council Directive of 27 June 1967 on the approximation of the laws, regulations and administrative provisions on the classification, packaging and labelling of dangerous substances;
14. Expects the Commission to step up its efforts to ensure that waste products that cannot be recycled are disposed of in a responsible manner;
15. Reiterates its request to the Commission to adopt as a matter of urgency the overall plan it has announced for measures to reduce noise;
16. Reminds the Commission of its undertaking, pursuant to point 8 of the Annex to the Council recommendation of 3 March 1975 concerning cost allocation and action by public authorities on environmental matters <sup>(1)</sup>, to submit to the Council at an early date all the necessary proposals regarding the harmonization of instruments for implementing the 'polluter pays' principle;
17. Urges the Commission to conduct an inquiry into the demarcation of geographical areas in which a solution may be found to the main ecological problems and where the essential technical structures can be set up for this purpose;
18. Notes that the concept of environmental management needs increasingly to be considered in a more general context in view of the unavoidable environmental repercussions of sectoral measures;
19. Encourages the Commission to pursue its activities for the preservation of the natural environment and the ecological balance;
20. Takes the view that the Commission should also draw up economy measures for the use of non-renewable natural resources;
21. Requests the Commission to take action both to limit the use of pesticides and to encourage biological or integrated farming methods;
22. Considers it vital that the Commission should press the Council to adopt the Directive concerning forestry measures as soon as possible;
23. Asks the Commission to examine whether it would be appropriate to suggest immediate action with the aim of introducing without delay afforestation measures and measures to manage water resources which are urgently needed, particularly in Italy and the Mediterranean regions of France and encouraging these measures with an EAGGF contribution of up to 50 % of the repayable national aid;
24. Requests the Commission to press the Member States for proper and speedy implementation of the Council Directive of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas <sup>(2)</sup>;
25. Calls on the Commission to urge the speedy adoption by the Council of the Community programme for safety, hygiene and health protection at work, taking into account the opinion on the guidelines delivered by the European Parliament on 24 September 1975 <sup>(3)</sup> on the guidelines for this programme, so that a start may be made as quickly as possible on its implementation;

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<sup>(1)</sup> OJ No L 194, 25. 7. 1975, p. 1.

<sup>(2)</sup> OJ No L 128, 19. 5. 1975, p. 1.

<sup>(3)</sup> OJ No C 239, 20. 10. 1975, p. 36.

26. Insists that the Commission should itself assume the short-term tasks in the field of the reform of the organization of work and that the European Foundation for the Improvement of Living and Working Conditions should concentrate on the solution of long-term problems;
27. Stresses the high social, human and economic value of preventive environmental protection, as the job opportunities created thereby can make a useful contribution to the fight against unemployment;
28. Stresses that the public at large has a legitimate right to be informed at least in broad outline of Community action in the field of environmental protection and therefore insists once again on the need for the Commission to publish each year a readily understandable summary of Community activity in the field of environmental protection;
29. Considers it an important task for the Commission in future to provide more transparent statistical material for Members of the European Parliament so that they can make their views known on proposals for environmental protection measures in full knowledge of the facts;
30. Supports the Commission fully in its endeavours to maintain regular contact with, and where possible actually take part in, environmental campaigns under the auspices of international organizations, conferences and conventions;
31. Instructs its President to forward this resolution and the committee's report to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a concerted-action project of the European Economic Community in the field of physical properties of foodstuffs

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 257/77),
  - having regard to the report by the Committee on the Environment, Public Health, and Consumer Protection and the opinion of the Committee on Budgets (Doc. 463/77),
1. Considers that scientific research on the physical properties of foodstuffs is an important step on the way to improving food technology;
  2. Acknowledges the importance to the development of food technology of coordinating national research programmes and exchanging research results at Community level;

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<sup>(1)</sup> OJ No C 209, 1. 9. 1977, p. 4.

3. Stresses that concerted action is the appropriate means of effective coordination where financial resources are limited;
4. Emphasizes that the development of new food technologies and the establishment of new standards for the foodstuffs sector is also of indirect benefit to the European consumer;
5. Calls on the Commission to submit, in the near future, a complementary programme on the organoleptic properties and nutritional value of foodstuffs;
6. Emphasizes the importance of involving small and medium-sized enterprises in the foodstuffs sector in the exchange of research results, irrespective of their investment in that research;
7. Approves the Commission's proposal, which it trusts the Council will adopt as soon as possible.

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#### RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the supply of food aid in the form of skimmed-milk powder and butteroil to India for the second phase of 'Operation Flood'

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 394/77),
  - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Budgets and the Committee on Agriculture (Doc. 461/77),
1. Agrees with the Commission's proposals to supply food aid in the form of skimmed-milk powder and butteroil to India for the second phase of 'Operation Flood', particularly in view of the successful completion of the first phase;
  2. Welcomes the objectives of this programme and considers it highly desirable that, by 1985, the living conditions of 10 million families engaged in milk production should be improved;
  3. Regards this form of food aid as particularly efficient since it not only helps, in the short term, to alleviate the critical food situation in India but also pursues long-term development goals, particularly the improvement of rural structures;
  4. Takes the view that the use of food aid for such purposes not only causes the least problems but also contributes directly to the economic and social development of the recipient country;

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<sup>(1)</sup> OJ No C 279, 19. 11. 1977, p. 3.

5. Calls on the Council to further the positive trends in development policy by giving full approval to the Commission's proposals so that the second phase of 'Operation Flood' will not be delayed and also takes the view that this project could also act as stimulus to a coherent development policy towards India;
6. Hopes that the Indian Government will be informed that the Community is basically in favour of supporting this project, in the next few years, involving the delivery of some 186 000 tonnes of skimmed-milk powder and 114 000 tonnes of butteroil under the firm commitment for 1978 and in subsequent years;
7. Supports this project on condition that the World Bank helps to finance it and that the Community receives the necessary guarantees that the food provided and the counterpart funds are used exclusively to further the objectives of the project;
8. Calls upon the Commission to report to Parliament at regular intervals on the progress and results of the project;
9. Reiterates, therefore, that it would be much easier to integrate food aid into development programmes if the Community were prepared to give a multiannual commitment;
10. Takes the view that, in the case of countries which have adequate production potential, food aid can help the recipient country gradually to become independent of food aid and to meet its own requirements;
11. Calls on the Council, therefore, to decide on the food-aid programme for the coming years, especially the programme for 150 000 tonnes of skimmed-milk powder, and to make the necessary funds available;
12. Takes the view that this project is an interesting experiment which could serve as a model for similar development schemes in the future; in addition to helping the balance of payments, it could make a direct contribution to the realization of significant development policy projects;
13. Supports the Commission's proposal to finance the delivery costs but regards the estimates as fairly high and calls upon the Commission to consider possible ways of reducing the transport costs.

