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No **9**
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BULLETIN OF THE EUROPEAN COMMUNITIES

**European Coal and Steel Community
European Economic Community
European Atomic Energy Community**

**Commission of the European Communities
General Secretariat
Brussels**

**no. 9
1975
8th year**

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1ST PART
EVENTS AND
STUDIES

1. United Nations: Development and economic cooperation

United Nations

Seventh Special Session of the General Assembly

1101. The Special Session of the United Nations General Assembly, held in New York from 1 to 16 September, was a major event for the Community in two respects.

First, the session centred on the problem of development and international economic cooperation, to the solution of which the Community, 'open to the world', endeavoured to make its own contribution.¹ Second, taking advantage of the status of observer conferred on it on 11 October 1974,² the Community was able to take part as such in the work of the General Assembly. Its viewpoint was officially presented in writing in a 'statement of position' laid before the Assembly,³ and by Mr Mariano Rumor, President-in-Office of the Council of the Communities, in an address to the full assembly.

Proceedings and results of the session

1102. The Community, whose delegation consisted of representatives of Italy's Presidency of the Council and representatives of the Commission, took an active part in the proceedings of the Assembly, in both the plenary session and the informal discussions, which led to the final Resolution adopted by agreement, i.e. without a vote.

The Community's overall position and its approach to the problems of the third world testify to the Community's open-mindedness and willingness to conceive a consistent package of action on the various facets of the problems of raw materials, industrialization, agriculture and transfer of resources for the benefit of the developing countries.

During the discussions, mostly in informal groups, on the draft of the final Resolution, the

Community by its moderate outlook and the weight of its cohesion, was able to steer the debates in a positive direction.

Based on the Council deliberations of 22 and 23 July and sustained throughout by intensive coordination, in which all Member States' delegations consistently strove to reach common stances on all matters under discussion, its unity was apparent to all.

All the discussions reflected a spirit of conciliation and a desire for compromise on the part of all present, which contrasted sharply with the atmosphere of confrontation which had permeated certain earlier debates, in particular the Sixth Special Session of the General Assembly in April 1974.⁴

The prospect of renewing the 'producer-consumer dialogue' (and other efforts over several months to improve communication and mutual understanding between the industrialized and third world countries) was clearly a decisive factor in relieving tension, and the spirit of conciliation shown by most of the delegations attested to their determination to exploit the avenues for renewing the dialogue.

The final Resolution,⁵ adopted by consensus (via some interpretive statements, including the one on behalf of the Community by the Italian representative, which took up the specific reservations of certain Member States which did not intervene individually) therefore reveals, over and above a resolve to develop general concepts concerning relations between industrialized and

¹ Bull. EC 5-1975, points 1401 to 1406, 6-1975, points 1301 to 1309 and Supplement 6/75 — Bull. EC.

³ Point 1103.

⁴ Bull. EC 4-1974, point 2316 and 5-1975, points 1301 to 1303.

⁵ Point 1104.

developing countries, a concern to give a pragmatic slant to the work of the various institutions in the United Nations family and to give them fresh impetus.

Documentary annex

The Community's statement of position

1103. The position paper of the Community distributed at the meeting reads as follows:

1. Within the Community, the whole complex of problems concerning relations between industrialized countries and developing countries has in recent months been receiving closer attention than in the past and, in particular, the last meeting of the Heads of Government of the Member States of the Community discussed these questions with a view to giving the political impulse necessary for taking up the dialogue.

2. The Governments of the Member States and the Community authorities attach great political importance to this Special Session of the United Nations General Assembly, as evidenced by the statement concerning the United Nations solemnly adopted by the European Council.

3. The goal to be pursued is the attainment of real progress towards a better balanced and more equitable structure of international economic relations, including a strengthening of the position of the developing countries.

4. Proposals must cover a balanced package of subjects to meet the most important needs of the developing countries and afford genuine opportunities for progress in the near future. With this end in view, measures are proposed notably in the sphere of raw materials and development cooperation.

5. The implementation of the various proposals must take into particular consideration the problems of the poorest developing countries, for which specific measures or special arrangements would be planned.

6. The economic and commercial consequences of the measures envisaged should be evenly shared by all the industrialized countries.

7. Any financial costs resulting from certain projected measures should be shared among all the parties with adequate resources. In addition, certain international financial institutions could share in these costs, particularly by adapting and improving some of their present machinery.

I. International trade

A. Raw materials

Overall approach

8. In view of the importance of trade in raw materials for a great number of developing countries for the implementation of their development plans, the Community and its Member States are well aware of the cardinal importance of the examination of this problem for the further discussions.

9. The Community has concentrated on studying these problems in depth during the last few months and has concluded that new guidelines should be outlined by the Special Session in the field of raw materials, taking account of the work already undertaken on this subject within UNCTAD. This work should be accelerated in order to reach agreement, if possible in UNCTAD IV, on an overall approach in the field of raw materials which constitute a major pro-

portion of the export earnings of developing countries, in order to:

- encourage their economic development through the stability of their export earnings from raw materials and through increasing their foreign currency earnings, in particular by the diversification of their production and by the processing of raw materials;
- achieve prices which are fair for consumers and remunerative for producers and to encourage a long term equilibrium between expanding production and increasing consumption;
- provide special treatment for the poorest producers;
- create more outlets for producing countries and more stable supplies for consumer countries. The application of these principles will be assisted by a steady and balanced growth in international trade;
- achieve adequate investment levels in the commodities-producing sectors.

10. This approach would comprise a series of complementary measures which constitute an entity in the following fields:

- measures to limit excessive price fluctuations;
- stabilization of export earnings;
- production and supply;
- information and consultation;
- trade cooperation;
- industrial cooperation.

Proposed action

11. *Measures to limit price fluctuations*—With regard to the price of raw materials, it is in the interest of everyone, and in particular the producer developing countries, to avoid excessive fluctuations and to find levels which are fair for

consumers and remunerative for producers, encouraging a long-term balance between expanding production and increasing consumption. The Community is thus prepared to examine which products create difficulties for the developing countries and to examine instruments and means of solving these difficulties. The instruments (e.g. commodity agreements) may cover a very wide range and may, where necessary, be combined. A choice cannot be made without considering specific cases. The implementation of such solutions should also promote stability of supplies.

12. *International action on the stabilization of export earnings*—The Community recognizes with regard to export earnings the seriousness of the problems created by the instability of the earnings of developing countries which export raw materials. In order to tackle these problems—and bearing in mind the specific action agreed under the Lomé Convention—the Community and its Member States undertake to promote and participate in international action with the aim of:

- improving the compensatory financing mechanisms of the International Monetary Fund for developing countries which produce raw materials;
- implementing specific measures for the benefit of the poorest developing countries, to be applicable in the event of a fall in export earnings from their products, the detailed implementing rules being adjusted to the general financial situation of the countries in question.

13. *Production and supply*—Conditions should be sought at international level to facilitate the production and supply of raw materials in a spirit of cooperation.

14. *Information and consultation*—Action should be taken to improve information and consultation on the supply and demand situation.

15. *Trade cooperation*—In the context of the general proposals referred to in part B of this section, a special effort should be made to improve access to the markets of industrialized countries for raw materials and products of first-stage processing from developing countries.

16. *Industrial cooperation*—In the context of the general proposals referred to in Section III of this paper, a special effort should be made to promote exploitation and on-the-spot processing of raw materials under economically viable conditions.

B. *Other aspects of trade cooperation*

17. The Community will make a constructive contribution to the international discussions in order substantially to improve the conditions of access to markets for primary and processed products of interest to the developing countries.

18. As regards the multilateral trade negotiations, the provisions adopted in the Tokyo Declaration on developing countries continue to guide the Community and are gradually being implemented within the context of the GATT. In this respect provision is made for:

- priority treatment (tariff and non-tariff) for tropical products;
- a joint quest for appropriate tariff solutions on the basis of the general formula to be worked out in the negotiations for adapting the size of tariff reductions, or graduating them, to suit the specific needs of the developing countries;
- special arrangements for implementing any solutions adopted in respect of non-tariff barriers.

19. In parallel with this, the Community¹ has demonstrated its willingness to improve its system of generalized preferences continuously and

progressively, and feels that a further period of application beyond 1980 will be necessary.

20. The improvement of the generalized preferences system and the results of the multilateral negotiations should lead to decreased protection of added value for products of first-stage processing.

21. Improved access to markets for the exports of the developing countries should be complemented by stronger action in the field of trade promotion.

22. Equitable solutions should be sought to the problems of export restrictions.

II. *Transfer of real resources for financing the development of developing countries and international monetary reforms*

A. *Transfer of real resources for financing the development of developing countries*

23. The importance of the question of transfers of resources in the context of a balanced overall approach is acknowledged, particularly in view of the advantages which they have for the poorest developing countries which do not produce raw materials.

24. The Community has recently considerably increased her aid—leaving aside the bilateral aid granted by each of the Member States—despite

¹ It will be recalled that, following Resolution 21 (II) of UNCTAD, the Community was the first to implement a system of generalized preferences and has since improved it annually.

the fact that economic and budgetary conditions have been far from easy.¹

25. In respect of the target of 0.7% of GNP for official development assistance mentioned in the International Strategy for the Second Development Decade, the Community and its Member States confirm the undertakings which they have already given in this matter and adopt as their common aim an effective increase in official development assistance taking into account their respective economic abilities to contribute.

26. To the extent that the oil exporting developing countries continue to dispose of financial surpluses, such surpluses could be further mobilized for the purposes of development assistance, particularly by working out structures to encourage triangular cooperation.

27. The Community and its Member States stress the importance of transferring financial resources on favourable terms, especially to the poorest developing countries. They are also aware of the importance of the question of the debt burden of developing countries; they are ready to examine the problems which arise in each case and to seek suitable means to resolve them. The agreed report of the Expert Group in the framework of UNCTAD has, in the opinion of the Community and its Member States, confirmed the validity of this approach.

28. The Community and its Member States confirm:

— their positive attitude to the setting up of a financing mechanism somewhere between IBRD and IDA credits;

— their willingness to contribute, on a reasonable basis of assessment of ability to do so, together with the other countries possessing adequate financial resources, to the special IMF account set up to reduce the interest burden payable under the oil facility by the hardest hit countries.

B. Reform of the international monetary system

29. The Community and its Member States think that the international monetary system should be reconstructed taking into account the concerns of developing countries. In this respect, in-depth studies are currently under way and should be actively pursued. The Community and its Member States favour the establishment of the SDR as the principal reserve asset and the reduction of the role of gold and of reserve currencies in the international monetary system.

30. No decision concerning gold and the creation of SDR's should accentuate the disequilibria in the distribution of international liquidity.

31. The Member States of the Community agree that the present representation of developing countries in the decision-making bodies of the Fund and of the Bank should be substantially improved and the broad geographical representation of developing countries should not be adversely affected.

32. They are convinced that solutions acceptable to all for the improvement of compensatory financing facilities of the IMF could be found. The possible part of IMF in financing buffer stocks will of course depend on the agreements reached on this subject.

¹ Mention might be made here of the financial provisions of the Convention of Lomé, Community food aid efforts, technical assistance for trade promotion and regional integration, the Community contribution to the United Nations emergency action and the Resolution adopted by the Council on 16 July 1974 which confirms the principle of Community financial and technical aid to non-associated developing countries. The conditions for implementing this Resolution in the near future are currently being examined by the Community authorities.

III. Industrial cooperation

33. The aim in this sector should be to contribute to speeding up the industrial development of the developing countries by improving the international division of labour through the creation of an expanding production capacity and by taking particular account of the employment problems facing both the developing and the industrialized countries.

34. The Community and its Member States are willing to strengthen cooperation on industrialization with the Governments of the developing countries:

- on the one hand, in financial and technical cooperation and trade cooperation, with a view to supporting efforts to bring about regional cooperation between the developing countries,
- on the other hand, in order to bring about a reasonable balance between the interests of the developing countries (e.g. by preventing the abuse of dominant positions) and those of undertakings (e.g. by achieving stable conditions for their operations).

35. Measures would be envisaged in the field of the development of industrial promotion and cooperation:

— Industrial promotion measures aimed at studying in concrete terms the potential for industrialization and industrial cooperation and at making contacts between promoters, operators and those concerned in industrial development easier.

— Improvement of systems for exchanging information on industrial development and, in particular, on forecasts of supply and demand.

— Cooperation from the developing countries to provide a more receptive atmosphere and more stable working conditions for foreign operators.

36. In the light of the guidelines set out above, the Community and its Member States have

proposed a text on this subject for consideration by the Special Session, which is set out below.

'The General Assembly:

1. Adopts resolution 45 (IX) of the Industrial Development Board and specially requests that all Governments take individually and/or collectively the measures and decisions necessary for practical effect to be given to the commitments they entered into pursuant to the Lima Declaration and Plan of Action on Industrial Development Cooperation.

2. Emphasizes that the existence of an interdependent relationship between all members of the international community and the need for a spirit of cooperation based on sovereign equality and on the removal of the existing imbalances between them entails the introduction of new forms of collaboration and the encouragement of increased industrial growth in the developing countries.

3. Invites the Governments to determine promptly and jointly the new forms of international industrial cooperation which would form part of all development and development aid policies and which would be actively promoted for the mutual benefit of the developed and the developing countries.

A. *System of consultations*

4. Decides that, to this end, a consultations system will be set up within UNIDO and, where appropriate, the other relevant United Nations agencies, which will make it possible for the developed and the developing countries regularly to exchange views on prospects for industrial development with a view to establishing the broad outlines of coordinated policies for the creation of industrial production potential in the developing countries (particularly with regard to the processing of raw materials).

5. Emphasizes the need for due regard to be paid, when the said consultations system is being organized, to the special importance which is to be attached to economic cooperation at regional level and to the dialogue commenced between States or groups of States.

6. Suggests that, because of the special role played by public and private investment in industrial development, those in control of the undertakings concerned should take part in the said dialogue in accordance with appropriate procedures.

7. Asks the Executive Director of UNIDO to submit to the Industrial Development Board's next meeting proposals for establishing such a consultation system, and invites the Industrial Development Board to draw up the rules according to which it would operate.

B. Incentives for the establishment of industrial concerns in the developing countries

8. Invites the Governments of the developed countries to take jointly such steps as would be appropriate to encourage and persuade firms and nationals which are able to do so, to promote the growth of industrial activity in the developing countries having regard to the priorities and development plans of those countries.

9. Asks the Governments of the developed countries to examine in the light of the consultations proposed above, those policies which they could adopt jointly—taking account of their economic structure, their economic and social objectives and the constraints imposed on them by matters of security—in order that their production facilities might be geared more effectively to helping the industrialization of the developing countries.

10. Invites the Governments of the developing countries to provide details of their plans and

priorities in order to elicit the cooperation of firms and nationals in the developed countries, particularly those which are considering adapting their industrial activity to the industrialization requirements of the developing countries, and to create the facilities essential for the continuity of industrial cooperation relations between the various partners.

C. Industrial cooperation agreements

11. Invites the Governments to undertake a joint study on the preparation of diversified financial and technical cooperation methods which are geared to the special and changing requirements of international industrial cooperation.

12. Recommends in particular that the Governments concerned should work out industrial cooperation arrangements under which the financial surpluses of some developing countries—supplemented, if necessary, by capital from the developed countries and the host developing countries—would be used in conjunction with the technological, management and vocational training facilities provided by the developed countries and with the human and material resources of the developing countries in which the new industrial projects are to be carried out.

IV. Science and technology

37. The Community and its Member States recognize the need to improve the conditions for transferring technology to the developing countries. The preparation of decisions on a code of conduct for the transfer of technology should therefore be continued within UNCTAD and concluded as quickly as possible. The international conventions on patents and trade marks should be reviewed and revised where necessary as part of the work of WIPO, in collaboration with UNCTAD and the other relevant United

Nations bodies, in order to enable them to become more satisfactory instruments for facilitating the transfer of technology and its development in the developing countries.

38. In the light of the above considerations, the Community and its Member States, after studying the position paper of the Group of 77 on this subject, have proposed the following alternative formulation:

'Developed countries should cooperate with developing countries in the establishment, strengthening and development of their scientific and technological infrastructures and appropriate measures, including consideration of the establishment of an industrial technological information bank, should be taken.

Developed countries should significantly expand their assistance to developing countries in research and development programmes and in the creation of suitable indigenous technology.

They should further undertake projects in the field of information, advice and training to bring about improved transparency of the industrial property market and to facilitate the technological choices of the developing countries.

All states should cooperate in evolving internationally acceptable guidelines for the transfer of technology, taking into account the special needs of developing countries. The work on preparing an international code of conduct for the transfer of technology should therefore be continued within UNCTAD and concluded according to a precise time-table to be decided upon in UNCTAD IV.

International conventions on patents and trade marks should be reviewed and revised as necessary, taking into particular account the special needs of the developing countries, as part of the work of the World Intellectual Property Organization (WIPO), in collaboration with UNCTAD and other relevant UN bodies, in order that they may become more satisfactory instruments for

aiding developing countries in the transfer and the development of technology.

Developed countries should facilitate the access of developing countries, under fair, equitable and mutually acceptable conditions, to relevant information on advanced and other technologies suited to their specific needs as well as on new uses of existing technology, new developments, and possibilities of adapting them to local needs.

The United Nations system should play an appropriate role in achieving the above stated objectives and in ensuring the application of science and technology to development. The work of UNCTAD, UNDP, UNIDO, WIPO and UNESCO in facilitating the transfer and diffusion of technology should be given urgent priority. The United Nations Secretary-General should take steps to ensure that the technology and experience available within the United Nations system is widely disseminated and readily available to the developing countries in need of it.'

V. Food and agriculture

39. The Community and its Member States recognize that the world food problem poses one of the most important and urgent challenges. It is therefore appropriate to recall the results of the World Food Conference and give them a new political impetus. They affirm in particular those recommendations which have a direct impact on increasing food production and on improving nutrition in developing countries.

40. In this context, the fundamental aim of the Community is the promotion of agricultural development in developing countries rather than concentration on food aid, which can have the side effect of discouraging domestic efforts for increased food production. For this reason, the transitional character of food aid should be kept in mind when forward planning is consi-

dered. Whilst giving priority to increasing food production in the developing countries, the Community is ready, in view of the urgency of current food needs, to continue its food aid efforts taking into account the objectives accepted at the World Food Conference.

41. It is also necessary to mobilize technical and financial aid capacities in all countries which are actual or potential donors.

42. The Council of the European Communities will be further considering the question of the International Fund for Agricultural Development in October.

43. In the light of the above considerations, the Community and its Member States, after studying the position paper of the Group of 77 on this subject, have proposed the following alternative formulation:

1. The solution to world food problems lies primarily in increasing rapidly food production in the developing countries. To this end, the necessary changes in the pattern of world food production should be introduced. Trade policy measures should be implemented in order to obtain a notable increase and diversification of agricultural production and export earnings of developing countries.

2. In order to achieve these objectives it is essential that:

- developed and developing countries in a position to do so increase substantially the volume of assistance to developing countries for agriculture and food production in particular to those countries with food deficits and to the 'msa' countries;
- developed countries continue to give increasing access to their markets for agricultural and food products, both in raw and processed form, of developing countries;
- developing countries accord high priority to agricultural and fisheries development, increase

investments accordingly and adopt policies which give adequate incentives to agricultural producers.

3. In view of the importance of food aid as a transitional measure, there should be universal acceptance both of the principle of a minimum aid target of ten million tonnes of food grains in cash or kind set for 1975-76, and of the concept of forward planning of food aid for more than a single season.

4. Where food aid is not at present provided as grants, donor countries should increase the grant component. Donors should further accept the aim of an overall increase in multilateral channelling of food aid. In providing food grains and finances on soft terms to developing countries in need of such assistance, donor countries should take due account of the interests of the food exporting developing countries. Where appropriate such assistance can take the form of purchases from the food exporting developing countries.

5. Developed countries and developing countries in a position to do so should provide food grains and financial assistance on soft terms to the most seriously affected countries, to enable them to meet their food and agricultural development requirements within the constraints of their precarious balance-of-payments position. Donor countries should also provide aid on soft terms, in cash and kind, through bilateral and multilateral channels to enable the most seriously affected countries to obtain the necessary quantity of plant nutrients.

6. Developed countries and developing countries in a position to do so should in channelling both their bilateral and multilateral food aid take into due account the normal commercial market practices and prevent disruptive practices which cause undue fluctuations of market prices.

In order that such aid should, to the maximum possible extent, correspond to an objective

assessment of requirements of food importing developing countries, all countries should participate in the global information and early warning system.

7. The Consultative Group on Food Production and Investment in developing countries should quickly identify developing countries with potential for the most rapid and efficient increase of food production as well as the potential for rapid agricultural expansion in other developing countries. On the basis of such an assessment, developed countries, developing countries in a position to do so, and the competent international organizations will be better able to concentrate resources for the rapid increase of agricultural and food production in all developing countries.

8. All countries should adopt individually and collectively policies aimed at ensuring a stable supply and sufficient quantity of fertilizers and other production inputs at reasonable prices. Developed and developing countries in a position to do so should provide assistance to and promote investments in developing countries to improve the efficiency of their fertilizers and other agricultural input industries, in particular taking advantage of the mechanism provided by the International Fertilizers Supply Scheme.

9. All countries should subscribe to the international undertaking on world food security and to the arrangements formulated in the framework of FAO and cooperate in the implementation of the political objectives and guidelines contained in that undertaking.

These policies should include measures on food stocks which have sufficient flexibility to enable the international community to respond adequately to unforeseen emergency situations.

Developed countries and developing countries in a position to do so should provide the necessary assistance to developing countries so that they can formulate and implement national stockpiling.'

Resolution adopted by the General Assembly

1104. At the close of the proceedings, the Seventh Special Session of the General Assembly adopted a Resolution on 16 September. The key passages read as follows:

Development and international economic cooperation

The General Assembly,

...

Recognizing that greater cooperation among States in the fields of trade, industry, science and technology as well as in other fields of economic activities, based on the principles of the Declaration and the Programme of Action on the Establishment of a New International Economic Order and of the Charter of Economic Rights and Duties of States, would also contribute to strengthening peace and security in the world,

Believing that the overall objective of the new international economic order is to increase the capacity of developing countries, individually and collectively, to pursue their development,

Decides, to this end and in the context of the foregoing, to set in motion the following measures as the basis and framework for the work of the competent bodies and organizations of the United Nations system:

I. International trade

1. Concerted efforts should be made in favour of the developing countries towards expanding and diversifying their trade, improving and diversifying their productive capacity, improving their productivity and increasing their export earnings, with a view to counteracting the

adverse effects of inflation—thereby sustaining real incomes—and with a view to improving the terms of trade of the developing countries and in order to eliminate the economic imbalance between developed and developing countries.

2. Concerted action should be taken to accelerate the growth and diversification of the export trade of developing countries in manufactures and semi-manufactures and in processed and semi-processed products in order to increase their share in world industrial output and world trade within the framework of an expanding world economy.

3. An important aim of the fourth session of the United Nations Conference on Trade and Development, in addition to work in progress elsewhere, should be to reach decisions on the improvement of market structures in the field of raw materials and commodities of export interest to the developing countries, including decisions with respect to an integrated programme and the applicability of elements thereof. In this connection, taking into account the distinctive features of individual raw materials and commodities, the decisions should bear on the following:

(a) Appropriate international stocking and other forms of market arrangements for securing stable, remunerative and equitable prices for commodities of export interest to developing countries and promoting equilibrium between supply and demand, including, where possible, long-term multilateral commitments;

(b) Adequate international financing facilities for such stocking and market arrangements;

(c) Where possible, promotion of long-term and medium-term contracts;

(d) Substantially improve facilities for compensatory financing of export revenue fluctuations through the widening and enlarging of the existing facilities. Note has been taken of the various proposals regarding a comprehensive scheme for the stabilization of export earnings of

developing countries and for a Development Security Facility as well as specific measures for the benefit of the developing countries most in need;

(e) Promotion of processing of raw materials in producing developing countries and expansion and diversification of their exports, particularly to developed countries;

(f) Effective opportunities to improve the share of developing countries in transport, marketing and distribution of their primary commodities and to encourage measures of world significance for the evolution of the infrastructure and secondary capacity of developing countries from the production of primary commodities to processing, transport and marketing, and to the production of finished manufactured goods, their transport, distribution and exchange, including advanced financial and exchange institutions for the remunerative management of trade transactions.

...

5. A number of options are open to the international community to preserve the purchasing power of developing countries. These need to be further studied on a priority basis. The Secretary-General of the United Nations Conference on Trade and Development should continue to study direct and indirect indexation schemes and other options with a view to making concrete proposals before the Conference at its fourth session.

...

8. Developed countries should take effective steps within the framework of multilateral trade negotiations for the reduction or removal, where feasible and appropriate, of non-tariff barriers affecting the products of export interest to developing countries on a differential and more favourable basis for developing countries. The Generalized Scheme of Preferences should not

terminate at the end of the period of 10 years originally envisaged and should be continuously improved through wider coverage, deeper cuts and other measures, bearing in mind the interests of those developing countries which enjoy special advantages and the need for finding ways and means for protecting their interests.

...

II. Transfer of real resources for financing the development of developing countries and international monetary reforms

1. Concessional financial resources to developing countries need to be increased substantially, their terms and conditions ameliorated and their flow made predictable continuous and increasingly assured so as to facilitate the implementation by developing countries of long-term programmes for economic and social development. Financial assistance should, as a general rule, be untied.

2. Developed countries confirm their continued commitment in respect of the targets relating to the transfer of resources, in particular the official development assistance target of 0.7% of gross national product, as agreed in the International Development Strategy for the Second United Nations Development Decade, and adopt as their common aim an effective increase in official development assistance with a view to achieving these targets by the end of the decade. Developed countries which have not yet made a commitment in respect of these targets undertake to make their best efforts to reach these targets in the remaining part of this decade.

3. The establishment of a link between the special drawing rights and development assistance should form part of the consideration by the International Monetary Fund of the creation of new special drawing rights as and when they

are created according to the needs of international liquidity. Agreement should be reached at an early date on the establishment of a trust fund, to be financed partly through the International Monetary Fund gold sales and partly through voluntary contributions and to be governed by an appropriate body, for the benefit of developing countries. Consideration of other means of transfer of real resources which are predictable, assured and continuous should be expedited in appropriate bodies.

4. Developed countries and international organizations should enhance the real value and volume of assistance to developing countries and ensure that the developing countries obtain the largest possible share in the procurement of equipment, consultants and consultancy services. Such assistance should be on softer terms and, as a general rule, untied.

5. In order to enlarge the pool of resources available for financing development, there is an urgent need to increase substantially the capital of the World Bank Group, and in particular the resources of the International Development Association, to enable it to make additional capital available to the poorest countries on highly concessional terms.

6. The resources of the development institutions of the United Nations system, in particular the United Nations Development Programme, should also be increased. The funds at the disposal of the regional development banks should be augmented. These increases should be without prejudice to bilateral development assistance flows.

7. To the extent desirable, the World Bank Group is invited to consider new ways of supplementing its financing with private management, skills, technology and capital and also new approaches to increase financing of development in developing countries, in accordance with their national plans and priorities.

8. The burden of debt on developing countries is increasing to a point where the import capacity as well as reserves have come under serious strain. At its fourth session the United Nations Conference on Trade and Development shall consider the need for, and the possibility of, convening as soon as possible a conference of major donor, creditor and debtor countries to devise ways and means to mitigate this burden, taking into account the development needs of developing countries, with special attention to the plight of the most seriously affected countries as defined in General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).¹

9. Developing countries should be granted increased access on favourable terms to the capital markets of developed countries. To this end, the joint Development Committee of the International Monetary Fund and the International Bank for Reconstruction and Development should progress as rapidly as possible in its work. Appropriate United Nations bodies and other related intergovernmental agencies should be invited to examine ways and means of increasing the flow of public and private resources to developing countries, including proposals made at the current session to provide investment in private and public enterprises in the developing countries. Consideration should be given to the examination of an international investment trust and to the expansion of the International Finance Corporation capital without prejudice to the increase in resources of other intergovernmental financial and development institutions and bilateral assistance flows.

10. Developed and developing countries should further cooperate through investment of financial resources and supply of technology and equipment to developing countries by developed countries and by developing countries in a position to do so.

13. In providing additional resources for assisting the most seriously affected countries in helping them to meet their serious balance-of-payments deficits, all developed countries, and developing countries in a position to do so, and international organizations such as the International Bank for Reconstruction and Development and the International Monetary Fund, should undertake specific measures in their favour, including those provided in General Assembly resolutions 3201 (S-VI) and 3202 (S-VI).

14. Special attention should be given by the international community to the phenomena of natural disasters which frequently afflict many parts of the world, with far-reaching devastating economic, social and structural consequences, particularly in the least developed countries. To this end, the General Assembly at its thirtieth session, in considering this problem, should examine and adopt appropriate measures.

15. The role of national reserve currencies should be reduced and the special drawing rights should become the central reserve asset of the international monetary system in order to provide for greater international control over the creation and equitable distribution of liquidity and in order to limit potential losses as a consequence of exchange rate fluctuations. Arrangements for gold should be consistent with the agreed objective of reducing the role of gold in the system and with equitable distribution of new international liquidity and should in particular take into consideration the needs of developing countries for increased liquidity.

16. The process of decision-making should be fair and responsive to change and should be

¹ Bull. EC 5-1974, points 1302 and 1303.

most specially responsive to the emergence of new economic influence on the part of developing countries. The participation of developing countries in the decision-making process in the competent organs of international finance and development institutions should be adequately increased and made more effective without adversely affecting the broad geographic representation of developing countries and in accordance with the existing and evolving rules.

17. The compensatory financing facility now available through the International Monetary Fund should be expanded and liberalized. In this connection, early consideration should be given by the Fund and other appropriate United Nations bodies to various proposals made at the current session—including the examination of a new development security facility—which would mitigate export earnings shortfalls of developing countries, with special regard to the poorest countries, and thus provide greater assistance to their continued economic development. Early consideration should also be given by the International Monetary Fund to proposals to expand and liberalize its coverage of current transactions to include manufactures and services, to ensure that, whenever possible, compensation for export shortfalls takes place at the same time they occur, to take into account, in determining the quantum of compensation, movements in import prices and to lengthen the repayment period.

18. Drawing under the buffer stock financing facility of the International Monetary Fund should be accorded treatment with respect to floating alongside the gold tranche, similar to that under the compensatory financing facility, and the Fund should expedite its study of the possibility of an amendment of the Articles of Agreement, to be presented to the Interim Committee, if possible in its next meeting, that would permit the Fund to provide assistance directly to international buffer stocks of primary products.

III. Science and technology

1. Developed and developing countries should cooperate in the establishment, strengthening and development of the scientific and technological infrastructure of developing countries. Developed countries should also take appropriate measures, such as contribution to the establishment of an industrial technological information bank and consideration of the possibility of regional and sectoral banks, in order to make available a greater flow to developing countries of information permitting the selection of technologies, in particular advanced technologies. Consideration should also be given to the establishment of an international centre for the exchange of technological information for the sharing of research findings relevant to developing countries. For the above purposes institutional arrangements within the United Nations system should be examined by the General Assembly at its thirtieth session.

2. Developed countries should significantly expand their assistance to developing countries for direct support to their science and technology programmes, as well as increase substantially the proportion of their research and development devoted to specific problems of primary interest to developing countries, and in the creation of suitable indigenous technology, in accordance with feasible targets to be agreed upon. The General Assembly invites the Secretary-General to carry out a preliminary study and to report to the Assembly at its thirty-first session on the possibility of establishing, within the framework of the United Nations system, an international energy institute to assist all developing countries in energy resources research and development.

3. All States should cooperate in evolving an international code of conduct for the transfer of technology, corresponding, in particular, to the special needs of the developing countries. Work on such a code should therefore be continued

within the United Nations Conference on Trade and Development and concluded in time for decisions to be reached at the fourth session of the Conference, including a decision on the legal character of such a code with the objective of the adoption of a code of conduct prior to the end of 1977. International conventions on patents and trade marks should be reviewed and revised to meet, in particular, the special needs of the developing countries, in order that these conventions may become more satisfactory instruments for aiding developing countries in the transfer and development of technology. National patents systems should, without delay, be brought into line with the international patent system in its revised form.

...

5. Developed countries should give developing countries the freest and fullest possible access to technologies whose transfer is not subject to private decision.

...

7. A United Nations Conference on Science and Technology for Development should be held in 1978 or 1979 with the main objectives of strengthening the technological capacity of developing countries to enable them to apply science and technology to their own development; adopting effective means for the utilization of scientific and technological potentials in the solution of development problems of regional and global significance, especially for the benefit of developing countries; and providing instruments of cooperation to developing countries in the utilization of science and technology for solving socio-economic problems that cannot be solved by individual action, in accordance with national priorities, taking into account the recommendations made by the Intergovernmental Working Group of the Committee on Science and Technology for Development.

...

IV. Industrialization

1. The General Assembly endorses the Lima Declaration and Plan of Action on Industrial Development Cooperation and requests all Governments to take individually and/or collectively the necessary measures and decisions required to implement effectively their undertakings in terms of the Lima Declaration and Plan of Action.

2. Developed countries should facilitate the development of new policies and strengthen existing policies, including labour market policies, which would encourage the redeployment of their industries which are less competitive internationally to developing countries, thus leading to structural adjustments in the former and a higher degree of utilization of natural and human resources in the latter. Such policies may take into account the economic structure and the economic, social and security objectives of the developed countries concerned and the need for such industries to move into more viable lines of production or into other sectors of the economy.

3. A system of consultations as provided for by the Lima Plan of Action should be established at the global, regional, interregional and sectoral levels within the United Nations Industrial Development Organization and within other appropriate international bodies, between developed and developing countries and among developing countries themselves, in order to facilitate the achievement of the goals set forth in the field of industrialization, including the redeployment of certain productive capacities existing in developed countries and the creation of new industrial facilities in developing countries. In this context, the United Nations Industrial Development Organization should serve as a forum for negotiation of agreements in the field of industry between developed and developing countries and

among developing countries themselves, at the request of the countries concerned.

...

5. To promote cooperation between developed and developing countries, both should endeavour to disseminate appropriate information about their priority areas for industrial cooperation and the form they would like such cooperation to take. The efforts undertaken by the United Nations Conference on Trade and Development on tripartite cooperation between countries having different economic and social systems could lead to constructive proposals for the industrialization of developing countries.

6. Developed countries should, whenever possible, encourage their enterprises to participate in investment projects within the framework of the development plans and programmes of the developing countries which so desire; such participation should be carried out in accordance with the laws and regulations of the developing countries concerned.

...

9. The General Assembly endorses the recommendation of the Second General Conference of the United Nations Industrial Development Organization to convert that organization into a specialized agency and decides to establish an intergovernmental committee of the whole, including States which participated in the Second General Conference, to meet in Vienna to draw up a constitution for the United Nations Industrial Development Organization as a specialized agency, to be submitted to a conference of plenipotentiaries to be convened by the Secretary-General in the last quarter of 1976.

...

V. Food and agriculture

1. The solution to world food problems lies primarily in increasing rapidly food production

in the developing countries. To this end, urgent and necessary changes in the pattern of world food production should be introduced and trade policy measures should be implemented, in order to obtain a notable increase in agricultural production and the export earnings of developing countries.

2. To achieve these objectives, it is essential that developed countries and developing countries in a position to do so should substantially increase the volume of assistance to developing countries for agriculture and food production, and that developed countries should effectively facilitate access to their markets for food and agricultural products of export interest to developing countries, both in raw and processed form, and adopt adjustment measures, where necessary.

3. Developing countries should accord high priority to agricultural and fisheries development, increase investment accordingly and adopt policies which give adequate incentives to agricultural producers. It is a responsibility of each State concerned, in accordance with its sovereign judgement and development plans and policies, to promote interaction between expansion of food production and socio-economic reforms, with a view to achieving an integrated rural development. The further reduction of post-harvest food losses in developing countries should be undertaken as a matter of priority, with a view to reaching at least a 50% reduction by 1985. All countries and competent international organizations should cooperate financially and technically in the effort to achieve this objective. Particular attention should be given to improvement in the systems of distribution of foodstuffs.

...

8. In view of the importance of food aid as a transitional measure, all countries should accept both the principle of a minimum food aid target

and the concept of forward planning of food aid. The target for the 1975-1976 season should be 10 million tonnes of food grains. They should also accept the principle that food aid should be channelled on the basis of objective assessment of requirements in the recipient countries. In this respect all countries are urged to participate in the Global Information and Early Warning System on Food and Agriculture.

...

10. Developed countries and developing countries in a position to do so should provide food grains and financial assistance on most favourable terms to the most seriously affected countries, to enable them to meet their food and agricultural development requirements within the constraints of their balance-of-payments position. Donor countries should also provide aid on soft terms, in cash and in kind, through bilateral and multilateral channels, to enable the most seriously affected countries to obtain their estimated requirements of about 1 million tonnes of plant nutrients during 1975-1976.

...

12. All countries should subscribe to the International Undertaking on World Food Security. They should build up and maintain world food-grain reserves, to be held nationally or regionally and strategically located in developed and developing, importing and exporting countries, large enough to cover foreseeable major production shortfalls. Intensive work should be continued on a priority basis in the World Food Council and other appropriate forums in order to determine, *inter alia*, the size of the required reserve, taking into account among other things the proposal made at the current session that the components of wheat and rice in the total reserve should be 30 millions tonnes. The World Food Council should report to the General Assembly on this matter at its thirty-first session. Devel-

oped countries should assist developing countries in their efforts to build up and maintain their agreed shares of such reserves. Pending the establishment of the world food-grain reserve, developed countries and developing countries in a position to do so should earmark stocks and/or funds to be placed at the disposal of the World Food Programme as an emergency reserve to strengthen the capacity of the Programme to deal with crisis situations in developing countries. The aim should be a target of not less than 500 000 tonnes.

...