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#### RESOLUTION

embodying the opinion of the European Parliament on the communications from the Commission of the European Communities to the Council concerning the 1978 programmes for food aid in cereals, skimmed-milk powder and butteroil and the nutritional and developmental perspectives for dairy products in the Third World

*The European Parliament,*

- having regard to the communications from the Commission of the European Communities to the Council (COM(77) 512 fin. and 540 fin.),
- having been consulted by the Council (Doc. 383/77 and Doc. 399/77),
- having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Budgets and the Committee on Agriculture (Doc. 492/77),

1. Approves the Commission's proposals for the 1978 food-aid programme and welcomes in particular the fact that the Commission has for the first time incorporated the three Community food-aid programmes in a single communication;
2. Takes the view that the Community's food aid will only be effective if the basic principles are laid down within the framework of a long-term development strategy and policy;
3. Calls in particular upon the Council to switch over to multiannual commitments in order to make it possible to include food aid measures in development programmes (project aid);
4. Advocates, in view of the mounting requirements of the developing countries and for political and moral reasons, that Community food aid should be increased independently of any surpluses from the European agricultural policy;
5. Considers that, in view of the Community's skimmed-milk powder mountain, the supply of 150 000 tonnes of milk powder represents a minimum programme and therefore calls for an increase to 200 000 tonnes; reminds the Council, moreover, that the 14 million units of account for the second instalment of the 1977 programme have still not been released;
6. Hopes that, in this connection, the Commission will finally give a clear answer to the question of how much it costs to store one tonne of skimmed-milk powder and then use it as an addition in cattle fodder;
7. Would also welcome information on the organization of those Commission departments which deal with food aid and agricultural surpluses;
8. Considers it particularly important for commitments to supply skimmed-milk powder to be made on a multi-annual basis in order to ensure that the other developing countries are not placed at a disadvantage by the implementation of 'Operation Flood II' in India and because milk powder, with its very high protein content, represents an almost ideal food;
9. Welcomes, therefore, the Commission's separate communication on the use of dairy products for nutritional and developmental purposes in the third world, which represents a logical supplement to the food-aid programme;
10. Considers it important that skimmed-milk powder should be enriched with vitamins in order to increase its nutritional value and prevent possible damage to health; calls on the Community at the same time to make appropriate technical facilities available to ensure that the milk powder can be hygienically reconstituted;
11. Supports the Commission's proposed mode of distribution, whereby the majority of the aid will be placed at the disposal of the poorest developing countries; agrees therefore also that financing should cover delivery at destination so that the aid does in fact reach the poorest sections of the population in the poorest countries;
12. Hopes that, after a certain period, the Commission will provide information on whether the distribution system has operated satisfactorily both in the case of products supplied direct and in the case of products distributed through international organizations;
13. Welcomes the Commission's intention to give preference, in the distribution of food aid, to development projects, since in the short term such assistance will serve to alleviate the critical nutritional situation and in the long term will contribute to economic and social development and in particular to rural structural improvement in the recipient countries, thus ultimately making food aid superfluous;
14. Considers it desirable in principle that a tendering procedure should be introduced in respect of aid so that deliveries can be made at favourable prices, but also believes that a non-bureaucratic and flexible approach should be adopted in the event of catastrophes;
15. Considers the previous supervision of financial aid in respect of food to be inadequate and therefore calls on the Commission to make fundamental improvements in the control procedure;

16. Takes the view that food aid does not represent a final solution but only fulfils a bridging function, although for the time being, in view of the starvation in the world, it has a crucial role to play;

17. Draws express attention to the fact that, in the context of development policy, priority must be given first and foremost to the development of the agricultural sector, because agriculture must finally make the transition from production for self-supply to production for market supply and because, from the point of view of employment policy and thus of development policy, crucial importance attaches to rural areas; supports, moreover, all measures for sensible and responsible family planning;

18. Proposes that, when providing food aid, preference should be given in particular to those developing countries which themselves make the necessary effort to improve agricultural structures and takes the view that a supra-national institution, for example the World Food Council, could assume responsibility for the necessary monitoring of progress in this field.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal to transfer appropriations, within Section III — 'Commission' — of the general budget for 1977, amounting to 8 million units of account from Chapter 100, 'Provisional appropriations' to Item 3710, 'Basic research in the aerospace sector'

*The European Parliament,*

- having regard to the procedure decided at its session of 18 September 1973 <sup>(1)</sup> which envisaged that the Committee on Budgets would ask for the approval of the Assembly for proposed transfers within Section III of the general budget, where these transfers raised matters of political importance,
- aware of the importance of new initiatives in the European aerospace sector which are long overdue,
- aware that a sum of 8 million units of account was voted for this item and placed in the reserve under Chapter 100 in the context of the agreement between the Institutions on the adoption of the 1977 budget,
- aware that this budgetary line was not implemented during the course of 1977 despite frequently expressed concern by the European Parliament,
- aware that the transfer and carrying forward of these appropriations to the 1978 budget, to add to the total voted for aerospace operations, was part of the agreement between the Institutions on the 1978 budget and was considered as necessary to provide the minimum level of appropriations making the programme viable,
- having regard to amendment No 420/79 which laid down this agreement and which was adopted on 15 December 1977,

1. Approves the proposed transfer of appropriations;
2. Insists that the Council does not delay giving effect to the budgetary decisions of the European Parliament with regard to the budgetary line in question, and that it therefore speedily approves the transfer of appropriations within the 1977 budget and their subsequent carrying forward to 1978;
3. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> OJ No C 83, 11. 10. 1973.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 516/72 on the introduction of common rules for shuttle services by coach and bus between Member States
- II. a Regulation amending Regulation (EEC) No 517/72 on the introduction of common rules for regular and special regular services by coach and bus between Member States

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Docs. 425/77 and 429/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 516/77),

Approves the Commission's proposals.

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<sup>(1)</sup> OJ No C 293, 6. 12. 1977, pp. 5 and 6.

## RESOLUTION

on the resolution of the Council and of the Ministers of Education meeting within the Council of 13 December 1976 concerning measures to be taken to improve the preparation of young people for work and to facilitate their transition from education to working life

*The European Parliament,*

- having regard to the resolution of the Council and of the Ministers of Education meeting within the Council of 13 December 1976 concerning the measures to be taken to improve the preparation of young people for work and to facilitate their transition from education to working life,
- having regard to the report of the Committee of Social Affairs, Employment and Education (Doc. 513/77),

1. Welcomes the fact that the attention and interest which it has constantly shown towards the relationship between young people's education and their employment has now found practical expression in the resolution of the Council and of the Ministers of Education meeting within the Council;
2. Regrets, however, that a matter of such importance, the ultimate aim being to combat the ever-increasing unemployment among young people, should be treated in general terms at a time when new guidelines and practical proposals are needed so that young people will not despair of their future and lose all faith in the ability and will of society to implement an effective employment policy;
3. Considers that the measures taken so far in connection with the preparation of young people for work, the transition from school to work and the creation of opportunities for further studies after the period of compulsory schooling have been too limited, badly coordinated and ineffective in finding a solution to a problem which now affects two million of the Community's young citizens;
4. Is of the opinion that vocational training schemes should give priority to the needs of young people whose inadequate schooling or lack of diplomas makes them especially vulnerable to changing conditions on the labour market and to those of young people who encounter difficulties during the transition to working life because they are not adequately qualified;
5. Is surprised that the resolution limits the field of action to the period of compulsory schooling and subsequent vocational and general training since the ultimate objective must be to extend the measures to all categories of young people who require better preparation for their working lives irrespective of the length of their education;

6. Considers that tangible results will not be forthcoming until there is effective coordination and shared responsibility between the organizations responsible for education, vocational training, counselling and employment policies acting in collaboration with the social partners and the authorities, local and regional authorities included;

7. Considers therefore that an integrated policy for young people should be initiated in which the aspects of education, vocational training and integration into working life are closely combined on the basis of

- cooperation and coordination at national level between the various ministries concerned,
- cooperation and coordination at Community level between the various governmental services concerned,
- the setting up by the European Parliament of a committee on education, vocational training and youth,
- meetings at the highest level between those with responsibility for education, vocational training and employment;

8. Welcomes the adoption by the Council and the Ministers of an appropriation of approximately 11 million units of account for the period up to 1981, while judging this sum to be altogether inadequate to ensure that the scope and effectiveness of the measures envisaged will be commensurate with the seriousness of the problem of unemployment among young people;