2. Annual meeting of the International Monetary Fund

IMF meeting

International monetary problems

1201. The annual meeting in Washington, from 1 to 5 September, of the Governors of the International Monetary Fund (IMF) and the International Bank for Reconstruction and Development (IBRD) was preceded at the end of August by various meetings which examined the main questions outstanding from the last meeting of the IMF Interim Committee in June (allocation of quota increases, gold problems, exchange system).

As regards the Community, this appraisal was prepared mainly at the Conference of Member States' Finance Ministers in Venice on 24 August,¹ followed by the Monetary Committee meeting in Washington on 30 August.² In the light of the guidelines set out by the Ministers, the Monetary Committee prepared a common position of the member countries on the problems for which solutions seemed likely to emerge, i.e. the minimum content and coverage of the agreements, assessment of Member States' IMF quotas under the five-year review, gold problems (general arrangements and disposition of the gold held by the Monetary Fund). On the other hand, as was the case within the broader compass of the IMF, it was not possible to reach agreement on the future exchange rate system.

The results of the meeting of the IMF *Interim Committee* in Washington on 31 August³ are by and large very close to the common positions which had emerged from the deliberations of the Monetary Committee. The agreement reached bears in the main on determining the quotas, and on the problem of gold.⁴

As regards determining the *quotas*, it had been agreed at the previous meeting of the Interim Committee that the total of IMF quotas would be raised from 29 000 million to 39 000 million SDRs, i.e., an increase of 32.5%; that the share

of the quotas of the members of OPEC would be doubled, rising from 4.98% to 9.96% of the total; and that the share relating to all the developing countries would remain unchanged. From these decisions, the Interim Committee reached agreement on how the relative decrease in the group's share of the total quotas would be distributed among the industrialized countries.

As regards the problem of gold, the main elements of the consensus within the Interim Committee are as follows:

(1) *Gold system.* It was agreed that an official price for gold would be abolished; that the IMF and the national monetary authorities would no longer be obliged to accept gold in settlement of obligations or debts as defined in the existing Articles; and that countries so desiring would have the option of henceforth making completely free arrangements concerning gold transactions, subject to certain conditions.

(2) *disposition of IMF gold holdings.*⁵ It was decided that 25 000 000 ounces would be restituted to the Member States at a price in their currency which corresponds to the official price of \$ 42.22 per ounce; that 25 000 000 ounces would be sold on the market, the proceeds going to aid for the developing countries on conditions to be determined; that 100 000 000 ounces would still be held by the IMF, with their disposition subject to an 85% majority decision.

The Interim Committee agreed that the consensus reached on determining quotas and the

¹ Bull. EC 7/8-1975, point 2206.

² Bull. EC 7/8-1975, point 2214.

³ Before the meeting started, informal talks took place, in particular between the representatives of the Federal Republic of Germany, the United States, France, Japan and the United Kingdom.

⁴ Point 1204.

⁵ At the moment the IMF holds some 150 000 000 ounces of gold.

problem of gold would not straightaway lead to an official procedure for proposing amendments to the IMF Articles, and that initiation of such procedure, like that of a parliamentary ratification procedure, would await the result of the work on the exchange system, which will be resumed at the next meeting of the Interim Committee set for 7 and 8 January 1976 in Jamaica.

Annual meeting of the IMF and IBRD

1202. Mr Rodriguez, the Venezuelan Minister of State, chaired the 30th annual meeting of the Governors of the IMF and IBRD, which opened with an address by the President of the United States, Mr Ford.

Commission observers attended the proceedings, where Mr Colombo, Italy's Treasury Minister and President-in-Office of the Council, at the beginning of his speech made a statement on behalf of the Community.¹

Whereas the 1974 annual meeting² had been overshadowed by the oil crisis, in 1975 the event was stamped by a wide variety of themes, the chief of which can be summarized as follows:

(i) *Economic policy.* The world is suffering from a recession deeper and more widespread than anticipated, and the aftermath of an inflation heavier than the most pessimistic had imagined. It needs only a careless policy of economic reflation for these inflationary gusts to blow up violently again. Hence the problem of trying to find a satisfactory balance, which is complicated by the desire of most industrialized countries to embark all together on the congested route of growth through exports.

(ii) *Exchange system.* Opinions are still rather divided between the advisability of establishing fluctuating exchange rates as the standard instrument of adjustment, or whether a system of parities over the widest possible international framework should be restored. Many actually consider that the use of fluctuating rates can be justified by solid arguments when this occurs over periods marked by violent upheavals in the world economy as has happened during the last few years. Others, however, are hesitating as to whether the chief industrial countries may not agree to return to a parity system once the upheavals have died down. At all events, a number of observers, from experience over the last two years and in the twenties and thirties, feel that the system of fluctuating exchange rates has some rather troubling aspects.

(iii) *Developing countries.* The future of the developing countries, doubly hit by the aftermath of the oil crisis and the recession in the industrialized countries, is giving rise to differences of opinion on how to remedy the situation, differences which seem to dampen rather than stimulate efforts towards development aid.

1203. The problems now facing the developing countries were examined in depth during the Development Committee's meeting³ in Washington on 3 and 4 September 1975. The press communiqué issued after the meeting is reproduced in the documentary annex.⁴

¹ Point 1205.

² Bull. EC 10-1974, points 1401 to 1406.

³ *The Joint Ministerial Committee of the Boards of Governors of the Bank and the Fund on the Transfer of Real Resources to the Developing Countries* (the official title of the Development Committee) was formed in the autumn of 1974 by parallel resolutions of the Boards of Governors of the IBRD and the IMF.

⁴ Point 1206.

*Documentary annex***Communiqué of the Interim Committee**

1204. At the end of its fourth meeting in Washington on 31 August, the Interim Committee issued the following communiqué to the press:

'1. The Interim Committee of the Board of Governors of the International Monetary Fund held its fourth meeting in Washington, D.C. on 31 August 1975 under the chairmanship of Mr John N. Turner, Minister of Finance of Canada. Mr H. Johannes Witteveen, Managing Director of the International Monetary Fund, participated in the meeting. The following observers attended during the Committee's discussions: Mr Henri Konan Bédié, Chairman, Bank-Fund Development Committee, Mr Gamani Corea, Secretary-General, UNCTAD, Mr Wilhelm Haferkamp, Vice-President, EC Commission, Mr René Larre, General Manager/ BIS, Mr Emile van Lennep, Secretary-General, OECD, Mr F. Leutwiler, President, National Bank of Switzerland, Mr Robert S. McNamara, President, IBRD, and Mr Gardner Patterson, Deputy Director-General, GATT.

2. The Committee had a discussion of the world economic situation and outlook, and expressed its concern about the current severe problems of recession and unemployment, balance of payments disequilibria, and inflation. The Committee felt that industrial countries which have slack domestic demand conditions and relatively strong balance of payments positions, and which have made progress in reducing inflation, should lead in the promotion of a satisfactory rate of expansion in world trade and activity. The Committee believed that, on the basis of such a coordinated policy approach, a resumption of economic growth might be expected for the industrial world during the

latter part of 1975 or the first half of 1976. Although rates of price increase in industrial countries have generally been subsiding, the Committee noted the disturbing fact that economic recovery in the industrial world will get under way with rates of inflation still unacceptably high.

Throughout the Committee's discussion, particular concern was expressed for the many primary producing countries, and especially the developing countries, whose current account deficits have been greatly enlarged by the increase in import costs and the downturn in global demand. Resumption of growth in world trade is urgently needed to alleviate the plight of such countries. Moreover, the Committee feared that, unless they were able to obtain adequate financing, many primary producing countries might have difficulty in fending off pressures to restrain imports, either through deflationary demand measures that would undermine their development efforts or through resort to trade restrictions. In view of these dangers, the Committee expressed the hope that the Executive Board would consider various steps that might be taken by the Fund to meet the present urgent need for a greater volume of financing.

3. The Committee noted the improvements in the 1975 Oil Facility introduced as a result of the July review by the Executive Directors and endorsed the efforts now in progress to raise the amount of resources that the Fund would be able to borrow for the financing of purchases under that facility to the total of SDR 5 billion that was agreed at the meeting of the Committee in January 1975. The Committee also endorsed the intention of the Executive Directors to have another review of the 1975 Oil Facility at an early date, one purpose of which would be to determine what action needs to be taken in the best interests of the international community, and also to undertake at about the same time a broader examination of the Fund's policies on the use of its resources.

4. The Committee welcomed the establishment of a Subsidy Account to assist those members that have been most seriously affected by the current situation to meet the cost of using the Oil Facility and commended those members that have already stated their willingness to make contributions to that account. At the same time, the Committee expressed concern at the fact that the total amount of the contributions by members that have already stated their willingness to contribute is substantially short of the total support that was contemplated and urged those members that have not yet pledged their support to make every effort to do so as soon as possible.

5. The Committee noted the progress made by the Executive Directors on the Sixth General Review of quotas within the framework of the understandings reached at previous meetings of the Committee. The Committee noted the agreement on increases in the quotas of almost all members. In particular, the increases for the industrial countries and for the major oil exporting members have been agreed. The differences that remain among the other members are few and are expected to be resolved soon. The Committee asked the Executive Directors to prepare and submit to the Board of Governors a resolution on increases in the quotas of individual members. The Committee also asked the Executive Directors to complete their work on the mode of payment of the increases in quotas on the basis of the understandings already reached in the Committee so that appropriate recommendations can be submitted to the Board of Governors at the same time as the resolution on increases in quotas. The Committee reiterated its view that all of the Fund's holdings of currency should be usable in its transactions. The Committee agreed that on the question of majorities for the adoption of decisions of the Fund on important matters, a majority of 85% should be required under the amended Articles for those decisions that can now be

taken by an 80% majority. It also agreed that amendments of the Articles should become effective when accepted by three-fifths of the members having 85% of the total voting power.

6. The Committee discussed the problem of gold, including the disposition of the gold holdings of the Fund. The elements of the consensus reached are described in this paragraph.

At the meeting of the Interim Committee on 16 January 1975, it was decided to move "toward a complete set of agreed amendments on gold, including the abolition of the official price and freedom for national monetary authorities to enter into gold transactions under certain specific arrangements, outside the Articles of the Fund, entered into between national monetary authorities in order to ensure that the role of gold in the international monetary system would be gradually reduced."

To implement this general undertaking, provision should be made for:

1. Abolition of an official price for gold.
2. Elimination of the obligation to use gold in transactions with the Fund, and elimination of the Fund's authority to accept gold in transactions unless the Fund so decides by an 85% majority. This understanding would be without prejudice to the study of a Gold Substitution Account.
3. Sale of 1/6 of the Fund's gold (25 million ounces) for the benefit of developing countries without resulting in a reduction of other resources for their benefit, and restitution of 1/6 of the Fund's gold to members. The proportion of any profits or surplus value of the gold sold for the benefit of developing countries that would correspond to the share of quotas of these countries would be transferred directly to each developing country in proportion to its quota. The rest of the Fund's gold would be subject to provisions in an amendment of the Articles that would create enabling powers exer-

cisable by an 85% majority of the total voting power.

The Committee noted that, in order to give effect to the understandings arrived at in this Committee, the countries in the Group of Ten have agreed to observe during the period referred to below the following arrangements, which could be subscribed to by any other member country of the Fund that wishes to do so. Other members might adhere to these arrangements, and on such occasions the necessary modifications in them would be made:

- a) That there be no action to peg the price of gold.
- b) That the total stock of gold now in the hands of the Fund and the monetary authorities of the Group of Ten will not be increased.
- c) That the parties to these arrangements agree that they will respect any further condition governing gold trading that may be agreed to by their central bank representatives at regular meetings.
- d) That each party to these arrangements will report semi-annually to the Fund and to the BIS the total amount of gold that has been bought or sold.
- e) That each party agree that these arrangements will be reviewed by the participants at the end of two years and then continued, modified or terminated. Any party to these arrangements may terminate adherence to them after the initial two-year period.

Many members from developing countries expressed concern that the proposed arrangements for gold would give rise to a highly arbitrary distribution of new liquidity, with the bulk of gains accruing to developed countries. This would greatly reduce the chances of further allocations of SDRs, thereby detracting from the agreed objective of making the SDR the principal reserve asset and phasing out the monetary role of gold. This aspect should be stu-

died, and measures explored to avoid these distortions.

7. The Committee noted the work done so far by the Executive Directors on the subject of the establishment of a trust fund and the possible sources of its financing in response to the request of the Development Committee. It was agreed to ask the Executive Directors to pursue their work with a view to completing it at an early date, taking into account the understandings reached in the Committee with regard to the use of profits from the sale of part of the Fund's gold for the benefit of developing countries, without neglecting the consideration of other possible sources of financing.

8. It was agreed that acceptable solutions must be found on the subject of the exchange rate system under the amended Articles, so that these agreed solutions can be combined with those on quotas and gold. The Executive Directors were requested to continue their work in order to arrive at acceptable solutions and to prepare for submission to the Board of Governors, after examination by the Committee at its next meeting, appropriate proposals for amendment of the fund's Articles on all aspects that have been under consideration.

9. The Committee noted that the Executive Directors are in the process of conducting a review of the Fund's facility on compensatory financing with a view to improving a number of its aspects. It was agreed to urge the Executive Directors to complete their work on this subject as soon as possible, taking into account the various proposals that have been made by members of the Committee.'

Statement by Mr Colombo

1205. The first part of the speech by Mr Colombo, Italy's Treasury Minister and President-in-Office of the Communities, at the annual

meeting of the IMF and IBRD in Washington, consisted of a statement on behalf of the Community.

The text reads as follows:

'Custom has it that the spokesman of the country which occupies the presidency of the Council of Ministers of the European Economic Community addresses this meeting on behalf of the Community. I propose first of all to follow this custom, and subsequently I shall continue my address in my role as Governor for Italy.

In their concern at the extent and duration of the economic recession and at its consequences for employment, the economics and finance ministers and Central Bank governors of the Member States of the Community, as well as the representatives of the Commission, recently held a conference in order to specify in detail the general lines of policy which had already been laid down during the month of July by the various Community organizations and in particular by the meeting of Community Heads of State and Prime Ministers.

The participants at this meeting decided to pursue a coordinated policy to sustain economic activity, to combat inflation, and to improve the prospects for growth in the longer term. In addition to those measures which have already been taken in a Community framework by certain Member States, further reflationary measures will be taken by those countries where the rate of inflation, the current account balance of payments situation, and the state of the public finance render this possible. The governments concerned will shortly announce the measures that they propose to take within the framework of this overall common plan. These measures, both those already taken and those yet to be taken, should, collectively, have a favourable impact in the months to come.

Given the close relations which exist between the economies of the Community countries and those of the other industrialized nations, the economic and finance ministers of the European countries urge their partners to support the measures undertaken by the Community, for only by acting together can we achieve the objectives desired by all of us.

The participants at our conference were very conscious of the special difficulties facing the developing countries. We are convinced that in order to resolve these difficulties it will be necessary not only to bring about a successful revival of economic activity in the industrialized world as a whole, but also to take specific measures within an international framework in order to protect the purchasing power of the developing countries. The Community has already taken important initiatives in this field, notably in the framework of the Lomé Convention.

For all these reasons, on behalf of the Community, I call upon those countries whose economic policy is of particular importance to the well-being of the world as a whole to reinforce the contribution which the Community is making toward a recovery of world economic growth and in general to frame their policies with a view to achieving successful international cooperation.

The member countries of the Community are extremely pleased with the results arrived at within the Interim Committee. Certainly we must recognize that the negotiations have not yet succeeded in solving all the problems regarding the organization of international monetary relations in the future, but the agreements reached on the basis of the proposals put forward by the European Community regarding quotas, the future of gold, and the treatment of gold held by the IMF augur well for the result of the negotiations which will, we all hope, be successfully concluded at the Jamaica meeting next January.'

Communiqué of the Development Committee

1206. At the end of its fourth meeting in Washington on 3 and 4 September, the Development Committee published the following communiqué:

1. The Joint Ministerial Committee of the Boards of Governors of the Bank and the Fund on the Transfer of Real Resources to Developing Countries (the Development Committee) held its fourth meeting in Washington on 3 and 4 September 1975, under the chairmanship of Mr Henri Konan Bédié, Minister of Economy and Finance for the Ivory Coast. The meeting was held in the Sheraton-Park Hotel, during the period of the Annual Meetings of the World Bank and the International Monetary Fund. Mr Robert S. McNamara, President of the World Bank, Mr H. Johannes Witteveen, Managing Director of the International Monetary Fund, and Mr Henry J. Costanzo, Executive Secretary, took part in the meeting, which was also attended by representatives from twelve international and regional organizations and Switzerland as observers.

2. The Committee considered and approved for presentation to the Boards of Governors of the Bank and the Fund a report covering the progress of its work during the period October 1974-June 1975. The report, *inter alia*, noted the unanimous support given by the Committee to the establishment of a one-year Third Window in the World Bank for up to \$1 milliard of intermediate term lending; expressed the Committee's hope for early progress in the establishment of a Special Trust Fund, toward which end the Committee had urged a comprehensive consideration by the Executive Directors of the IMF; and recorded the Committee's action in establishing a 12-member Working Group on access by developing countries to capital markets, as part of the Committee's approach to the longer-

term problem of the capital requirements of developing countries. The report noted the role the Development Committee expected to play in facilitating international actions in the field of development and transfer of resources. In this connection, it referred to the need for substantial increases in real terms in external assistance, improved access to capital markets, trade liberalization and commodity arrangements, the effective functioning of the international monetary system, and appropriate domestic policies in developing countries as areas where such possible future actions were needed.

3. The Committee was informed by the Managing Director of the IMF of the status of consideration by the IMF's Executive Directors of questions associated with the establishment of a Special Trust Fund. The Committee was also informed of the consensus in the Interim Committee that the IMF sell a portion of its gold for the benefit of developing countries without resulting in a reduction of other resources for their benefit. The Committee welcomed this understanding, and agreed in principle that a Trust Fund should be established using profits derived from IMF gold sales, without neglecting the consideration of other possible sources of financing, for balance of payments assistance primarily to lower income countries. The Committee also agreed to ask the Executive Directors of the IMF to continue their work on the Trust Fund, in response to the Committee's earlier request, with a view to completing it at an early date, taking into account various suggestions which have been made, including the possible use of gold profits for stabilization of export earnings.

4. The Committee was also informed by the President of the World Bank of the establishment and of the funding status of the Bank's new Third Window intermediate lending facility. The Committee stressed the important contribution this facility will make toward meeting the capital needs of the developing countries and

urged that additional contributions be made in order to provide sufficient funds to support the \$1 milliard target level of lending operations.

5. The Committee agreed that the Executive Board of the IBRD should give prompt consideration to a selective increase of the capital of the IBRD, and subsequently consider a general expansion of the capital base of the Bank.

6. The Committee received a status report from the Working Group on Access to Capital Markets, covering the organization of the Group and its initial consideration of measures to support access to capital markets by developing countries, with particular attention to a possible multilateral guarantee facility, and a review of regulatory and other constraints on access to capital markets.

7. The Committee reviewed its programme of work for the period immediately ahead, and in addition to the promotion of the establishment of a Special Trust Fund and work on improved access to capital markets, agreed to give special attention at its meetings during 1976:

- to an up-dating and enlargement of the analysis of the situation of developing countries prepared by the World Bank for the Committee's meeting last June, as well as a study of policies which developing countries might pursue to increase their growth;
- to means of improving the current situation affecting resource transfers, taking account of several suggestions made by members of the committee, including quantitative aid targets and their implementation;
- to a survey of the policies, programmes and capital resource situations of the various international and regional lending institutions and initiatives in other international bodies, to help avoid duplication of functions and to promote a coordinated approach to the problem of transfer of resources;

• to the relationship of the current under-utilization of productive capacity in the industrial countries to their development assistance efforts.

8. In considering its future work programme, the committee gave special attention to the question of commodity price fluctuations and to their consequences on the export earnings of developing countries. The committee agreed to give priority attention to these questions in its programme work for 1976, including especially possible measures for the financing of buffer stocks, for the stabilization of export earnings, and other efforts to assist the developing countries in the area of trade, and to begin its examination of them at its next meeting.

9. The committee confirmed its earlier agreement that it would meet next in Kingston, Jamaica, on 9 and 10 January 1976, immediately following the meeting of the interim committee of the IMF.'



2ND PART
ACTIVITIES
IN SEPTEMBER 1975

1. Functioning of the common market

Customs union

Tariff measures

Suspensions

2101. Under Article 59(4) of the Act of Accession, the Commission decided on 22 September¹ to extend until 31 December 1975 the 1973 Regulation authorizing the *United Kingdom* to suspend totally the customs duties on dried asparagus, celery and onions imported from other Member States.

Customs arrangements based on economic considerations

2102. On 23 September, the Commission amended its Directive of 26 March 1973² in respect of certain methods of applying the system of *inward processing*.

The amendment was necessary to settle questions which have arisen since the enlargement of the Community and to simplify the work of the customs authorities who have to run the administrative controls on the movement of goods under inward processing.

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2103. On 26 September, the *European Parliament* gave its Opinion concerning several Commission Proposals to the Council on opening, allocating and administering tariff quotas for various products.

Internal common market

Economic and commercial law

Community patent

2104. The draft Convention on 'the European patent for the common market', more often called the 'Community Patent' will be reviewed for signature at an *Intergovernmental Conference* in Luxembourg from 17 November to 15 December 1975, attended by the nine Member States and the Commission. The date of signing, anticipated for May 1974, had been deferred at the request of the *United Kingdom*.³

2105. On 26 September,⁴ the Commission adopted an *Opinion* on the draft, which was addressed to the Foreign Ministers of the nine Member States and the General Secretariat of the Council, for forwarding to the delegations attending Intergovernmental Conference. This is the second time that the Commission has issued an Opinion on the draft Convention.³

It concerns two amendments to the draft introduced by the 'Community Patent' Group of Experts at the request of the UK, and also the proposal of the French Delegation to limit the application of Articles 32 and 78 of the Convention, which forbid partitioning of the common market by means of patents, for example by prohibiting the import of goods which have been marketed by a patentee, or with his consent, in a

¹ OJ L247 of 23.9.1975.

² OJ L120 of 7.5.1973.

³ Bull. EC 4-1974, point 2105.

⁴ OJ L261 of 9.10.1975.

Member State where the Community patent has no effect, or where there is no parallel national patent.

The first amendment alters the principle that the designation of one Member State in an application for a European patent results automatically in the grant of a Community patent throughout the Member States as a whole. Under the amendment, an applicant may during a ten-year transitional period designate one or more Member States only, and the patent will have the effect of a national patent only in the designated Member State or States.

The second amendment removes exclusive jurisdiction over issues relating to the validity of the Community patent from the European Patent Office, and permits national courts to give decisions, which are binding only in that Member State. In the Commission's view, this runs counter to the principle stated in Article 2 of the draft Convention, which provides that the Community patent is to have the same effect in all Member States.

The Commission is therefore of the opinion that these proposals derogate from the basic principles of the Convention and attack the unitary character of the Community patent, to the detriment of free movement of goods in the Community and the creation of equal conditions of competition.

This Opinion is in keeping with the one it issued on 4 April 1974¹ to the same effect, which was reinforced by the Decision of the Court of Justice in Case 15/74: *Centrafarm v Sterling Drug*.²

The Commission feels that the proposed limitation of Articles 42 and 78 of the draft Convention are contrary to the principles of the Treaties. In its capacity as guardian of the Treaties, it is therefore obliged to warn the Member States that adoption of the proposals and their application by Member States may result in infringement proceedings under Article 169.

Competition policy

Restrictive agreements, mergers, dominant positions: specific cases

Provisional measures against a patent licensing agreement

2106. The Commission has stated in a provisional Decision, under Article 15(6), in Regulation 17, that clauses in patent licensing agreements which stipulate that the patentee may grant further licences only with the consent of existing licensees contravene the prohibition on restrictive practices under Community law and have no prospect of being approved.

The Decision³ is addressed to the following five Dutch drainage undertakings: NV Heidemaatschappij Beheer, Arnhem; Land Development and Reclamation Company (Lareco) BV Arnhem; BV Grondboorbedrijf J. Moos, Rhooen; De Ruiter Boringen en Bemalingen BV, Halfweg-Haarlemmerliede and Reinders-Wessemius Grondboorbedrijven BV, Emmer-Compascum.

It is based on the following facts:

In 1965 and 1967 NV Heidemaatschappij applied to the Dutch Patent Office for the grant of a patent in respect of a 'Process for installing a drainage system consisting of filtering tubes together with the necessary pumps and the drainage system as thus installed'. The process is designed to lower the water table and is of considerable economic importance particularly

¹ OJ L109 of 23.4.1974.

² OJ C158 of 17.12.1974 and European Court Reports 1974-6.

³ OJ L249 of 25.9.1975.

in the Netherlands where both public and private awarders of contracts specify that it must be used in connection with virtually all major construction projects. Furthermore, this same process is used for construction projects which extend over national frontiers, such as the laying of long distance oil and gas pipelines.

The other undertakings opposed the grant of the patent to NV Heidemaatschappij on the ground that the process in respect of which the application had been made was in general use. However, NV Heidemaatschappij reached an agreement with these undertakings which resulted in their withdrawing their objection, so that it was subsequently possible for the patent to be granted. In return the four undertakings were each granted a licence and in the licensing agreements NV Heidemaatschappij further undertook not to grant licences to any other interested parties without the consent of not less than two of the abovementioned four undertakings.

When another Dutch undertaking applied for a licence in 1971 this was refused by decision of the undertakings concerned. In 1973 a licence application by a further undertaking was also rejected.

The Commission has adopted the abovementioned provisional measure following a complaint from the latter undertaking.

Termination of an information exchange agreement

2107. As a result of proceedings initiated by the Commission, the *Association of Ship's Cable Manufacturers*, with headquarters in Wassenaar (Netherlands), embracing 17 firms who together account for about 80% of the production of ship's cables in the Community, has stopped laying down guide prices and preparing tables of deliveries.

These practices, which were part of a procedure for the exchange of information organized by the Association, substantially restricted competition in the common market. In a number of countries domestic cable manufacturers had raised prices uniformly and foreign manufacturers had refrained from making competitive offers. The activities of the Association are now confined to a number of technical fields such as standardization, the introduction of new types of steel and maintaining links with classification societies and shipowners.

Fiscal policy and financial institutions

Financial institutions

Insurance

Defining the unit of account

2108. On 19 September¹ the Commission presented a proposal to the Council amending the Directive of 24 July 1973,² which coordinates indemnity insurance.

This Directive refers several times to the unit of account (u.a.) and specifies that by u.a. is meant the unit defined in Article 4 of the Statute of the European Investment Bank, i.e., the u.a. being worth in terms of gold 0.88867088 gm of fine gold. The use of the gold parity will provoke distortion of competition between the Member

¹ OJ C243 of 23.10.1975.

² OJ L228 of 16.8.1973 and Bull. EC 7/8-1973, point 2122.

2. Economic and monetary union

Fiscal policy

States, largely because a minimum guarantee fund, expressed in u.a., is required of all insurance companies.

On 21 April,¹ the Council decided to use a European unit of account (EUA), based on a 'basket' of Community currencies, in applying the Lomé Convention, the EUA conversion rate being published daily in the Official Journal of the European Communities. The EIB itself is already using this 'basket' unit in its internal accounting. A procedure is also being drawn up to amend the EIB Statute so that the Board of Governors will be empowered to take certain decisions by itself, in respect of defining the unit of account.

The Commission's proposed Directive would therefore replace the reference to gold, specified in the Directive on coordinating indemnity insurance, by application of the new EUA.

Economic, monetary and financial policy

The Swiss franc and the 'snake'

2201. At the Council meeting in Brussels on 22 September chaired by Mr Colombo, Italy's Treasury Minister, the problems involved in possibly linking the Swiss franc with the Community exchange system were reappraised. In compliance with its request at the July meeting,¹ the Council had received a report on the technical aspects of such a link from the Board of Governors of the European Monetary Cooperation Fund, which had met for the purpose in Washington on 22 September 1975.

The Council took note of a statement by Mr De Clercq, Belgium's Minister of Finance, on the outcome of a meeting which took place the same day between the Finance Ministers and the Governors of the Central Banks of the countries in the Community exchange system on one side, and a Swiss Delegation led by the Minister of Finance and the Governor of the Swiss National Bank, on the other.

The statement indicated that all the delegations at the meeting agreed that they were in favour of linking the Swiss franc to the snake, since it would strengthen the area of European monetary stability. The delegations asked the Governors Committee of the Central Banks to promptly study certain technical problems, which are still to be appraised and to report on the matter at the next meeting. They also agreed that the procedure for linking the Swiss franc would operate in such a way that the Council would always be notified and involved in decisions taken.

¹ OJ L104 of 24.4.1975 and Bull. EC 4-1975, point 2422.

¹ Bull. EC 7/8-1975, point 2209.

On the last point, Vice-President Haferkamp of the Commission stressed the importance that the Commission attached to this matter and the need to protect the interests of the Community as a whole, and of the Member States presently outside the Community exchange system.

The Council agreed to resume its study of whether the Swiss franc might be linked to the snake, at its next meeting, scheduled for 17 November.

Economic situation

2202. On the strength of a report by the Chairman of the Coordinating Group for short-term economic and financial policies, the Council, at the meeting of 22 September, got down to a fresh discussion of the measures for economic recovery taken or planned by the different member countries.

At the meeting, Vice-President Haferkamp of the Commission highlighted the concordance between national measures for recovery and the decisions reached by the Member States' Finance Ministers' Conference in Venice on 24 August.¹ Recalling the drive to coordinate these measures, Mr Haferkamp pointed out that, through this effort, the Community had played its part at the recent international meetings, and this should be an incentive to intensify convergence between the Member States in economic policy.

Monetary Committee

2203. The Working Party on *Securities Markets* held its 31st meeting in Brussels on 18 and 19 September chaired by Mr D'Haese. The group made its regular review of the international bond market and the national capital markets for the second quarter of 1975, and discussed a draft Directive on establishing free movement for

the units of collective investment undertakings for transferable securities.

The fourth meeting of the Group on *Harmonization of Monetary Policy Instruments* was held in Basle on 23 and 24 September. It was entirely devoted to further analysis of monetary instruments.

Group of Experts on Economic Budgets

2204. The Group of Experts on Economic Budgets met on 30 September to review the economic outlook for 1976 and prepare the data required to draw up the Annual Report on the economic situation in the Community. Comparison of forecasts made by national experts and the Commission services showed broad agreement on the future trend of the main economic aggregates for the various member countries. This outlook allows the conclusion that activity will gradually recover over the months ahead and that inflationary strain will ease to some extent.

Regional policy

Financial operations

European Regional Development Fund (ERDF)

2205. Once regional policy had got off the ground in July with the first meeting of the Fund Committee and of the Regional Policy Committee, and with the filing of a number of applications for aid from the Fund,² more applications

¹ Bull. EC 7/8-1975, point 2206.

² Bull. EC 6-1975, points 2208 and 2211, and 7/8-1975, point 2219.

were received and examined in August and September.

Throughout September the Commission has been examining *applications for aid* from the ERDF filed the previous month by several Member States. These applications, which were still being submitted in September, bear on industrial and infrastructure investment schemes.

Examination of the first and largest group of applications was completed at the end of September. Schemes for modernizing infrastructures, involving more than 10 million u.a., will be submitted to the Regional Policy Committee on 6 and 7 October, and to the Fund Committee on 14 and 15 October. At the same time the Fund will take a decision on all the schemes examined by the Commission.

Social policy

Employment

2206. A Commission paper, reviewed by the ECSC Consultative Committee on 29 September,¹ appraises the *effects on employment of the Forward Steel Programme* for the fourth quarter of 1975.²

The paper summarizes the first data to hand by reason of the Commission's Decision of 17 July,³ which requires the Community steel companies to send in certain facts and figures on the trend of employment. It also emphasizes that to a great extent, the steel industry has implemented a policy in keeping with that recommended by the Commission to counter the recession.

The Commission notes that the situation is extremely difficult and that it will remain serious until economic activity in the Community recov-

ers. Even with a general recovery, it will be some time before the iron and steel industry feels the benefit, owing to the volume of stocks of steel or finished products.

Lastly, the Commission notes that the arrangements, referred to in Article 56 of the ECSC Treaty, to retrain workers hit by the closure of certain companies are limited in scope and cannot help very much in the circumstances; the companies can in fact temporarily cut down their activity and their manpower with no thought of closing down. So the Commission is investigating whether there are other possible lines of action under the ECSC Treaty.

Free movement and social security for migrant workers

2207. On 15 September, the Commission presented a Proposal to the Council⁴ to amend the Regulation of 15 October 1968⁵ concerning the free movement of workers, in respect of the *extension of trade union rights in favour of migrant workers*.

The proposed amendment would include within the heading of equality of treatment in the exercise of union rights, the right of migrant workers to take part in the management and administration of a trade union in the country where they are employed. Based on an opinion expressed by the Member States' trade unions, the amendment had been welcomed by the Advisory Committee on Freedom of Movement for Workers. This extension of trade union

¹ Points 2234 and 2451.

² Point 2233.

³ OJ L190 of 23.7.1975 and Bull. EC 7/8-1975, point 2223.

⁴ OJ C221 of 27.9.1975.

⁵ OJ L257 of 19.10.1968.

rights had been ruled out until recently by the nationality requirement imposed by the law of a Member State.

2208. On 17 September, the Commission sent the Council a Proposal to amend the Regulations of 14 June 1971¹ and 21 March 1972² on the *application of social security schemes* to workers and their families who move within the Community.

The proposed amendments adapt the two Regulations to changes in Member States' laws (particularly those of the United Kingdom), in respect of the conditions for paying social security benefits, and also take account of Member States' decisions in modifying the division of authority of their social security administrations, agencies or institutions, from the angle of applying the Community rules.

2209. The *Administrative Committee on Social Security for Migrant Workers*, meeting on 25 and 26 September carried on with its appraisal of a number of suggestions which would ensure disability benefits from the United Kingdom³ for workers who, having been insured in the United Kingdom, go and work in one or more other Member States and are disabled there. This question needs further examination.

The Administrative Committee approved a decision on recalculation of the supplement referred to under the Council Regulation of 14 June 1971,¹ in the revaluation of pensions provided by the institutions of other Member States.

Social Fund, re-employment and readaptation

2210. On 29 September, the *European Social Fund Committee* examined a draft Proposal which the Commission will put to the Council, concerning certain aid from the Fund for occupa-

tional rehabilitation projects, in connection with the recession.

The Committee was also consulted on extending action by the Fund in favour of people employed in the textile industry; this was approved for the apparel industry. Lastly, the Committee gave its opinion on a proposed Commission Regulation establishing the bases for computing certain costs qualifying for Fund aid.

Vocational training and guidance

2211. The *Advisory Committee on Vocational Training*, meeting in Brussels on 11 September, went on studying the guidelines to be adopted for implementing a common vocational training policy. A Committee working party, made up from both sides of industry and Member States' government experts was instructed to draw up a report on the guidelines, between now and March.

Social security and social action

2212. Sponsored by the Statistical Office, the second meeting of the working party on 'Statistics of social indicators' was held in Brussels on 23 and 24 September. Their assignment is to help the Commission departments in preparing an expanded system of *social indicators* embracing all the major spheres of social life, as anticipated in the Social Action Programme. In the first stage, the group agreed on a whole set of objective indicators for ten different social spheres. The Statistical Office undertook to establish the various numerical indicators over the coming months.

¹ OJ L149 of 5.7.1971.

² OJ L74 of 27.3.1972.

³ Bull. EC 7/8-1975, point 2224.

Living and working conditions

2213. At a meeting on 9 September, the Commission presented two papers to representatives of the trade unions and employer's associations on workers' *asset formation* schemes. The first paper, which constitutes a descriptive list of the various schemes now running in the nine Member States, will be revised and updated, with due consideration also to the amendments already put forward by the government experts during an earlier meeting. The discussions centred on the second paper ('problems of asset formation policy'), a supplementary summary report which describes the main problems involved and the basic options implied in applying an asset formation policy.

2214. The Commission approved the following projects under the *second tranche of the seventh aid programme* for financing low-cost subsidized housing for mining and steel industry personnel:

Luxembourg (steel): 35 dwellings (Lfrs 21944000); *Netherlands* (steel): 387 dwellings (Fl 2295000); *Germany* (Cologne collieries): 37 dwellings (DM 370000); (Ruhr collieries): 46 dwellings (DM 394000).

2215. A Communication from the Commission briefed the Council on the work already done by an expert group to improve *housing conditions for handicapped people*; pilot operations are provided for on the 'elimination of architectural barriers to their mobility'.

This fits in with the first Community action programme for the occupational rehabilitation of handicapped people, which was the subject of a Resolution passed by the Council on 27 June 1974.¹ Elimination of architectural barriers to the mobility of handicapped workers is one of the prerequisites of the desired objective, which is to enable the handicapped to lead a normal life

integrated with society. The independent experts called in by the Commission drew up a list of minimum requirements regarding accessibility for those using wheelchairs, and passages within dwellings. The Commission plans to call in a group of government experts to study the optimum means of applying the minimum requirements suggested by the independent experts.

Industrial and occupational relations

2216. In preparing to establish a *European Trade Union Institute*, as indicated in the Social Action programme,² the Commission together with the European Confederation of Trade Unions called a meeting in Hamburg on 18 and 19 September with experts in union training, to get their opinions on how the Institute should work and what its priorities might be.

2217. Under the common transport policy, the Commission, on 17 September, adopted and addressed to the Council a Proposal for a Regulation on *certain social provisions for inland waterway transport*.³

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2218. During the part-session from 22 to 26 September, the *European Parliament*⁴ gave its Opinion on the 1974 Social Report and on the action programme for migrant workers drawn up by the Commission. The House also passed a Resolution on the guidelines for a Community programme on safety, hygiene and health protection at work.

¹ OJ C80 of 9.7.1974 and Bull. EC 6-1974, point 2213.