9. Suggests therefore that there should be coordination of the amounts already allocated to youth projects by the Social Fund, the Regional Fund, the Guidance Section of the EAGGF and the appropriations on the Community budget for implementing integrated educational programmes, total appropriations being at the same time considerably increased;

10. Requests accordingly that an annual report be presented to the European Parliament on the general situation as regards projects undertaken for young people with the assistance of these Funds;

11. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

#### RESOLUTION

on draft amending budget No 1 of the European Communities for the 1978 financial year,  
drawn up by the Council

*The European Parliament,*

- having regard to preliminary draft amending and supplementary budget No 1 of the European Communities for the 1978 financial year (COM(78) 25),
  - having regard to draft amending budget No 1 of the European Communities for the 1978 financial year, drawn up by the Council (Doc. 544/77),
  - having regard to the report of the Committee on Budgets (Doc. 547/77),
- (a) Believing that the existence of a full system of own resources for the budget of the Communities is essential if the future development of a unified Europe is to be safeguarded;
  - (b) Recalling the deep significance which it has attached over the past decade to the implementing of the value added tax element of own resources;
  - (c) Deploring the failure of Member States to take the necessary steps in good time to make Community value added tax operational from 1 January 1978,

1. Deplores that this draft amending budget should have been rendered necessary by the failure to have the Community value added tax in operation from the beginning of the current financial year;

2. Observes that the provisions of Article 1 of the Sixth Directive on the harmonization of the laws of the Member States relating to value added tax <sup>(1)</sup> have been infringed;

3. Believes that steps should be taken and completed forthwith, by the Commission and Member States, to obviate the possibility of similar difficulties arising in relation to the 1979 budgetary procedure;

4. Approves this draft amending budget.

<sup>(1)</sup> OJ No L 145, 13. 6. 1977, p. 1.



## RESOLUTION

on some aspects of the final version of the common fisheries policy with reference to the amendments tabled to the report by the Committee on Agriculture on the proposal from the Commission of the European Communities to the Council for a Regulation laying down a licensing system to control the fishing operations of non-member countries in the maritime waters coming under the sovereignty or falling under the jurisdiction of Member States and covered by the Community system for the conservation and management of fishery resources

*The European Parliament,*

- having regard to the resolution of the European Parliamentary Assembly of 19 November 1960 on the problems of relations between the European Communities and third countries <sup>(1)</sup>, and in particular the right of legation and flag rights,

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<sup>(1)</sup> OJ No 79, 16. 12. 1960, p. 1496/60.

- having regard to the final communiqué issued at the end of the Conference of Heads of State or Government in The Hague on 1 and 2 December 1969, and in particular paragraph 16 thereof,
- having regard to the final communiqué issued at the end of the Conference of Heads of State or Government in Paris on 19 and 20 October 1972, and in particular paragraph 16 thereof,
- having regard to the declaration on European identity made at the end of the Conference of Heads of State or Government in Copenhagen on 14 and 15 December 1973, and in particular paragraphs 10 (b) and 22 thereof,
- having regard to its resolution of 14 October 1976 <sup>(1)</sup> on the extension of the Community Member States' fishing zones to 200 miles on 1 January 1977, Fishing Agreements with non-Community nations and a revised common fishing policy,
- having regard to its opinion of 9 February 1977 <sup>(2)</sup> on the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fishery resources <sup>(3)</sup>, and in particular paragraphs 6, 7, 8 and 9 of that opinion,
- having regard to its resolution of 13 May 1977 <sup>(4)</sup> on the Conference on the Law of the Sea as it affects the European Community,
- having regard to its opinion of 17 June 1977 <sup>(5)</sup> on the proposal from the Commission of the European Communities to the Council for a Regulation laying down a licensing system to control the fishing operations of non-member countries in the maritime waters coming under the sovereignty or falling under the jurisdiction of Member States and covered by the Community system for the conservation and management of fishery resources <sup>(6)</sup>, and the reference to the Committee on Agriculture of amendment Nos PE 49.279/rev., PE 49.280/rev. and PE 49.281/rev. to the report by Mr Hughes on behalf of that committee on the above proposal,
- having regard to the report by the Committee on Agriculture and the opinion of the Legal Affairs Committee (Doc. 466/77),

1. Instructs an *ad hoc* committee under the aegis of its President to organize, before 1 January 1979, a competition to design a Community emblem in the spirit of point 16 of the final communiqué issued following the Conference of Heads of State or Government in The Hague on 1 and 2 December 1969;

2. Recommends that ships and aircraft responsible for patrolling the Community fishing zones display the Community emblem once the design has been approved;

3. Invites the Member States to take any steps they may deem necessary to ensure that the European Community becomes a party to the future Convention on the Law of the Sea;

4. Considers that action taken in pursuance of paragraphs 2 and 3 will demonstrate the will of the Member States to progress towards European union;

5. Recommends for this purpose that:

(a) the Member States cooperate as closely as possible with the Commission and each other to patrol the Community fishing zone as efficiently and economically as possible,

(b) the Commission submit to the Council and the European Parliament a suitable proposal for the reimbursement by the Community of costs incurred by the Member States in patrolling the Community fishing zone,

(c) the Commission, in close cooperation with the Member States and the European Parliament, look into the possibility of forming a fleet of Community-built aircraft and ships for the purpose of patrolling the Community fishing zone and preventing marine pollution, and that the fleet operate under the Community emblem,

<sup>(1)</sup> OJ No C 259, 4. 11. 1976, p. 26.

<sup>(2)</sup> OJ No C 57, 7. 3. 1977, p. 44.

<sup>(3)</sup> OJ No C 255, 28. 10. 1976, p. 3.

<sup>(4)</sup> OJ No C 133, 6. 6. 1977, p. 50.

<sup>(5)</sup> OJ No C 163, 11. 7. 1977, p. 75.

<sup>(6)</sup> OJ No C 138, 11. 6. 1977, p. 10.

- (d) in the meantime, Member States standardize the equipment used for patrolling the Community fishing zone in order to reduce procurement costs; therefore calls on the Commission to invite submissions before 1 January 1979, for the joint procurement by the Member States of the most appropriate equipment manufactured in the Community for patrolling the Community fishing zone, such as ships, aircraft and helicopters and all other equipment required for the purposes of telecommunications, data collection and processing; requests that it be kept informed of the action taken on this recommendation and, where appropriate, involved in the decisions taken as a result;
6. Invites the Commission and the Council to prevail on third countries, through the system of fishing licences to agree to their vessels being controlled by the Community fleet responsible for patrolling the Community fishing zone;
7. Recommends in the meantime that:
- (a) any patrol ship or aircraft coming under the sovereignty of a Member State be authorized to patrol the whole of the Community fishing zone,
- (b) any ship belonging to a Member State be authorized to stop or pursue a fishing vessel from a third country even outside the zone administered by that Member State and to conduct that vessel to the nearest Community port even if that port is outside the zone for which it is directly responsible,
- (c) implementation of subparagraph (b) be subject to the Council's agreement, based on a proposal from the Commission and following consultation of the European Parliament, and that, if necessary, the system of fishing licences be used to ensure that third countries comply with the control procedure;
8. Considers that at intra-Community level any patrol ship or aircraft coming under the sovereignty of one Member State should be able to inspect any fishing vessel from another Member State in any part of the Community fishing zone and, if necessary, that a patrol ship from one Member State should be able to conduct a fishing vessel from another Member State to the nearest port, even if that port is situated in a third Member State;
9. Recommends that from now on observers appointed by the Commission be on board Member States' patrol ships and aircraft to ensure that the common policy for the management and conservation of fishery resources is applied by the Member States;
10. Invites the Commission, in collaboration with the Council and the European Parliament, to look into the problem of fines and how revenue under this head can be made part of the Community's own resources; considers that the size of the fines or other penalties imposed for infringement of Community fishing Regulations should be fixed on a Community basis in order to avoid any discrimination based on the place where the penalties are pronounced;
11. Requests that it be closely associated in any subsequent development of the common policy for the management and conservation of fishing resources;
12. Instructs its President to forward this resolution to the Council and Commission.
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## RESOLUTION

embodying the opinion of the European Parliament on modified and amended proposals from the Commission of the European Communities to the Council as follows:

- I. modified proposals relating to Community fishing policy
- II. an amended proposal for a Regulation establishing a Community system for the conservation and management of fishery resources
- III. a modified proposal for a Regulation defining for 1978 measures for conservation and management of fishery resources by the establishment of quotas
- IV. an amended proposal for a Regulation laying down technical measures for the conservation of fishery resources
- V. a modified proposal for a Regulation laying down certain measures of control for fishing activities by Community vessels
- VI. an amendment to the proposal for a Regulation laying down technical measures for the conservation of fishery resources

and on:

- a draft Council resolution on the common structural policy
- a communication from the Commission to the Council concerning 1978 management of Greenland, Skagerrak, Kattegat and Baltic Stocks
- a communication from the Commission to the Council on measures applicable in 1978 regarding the management and exploitation of fishery resources

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 4, 5, 6, 6/2, 7 and 8 fin. and COM(77) 646 fin.),
- having regard to the draft Council resolution relating to the common structures policy (COM(78) 10 fin.),
- having regard to the communications from the Commission of the European Communities to the Council (COM(77) 652 and 635 fin.),
- having regard to the report of the Committee on Agriculture (Doc. 543/77),
- having regard to the report drawn up by Mr Kofoed on behalf of the Committee on Agriculture (Doc. 474/76),
- having regard to the report drawn up by Mr Corrie on behalf of the Committee on Agriculture (Doc. 442/77),

- having regard to the importance of the fishing industry to the economies of certain regions of the Community and the very serious problems created by the depletion of fish stocks,
  - having regard to the fact that an internal fisheries policy must seek to conserve the biological resources of the sea by means of scientifically derived management policies, quotas and conservation policies,
1. Welcomes the fact that the Commission has revised and modified its proposals for a Community fisheries policy, in the light of the reports drawn up by the European Parliament, so as to strengthen the provisions for the control and inspection of fishing activities, in particular by:
    - the more precise deadline for the reporting of catches by skippers, and the requirement to record landings outside Community territory,
    - the more effective coordination between Member States and the Commission of inspection,
    - the requirement that a certificate for vessels entitled to fish in areas covered by fishing plans should be kept on board the vessel, and
    - the requirement that sanctions imposed for infringements should be adequate and uniform and that a system of sanctions shall be established;
  2. Regrets, however, that the Commission appears to be weakening the Community basis of the inspection system and urges once more that both national inspection vessels and Community inspectors be considered as agents of the Community, free to move and able to act fully in and between all national zones and that inspection vessels carry an inspector from another Member State;
  3. Emphasizes once more that an effective licensing system constitutes an essential element for a Community fisheries conservation and management policy;
  4. Believes, in order to facilitate control and the compilation of statistical information, that the licence should be accompanied by a logbook for each vessel, in which are recorded catches by species, area and equipment employed, and which shall be considered Community property and available for scientific research and emphasizes the importance of records and control of undersized fish and by-catches returned to the sea;
  5. Welcomes the fact that the Commission has agreed to provide for:
    - (a) an annual report to the European Parliament and the Council on the application of the fisheries policy, and
    - (b) the Scientific and Technical Committee for fisheries to report on the scientific and technical facilities which the Community has at its disposal;
  6. Believes, however, that the coordination of fisheries research programmes and financial aid to research centres is essential for the development of effective conservation policies;
  7. Reiterates that measures to preserve fish stocks should be more closely related to the biological characteristics of each fish species, and that conservation measures should include detailed regulations concerning location, depth and season of fishing effort for the principal fish species;
  8. Reaffirms the social and regional importance of the creation of controlled zones, through limitations on size of vessel and tackle, or the allocation of limited quotas where permitted by marine biology, so as to protect local communities highly dependent on the fishing industry;
  9. Considers that the Commission's proposal to close certain zones for specified periods, in order to protect the spawning grounds of certain species, such as redfish and herring, represents a positive step forward, but regrets that the Commission appears to have abandoned its proposal for a seasonally variable 'Pout box';

10. Believes that an effective structural policy must be implemented with the minimum of delay and rejects, therefore, the proposal of the Commission to omit any reference to structural policy in its proposed basic Regulation;

11. Considers totally unacceptable the fact that consultation of the European Parliament was not foreseen for any of the present proposals;

12. Does not believe the division between political and administrative measures, envisaged by the Commission's proposed basic Regulation, to be acceptable to the European Parliament; requests, therefore, that the consultation of the European Parliament be foreseen for measures to implement a system of fishing permits, and to adopt conservation measures and the detailed principles for determining overall catch quotas;

13. Deplores the fact that the attempt to create a common fisheries policy has unfortunately been unsuccessful and stresses the need for serious negotiations between the Member States to be resumed at Council level with a view to ensuring the survival of the industries concerned;

14. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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## RESOLUTION

### on the right of the European Parliament to be consulted

*The European Parliament,*

- having regard to Rule 14 of its Rules of Procedure,
- having regard to Articles 137, 149 and 155 of the Treaty establishing the EEC,
- having regard to the statement by the Vice-President of the Commission of the European Communities on the right of the European Parliament to be consulted <sup>(1)</sup>,
- considering that, since January 1977, consultation of the European Parliament on the common fisheries policy has often been omitted <sup>(2)</sup>,
- considering that the practice of failing to consult the European Parliament is on the increase <sup>(3)</sup>,

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<sup>(1)</sup> Report of proceedings of the sitting of Thursday, 15 December 1977 (OJ Annex No 224, p. 243).

<sup>(2)</sup> See Annex.

<sup>(3)</sup> See Council Regulation (EEC) No 3016/77 of 29 December 1977 opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus and marketed under the label 'Cyprus Cherry', and introducing subsidies for similar wine products produced in the Community (OJ No L 355, 31. 12. 1977, p. 38) on which the European Parliament has not been consulted although it was consulted on Council Regulation (EEC) No 2561/77 of 21 November 1977 (OJ No L 299, 23. 11. 1977, p. 1 (same title)).

1. Believes that, as in the past, the smooth functioning of the European Community requires genuine and frank cooperation between the European Parliament, the Commission and the Council;
2. Wonders what the present intentions of the Commission and the Council are regarding consultation of the European Parliament;
3. Invites the President of the Commission of the European Communities and the President-in-Office of the Council to explain why the right of the European Parliament to be consulted has not been taken into consideration;
4. States that it will use all the means open to it under the Treaty to ensure that its right is respected;
5. Therefore calls upon the Commission and the Council of the European Communities to propose or provide for consultation of the European Parliament in pursuance of the Treaties;
6. Instructs its President to forward this resolution to the President of the Commission of the European Communities and to the President-in-Office of the Council.