² Supplement 2/74 — Bull. EC, point 12 and OJ C13 of 12.2.1974.

³ Point 2257.

⁴ Points 2404 to 2406.

The *Economic and Social Committee*,¹ meeting on 24 and 25 September took a position on the Commission's Communication to the Council on equal treatment for male and female workers, and on a Proposal to amend the 1971 and 1972 Regulations on the free movement of workers, in order to standardize the arrangements for paying family allowances to workers with families living in a Member State other than the one in which they work.

Agricultural policy

2219. September was marked by several important developments involving the Community's agricultural budget, new developments in the wine sector (where there are still problems, however) and more flexible import arrangements for beef and veal.

On 11 September the Commission laid before the Council the section of the fourth draft supplementary and amending budget concerning the EAGGF Guidance Section and the letter of amendment relating to the preliminary draft of the 1976 budget. On 22 September, the Council adopted a draft supplementary and amending budget for 1975 releasing additional appropriations of 260 000 000 u.a. for the EAGGF Guarantee Section, and on 29 September it adopted the draft budget for 1976 which amounts to 516 030 000 u.a. for that section. In view of the problems raised by the agricultural section of the Community budget during the Council's deliberations, some further explanations are in order.²

The problems on the wine market

2220. The wine crisis, now six months old, has still to be resolved. Beyond their economic features, the problems involved in improving the

wine-growing and marketing rules (to rebalance the market) are taking on more and more of a political colour. This transpires from the discussions within the Council, the position taken by one government or another, even the turn of events over recent months and the impossibility of reaching effective solutions.

The facts are not new. After two bumper harvests, a 'wine crisis' was already being talked about as early as April 1975.³ It mainly stems from the wide fluctuation in vineyard output from one year to the next and to a long-term trend towards increased production with consumption neither rising nor falling.

To cope with the situation, the Council decided on *major distillation measures*.⁴ On 5 November 1974,⁵ the Commission had presented a Proposal to *amend the Community rules for wine* so as to secure a better balance between supply and demand. The main lines for changing the rules were set out in a Council Resolution of 21 April,⁶ but this was not followed by any practical arrangements.

Last July, finding it impossible to complete the appraisal of the Commission's Proposals on measures to adapt wine-growing potential to market needs, and on the amendments to be made to the basic rules on wine, the Council had agreed to resume its work on this at a special meeting early in September.

On 9 September, it again considered all the measures to clear up the wine market on a medium- and long-term basis and to put an end to the upheavals in the wine trade between France and Italy. At the close of the proceed-

¹ Points 2445 and 2450.

² Points 2462 to 2469.

³ Bull. EC 4-1975, points 2235 to 2239.

⁴ OJ L30 of 4.2.1975, L103 of 23.4.1975, L164 of 27.6.1975 and Bull. EC 4-1975, point 2236.

⁵ Bull. EC 11-1974, point 2245.

⁶ OJ C90 of 23.4.1975.

ings, the Council could record some alignment on several of these questions, particularly in respect of planting arrangements and various market-support measures, plus some specific issues. But the Ministers of Agriculture found no solution that would regularize the wine trade between Italy and France.

The *French Government* therefore invoking the provisions of Article 31 of the basic Regulation, concerning the safeguard clause in intra-Community trade, notified the Commission that it had decided to tax wine imports suitable for table wines, and table wines from Italy as from 12 September. The tax amounts to FF 1.13 per degree per hectolitre for all categories of wine.

After a searching appraisal from the legal angle, the Commission informed the French Government that it considered that the measures announced had no basis in the Article concerned, since it was inapplicable, and that they must therefore be rescinded.¹

At the same time, the Commission decided to adopt measures to ease the marketing of table wines, either on the markets of non-member countries, or on the markets within the Community. So, on 19 September,² export refunds (0.65/degree/hl) were set for red wines of the type RI and RII and for white wine of the type AI. The refunds will be granted on exports to all non-member countries except those in the Americas and those who have undertaken to adhere to the reference price.

On 25 September, the Commission decided³ to discontinue, from 29 September, the monetary compensatory amounts for certain wines (types RI, RII and AI), which were in force in Germany.

At its meeting of 29 and 30 September, the Council again got down to a searching appraisal of these problems, and on the strength of this, the Commission agreed to work out an overall compromise Proposal for the Council meeting on 13-14 October 1975.⁴

New proposal for market organization

2221. On 10 September,⁵ the Commission presented a Proposal to the Council for a Regulation on transitional organization of the mutton and lamb market, one of the last agricultural products not yet covered by the common policy.

The Commission wants to secure free movement within the Community for these products, with due regard to the need for a running-in period to adjust national arrangements to a single market. Transitional common organization will apply from 1 January 1976 to 31 December 1977, the end of the transitional period stipulated in the Accession terms for the United Kingdom, Ireland and Denmark.

The mutton and lamb market, a very big one in France, Ireland and the United Kingdom, runs on very different lines in those three countries. To achieve freedom of intra-Community trade, the Commission is proposing to ban application of national taxes or quantitative restrictions in trade between the Member States, while trade with non-member countries would for the time being still be governed by the national arrangements in force on 1 August 1975. French imports of livestock and mutton and lamb originating in Ireland and the United Kingdom will bear a compensatory amount covering the difference between prices on the various respective markets, less transport charges. Customs duties between the old and new Member States will be applied degressively, as stipulated in the Accession Treaty, i.e., until 1 July 1977, when they will be totally eliminated.

¹ The Commission announced to the Council, at its meeting of 13 and 14 October, that it had decided to initiate the infringement procedure under Article 169 against the French Government.

² OJ L246 of 20.9.1975.

³ OJ L250 of 26.9.1975.

⁴ Agreement could not be reached at that meeting.

⁵ OJ C243 of 23.10.1975.

To assist producers in adjusting their output to demand, the Commission is observing the principle of direct aid.

As regards national subsidies applied by the United Kingdom within its national scheme of guaranteed prices, the Commission's Proposal would establish the principle of gradual reduction. Moreover, any national aid in the mutton and lamb sector must also be subject to verification to determine whether it is compatible with the Community competition rules (Articles 92 to 94 of the Treaty of Rome).

Lastly, the Proposal provides scope for applying, when required, certain safeguards, as in most of the common organizations in agriculture. A Management Committee for mutton and lamb will also be formed, made up of Member States' representatives and chaired by a Commission representative.

Measures in connection with the monetary situation

2222. The monetary compensatory amounts were adjusted three times in September.

As from 16 September, the amounts in the *milk sector* had to be adjusted¹ to allow for the new intervention prices. In calculating these amounts consideration was given to the adjustments in the Benelux countries of the intervention prices deriving from the new representative rates set last February. For those countries, the adjustments had been delayed² until 16 September 1975 by a Council Decision.

As from 29 September,³ the monetary compensatory amounts applicable in Germany to the *wine sector* were discontinued for certain table wines.

From the same date, the monetary compensatory amounts were adjusted following the movement of the exchange rates for the *UK and Irish pounds*.

Common organization of the markets

2223. In September, the Council formally adopted the four Regulations which supplement the points of the 'Mediterranean' agricultural compromise reached in June 1975.⁴

The Council signified its agreement on the guidelines to be followed in completing the amendments to the basic Regulation on organization of the sugar market. It also reviewed the matter of long-term agreements for the supply of foodstuffs, the aim being to ensure stable outlets for the products of European agriculture such as cereals, sugar, milk products and beef and veal; the Commission recommended a contract of this type with Egypt.

2224. Mainly in order to ensure reasonable prices for deliveries to the consumer and to ensure a reliable normal supply for the Community, the basic Regulation for *sugar* stipulates that a scheme of minimum stocks be set up; in principle, the stock must amount to 10% of each company's basic quota, or 10% of a company's production when its output is below its basic quota. On 23 September, the Commission proposed to the Council that the minimum stock scheme be applied from the start of the 1976/77 sugar production year and that it be applied uniformly for the whole Community.

2225. On 29 September,⁵ the Council formally adopted the three Regulations completing the constituents of the Mediterranean agricultural compromise reached in June⁶ for *fresh and*

¹ OJ L242 of 16.9.1975.

² OJ L52 of 28.2.1975 and Bull. EC 2-1975, point 2226.

³ OJ L250 of 26.9.1975.

⁴ Bull. EC 6-1975, points 2239 to 2242 and Bull. EC 7/8-1975, points 2248 and 2249.

⁵ OJ L254 of 1.10.1975.

⁶ Bull. EC 6-1975, points 2239 to 2242 and Bull. EC 7/8-1975, points 2248 and 2249.

processed fruit and vegetables. In the main this involves adapting the schemes of market penetration and processing premiums for citrus fruits in the Council Regulations of 9 and 18 December 1969 and includes an amendment to the reference prices system in the Regulation of 18 May 1972. The new common trade arrangements for processed fruit and vegetable products came into force on 1 September 1975, in respect of tomato concentrates, peeled tomatoes and tomato juices. The arrangements will apply from 1 October 1975 for the other products involved.

2226. Again on 29 September, the Council adopted a Regulation¹ laying down specific rules on importing wine sector products originating in certain non-member countries.

The Regulation follows up the agreement in principle signified by the Council in June² as part of the Mediterranean agricultural compromise, in respect of new provisions for adhering to the reference price. The new arrangements stipulate that a free-frontier reference price will be set which must be respected, so that imported wine may enjoy the advantages provided in the preferential agreements to be concluded, in particular with the Maghreb countries.

2227. The Commission continued to improve the intervention system and apply the safeguard clause to *beef and veal* imports.

Imports have been severely restricted since 27 June 1974.² At the end of September Community stocks of beef and veal held in intervention were 250 000 tonnes, including 87 000 in Ireland, 60 000 in Germany, 41 000 in France and 36 000 in Denmark. Intervention measures by means of tenders adopted in September³ include the fixing of maximum amounts of aid for private storage of carcase meat and the setting of sale prices for meat in public storage. These measures cover respectively 11 440 tonnes, and 27 320 tonnes of meat.

But on 29 September,⁴ the Commission decided to relax the import suspensions even further. The initial steps taken in this direction in April 1975⁵ were renewed and expanded. So, as from 1 October 1975:

(a) under the EXIM arrangements, imported consignments may from now on amount to double the exported quantities, as staggered, and an exported 100 kg of meat on the bone may entail imports of 80 kg of boned meat as against the 60 kg authorized hitherto;

(b) under the importing arrangements for calves and young cattle, fresh scope is offered to the two Member States concerned; between now and 31 December 1975, Italy will be able to import 29 100 and Germany 900 animals for fattening; and the special arrangement for certain Alpine breeds has been extended until 31 December 1975 as well.

2228. Since the end of August prices on the *pigmeat* market have again been rising and may be considered satisfactory for both producers and consumers; the level at present is 5% above the basic price.⁶

2229. On 30 September, the Commission sent the Council codification Proposals for the Community rules for fishery products. This is the fifth⁷ set of Regulations codifying the Council's derived agricultural law.

¹ OJ L 256 of 2.10.1975.

² Bull. EC 6-1974, point 2246 and Bull. EC 10-1974, point 2242.

³ OJ L 241 of 13.9.1975 and L 244 of 18.9.1975.

⁴ OJ L 253 of 30.9.1975.

⁵ Bull. EC 4-1975, point 2247 and Bull. EC 6-1975, point 2250.

⁶ Bull. EC 6-1975, point 2251.

⁷ Bull. EC 2-1975, point 2232.

The safeguards applicable to French imports of tunny for industrial processing were extended¹ until 31 December 1975. There are now hopes that the crisis situation for this product will take a turn for the better; but unsold stocks on hand still require the exceptional measures applied since last February.²

Competition conditions

2230. Under the provisions of Article 93(1) of the EEC Treaty, the Commission, in September, proposed to the Member States certain measures advisable for the assessment of certain current aids in the main *breeding* areas, i.e., beef and dairy cattle, sheep, pigs and poultry. These pointers also fit in with the approach towards achieving the intentions expressed by the Commission in the Stocktaking of the Common Agricultural Policy³ in respect of distortion of competition.

Having appraised this aid with the Member States, the Commission presented them with all the appropriate measures on aid whose allocation between the various sectors concerned can be determined. It suggested that the Member States give favourable consideration to the various types of aid which can facilitate the development of stockbreeding in the Community while obviating distortion of competition conditions by measures unharmonized at Community level. This covers, for instance, aid to research, certain investments etc.; limits are stipulated for the amounts. It was also proposed to authorize aid to cover surveillance charges or other procedures entailed by national or Community law.

2231. On the strength of Article 93(3) of the EEC Treaty, the Commission decided⁴ to invoke the procedure under Article 93(2) against the *Netherlands Government* in respect of aid to partially offset the very substantial rise in prices of fuel used to heat horticultural greenhouses.

The Commission was obliged to find that this aid exceeded the sum corresponding to 33.33%

of the rise in the price of fuel, a rate stipulated by the Commission in 'guidelines' of 20 April 1975,⁵ concerning compensation against the increased cost of fuel used in underglass horticulture. The Commission therefore felt that the excess of Dutch aid could not be accepted under the competition rules of the Treaty regarding State aid.

But as regards the aid for big and small consumers of natural gas in horticulture, the Commission decided to close the procedure under Article 93(2) of the EEC Treaty invoked in March 1975, since the Dutch Government had discontinued such aid.

Industrial and technological policy

Industry

Iron and steel

2232. Conditions on the steel market, serious enough in the spring to make the Community adopt a number of measures⁶ in May and June, have since deteriorated. This led to various talks and meetings in September and early October and obliged the Commission to adopt a new forward steel programme for the last quarter of the year.

Forecasts: a 23.5% fall in production

2233. On 17 September, the Commission approved and sent to the ECSC Consultative Committee, its forward steel programme for the

¹ OJ L254 of 1.10.1975 and Bull. EC 6-1975, point 2252.

² Bull. EC 2-1975, point 2233.

³ Bull. EC 2-1975, point 2228 and Supplement 2/75 — Bull. EC, points 126 and 127 (i).

⁴ OJ C217 of 23.9.1975.

⁵ Bull. EC 4-1975, point 2246.

⁶ OJ L130 of 21.5.1975 and Bull. EC 5-1975, point 2238; OJ C143 of 26.6.1975.

Table 1—Crude steel production: October-December 1975

(in millions of tonnes)

	Germany	France	Italy	Nether-lands	BLEU	United Kingdom	Ireland and Denmark	Community
October-December 1974	13.25	7.09	6.06	1.53	5.39	5.71	0.17	39.20
October-December 1975	9.50	5.20	5.00	1.05	4.00	5.00	0.20	29.95
% +/-	- 28.3	- 26.7	- 17.5	- 31.4	- 25.8	- 12.4	+ 17.6	- 23.6

last quarter of 1975, which, after a favourable Opinion from the Committee,¹ was formally adopted on 8 October.²

As against the same period in 1974, it anticipates a fall of 23.6% in Community crude steel output. This assumes that the present level of economic activity is maintained up to the end of the year. It is in fact unlikely that the recovery action taken or planned by various governments will have any appreciable impact on the demand for steel before the end of the year.

This estimate, added to results already known, should bring output for the whole of 1975 up to 125 000 000 tonnes, i.e., the 1968 figure. The breakdown by country for estimated production in the last quarter of 1975 is shown in Table 1.

The fall in actual steel consumption during this quarter should be roughly 15%. Stocks should continue to go down and exports to non-Community countries, estimated at 7 000 000 tonnes, will follow the recent trend in orders.

These forecasts imply that employment possibilities in the steel industry³ will continue to shrink, without appreciably cutting down manpower in any way other than through short-time working or people leaving of their own accord.

The Commission notes finally that although this current recession has hit the steel industry harder than other sectors of the economy, this is apparently due to several causes: some branches of

industry which are among the biggest steel consumers have been very hard hit by the recession; consumers' stocks have fallen; and exports have appreciably declined.

Attitude of the ECSC Consultative Committee

2234. The problems of the steel market¹ dominated discussions of the ECSC Consultative Committee, meeting in Rome on 29 September. The producers' position was outlined by Mr Ferry who asked the Commission to make full use of the possibilities offered by the ECSC Treaty and to provide for exceptional procedures also. Mr Spinelli of the Commission made no secret of the fact that the position of the iron and steel industry had deteriorated further than expected. He considered that only an all-round recovery of the economy would halt the crisis in iron and steel.

At the end of the debate, the Committee passed the following Resolution:

'Having regard to the report on the forward steel programme for October-December 1975 which has been referred for examination to the Consultative Committee,

¹ Point 2451.

² OJ C231 of 10.10.1975.

³ Point 2206.

Having regard to the statements made in this document to the effect that "the member countries of the European Community are currently experiencing the most severe and prolonged economic recession of their recent history" and that "the impact of the recession on the steel industry was much more severe than on overall production",

Having regard to the worsening unemployment situation and the 'continuation of the reduction of employment opportunities' which the Commission reports in this document,

Whereas the position of the Community steel industries is critical,

The ECSC Consultative Committee requests the Commission:

- (1) to devise measures which are appropriate in view of the urgency and seriousness of the current situation and which are in accordance with the basic objectives of the Treaty establishing the ECSC;
- (2) to consider simultaneously the various aspects of the social effects of the present economic crisis, with particular regard to the reduction of employment and of workers' income and to the appropriate counter-measures;
- (3) to submit these measures at the earliest possible date, in so far as they require the approval of the Council of Ministers, to a meeting of this body to be specially convened for the purpose.¹

The Commission's appraisal

2235. After the ECSC Consultative Committee meeting, Mr Spinelli, on 7 October, received top executives in iron and steel to discuss the serious situation of the Community industry.

Continuing its appraisal, the Commission on 8 October decided to speed up the study of all

measures which could be applied to secure a better balance between prices and markets.

Technology

Data processing

2236. On 22 September the Commission presented in a Communication to the Council the initial components of a medium-term programme for Community policy in the field of data processing. These were accompanied by a limited number of specific Proposals, which are a follow-up to the initial Proposals for priority projects on computer applications, sent to the Council in March 1975,² in accordance with the resolution adopted by the Council on 15 July 1974.³

Spread over five years, these *Proposals* require an overall financing of 23 065 000 u.a. The schemes proposed, which should start in 1976, are to be part of a wider multiannual programme, the groundwork for which is laid down in the Communication, and which could start in January 1977. Four strategic data-processing sectors are affected.

(i) Standardization

The Commission proposes the development of a common real-time programming language to give users access to a wider range of products and facilitate programme exchanges (cost: 6.7 million u.a.).

(ii) Software portability

The aim is to make computer applications more independent of the manufacturer by means of a software development policy (cost: 9.4 million u.a.).

¹ OJ C235 of 15.10.1975.

² Bull. EC 2-1975, points 1501 to 1507.

³ OJ C86 of 20.7.1974.

(iii) *The use and protection of data*

An effort must be made to ensure the security and confidentiality of data (project A), to improve programming techniques, thus increasing the viability and efficiency of the systems (project B), and finally, to supply the ever-increasing number of Data-Base systems with more general instruments for their evaluation (project C) (total cost: 5 million u.a.).