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#### ANNEX

##### **Regulations on the common fisheries policy on which Parliament was not consulted in 1977**

- Regulation (EEC) No 350/77 <sup>(1)</sup> (OJ No L 48, 19. 2. 1977, p. 28)
- Regulation (EEC) No 879/77 <sup>(1)</sup> (OJ No L 106, 29. 4. 1977, p. 30)
- Regulation (EEC) No 1057/77 <sup>(1)</sup> (OJ No L 128, 24. 5. 1977, p. 5)
- Regulation (EEC) No 1412/77 <sup>(2)</sup> (OJ No L 160, 30. 6. 1977, p. 5)
- Regulation (EEC) No 1413/77 <sup>(2)</sup> (OJ No L 160, 30. 6. 1977, p. 8)
- Regulation (EEC) No 1414/77 <sup>(2)</sup> (OJ No L 160, 30. 6. 1977, p. 14)
- Regulation (EEC) No 1415/77 <sup>(2)</sup> (OJ No L 160, 30. 6. 1977, p. 16)
- Regulation (EEC) No 1416/77 <sup>(2)</sup> (OJ No L 160, 30. 6. 1977, p. 18)
- Regulation (EEC) No 1417/77 <sup>(1)</sup> (OJ No L 160, 28. 6. 1977, p. 20)
- Regulation (EEC) No 1672/77 <sup>(1)</sup> (OJ No L 186, 26. 7. 1977, p. 27)
- Regulation (EEC) No 1673/77 <sup>(2)</sup> (OJ No L 186, 26. 7. 1977, p. 30)
- Regulation (EEC) No 1709/77 <sup>(2)</sup> (OJ No L 189, 29. 7. 1977, p. 8)
- Regulation (EEC) No 1779/77 <sup>(1)</sup> (OJ No L 196, 3. 8. 1977, p. 4)
- Regulation (EEC) No 2114/77 <sup>(2)</sup> (OJ No L 247, 28. 9. 1977, p. 1)
- Regulation (EEC) No 2243/77 <sup>(2)</sup> (OJ No L 260, 13. 10. 1977, p. 1)
- Regulation (EEC) No 2366/77 <sup>(2)</sup> (OJ No L 277, 29. 10. 1977, p. 8)
- Regulation (EEC) No 2479/77 <sup>(2)</sup> (OJ No L 287, 11. 11. 1977, p. 8)
- Regulation (EEC) No 2899/77 <sup>(1)</sup> (OJ No L 338, 28. 12. 1977, p. 5)
- Regulation (EEC) No 2970/77 <sup>(2)</sup> (OJ No L 351, 31. 12. 1977, p. 1)
- Regulation (EEC) No 2971/77 <sup>(2)</sup> (OJ No L 351, 31. 12. 1977, p. 3)
- Regulation (EEC) No 3021/77 <sup>(2)</sup> (OJ No L 355, 31. 12. 1977, p. 47)

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*Legal basis:*

<sup>(1)</sup> Article 103 of the EEC Treaty.

<sup>(2)</sup> EEC Treaty.

**Proposals from the Commission to the Council for Regulations which do not provide for consultation of the European Parliament or on which the European Parliament has not yet been consulted by the Council**

COM(77) 546 fin. <sup>(1)</sup>  
COM(77) 513 fin. <sup>(1)</sup> (Corrie report: Doc. 442/77)  
COM(77) 515 fin. <sup>(1)</sup> (Corrie report: Doc. 442/77)  
COM(77) 524 fin. <sup>(1)</sup> (Corrie report: Doc. 442/77)  
COM(77) 567 fin. <sup>(1)</sup>  
COM(77) 646 fin. <sup>(2)</sup>, amendment of COM(77) 515 fin.  
COM(77) 652 fin. <sup>(3)</sup>, communication amending COM(77) 524 fin.  
COM(78) 4 fin., explanatory memorandum on the following proposals:  
COM(78) 5 fin. <sup>(4)</sup>  
COM(78) 6 fin. <sup>(1)</sup>  
COM(78) 6/2 fin. <sup>(1)</sup>  
COM(78) 7 fin. <sup>(1)</sup>  
COM(78) 8 fin. <sup>(1)</sup>  
COM(78) 10 fin., draft Council resolution

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*Legal basis:*

<sup>(1)</sup> EEC Treaty.

<sup>(2)</sup> The second paragraph of Article 149 of the EEC Treaty.

<sup>(3)</sup> Communication from the Commission to the Council.

<sup>(4)</sup> Proposal for a Regulation based on Article 43 of the EEC Treaty on which the European Parliament has not yet been consulted.

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**RESOLUTION**

**on the date of direct elections to the European Parliament**

*The European Parliament,*

- conscious of the expectations of the peoples of the European Community that direct elections to the European Parliament will be held at an early date,
- having regard to the 1978 elections date indicated in the final communiqué of the 1974 Paris summit and confirmed in the Council Decision of 20 September 1976,
- having regard to the stage reached by the Member States in ratifying the Act of 20 September 1976 on elections to the European Parliament by direct universal suffrage,
- having regard to the stage reached in preparing the national provisions for the implementation of this Act,
- having regard to Article 10 of the Act of 20 September 1976, which stipulates that the Council shall fix the date of the elections,
- having regard to the report of the Political Affairs Committee (Doc. 537/77),



1. Regrets that the Council has not met its earlier undertaking to fix the date of the first direct elections to the European Parliament for May/June 1978;
  2. Calls on the European Council to fix a definite date for these elections at its meeting on 7 and 8 April 1978 in Copenhagen;
  3. Instructs its President to forward this resolution to the European Council, the Council and Commission of the European Communities and to the Governments and Parliaments of the Member States.
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**RESOLUTION**  
**on a single designation for the Community**

*The European Parliament,*

- having regard to the interdependence of the three Community Treaties,
  - conscious of the fact that in their daily lives the citizens of the Member States regard the three European Communities as constituting a whole,
  - having regard to the report by the Political Affairs Committee (Doc. 512/77),
1. Considers it appropriate to use the term 'the European Community' as a collective designation for all the institutions created pursuant to the Treaties which established the three European Communities, and for the grouping constituted by its Member States;
  2. Encourages the use of this designation in its official documents as far as may be possible and appropriate;
  3. Commends this practice to the other institutions and Member States;
  4. Invites the European Community's information services to take the necessary measures to encourage socio-professional groups and press bodies to use this designation;
  5. Instructs its President to forward this resolution to the institutions of the European Community and to the Governments and Parliaments of the Member States.
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**RESOLUTION**  
on the CIEC-North/South dialogue

*The European Parliament,*

- having regard to the debate it has just held on the CIEC-North/South dialogue,
- recalling its previous debates on this question,

1. Emphasizes the highly political, urgent and far-reaching nature of this matter and fully recognizes the world-wide implications of the debate begun after the CIEC;
2. Notes the importance of this debate for the European Community as regards both its internal development and its external relations, and stresses the important active role which the Community can and should play, provided that it speaks with one voice;
3. Reaffirms the urgency of establishing the priorities and a timetable for the work to be done, with a view to active Community participation in the preparation and conduct of the United Nations Extraordinary General Assembly in 1980, which is to be devoted to all aspects of this matter;
4. Expects the Council and Commission to keep it regularly informed on global and sectoral developments in this field;
5. Instructs its Committee on Development and Cooperation to study this vital matter closely in the report in preparation and subsequent reports providing periodic information on the state of progress.

## RESOLUTION

### on questions relating to small and medium-sized undertakings in the Community

*The European Parliament,*

- having regard to the mandate given by Parliament on 11 May 1976 to the Committee on Economic and Monetary Affairs <sup>(1)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 518/77),
- considering that strong and healthy small and medium-sized undertakings are essential for the proper functioning of a modern economy because they:
  - (a) help to spread power, responsibility, ownership and risk, and also keep competition alive,
  - (b) are in general labour-intensive businesses in which some 30 million citizens of the European Community are employed,
  - (c) can relatively easily reorientate their activities, which is a great asset in an economy facing the difficult task of restructuring,
  - (d) offer the opportunity to work in a small group, which is in line with the desire for the humanization of work,
  - (e) play an important part in supplying the consumer with products and services, both as regards the quality of the service rendered and the distribution of suppliers,
  - (f) offer the individual entrepreneur the opportunity to develop his specific qualities,
- considering that in a modern economy, small and medium-sized undertakings have at least as important a part to play as large companies and that this is now being generally recognized,
- aware that the definition of small and medium-sized undertakings is unclear and differs from country to country,

1. Is convinced that the development prospects for SMU, especially in certain sectors such as subcontracting, repairs and maintenance, are favourable provided that the policy pursued by the Member States and the Community offers such undertakings development opportunities equal to those offered to large public and private firms;

(a) *Integration policy*

2. Considers that the Member States and the Community institutions must pursue a policy which is not directed at artificially favouring the SMU nor at maintaining uneconomic businesses but at creating equal chances and enabling SMU to overcome the specific handicaps which they have to contend with;

3. Feels that this implies first and foremost that an integration policy must be pursued at national and Community level, i.e. that the SMU dimension must be incorporated into the economic policy and the various specific areas of policy, to take account of the special nature of SMU;

4. Is of the opinion that in the first instance, SMU policy must remain a national policy in so far as there is no suitable Community policy in the economic sector in general, and in the fields of company law, competition, taxation, financing, consumer and environmental protection, which are increasingly influencing the conditions in which SMU operate;

5. Notes with satisfaction, therefore the Commission's intention of publishing at an early date a policy memorandum concerning SMU and hopes that this document will include not only specific proposals but also an overall assessment of the place of SMU in our society;

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(1) OJ No C 125, 8. 6. 1976, p. 13.

6. Urges the Commission of the European Communities to consult with organizations representing SMU at national and Community level with a view to the creation of a consultative committee for small and medium-sized undertakings which the Commission can treat as a fully-fledged advisory partner;

7. Urges the Council (and the Commission when it is consulted under Article 195 of the EEC Treaty) to ensure that on the renewal in 1978 of the membership of the Economic and Social Committee, there is adequate representation of SMU on the committee;

8. Considers it desirable that the idea put forward some time ago by the Commission to encourage innovation in small and medium-sized undertakings through Community development contracts should be given further consideration, and requests the Commission to take the necessary steps to that end;

(b) *Statistics*

9. Points out that policy must be based on a thorough knowledge of the actual situation and, therefore regrets that no recent comparative data are available at present on trends in the SMU share in the Community labour market and the gross domestic product, with at least a breakdown into industry, trade and services, or on the 'birth and death rate' of SMU, and calls on the Commission to remedy this situation;

(c) *Social and economic policy*

10. Is convinced that the most valuable contribution which the Governments of the Member States and Community institutions can make to the maintenance and development of SMU is an economic policy consistently directed at stability and combating unemployment;

11. Asks the Commission to consider whether the burden of social charges could not be distributed more evenly among the undertakings by shifting, to a given extent, the basis of assessment for social security contributions from the labour factor, for example, to the 'added value' generated by undertakings;

12. Considers it essential, in accordance with the recommendation submitted by the Commission in 1976 <sup>(1)</sup>, to provide for the self-employed a package of basic measures to cover health services, old-age or invalidity pensions and the payment of child allowances for all categories of people exercising a gainful activity on the understanding that the benefits and obligations should be comparable with those provided for wage-earners;

13. Urges that until the measures set out in the previous paragraph come into effect, fiscal or other measures should be taken to enable the independent entrepreneur to cover himself to some extent against the major risks;

(d) *Training and information*

14. Notes that inadequate further training, retraining and information for the independent entrepreneur is a major problem for SMU; notes, however, that improvements here should not be made in the first instance at Community level but rather at national or even regional level, although the European Centre for the Development of Vocational Training in Berlin has been assigned tasks in this sphere, especially as regards the exchange of experience between the bodies concerned in the Member States;

(e) *Financing*

15. Points out that many SMU have to contend with financing problems not only because the capital market is not usually directly accessible to them but even more so because the small businessman often does not know what opportunities are open to him nor how to present his credit requirements in a manner acceptable to the banks;

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<sup>(1)</sup> Doc. 300/76.

16. Considers that when banks do however meet the needs of SMU the latter are frequently offered less favourable conditions than those which a large company can obtain and therefore calls for the system of government-guaranteed loans for SMU to be extended;
17. Points out that the 'global loans' granted by the European Investment Bank have a remarkable yield where employment is concerned;
18. Notes that in the past few years global loans from the European Investment Bank, which are granted mainly in favour of SMU, accounted on average for no more than 17 % of the total loans granted by this Bank to industry and services and that this percentage must be considered too small;
19. Requests the Commission to ensure that the figures shown in future annual reports of the European Investment Bank make clear what proportion of global loans actually go to SMU and how the latter are defined for this purpose;
20. Feels that, in order to encourage the rapid application of new techniques, the European Investment Bank should judge projects submitted to it on their intrinsic value and not so much on the size of the company applying for a loan;
21. Suggests further that it should be possible for the EIB to delegate the decision to grant loans to the intermediary national institutions at least for smaller amounts, and that this should enable the present excessively high credit threshold (100 000 units of account) to be lowered;
22. Considers that SMU should be allowed to submit combined applications for support from the European Regional Development Fund so that more SMU could meet the criterion of creating or maintaining at least 10 jobs;
23. Hopes that the proposals to amend and supplement the Regulation establishing a European Regional Development Fund <sup>(1)</sup> submitted recently by the Commission will enable the SMU to receive a larger proportion of the resources allocated by the Fund, and in this context recalls its resolution of 13 October 1977 on the regional policy <sup>(2)</sup>.

(f) *Fiscal policy*

24. Points out that the administrative burden of dealing with taxation is usually very heavy for small undertakings and calls on the national authorities concerned and the Community institutions to simplify procedures wherever possible;
25. Considers that the Member States should encourage the continuity assured by succession of small and medium-sized undertakings and amend any fiscal measures which stand in the way of such transfers;

(g) *Competition and cooperation*

26. Considers that action against misuse of dominant positions and excessive concentration is not only in the general interest but also a condition for the survival of SMU and therefore urges the Council once more in this context to adopt at an early date the proposal for a Regulation <sup>(3)</sup> on the control of concentrations between undertakings as amended by Parliament;

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<sup>(1)</sup> OJ No C 161, 9. 7. 1977, p. 11.

<sup>(2)</sup> Resolution embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council concerning guidelines for Community regional policy (OJ No C 266, 7. 11. 1977, paragraph 21 p. 35).

<sup>(3)</sup> OJ No C 92, 31. 10. 1973, p. 1.

27. Considers that the European Commission should be flexible in its approach to the various forms of cooperation between small and medium-sized undertakings;

28. Supports the Commission's idea of increasing the effectiveness of the Business Cooperation Centre by concentrating on a small number of sectors, providing greater support for undertakings which wish to cooperate and expanding its activities to third countries;

29. Considers that the Commission and the Centre should also publish a document setting out for SMU the problems and potentials of transfrontier cooperation,

(h) *Export promotion*

30. Points out that export promotion measures principally benefit large companies and requests the Commission to investigate practical ways of supporting SMU efforts to open up markets in third countries;

(i) *Company law*

31. Hopes that the Council will shortly adopt, in the form proposed by Parliament, the draft Regulation on a European Cooperation Grouping, which will be of great value to SMU;

32. Feels also that a European limited liability company would be an eminently suitable legal form for cooperation between SMU on a basis of equality;

33. Asks that in considering proposals for the harmonization of company law full account is taken of the particular situation of SMU;

34. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the Parliaments and Governments of the Member States.