(iv) *Data-processing applications*

To supplement the initial Proposals already sent to the Council, the Commission has adopted two new projects of vital importance to data processing and communication:

— a project for the development of a documentary retrieval package capable of meeting the common needs of many institutions in the Community (cost: 470 000 u.a. in 1976);

— an experimental action project to develop European experience in advanced techniques of high speed communication likely to benefit the performance of the communications' network of the international bodies and projects involved (CERN, European Space Agency, COST Project 11,¹ etc.) (cost: 920 000 u.a.).

The definition of a *medium-term programme* to be put forward in 1976 hinges upon the implementation of two main backup schemes:

— support for industry with a view to equalizing competitive conditions (particularly in the area of sales financing) and to achieving economies of scale by means of rationalization, production, development and cooperative procurement agreements (notably in respect of peripherals and terminals, as well as advanced components);

— machinery for the financing, monitoring and implementation of such support.

The Commission document also makes provision for a number of exploratory studies to provide the groundwork essential for a programme of this scale (cost: 500 000 u.a.).

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2237. On 23 September² the *European Parliament* gave its Opinion on the Commission's first Communication to the Council in February³ concerning the initial Proposals for priority projects in data-processing.

The *Economic and Social Committee*, meeting on 24 and 25 September, issued an Opinion on the use of telecommunication resources and the correlations between telecommunications and transport.

Nuclear industry

2238. On 22 September⁴ the Council approved an amendment to the statutes of the *Société belgo-française d'énergie nucléaire mosane* (SEMO). This provides for an increase in the company's share capital from 2 500 to 3 000 million francs. SEMO was established as a joint undertaking by a decision taken by the Council on 26 November 1974.⁵

Science, research and development, education, scientific and technical information

Science, research and development*Energy research***Euratom/IAEA cooperation agreement**

2239. On 15 September 1975, the Council of the Communities approved the cooperation agreement between Euratom and the International

¹ Bull. EC 7/8-1975, point 2271.

² Points 2409 and 2447.

³ Bull. EC 2-1975, points 1501 to 1507.

⁴ OJ L251 of 27.9.1975.

⁵ OJ L325 of 5.12.1974.

al Atomic Energy Agency. This was also approved by the General Conference of the Agency on 26 September.¹

Advisory Committees on Programme Management (ACPM)

2240. Following its Decision of 15 July 1975² adopting an energy research and development programme, the Council has set up *five advisory committees on programme management* (ACPM) for the five main objectives: economies of energy, production and utilization of hydrogen, solar energy, geothermal energy and systems analysis (development of models). Three of these ACPMs met in September.

The ACPM for systems analysis elected Mr McAlister as Chairman on 23 September 1975. It made a preliminary review of the problems to be solved in order to develop a European energy model and decided to instruct a select experts' working party to prepare a list of current activities in the member countries and possibly to draft a proposal for a plan of action in this field.

At its first meeting on 24 September 1975, the ACPM for energy conservation elected Mr Preston as Chairman and agreed that invitations to submit research proposals in the eight sectors covered by the programme should be issued in the Community.

The ACPM for solar energy met for the first time on 29 September 1975, when Mr Chabbal was elected Chairman. It postponed to its next meeting a decision on the choices to be made in the light of the reports to be written for each of the programme's sections by select experts' working parties.

Scientific and Technical Research Committee

2241. The Scientific and Technical Research Committee (CREST) held its 16th meeting on 25

and 26 September 1975 with Mr Schuster in the Chair. It examined the proposals submitted to the Council by the Commission for R & D projects on environmental protection and the Community Bureau of References³ and finalized two reports on them for the Permanent Representatives Committee. It also approved the terms of reference for an *ad hoc* working party on the calibration and intercalibration of oceanographic instruments which would report to CREST within nine months and submit proposals for projects in that field.

Finally, the Committee noted proposals for studies and seminars in 1975 in the sectors of medical research (220 000 u.a.), energy (172 000 u.a.), town planning (50 000 u.a.), materials (25 000 u.a.), scientific policy in general (44 000 u.a.) and futurology (82 000 u.a.).

Meeting of senior officials in the field of scientific and technical research

2242. The Committee of Senior Officials in the field of scientific and technical research (COST) met on 8 and 9 September 1975 in Brussels with Mr Silver in the Chair. It gave its agreement to its Chairman's proposal, drafted in the Scientific and Technical Research Committee (CREST), for the opening of a general appropriation of 900 000 u.a. to finance studies and expert reports on the work of COST.

The Committee also adopted a preliminary draft agreement on the implementation of a project concerning electronic traffic aids on major roads (project 30) subject to a final technical examination of the project from the aspect of developments in the motor vehicle situation. It discussed two further projects: oceanographic and

¹ Point 2319.

² Bull. EC 7/8-1975, point 2263, and OJ L231 of 2.9.1975.

³ Bull. EC 7/8-1975, points 1501 to 1505.

meteorological data buoy network in European waters (project 43) and redundancy reduction techniques in video telephone services (project 211), the usefulness of which was stressed.

Europe + 30

2243. The final report of the feasibility study 'Europe + 30' was sent to the Commission on 30 September by Lord Kennet, director of the project. The project had been launched in 1974¹ following a Council Resolution on a programme of research as an instrument of forecasting, assessment and methodology in the European Communities. The main purpose of the study was to reply to the following two questions:

- In the context of the common scientific and technological policy, should the European Communities undertake a major study entitled 'Europe + 30' concerning foreseeable or potential developments over the next thirty years which are likely to affect the progress of Europe, and if so, will this study make it possible in particular to create a forecasting instrument which can be constantly updated?
- Should the European Communities create their own Technology Assessment Office in an attempt to evaluate in advance the effects of scientific and technological development on the society and economy of the Community?

These questions, first posed in mid-1973,² are of particular importance in the current economic crisis in which Europe finds itself almost entirely dependent on imported raw materials.

The report replies 'yes' to the first question. Although in all the Member States there are several bodies concerned with forward research, none of them prepare overall forecasts for the Community, an omission that should be made good. What is needed is an independent Com-

munity instrument that would cooperate closely with the specialized national bodies and with other Community institutes, such as the European Foundation for the Improvement of Living Conditions and the Institute of the European Communities for Economic Research and Analysis. There are 16 main fields in which it would be desirable to prepare long-term forecasts and identify interdependent relationships conditioning progress. These include agriculture, social structures, science, technology, industry, energy, raw materials, environment, communications and economic and financial structures.

After reviewing existing methodologies, the report concludes that none of them is suitable for use in all these fields, each of which calls for specific treatment. However, it is essential to ensure that the data in the various studies are consistent, and to integrate the studies so as to obtain a realistic overall view.

On the second question, the report concludes that technology assessment studies are too closely related to other long term forecasting activities to justify establishment of a separate European office. Such studies should be carried out by the Community forecasting instrument referred to above.

The final report on the feasibility study 'Europe + 30' will be taken as the basis for a proposal to be forwarded to the Council in 1976, on Community work in the area of forecasting, assessment and methodology.

Education

Education Committee

2244. The Education Committee, chaired by Mr Marchini Camia (Italy), met on 18, 19 and

¹ Bull. EC 1-1974, point 1405.

² Bull. EC 7/8-1973, points 1601 to 1607.

29 September. At these meetings, which followed on from those held in July, the Committee completed discussion of its draft report and continued its examination of action proposals to put forward, with the report, at the next meeting of Education Ministers.

2245. On 22 September 1975,¹ the *European Parliament* adopted three Resolutions, one on education in the European Community, another on the system of European schools and a third on the allocation of aid to higher educational establishments.

Scientific and technical information and information management

2246. During the month of September 1975, as part of the implementation of the three-year Action Plan for scientific and technical information, a methodology study on the *inclusion of patent literature in sectoral information and documentation systems* was contracted with a British institution competent in this field.

2247. Furthermore, the Commission participated as observer in a meeting at Geneva of the group of governmental experts on *the role of the patent system in the transfer of technology* (Committee on the transfer of technology of the Trade and Development Board of UNCTAD — the United Nations Conference on Trade and Development), and in the seventh ordinary session of the Plenary Committee of ICIREPAT (International Cooperation in Information Retrieval among Examining Patent Offices) of WIPO (World Intellectual Property Organization), also at Geneva.

2248. The Third International Conference on *Structural Mechanics in Reactor Technology*, held in London on 1 to 5 September 1975, was attended by some 1000 participants. It was

sponsored by the Commission and the British Nuclear Energy Society (BNES). This meeting enabled scientists and engineers from many different countries to compare notes on the major problems which the constructors of nuclear power reactors have to face today. Most of these problems have a direct bearing on reactor safety.

2249. The departments of the Commission held a workshop on 22 to 24 September 1975 on the subject '*Intramural versus extramural care: The role of technology*'. The basic aim of the meeting was to bring out the ways in which biomedical engineering could best solve the practical problems facing doctors and social workers in the European Community today when they have to weigh up the pros and cons of treatment and care inside the hospital, as against treatment and care of patients living at home. Clearly advances in biomedical engineering could make it possible to switch more and more to the latter solution, which is by and large preferable both from the point of view of the patient and from that of the medical and social services. Recommendations were drafted as to the action which could be taken at European level.

Energy policy

Preparing and implementing a common energy policy

Energy savings

2250. On 22 September, the Commission addressed a Communication to the Council, backed by a draft Resolution, in which it propo-

¹ Points 2411 and 2412.

ses to reduce energy consumption in the short-term, i.e., in 1976-77.

The Commission considers that unless an extra effort is made to save energy any economic recovery in the Community would increase energy requirements in 1976 and 1977, particularly if the average annual GDP growth rate stabilizes around 4%.

In the light of this, it proposes the following *short-term targets* for the Community as a whole:

— energy consumption in 1976 to stabilize slightly above the 1973 level (932 million toe) and the growth of 1977 consumption to be limited to 35 million toe (also by comparison with 1973);

— oil consumption to be maintained both for 1976 and 1977 at some 10% below consumption in 1973.

To achieve these targets, the Commission requests Member States to continue the efforts already under way in this field and to step up their action in the following areas:

- (i) national administrations and public institutions;
- (ii) public information;
- (iii) advice and assistance to consumers;
- (iv) incentives such as loans, tax concessions etc.;
- (v) strengthening necessary structures in national administrations.

Sectoral problems

Oil and gas

2251. On 12 September, the Commission presented a report to the Council on *Community*

imports of crude oil, in accordance with the provisions of the Council Regulation of 18 May 1972¹ on notifying the Commission of oil and gas imports. The report summarizes information to hand on imports of crude oil for 1974 and the first half of 1975.

Coal

Aid to the coal industry

2252. As part of the measures under energy policy, the Commission on 15 and 22 September sent the Council two papers on the Community coal industry. One is a report on problems arising in the past from aid to the coal industry and on the practical experience gained in this field. The other is a draft Decision in which the Commission defines criteria for the future aid scheme for the coal industry.

The sole aim of the report on the experience gained concerning aid over recent years is to keep the Council informed. The Council will have to take a unanimous decision on the other hand, on the draft Decision relating to future aid. The draft proposes rules to be applied over the next ten years, i.e., 1976 to 1985, rules which follow the guidelines defined by the Commission in November 1974 in respect of coal policy² and which allow for changes in the energy market.

Investment trends and extraction potential

2253. The replies from the coal companies in the Commission's annual survey show that the changes in the energy supply situation and the new coal output targets have had a considerable impact on investment plans. *Capital expenditure* in 1975 is expected to be 514 million u.a.,

¹ OJ L120 of 25.5.1972.

² Bull. EC 11-1974, point 2269.

as against 324 million u.a. in 1974, and represents an investment of about 2.2 u.a. per tonne of coal produced. The achievement of the objective of a maintenance of coal extraction potential at its present level is clearly not only dependent on the level of capital investment, but also on other factors — not least the ability of the industry to recruit and keep manpower. The enterprises are nevertheless now beginning to invest at a rate which could slow down the reduction of capacities.

After a considerable decrease in *extraction potential* between 1974 and 1975, Community extraction potential could be maintained at the level of 264 million tonnes (247 toe) between 1975 and 1978. However the maintenance of this level may only be made possible by an increase in planned output potential at opencast mines which offsets the expected decrease of 4 million tonnes in deep-mining potential over the period. In addition, the reductions in and postponement of planned closures on coalfields with less favourable long-term development prospects will contribute as much to the maintenance of output as the new increases in potential announced on more favourably placed coalfields such as the Ruhr, the British Midlands and Yorkshire.

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2254. On 23 September, the *European Parliament* passed two Resolutions on energy problems:¹ (a) Community policy in the hydrocarbon sector and the financial aspects of Community projects concerning hydrocarbons and (b) guidelines for the electricity sector.

Transport policy

Harmonization

2255. A start was made in September on the work planned to put the *accountancy and annual*

accounts of the railway companies on a comparable basis and to set out uniform principles for *calculating costs* in rail transport. The Council's Decision of 20 May,² on putting the railway companies on a sound footing and harmonizing the rules governing the financial relations between companies and States, had provided that measures would be adopted in this direction and that uniform principles would be laid down for calculating such costs.

A working party on finance and accounting systems was formed, within the group of the nine Community countries belonging to the International Union of Railways (IUR), to prepare a relevant Commission Proposal, to be laid before the Council early enough for it to take a decision by 1 January 1978.

A sub-group on accounting systems had its first meeting in Brussels on 3 September to study, on the basis of earlier work by the IUR (codification of accounts), the comparability of accounting systems and annual accounts of the railway companies; a sub-group on cost calculation began work on 11 September to lay down uniform principles in this field.

2256. On 15 September a meeting of government experts took place to finalize the preliminary draft of a Directive on *mutual recognition of certificates of sailing worthiness for inland waterway shipping* as an initial measure of technical surveillance. It was agreed to make a start as swiftly as possible on working out standard technical provisions so that the certificates can be drawn up on a common basis for all the Member States.

2257. On 17 September, the Commission presented a Proposal to the Council for a Regu-

¹ Points 2407 and 2408.

² OJ L152 of 12.6.1975 and Bull. EC 5-1975, point 2257.

3. External relations

Transport policy

ation on the *harmonization of certain social provisions in transport by inland waterway*.

The Proposal is the first move in introducing rules to govern social conditions in transport by inland waterway within the Community. It aims at providing better social protection for boatmen, with due regard for the safety and economic operation of shipping, and to harmonize conditions of competition.

Fitting in to the common transport policy, the Proposal was drawn up in implementation of the Council Decision of 13 May 1965,¹ which provides, in each type of transport, for the approximation of all regulations relating to working conditions, the standardization of manning provisions and certain monitoring methods.

The measures for harmonization advocated by the Commission in its proposed regulation concern the following items: total working hours and breaks; number of working hours at the helm or radar screen; daily rest periods; periodic rest breaks instead of weekly rest periods, in inland waterway transport; annual holidays and public holidays; manning of different types of boats; monitoring methods.

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2258. During its plenary session of 24 and 25 September, the *Economic and Social Committee*² issued a supplementary Opinion on the Commission's Communication to the Council of 24 October 1973 on the development of the common transport policy, and an Opinion on using telecommunication facilities and their correlation with transport.

Multilateral negotiations

Trade Negotiations Committee

Agriculture

2301. The Agriculture Group of the Trade Negotiations Committee (TNC), which met from 22 to 26 September, did not manage to settle all the questions of procedure which had cropped up at the July meetings;¹ there are still differences of approach.

The Member States of the Community, Japan and the developing countries, pleading the specificity of agricultural problems, are asking for the Agriculture Group to have general authority and are calling for a broader procedure covering all farm products apart from those falling within the three negotiating sub-groups (cereals, meat, milk products). The United States, Canada and Australia however, find it hard to accept separating the negotiating bodies in respect of agricultural and industrial products and they are asking for rules of general application.

Commercial policy

Preparing and implementing the common commercial policy

Trade agreements: renewals, derogations or authorizations

2302. On 16 September 1975,² the Council decided to authorize the *extension* or *tacit renewal* of a number of trade agreements

¹ OJ 88 of 24.5.1965.

² Points 2446 and 2447.

¹ Bull. EC 7/8-1975, point 2305.

² OJ L247 of 23.9.1975.

between Member States and non-member countries (3rd tranche 1975), which expire or are due to be terminated between 1 August and 31 October 1975.

Trade protection

2303. Subject to amendments of detail, the Council, on 22 September,¹ adopted a Regulation confirming the emergency measures introduced on 14 August² by the Commission in respect of imports of *certain textile products* originating in *South Korea*.

Specific measures of commercial policy

Textiles

Agreement with Macao

2304. Negotiations for an agreement with Macao on trade in textile products took place on 24 and 15 September with Portugal acting for Macao. The negotiations culminated in an *agreement* and the text was initialled on 27 September.

Based on Article 4 of the Geneva Multifibres Arrangement, the draft agreement covers the period 1 October 1975 to 31 December 1977 and carries quantitative limits on exports from Macao to the Community. The limits, some of which involve the markets of only a few Member States, bear in particular on certain articles in the ready-made clothing sector.

Agreement with Singapore

2305. Negotiations for an agreement on trade in textile products between the Community and

Singapore were held from 22 to 27 September, again under the provisions of Article 4 of the Geneva Arrangement. The text of the draft agreement, initialled on the last day of the negotiations, provides quantitative limits between 1975 and 1977 for Singapore's exports to the Community. These bear mainly on trousers and, as regards certain regions of the Community market, cotton fabrics and certain ready-made articles.

Following the negotiations with Singapore and Macao, there are now five bilateral arrangements made by the Community under the Multifibres Arrangement (MFA) since three have already been concluded; with India,³ Pakistan and Hong Kong.⁴

Negotiations with South Korea

2306. A new round of negotiations with Korea for an agreement on trade in textile products,⁵ the fifth, ran during the second half of September. Following the proposals by the Korean Delegation (based on those made earlier by the Commission), the discussions yielded substantial alignment between the positions of the two delegations who agreed to resume the negotiations shortly.

Consultation with Hong Kong

2307. As requested by Hong Kong, consultations were held in the second half of September on questions involving application of the Textiles Agreement of last August,⁴ and in particular on

¹ OJ L248 of 24.9.1975.

² Bull. EC 7/8-1975, point 2306 and OJ L217 of 15.8.1975.

³ Bull. EC 4-1975, point 2309.

⁴ Bull. EC 7/8-1975, points 2310 and 2311.

⁵ Bull. EC 7/8-1975, point 2313.

the scope for exports over the current year, with due regard to the quantitative limits agreed for 1975. It transpired from the talks that the problem was less extensive than had been supposed; the Community, moreover, felt that the provisions of the Agreement enabled any difficulties to be resolved.

Development and cooperation

Cooperation and development policy

Renewing the dialogue between the industrialized and developing countries

2308. At its meeting of 16 September, the Council decided to accept the French Government's invitation to the Community to attend a fresh preparatory meeting on 13 October between the industrialized and developing countries. The dialogue initiated at the preparatory meeting in Paris from 7 to 16 April 1975¹ could not go on because of the divergence of opinion on the nature and extent of the problems to be discussed.