#### RESOLUTION

**embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the fast breeder option in the Community context — justification, achievement, problems and action perspectives**

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(77) 361 fin.),
- having been consulted by the Council (Doc. 251/77),
- having regard to the report of the Committee on Energy and Research, and the opinion of the Committee on Budgets (Doc. 519/77),
- recalling its previous resolutions in which it stressed that the Community would have to turn to nuclear energy to meet its energy requirements in coming decades,

1. Recognizes that, on the basis of known world oil reserves, of the rate of discovery of new oilfields in recent years and the rate of growth of consumption of oil products, the oil supply and price situation will become critical before the end of this century and that therefore the Community should limit its imports to 500 mtoe per year by 1985;
2. Notes that a similar situation will arise for natural gas;
3. Points out that the Community's special position of dependence on fuel supplies justifies the adoption of measures different from those adopted by certain other industrialized countries;
4. Considers that, while energy-saving measures are an important part of Community energy policy, they must not lead to an increase in overall energy costs which would damage economic performance, and that therefore their impact is only likely to reduce the rate of growth in energy demand;
5. Points out that alternative energy sources at present under study will only, at best, meet a small percentage of energy demand at the end of the century;
6. Recognizes that while coal constitutes the Community's greatest available energy resource, its production and consumption cannot be extended sufficiently to fill the resultant energy gap alone without serious social, economic and environmental consequences and recognizes that the availability of coal imports on economically acceptable terms cannot be predicted;
7. Believes that the growth of consumption of electrical energy in the Community, even by the most conservative estimate of expansion of demand, will lead to a doubling of present consumption by the mid-1990s;
8. Considers, therefore, that nuclear energy must be further developed if the Community is to avoid an energy shortage from the mid-1980s onwards;
9. Points out that known reserves of uranium which can be extracted at an acceptable cost amount to an estimated 3.5 million tonnes and will therefore be able to provide fuel for current thermal reactors and those due to come on stream under current programmes for some decades only;
10. Recognizes that plutonium, reprocessed from used uranium fuel elements, can provide an additional source of fissile nuclear fuel;
11. Notes that plutonium may be mixed with uranium and used as fuel in existing thermal reactors;
12. Recognizes, however, that fast breeder reactors may offer the possibility of using reprocessed plutonium far more efficiently and that their future introduction will reduce uranium consumption by a factor of 60 for the same energy produced, thus extending the lifetime of nuclear fission resources almost indefinitely;
13. Considers that the experiments in the operation of experimental and prototype fast reactors in the Community since 1961 to be very encouraging for the future development of these reactors;
14. Asks that the studies and experiments on the industrialization of sodium-cooled fast-breeder reactors, including the fuel cycle, be pursued as one of the programmes for the installing and operation of thermal reactors which are essential to provide sufficient quantities of plutonium to get a fast reactor programme under way;
15. Recognizes that constant attention has always been paid to the safety of fast-breeder reactors and calls on the Commission to intensify its current efforts towards harmonization, at Community and international level, of design, construction and safety standards of this type of reactor;

16. Requests that the introduction in the Community of irradiated fuel reprocessing plants must be limited to as few as possible with, however, sufficient reprocessing capacity to assure that all used fuel elements from thermal reactors can be reprocessed without undue delay and that adequate quantities of plutonium are provided for use in the demonstration fast-breeder reactors;

17. Insists that adequate checks be carried out at Community and at international level for the control of plutonium and that all civilian reprocessed plutonium is so treated during reprocessing as to reduce its suitability for the fabrication of nuclear explosives;

18. Requests, moreover, that the Commission continue its studies of nuclear parks at Community level to avoid unnecessary transport problems;

19. Notes the industrial cooperation agreements for the development of fast-breeder reactors in Europe and calls upon the Commission to make every effort to ensure that this cooperation extends to the whole Community and includes the manufacture of the principal components;

20. Asks that studies on the 'burning' of trans-uranium products obtained from the reprocessing of irradiated fuel in order to shorten considerably their radioactive life, be pursued and intensified and take into account the possibility of using fast reactors for this purpose;

21. Requests the Commission to encourage the study of any measures which might improve the technical, economic and industrial solutions for ensuring that fissile materials and in particular plutonium are used only for peaceful ends, in accordance with the Euratom Treaty;

22. Approves the Commission's commitment to support the development of sodium-cooled fast-breeder reactors, but asks that study and research be carried out also on other fast-breeder cycles, in particular those which are completely free of any risk of nuclear weapons proliferation;

23. Considers that only when the first commercial demonstration fast-breeder reactors have been operating for an adequate time can a decision be made for the further development of this type of reactor;

24. Asks the Commission and the Governments of the Member States to introduce an intensive programme to inform public opinion about the 'nuclear problem' and requests that a specific report be submitted on the problems relating to Community financing of the energy policy.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals
- II. a Regulation amending Regulation (EEC) No 1418/76 on the common organization of the market in rice
- III. a Regulation amending Regulation (EEC) No 2742/75 on production refunds in the cereals and rice sectors

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 489/77),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 515/77),
1. Approves the Commission's proposals for the introduction of a production refund for maize, common wheat and broken rice, when they are used to manufacture starch and quellmehl for baking;
  2. Rejects, however, a refund for maize and broken rice used in brewing, since this will lead to further distortions of competition;
  3. Calls, therefore, on the Commission and Council to make provision for the refund granted for maize, common wheat and broken rice to be reclaimed, if they are used in brewing.

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<sup>(1)</sup> OJ No C 11, 13. 1. 1978, p. 14.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on consumer protection in the marking and display of the prices of foodstuffs

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 157/77),
- having regard to the report by the Committee on the Environment, Public Health and Consumer Protection (Doc. 416/77),

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<sup>(1)</sup> OJ No C 167, 14. 7. 1977, p. 4.

1. Welcomes the fact that with the present proposal the Commission has implemented a further part of the preliminary programme of the European Economic Community of 14 April 1975 for a consumer protection and information policy <sup>(1)</sup>,
2. Regrets the fact that the Commission has once again neglected to inform it of the opinion of the Consumers' Consultative Committee on the proposed Directive, and repeats its request to the Commission that it in future forward without delay the opinion of the Consumers' Consultative Committee on all proposals relating to consumer policy so that Parliament's appropriate committees may comment on them with a full knowledge of the facts;
3. Deplores the fact that the scope of the Directive is confined to foodstuffs and calls on the Commission to submit at an early date and in accordance with the preliminary programme for consumer protection further proposals for Directives that also make it compulsory to display unit prices for all normal household articles;
4. Insists that, in the interests of consumer information, the marking and display of the prices of all foodstuffs sold in hotels, restaurants, cafés, public houses and similar establishments be made compulsory;
5. Notes that the consumer has a justifiable interest in being informed of the date of expiry of the offer at the place of sale itself;
6. Calls on the Commission to issue provisions on the method of determining the net weight in good time before the present Directive enters into force;
7. Calls on the Commission to reduce the period within which the Directive should enter into force from 18 to 12 months, in the acknowledged interest both of the consumer and of the trade, especially as the adoption of the Directive is set out as a priority measure in the preliminary programme on consumer protection;
8. Emphasizes the need for the Member States to inform the Commission of all their national laws in sufficient time for it to express an opinion on them;
9. Insists that the Council, pursuant to its undertaking in the preliminary programme on consumer protection, adopt this proposed Directive within nine months of receiving it, i.e. by February 1978 at the latest.
10. Requests the Commission to make the following amendments to its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 92, 25. 4. 1975, p. 2.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Directive on consumer protection in the marking and display of prices of  
foodstuffs**

Preamble, recitals and Articles 1 to 4 unchanged

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<sup>(1)</sup> For complete text, see OJ No C 167, 14. 7. 1977, p. 4.