Economic relations with the developing countries

2309. The Commission attended the fourth meeting on 22 and 23 September of the high-level *ad hoc* group, formed within the OECD, on economic relations with the developing countries. It was dominated by the results of the 7th Special Session of the United Nations General Assembly and by the impending renewal of the Paris dialogue.

Appraising first the repercussions of the 7th Special Session, the group found that the broad agreement reached in New York, to which the Community made a positive contribution, should soon take the shape of practical measures to assist development.

It made a preliminary review of the scope for industrial and technological cooperation between the industrialized and developing countries and decided that certain particular features of this cooperation, such as the role of public development aid, and international investment, must be given further study.

Lastly, the group discussed recent international moves involving the transfer of resources and the financial proposals made by the United States at the UN Special Session.

Development Assistance Committee

2310. The Community's development aid policy in 1974 was reviewed at a special meeting of the OECD Development Assistance Committee (DAC) run on 30 September as part of the series of reviews which the OECD makes every year in respect of its members' cooperation policies.

The Committee was pleased to record that Community aid had grown considerably in 1974, following up the substantial increase in 1973. Disbursements by the EDF and EIB rose from 200 000 000 u.a. in 1973 to 212 000 000 u.a. in 1974. This is the result of the sums paid out under food aid (217 000 000 as against 121 000 000 u.a. in 1973) and emergency aid (73 000 000 u.a.) for the benefit of the Sahel and as part of the United Nations emergency operation. All told, EEC aid came out at 503 000 000 u.a. as against 320 000 000 u.a. in

¹ Bull. EC 4-1975, points 1401 to 1409.

1973. The financial terms of Community aid were further relaxed. The Committee paid special attention to the new development assistance projects written into the Lomé Convention. All the major members of DAC were particularly interested in the financial machinery of 'Stabex' and the aim and precise methods of industrial cooperation.

As regards the question of the geographical distribution and particular features of aid between associated and non-associated countries, emphasis was laid on the massive increase in the volume of aid to non-associated countries during 1974 and on the increasingly general nature of Community aid as regards both its application and its distribution.

The appraisal closed with a more general view of the Lomé Convention, heavily accenting its 'global' character from both the geographical and technical angle, since it embodies trade, financial and technical provisions, with special concern for cooperation in the decision-making and implementation procedures of the agreements.

Generalized preferences

2311. Invited by the Government of Malaysia, a Commission delegation went to Kuala Lumpur on 4 and 5 September to organize a seminar on the generalized preferences scheme for the ASEAN countries (Indonesia, Malaysia, the Philippines, Singapore and Thailand). This was attended by 140 people from the public and private sectors. The work highlighted the progress made under the generalized preferences scheme since the last seminar in Kuala Lumpur in July 1973: i.e., the inclusion of pineapple preserves, tropical vegetable oils (palm oil in particular) and pepper; substantial enlargement of the tariff quota for plywoods; inclusion of most of the ASEAN countries in the list of

preference beneficiaries for cotton textiles; and implementing cumulative origin.

Additional requests, now being studied, were put forward by the ASEAN to improve the Community's preference scheme even further. But it is clear that the generalized preference scheme, in its development over the last two years, has in practice resolved the difficulties for ASEAN in its trade relations with the Community.

The preferences seminar was followed by another on craft products, in Kota Bahru on the east coast of Malaysia.

During their stay, the Commission delegation discussed the status of relations between Malaysia and the Community with the Malaysian authorities.

2312. At its meeting of 24 and 25 September, the *Economic and Social Committee* gave its Opinion on the application of generalized preferences in 1976.¹

Food aid

2313. The Commission released part of the reserve to assist *Somalia*,² up to 850 tonnes of butteroil and 1000 tonnes of skimmed-milk powder, which includes 500 tonnes enriched with vitamins. On 18 March, the Council had agreed aid to Somalia (2nd tranche), the quantities stipulated to be released according to need.

2314. Following the earthquake in *Turkey* on 6 September 1975 which ravaged a quarter of Turkish soil (mainly eastern Anatolia), the Community decided to send emergency aid for the stricken population, through the League of Red

¹ Point 2448.

² Bull. EC 3-1975, point 2320.

Cross Societies. This includes food aid of 100 tonnes of skimmed-milk powder, 50 tonnes of butter and a grant of 100 000 u.a. to buy medicine, means of transport, etc.

Total Community aid amounts to some 227 000 u.a.

Commodities and world agreements

Cocoa

2315. During its meeting of 22 September, the Council signified its agreement on the principle of and arrangements for participation by the Community and the Member States in *negotiating a new International Cocoa Agreement* (the second) and adopted the Directives which are to govern the Commission's conduct of the negotiations (in Geneva from 22 September to 17 October).

In a Communication backed by a recommendation on the negotiating Directives which it laid before the Council on 15 September, the Commission had set out the guidelines underlying the Community's course of action during the negotiations concerning the first International Agreement.

International organizations

Organization for Economic Cooperation and Development

Trade Committee

2316. The Commission took part in the 44th meeting of the OECD Trade Committee which met in Paris on 23 and 24 September.

The Committee agreed in particular to instruct its working party to follow up its studies and considerations on the question of export restrictions, while trying to improve the current notification and consultation procedures.

On this matter, whose immediacy has been highlighted by recent developments in connection with the economic crisis and the trend of the raw material markets, certain OECD raw material exporting countries, like Canada and Australia, have shown reluctance to allow the discussions to take a course which might affect their means of negotiation. The approach taken by the Trade Committee should allow discussions and studies to continue, avoiding controversy, but preserving the possibilities of further negotiation.

The Committee also reviewed recent developments of the commercial policy in Portugal, Australia and New Zealand. As regards Australia, the Committee noted, with some concern, the uncertainties in Australian policy in view of the protectionist swing emerging there.

In the same vein, the Commission representative made a statement on behalf of the Community expressing its anxiety over the recent spread of protectionist pressure in the United States, stemming from industry, the trade unions or public opinion. After the various warnings by the Commission itself,¹ and considering the effect of possible moves by the US Government not only on bilateral trade but even more on the general tenor of multilateral relations, he appealed for a responsible attitude on the part of the US authorities.

High-level ad hoc group on relations with the developing countries

2317. The Commission took part in the fourth meeting of the high-level *ad hoc* group

¹ Points 2337 to 2339.

on economic relations with the developing countries;¹ the group took a hard look at the results of the 7th Special Session of the United Nations General Assembly² and at the scope for industrial and technological cooperation between the industrialized and developing countries.

General Agreement on Tariffs and Trade

2318. The *Gatt Council* met on 25 September at the request of the United States and decided to form a working party assigned to give a consultative opinion on whether Canada's measure to apply quotas to egg imports is compatible with Article XI of the General Agreement.

The Community took the opportunity of this meeting to voice its concern over the series of investigations recently initiated in the United States³ in respect of countervailing charges, anti-dumping charges, application of safeguards and 'unfair practices'. The trade likely to be involved covers more than a fifth of Community exports to the United States. A formal request to convene the Anti-dumping Committee earlier was supported by several other countries and the Council is thinking of holding a meeting before the end of October. The United States representative stressed that the investigations were called for within the context of the normal procedures and did not represent any change in US commercial policy.

International Atomic Energy Agency

2319. The *Cooperation Agreement* between the European Atomic Energy Community (Euratom) and the International Atomic Energy Agency (IAEA) was approved by the Council of the European Communities on 15 September and by the IAEA Conference on 26 September.

Under the terms of the Agreement, the contracting parties will consult one another regularly on matters of mutual interest, in order to harmonize their efforts as far as possible, so as to achieve their objectives and with due regard to their respective nature and tasks.

The Agency and the Community also agreed to make the required arrangements to ensure reciprocal representation at the appropriate meetings they will call. A broad exchange of information and documentary material is also provided for.

United Nations

Seventh Special Session of the General Assembly

2320. Centred on international cooperation and development, the Seventh Special Session of the United Nations General Assembly took place in New York from 1 to 16 September.²

Mediterranean countries

2321. At its meeting on 15 and 16 September, advised by the Commission of the status of the negotiations initiated under the '*overall Mediterranean approach*', the Council appraised the discussions now under way. After reviewing certain outstanding questions, it asked the Commission to continue its efforts to bring the negotiations to a successful conclusion. The Council also considered the preparation of Directives to open negotiations with the Machrak countries.

¹ Point 2309.

² Points 1101 to 1104.

³ Points 2337 to 2339.

Greece

2322. On 26 September, a meeting was held in Brussels between the Commission departments and Greek services, in accordance with the decision of the EEC-Greece Association Council of 28 July.¹ The discussions centred on certain difficulties encountered with olive oil and products processed from fruit and vegetables.

Turkey*EEC-Turkey Association Council*

2323. The 21st meeting of the EEC-Turkey Association Council took place on 16 September, at Ministerial level. The meeting had a special tenor since relations between Turkey and the Community are going through a very sensitive period both economically and politically. Apart from the usual matters relating to trade, agricultural and social affairs, problems of a highly political nature were broached, which bore mainly on how and when Article 56 of the Ankara Agreement would be implemented, which involves consultation between Turkey and the Community if a non-member country joins the EC. The Association Council also decided that it should receive a report on the deterioration in trade balance disequilibrium and that solutions should be submitted to overcome these problems.

Joint Parliamentary Committee

2324. The 20th meeting of the Joint EEC-Turkey Parliamentary Committee, opened by Turkey's Prime Minister, Mr Demirel, was held in Ankara from 18 to 20 September. The Council and Commission were represented by Mr Battaglia and Mr Scarascia Mugnozza respectively. Following on the Association Coun-

cil meeting, the discussions of the Joint Committee generally went further than the usual debate within the Council. The presence of Premier Demirel indicated that was the desire of the Turkish authorities.

The problems now facing Turkey abroad, whether it be the question of relations with the United States, Cyprus, the dispute with Greece or even the future of Turkey's coalition Government gave the meeting largely political proportions.

Agricultural review

2325. On 15 September the Commission addressed a Communication to the Council concerning the biannual review of agricultural products under the Association, a review stipulated by Article 35 of the Additional Protocol. Here again, Turkey is making this a political test of the Community's goodwill towards her.

Spain

2326. The Council of the Communities, meeting in Luxembourg on 6 October, stated that 'Negotiations between the EEC and Spain cannot be resumed at the present time'. This decision is the result of the recent death sentences and executions in Spain, at the end of legal processes in which the rights of the defence had been blatantly violated.

This 'freezing' of negotiations follows a series of positions taken by the Community institutions and a number of fruitless representations made individually or as a body by the Member States in Madrid.

¹ Bull. EC 7/8-1975, point 2337.

2327. As early as 10 September, the *Commission* had informed the Spanish Government that it hoped, on humanitarian grounds, that the death sentences would be commuted. When the condemned men were executed on 27 September, President Ortolí issued the following statement the same day:

'The Commission was profoundly distressed to learn of the executions which took place this morning in Spain.

The Commission deplors the fact that the Spanish Government did not listen to the numerous appeals which were addressed to it or to the pressing intervention by the Nine Member States and the Commission of the European Communities in the name of the principles of justice and humanity recognized by the European democracies.'

On 1 October, the Commission Spokesman declared:

'The Commission met this morning and discussed the situation arising out of the latest developments in Spain.

The Commission considers that in the present circumstances it is not possible to continue the negotiations in progress with the Spanish Government.

The Commission is referring its position to the Council for endorsement; this would mean the suspension of the negotiations between the Community and Spain.'

2328. Meanwhile, the *European Parliament*, meeting in Luxembourg, had on 25 September¹ passed the following Resolution on the situation in Spain:

'The European Parliament,

- deeply concerned at the death sentences and long terms of imprisonment imposed by the military tribunals on Spanish citizens following

trials which took place in violation of the rights of man and of the fundamental principles of law,

- firmly convinced that only full recognition of democratic freedoms and respect for the rights of man can create the peaceful conditions which are necessary for freedom in Spain,

(i) Protests vehemently against the new restrictions on civil rights and the violations of the rights of man arising from the law recently passed in Spain as an allegedly anti-terrorist measure;

(ii) Invites the Commission and the Council to freeze existing relations until such time as freedom and democracy are established in Spain;

(iii) Appeals to the Spanish authorities not to carry out the recent death sentences;

(iv) Associates itself with all efforts undertaken by democrats throughout the world to save the lives of those condemned and to obtain a review of the political trials; therefore requests the Council and the Commission of the European Communities to make appropriate representations to the Spanish authorities.'

2329. For their part, the *Member States'* Governments made representations individually in Madrid, pending a decision on joint action, which had been adopted in principle on 24 September, shortly before the death sentences were carried out.

2330. Thereafter, at the *Council* meeting in Luxembourg on 6 October assembling the Foreign Ministers of the Nine, the following communiqué was issued:

'The Ministers recall that the rights of man constitute the common heritage of the peoples of Europe. The Ministers therefore reiterated their condemnation of the recent executions, carried

¹ Point 2402.

out after proceedings violating the principles of the rule of Law and in particular the rights of the defence.

They deeply regretted that the approaches made on humanitarian grounds, both individually and collectively, met with no response.

It is their most ardent wish that Spain, whose peoples are linked with the peoples of the Community by so many ties, may be spared a process of escalating violence.

It is the Ministers' desire that a democratic Spain might take its place in the assembly of European nations.'

2331. In its communiqué of the same day, 'the Council notes that negotiations between the EEC and Spain cannot be resumed at this time'.

The Lebanon

2332. On 29 September, the Council decided to approve renewal, until 1 January 1976, of the Trade and Technical Cooperation Agreement between the EEC and its Member States, and the Lebanon.

African, Caribbean and Pacific countries

Lomé Convention

Implementing the Convention

2333. At its meeting of 15 and 16 September, the Council heard a report by Mr Cheysson, Member of the Commission, on implementing the Lomé Convention. He drew the attention of Members of the Council to the considerable

number of ACP States which had ratified the Convention and called upon Member States to make the necessary efforts to ensure that the Convention was ratified in the near future, thereby enabling it to enter into force within the next few months.

Mr Cheysson recalled that an application for accession to the Lomé Convention had been lodged by Sao Tomé — Príncipe, and went on to inform the Council of the intention of certain other African territories, which have recently become or are shortly due to become independent, of submitting similar applications. The Community would study, in collaboration with the ACP States, the conditions under which these applications would be examined.

Finally, Mr Cheysson informed the Council of the contacts which he has had with the ACP States on implementing the Convention and stressed the positive nature of these talks.

The United Kingdom Delegation then drew the Council's attention to certain difficulties concerning the actual level of import charges on beef and veal paid by exporters in Botswana. The Council agree to continue its examination of the matter.

Ratifications

2334. This month four more ACP States have deposited the ratification instruments of the Lomé Convention with the Council of the European Communities. They are: *Dahomey*, *Burundi*, *Rwanda*, and *Niger*. As at 30 September, 21 ACP States and one Member State of the Community had ratified the Convention.

Cooperation between the Community and the Arab Development Bank for Africa

2335. Mr Cheydy Ayari, President and Director-General of the Arab Development Bank for Africa visited Brussels on 15 and 16 September

where he was received by Mr Claude Cheysson and had talks with Commission representatives on the scope for cooperation between the Community and the Bank. It was established in 1973 by the member countries of the Arab league, and possesses a capital of US \$ 230 000 000 its job being to finance economic and social development projects in African countries not members of the League.

At the end of Mr Ayari's talks at the Commission, it was agreed to set up a procedure for exchange of information with the Bank to define the practical scope for cooperation. This take the form of joint financing of major projects in the ACP States party to the Lomé Convention.

Sugar market organization

2336. On 30 September, the Council agreed the guidelines it intends to follow in regard to the additions to be made to the basic Regulation for FOD and ACP sugar as well as on the special measures for the 1975/76 sugar year. Certain guidelines were also defined for the period after 1 July 1976, and the Commission is to present appropriate Proposals in good time, which will apply as from the 1976/77 sugar marketing year.

Non-member countries

Industrialized countries

United States

2337. The investigations opened in the United States to determine whether certain imports from Community countries were being made at dumping prices, were the subject in September of several positions adopted or statements made by the Commission. They were also brought up within the OECD and GATT.¹

2338. As regards imports of motor-cars, on which the Commission had already issued a communiqué on 8 August,² the Commission spokesman stated on 9 September:

'The Commission has noted with concern the preliminary determination announced today by the US International Trade Commission, to the effect that imports of automobiles into the United States may be damaging the US automobile industry. This means that the US Treasury's investigation into alleged dumping of European automobiles will continue, with the harassment, legal expense and possible disruption to trade which this implies.

In the Commission's view, imports into the United States of automobiles from the Community are reasonably priced and are manifestly not causing, or threatening to cause, material injury to the US automobile industry. the initiation and pursuit of the US Treasury's investigation into anti-dumping, as far as Community automobiles are concerned, consequently appears to the Commission to be inconsistent with the Gatt Anti-Dumping Code, to which the US is a party.

The Commission will continue to follow developments closely and has already made clear to the US authorities the serious view which it takes of this threat to a traditional and important Community market in the United States.'

The same question was the subject of a memorandum on 1 October from the Commission to the US authorities.

2339. As regards *steel* exports to the United States, the Commission published the following statement on 22 September:

'The Commission have taken note of the petitions filed with the United States Treasury on 18 September, calling for countervailing duties to be

¹ Points 2316 and 2318.

² Bull. EC 7/8-1975, point 2352.

imposed on Community steel exports to the United States.

The United States Administration have informed the Commission that an investigation is to be initiated and that a preliminary determination must be reached within six months on the question of whether Community steel products receive a bounty or grant which would require the imposition of countervailing duties.

The Commission note that this case is not an isolated one. Countervailing duties against Community cheese exports were threatened earlier this year; a countervailing investigation is currently taking place into Community exports of canned ham; and Community exports of motor-cars to the United States are the subject of a separate investigation into allegations of dumping and injury. Investigations into other products are also imminent. Over one-fifth of the Community's traditional exports to the United States are now liable to be affected in one way or another.

The Commission are concerned at the general drift of these developments. As regards the steel case, where the petitioners are complaining against the remission of value added tax on exports, the Commission recall that such remission of indirect taxes is expressly permitted by the GATT. In this case, as in the others, the Commission look to the United States Administration to respect its international obligations and to exercise its general responsibility with other members of the international Community, to control the forces of protectionism.'

Canada

2340. A *Commission Delegation* accompanied by representatives of the Community *non-ferrous metal* and *ferro-alloy* industries paid a working visit to Canada from 8 to 19 September to make an on-the-spot study of present and

future technical and economic conditions for industrial cooperation with Canada.

The contacts with the Canadian authorities and industries in Ottawa, British Columbia, Manitoba, Quebec and Ontario enabled a number of questions to be clarified concerning, *inter alia*, mineral and industrial policy, the laws governing foreign investment in regional expansion schemes and the federal and provincial taxation schemes now in operation for the working and processing of mineral wealth in Canada.

The discussions on each of these questions allowed the visitors to state and compare the interests of the Community industries in security of supply and investment profitability. The information gathered during the visit provides material which will assist in defining cooperation projects under the agreement¹ planned between the Community and Canada.