*Article 5*

In the case of advertisements, special offers, offers on normal trade terms and catalogues, the prices shall be marked and displayed in the same manner as the other information required to identify the foodstuffs put up for sale.

Any advertisement displayed at a place other than the place of sale and which mentions prices shall state the date of expiry of the offer or that it applies only while stocks last.

*Article 5*

In the case of advertisements, special offers, offers on normal trade terms and catalogues, the prices shall be marked and displayed in the same manner as the other information required to identify the foodstuffs put up for sale.

Any advertisement displayed **at a place of sale or** at a place other than the place of sale and which mentions prices, shall state the date of expiry of the offer or that it applies only while stocks last.

Articles 6 to 11 unchanged

*Article 12*

1. Member States shall bring into force the necessary laws, regulations and administrative provisions in order to comply with this Directive within *18 months* of the date of notification and shall immediately inform the Commission thereof.

2. Member States shall send the Commission the text of the provisions of their national laws which they *have adopted* in the field covered by this Directive.

*Article 12*

1. Member States shall bring into force the necessary laws, regulations and administrative provisions in order to comply with this Directive within **12 months** of the date of notification and shall immediately inform the Commission thereof.

2. Member States shall send the Commission the text of the provisions of their national laws which they **intend to adopt** in the field covered by this Directive **in sufficient time for the Commission to express an opinion on them.**

Article 13 unchanged

RESOLUTION

on the communications from the Commission of the European Communities to the Council on:

- the operation during 1975 of the system set up by the Lomé Convention for stabilizing export earnings (STABEX)
- the operation during 1975 of the system set up by the decision on the association of the OCT with the EEC for stabilizing export earnings

the reports from the Commission on the use of the funds transferred for 1975 under the export earnings stabilization system set up by the Lomé Convention

and on the first results of the export earnings stabilization system for 1976

*The European Parliament,*

— having regard to the report of the Committee on Development and Cooperation (Doc. 539/77),

1. Recalls that it was the European Parliament in particular which helped to develop and decide the principles of STABEX, believing that the introduction of such a system would be of considerable political significance in

that it establishes a precedent at international level and offers a practical solution, even if only partial to the problems of the developing countries which produce raw materials;

2. Expresses satisfaction at the fact that all instruments and machinery needed for the application of STABEX were set up so quickly;
3. Regards this diligence as evidence of the determination of the ACP, the OCT and the Community to respect the commitments entered into and of the importance they attach to their implementation;
4. Notes the fact that during its first two years of application the system, despite its relative complexity, functioned properly and thus entirely fulfilled its dual role of providing protection firstly against economic risks and secondly against reduced earnings for which the ACP State or OCT concerned cannot be held responsible;
5. Is particularly gratified by the fact that, for 1975 and 1976, 56 and 76 % respectively of the total transfers went to the least developed ACP countries;
6. Notes the Commission's reports on the use of the funds transferred for 1975 which show that the greater part of these funds were spent on agricultural or infrastructural programmes, but is concerned that not all the ACP States are utilizing the funds in the spirit of the system's objectives;
7. Approves the decisions taken by the ACP-EEC Council of Ministers at its meeting in Fiji concerning a degree of extension of the STABEX system;
8. Recalls, however, that the operation of STABEX is tied to the existence of an overall budget fixed for the duration of the Lomé Convention and that this constraint makes it impossible to extend the system's expenditure indefinitely; notes in this connection that for the purposes of transfers effected in the first two years of operation of the system, the budget appears adequate;
9. Regards respect for the objective criteria which determine the rules of application of STABEX to be essential; believes that in the absence of such respect the system would very soon become inoperable;
10. Considers that STABEX is merely one component of development and cooperation policy and that its scope and impact should therefore be seen in this light;
11. Emphasizes once again that there can be no question of attempting to use STABEX to resolve all the problems of the ACP and OCT countries involving their balances of payments and raw materials; believes that solutions to these problems can only be found in the framework of Agreements concluded on a broader basis and that the Community must accept special responsibility in this matter;
12. Points out that it is still too early to be able to assess the impact of STABEX on the economic and commercial situation of the ACP and OCT beneficiary countries;
13. Instructs its committee to submit a report on this aspect at the appropriate time;
14. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 487/77),
- having regard to Council Regulation (EEC) No 706/76 of 30 March 1976 <sup>(2)</sup>,
- having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 521/77),

Approves the proposal for a Regulation concerning the partial exemption from import duties of tomatoes imported from the ACP States or the OCT for the period 15 November to 30 April each year.

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<sup>(1)</sup> OJ No C 21, 26. 1. 1978, p. 4.

<sup>(2)</sup> OJ No L 85, 31. 3. 1976, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Directive concerning certain products used in animal nutrition
- II. a third Directive amending Directive 70/524/EEC concerning additives in feedingstuffs
- III. a Directive amending Directive 74/63/EEC on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs and amending Directive 70/373/EEC on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 239/77),
- having regard to the second report of the Committee on Agriculture and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 522/77),
- having regard to the Council resolution of 22 July 1974 <sup>(2)</sup>,

1. Approves the Commission's proposals;
2. Requests the Commission to submit to the Council without delay proposals relating to medicinal feedingstuffs and pathogenic micro-organisms, so as to prevent in particular any misuse of the Regulations on feedingstuffs in the absence of appropriate provisions in the veterinary field;
3. Calls upon the Commission to add to these measures without delay proposals relating to the maximum permitted levels of residues present in animal products intended for human consumption, irrespective of whether such residues are of natural origin or the result of human activity;
4. Invites the Commission to speed up harmonization of the monitoring methods used to establish the levels of residues in animal products;
5. Proposes that such harmonization should be completed by 1 January 1980 at the latest.

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<sup>(1)</sup> OJ No C 197, 18. 8. 1977, p. 3.

<sup>(2)</sup> OJ No C 92, 6. 8. 1974, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision on the financing of the surveys to be carried out by the Member States on bovine livestock

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 706 fin.),
- having been consulted by the Council on 31 January 1978 (Doc. 520/77),
- having regard to the Council Directive 73/132/EEC of 15 May 1973 on the statistical surveys to be carried out by Member States on bovine livestock, on forecasts on the availability of bovine animals for slaughter and on statistics on slaughtered bovine animals <sup>(1)</sup>,
- having regard to the Council Decision 76/581/EEC of 29 June 1976 on the continuation of the statistical surveys on bovine livestock to be carried out by the Member States <sup>(2)</sup>,
- having regard to its own opinion on that proposal <sup>(3)</sup>,
- having regard to the report of the Committee on Budgets (Doc. 578/77),

1. Approves the proposal for a Decision permitting the financing of statistical surveys on bovine livestock by the budget of the European Communities;
2. Deplores the inadequacy of the financial statement attached to the Commission's proposal which is not in conformity with the model of financial statements promised by the Commission <sup>(4)</sup> and requested by the European Parliament on many occasions;
3. Asks the Commission to submit to it as soon as possible a revised financial statement that would enable a realistic assessment to be made of the financial consequences of the proposals.

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<sup>(1)</sup> OJ No L 153, 9. 6. 1973, p. 25.

<sup>(2)</sup> OJ No L 189, 13. 7. 1976, p. 15.

<sup>(3)</sup> OJ No C 159, 12. 7. 1976, p. 40.

<sup>(4)</sup> PE 37.914.