Asian and Latin-American developing countries

Official visit of the President of the Commission to South-East Asia

2341. Invited by the Governments of Singapore, Indonesia and the Philippines, President Ortoli of the Commission made an official visit to the three countries from 29 August to 8 September. The tour was arranged to strengthen the links between the Community and the ASEAN.

IN *Singapore*, where he stayed from 29 August to 2 September, president Ortoli talked with the Prime Minister, Mr Lee Kuan Yew. In *Indonesia* (between 2 and 6 September), he met President Suharto and several members of the Govern-

¹ Bull. EC 5-1975, point 2345.

ment. Later in the *Philippines* he met Mr Ferdinand Marcos, President of the Republic, and several members of the Government.

Official visit of Sir Christopher Soames to Latin America

2342. In response to the invitations of the Governments concerned, Sir Christopher Soames, Vice-President of the Commission with responsibility for external relations, paid official visits to four Latin-American countries from 17 September to 2 October.

In *Guatemala*, where he stayed from 17 to 19 September, Sir Christopher met the Ministers of Economy of the five member countries of the Central-American Common Market (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua) and the Secretary-General of the organization (SIECA). He was also received by Mr Kjell Laugerud García, President of the Republic and had talks with several members of the Government.

After *Guatemala*, Sir Christopher was in *Venezuela* from 19 to 23 September. He was received in Caracas by President Carlos Andrés Pérez Rodríguez. He also met Mr Ramón Escovar Salom, the Foreign Minister, Mr Héctor Hurtado, the Finance Minister, Mr Valentín Hernández Acosta, the Minister for Mines and Petroleum and Mr Manuel Pérez Guerrero, the Minister for International Economic Relations. During the talks the Venezuelan Government intimated its intention of strengthening relations with the European Communities.

From 23 to 27 September, Sir Christopher was in *Peru* where he met the members of the *Andean group* and was received on 25 September at the headquarters of the organization, which embraces Bolivia, Colombia, Ecuador, Peru and Vene-

zuela. Sir Christopher talked with Mr Salvador Lluch Soler (the coordinator) and Mr Felipe Salazar Santos, members of the Andean Junta, and had discussions with members and senior officials of the technical organ of the Cartagena Agreement.

He was also received in Lima by President Francisco Morales Bermudez and the Prime Minister, General Vargas Prieto, where he talked with several members of the Peruvian Government.

Lastly, Sir Christopher made an official visit to *Brazil* from 27 September to 2 October where he talked with President Geisel, the Foreign Minister, Mr António Francisco Azeredo da Silveira and several members of the Brazilian Government.

China

2343. On 15 September official relations were established between China and the Community as such, when HE Mr Li Lien-pi¹ presented his letters of credence as first Head of his country's Mission to the EEC.

This set the seal on a series of informal contacts, which took place before Vice-President Sir Christopher Soames visited China from 4 to 11 May this year, accompanied by a delegation of senior officials.¹ Discussions are now to follow with a view to negotiating a suitable Community Trade Agreement with China to supersede the Agreements with the Member States, which have expired.²

¹ Point 2344.

² Bull. EC 5-1975, points 1201 to 1205.

4. Institutions and organs of the Communities

Diplomatic relations of the Community

Diplomatic relations of the Community

2344. On 16 September,¹ the President of the Council and the President of the Commission received HE Mr Germán Bula-Hoyos (*Colombia*) and HE Mr Farid El Lahham (*Syrian Arab Republic*) who presented their letters of credence as Heads of their countries' Missions to the European Communities (EEC, ECSC, EAEC).

The new ambassadors succeed respectively Mr Gabriel Giraldo Jaramillo and Mr Adib Daoudy who have been assigned to other posts.

On the same day, both Presidents received HE Mr Li Lien-pi who presented his letters of credence as first Head of Mission for the People's Republic of *China* to the European Economic Community (EEC).

As at the end of September the accredited Missions to the Community from non-member countries now number 103.

European Parliament

Part-session in Luxembourg from 22 to 26 September 1975

2401. Parliament's agenda included the 1974 report on the social situation, an action programme for migrant workers, reform of the European Schools, two urgent debates on Portugal and Spain, the new wine market organization, the Commission's report on competition policy, matters of common industrial policy in the fields of data-processing and aerospace, regional policy and the results of the Conference on Security and Cooperation in Europe.¹

Relations with Spain (25 September)

2402. Parliament called on the Council and Commission to freeze relations with Spain until freedom and democracy had been restored there. The House protested against the renewed curtailment of civil rights and the violation of human rights through application of the Spanish

¹ The report on this part-session of Parliament was prepared from the German edition of 'Informations' published by Parliament's General Secretariat.

The Political Group and nationality of members speaking in the debates are indicated in brackets after their names and abbreviated as follows: C-D = Christian Democrats, S = Socialist Group, L = Liberal and Allied Group, C = European Conservatives, EPD = European Progressive Democrats, COM = Communist and Allied Group. B = Belgium, DK = Denmark, G = Federal Republic of Germany, F = France, IRL = Ireland, L = Luxembourg, NL = Netherlands, UK = United Kingdom, I = Italy.

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C239 of 20.10.1975 and the verbatim report of the part-session is contained in OJ Annexe 194.

¹ OJ C224 of 1.10.1975.

law recently enacted 'under the pretext of countering terrorism'.¹

The background to the Resolution was the death sentences against eleven opponents of the Franco régime, which were due to be carried out the following day. Parliament appealed to the Spanish authorities not to carry them out, based as they were on legal processes in which human rights and fundamental principles of law were disregarded.

The lengthy and at times heated debate highlighted the differing judgments on the situation in Spain by the various Groups. For the Socialist Group, Mr *Fellermaier* (G) passionately attacked the torture methods of a régime which could sense how brittle its hold had become. The purpose of freezing relations with the last dictatorship in Western Europe was to prevent the second phase of the Commercial Agreement from proceeding as though nothing had happened. But the spokesman for the Christian Democrats, Mr *Bertrand* (B) wanted Parliament to pronounce only on the humanitarian side of the death sentences; the political aspects could be dealt with later. The same view was taken by the spokesman of the Liberal and Allied Group, Mr *Berkhouwer* (NL), the European Conservatives, Mr *Kirk* (UK) and the EPD Group, Mr *de la Malène* (F). Mr *de la Malène* wanted to see that the principle of non-interference in the internal affairs of a non-member country was preserved. Mr *Lemoine* (COM/F) emphasized that the sentences had been meted out to men and women who were struggling for greater freedom.

In the voting, in which a Resolution by the Socialists and a joint Resolution by the Christian Democrats and the Liberal and Allied Group were moved, the Communists having withdrawn theirs, the Socialists' Resolution gained the majority.

Aid to Portugal (24 September)

2403. Community economic aid for Portugal was debated in connection with Question Time.² Mr *Stewart* (S/UK) pointed out that the conditions for a Community aid programme for Portugal were now fulfilled.³ He stressed that the new *Azevedo* Government in Portugal was facing major problems; if it came to grief, freedom in Portugal would be at an end.

The Christian Democrat spokesman, Mr *Klepsch* (G) supported Mr *Stewart* in principle, but said careful appraisal must be made as to whether a situation was not again developing in which a small group pressurized the majority. The spokesman for the Liberal and Allied Group, Lord *Gladwyn* (UK) felt that it was still to be ascertained whether real power actually lay with the Government. Mr *Kirk* (C/UK) warned against aid on the 'watering-can principle' and advocated that specific projects be developed. Mr *Fabbrini* (COM/I) urged the Community to help without any political provisos, and warned against the growth of new reactionary forces in Portugal. The remaining speakers from the various Groups all agreed that no time must be lost.

Expressing what he said was a personal view, the President of the Council, Mr *Battaglia* sympathized with the misgivings expressed, but the record showed that the forces of democracy had won the day in Portugal. In his own estimation it would be a matter for alarm if the Community were to waver. Three kinds of aid were possible: economic and trade cooperation, which, however, entailed lengthy negotiation; direct financial aid in respect of the balance of payments and budgetary deficits (this was presently

¹ Point 2328.

² Point 2419.

³ Bull. EC 7/8-1975, point 2343.

being examined); and investment aid to counter the flight of capital (also being examined). In conclusion, Mr Battaglia urged MPs to press the issue with their governments, in order to mitigate any opposition.

Social affairs

Development of the social situation in 1974 (23 September)

2404. The rapporteur, Mr Marras (COM/I) painted a bleak picture: twice as many unemployed as the year before, half as many jobs available. Women and young people especially hard hit. In such a situation, the Community must prove that it could assure all citizens the right to work.

In its Resolution Parliament urged that the EC social policy action programme, designed when the economy was booming, be adapted to the changed circumstances. The Community should act more forcefully in favour of the workers involved, via the Social and Regional Funds. Regular meetings should be organized between both sides of industry in the economic areas concerned. With these calls for social policy action over the current year, the House rated the Commission's Report on the Social Situation in the Community in 1974 as by and large positive. Parliament called emphatically for swift approval and implementation of the social policy measures it had already appraised (protection of workers rights in mergers; equal treatment for men and women; a migrant-workers programme).

All the speakers agreed that things must move promptly and effectively and directed their fire against the Council, with whom the Commission's Proposals had ground to a halt.

Mr Adams (S/G) criticized the Council of Social Ministers for their lack of readiness to cooperate and take decisions. He called for a common

concept of employment policy in the Member States. A list of basic social objectives must form the groundwork for Europe's further development in the sphere of social security. Mr Van der Gun (C-D/NL) declared that social policy should no longer be regarded as separate from economic and financial policy. The people must be able to feel that a European policy was on the move.

Mr Geurtsen (L/NL) called for a European economic programme which embraced all strata of the population. Mr Terrenoire (EPD/F) felt there was a need for the Member States governments to meet far more frequently, to work out a European social policy together. Mr Dykes (C/UK) said that the Commission's financial resources, even though limited, must at least be specifically directed and visibly applied.

Action programme for migrant workers (24 September)

2405. Parliament regretfully noted that the Commission's action programme for migrant workers and their families had not, as originally anticipated, been presented a year ago when economic conditions were more favourable; reform projects would now have to be adapted to the present adverse economic situation. The House urged that this still legally non-mandatory programme be immediately converted into practical action.

Parliament approved the proposed programme and set out a number of priority targets.

The rapporteur, Mr Albers (S/NL) recalled the motivation behind migrating: possibilities of earning a living at home, poor, or totally lacking. For migrant workers, therefore, of whom including their families some 10 000 000 were living in the Community, the effects of rising unemployment were often disastrous. Mr Albers blamed the Commission for not having

clearly worked out the principle of equal status for all migrant workers.

Mr *Della Briotta* (S/I) declared that as long as migrant labour was regarded as a gift from the gods, no measures aimed at improving the lot of migrant workers could have any pervasive effect. The goal of a real Community social policy must therefore be to overcome regional imbalances. Mr *Pisoni* (C-D/I) commented on the many amendments tabled by his Group with the aim of giving the Resolution a specific content and of defining the substance of future statutory provisions. He unreservedly supported the principle of non-discrimination between migrant workers from the EC and from countries outside.

Mr *Geurtsen* (L/NL) also opposed any form of discrimination. Mr *Liogier* (EPD/F) said that the lot of the migrant worker could be fundamentally improved only by removing the reason for migration, underdevelopment in their native countries. Mr *Marras* (COM/I) said he only partly agreed with the Commission's programme and the Committee's report. Generally speaking his Group did not think it was right to dissociate the problems of migrant workers from those of the whole European working class. Migrant workers' problems were to be seen as part of the struggle for emancipation and improvement of the living conditions of all workers in the Community.

Winding up, Vice-President Dr *Hillery* of the Commission summarized his impressions of the debate and said that he could see no real differences between the Commission's ideas and Parliament's wishes, in respect of what should be done for migrant workers.

Community programme for safety and health protection at work
(24 September)

2406. Parliament welcomed the Commission's guidelines on a common programme to promote

safety, hygiene and health protection at work. But the programme was criticized for lack of practical measures. The Commission was urged to present practical proposals based on comparative studies, especially in regard to humanizing work and improved work organization. Referring to the appallingly high number of industrial accidents, the House called for facts and figures and an evaluation of causes. Thorough training and instruction were the most effective safeguards against accidents.

Energy

(23 September)

Common policy for hydrocarbons

2407. A draft Resolution from the Commission to the Council on a Community policy for hydrocarbons, and the financial aspects of Community projects in that sector set off a critical discussion on the energy situation. In its Resolution, Parliament called for the stabilization of crude oil consumption, less dependence on imports and increased development of the Community's internal resources. The House considered it imperative to disclose the cost and price components for crude oil and oil products imposed by the Community, plus detailed analyses of refining and distribution costs. Consumer prices should also be monitored.

In his verbal account, the rapporteur of the Committee on Energy, Research and Technology, Mr *Leonardi* (COM/I) referred to the massive dependence on imported crude oil. This could be lessened by curtailing consumption, more intensive application of alternative sources, primarily nuclear energy, and use of Community oil.

For the Socialist Group, Mr *Lautenschlager* (G) favoured Community supervision over foreign trade in mineral oil. Free market economy measures were no longer adequate by themselves

to ensure security of supply. He also called on the Commission and Council to work in international negotiations towards inducing the oil producing countries to support the developing countries.

For the Christian Democrats, Mr *Springorum* (G) castigated Member States' Governments for not being able to agree on common protective mechanisms. Since the Yom-Kippur War, with its impact on the petroleum sector, nothing decisive had been done to reduce dependence on Middle East oil. For the Conservatives, Mr *Normanton* (UK), who strongly urged the swift exploitation of North Sea oil and control of oil prices, recommended that an EC energy agency be set up with genuine and extensive authority.

Mr *Hamilton* (S/UK) contended that the British Government should have unrestricted control of the promotion and sale of North Sea oil. The spokesman for the remaining Groups, Mr *Hougardy* (L/B) and Mr *Krieg* (EPD/F) opposed any national egoism over energy.

Vice-President *Simonet* of the Commission, responsible for energy, described the MPs criticisms as an accurate diagnosis of the present situation. He, too, felt that since the oil crisis nothing had been done to diminish Community dependence on imports. It was a delusion to count on a split in the OPEC cartel. Regarding the claims of the British Labour MPs in particular for sovereignty in the prospecting and marketing of British North Sea oil, Mr *Simonet* with some irony, remarked that it was not enough to get the oil out of the ground, somebody still had to buy it. It was this Parliament's important task he said, to alert the Council to the consequences of its inactivity. If these and the next Proposals of the Commission produced no action in the Council, then it would be better not to talk any further of a common energy policy. He would then suggest to the Commission that it put no more proposals forward.

Guidance for the electricity sector

2408. The new Community energy policy strategy¹ also includes two Directives on limiting the use of natural gas and oil products in electric power stations.

Parliament approved the Commission's overall design to reduce the Community energy supply's dependence on imports. Even if coal potential were to be fully exploited the House felt that no alternative existed but to use nuclear energy, on a massive scale, since atomic power was far cheaper than power generated from other energy sources.

The debate again revealed concern over the lack of a consistent common energy policy.

Industrial policy

European data-processing industry (23 September)

2409. Parliament considered that massive resources and firm resolve were required to make the European data-processing industry competitive by 1980. Otherwise efforts on behalf of this branch amounted to benevolent intentions of no value. With this reservation, the House endorsed the Commission's initial projects.² Since the European Industry was weak, Parliament thought it advisable to conclude cooperation agreements with non-European companies who were not in a dominant position either.

In the debate numerous speakers expressed doubts as to whether Europe's computer industry could become competitive. Mr *Lautenschlager* (S/G) found that the Commission had acted

¹ Bull. EC 5-1974, points 1201 to 1212.

² OJ C99 of 2.5.1975.

too late, since in Europe this branch of industry had already developed in different directions. To become viable, the European data-processing industry needed convincing prospects. Mr *Andreotti* (C-D/I) urged the Commission to present further Proposals at the earliest opportunity, especially on harmonizing legal regulations. Mr *Kruchow* (L/DK) doubted whether a European computer industry actually had much of a chance against foreign concerns. Mr *Riviérez* (EPD/F) advocated collaboration with non-dominant US companies. Mr *Leonardi* (COM/I) suggested that computer techniques be applied in the teaching of foreign languages. Mr *Normanton* (C/UK) and Mr *Dalyell* (S/UK) brought up the question of cost.

Like many of the previous speakers, Mr *Spinelli*, Member of the Commission responsible for industrial policy, criticized the departure of the French firm CII from the Unidata Group, stipulated in the merger with the US Honeywell company, which had plunged Unidata into a crisis. The Commission's intention was not to coordinate the efforts of the European computer industry, but to create a framework for this. Cooperation with US firms must operate on a balanced basis. Mr *Spinelli* warned that in the absence of a consistent data-processing policy, there was a danger that the European market would be dominated by two or three big companies. He announced a medium-term action programme for the coming year.

Aerospace industry (25 September)

2410. In reply to an Oral Question from Lord *Bessborough* (UK) for the European Conservatives, on future cooperation in the European aerospace industry, Mr *Thomson* of the Commission explained that the Commission would soon have finalized its basic report on the state

of the European aerospace industry,¹ together with the measures required. The Commission considered that Europe's aerospace industry was at a crossroads. In the past fifteen years, a very valuable network of bilateral and trilateral cooperation had developed, which had yielded noteworthy results, while basic policy still remained the responsibility of the Member States. Europe must now move from loose collaboration and evolve a common systematic strategy, if the industry was to survive over the next ten years and develop its potential. Such a strategy must include the full integration of resources, research and development, as well as marketing.

Education (22 September)

European schools

2411. More children of migrant workers should be accepted into the European schools, located in the areas of Community institutions. Parliament expressed this basic demand in an action report, which criticizes the European schools' system.

Mr *Walkhoff* (S/G) contended that the European schools should be made a model for a European educational system. He dealt with shortcomings and gaps in the system, whose present form had no doubt been justified in the early years. He particularly criticized the admission criteria and felt that the children of all Community citizens, who exercised their right to free movement, had a claim to a sound education. Since the existing schools were not adequate to do justice to all the applications, more European schools should be established. Mr *Walkhoff* called strongly for greater acceptance of migrant workers' children, who

¹ Supplement 11/75 — Bull. EC.

had little chance today to complete their schooling successfully. He complained that the European schools had so far led exclusively to qualification for university; they should also include shorter courses, preparatory-school education and technical branches.

Parliament expressed these basic requirements in a Resolution passed by a large majority, in which it also put forward its own ideas on reforming teaching methods, the curricula and performance appraisal. It particularly complained that community studies and/or social sciences and civics were not taught, and that the problems of European integration were inadequately dealt with. The reform projects should be prepared by a new European educational institute, to be established.

In the debate most of the speakers supported the rapporteur's claims. Mr *Laban* (S/NL) stressed the need to reduce social disparities. Mr *Pisoni* (C-D/I) said that the European schools must reflect the social image of the Community. Mr *Meintz* (L/L) and Mr *Nyborg* (Non-affiliated/DK) primarily advocated the diversification of educational courses. Mr *Barnett* (S/UK) and Mr *Della Briotta* (S/I) warned against the danger of forming a 'European élite', if the children of European officials came to represent most of the intake. Hundreds of thousands of migrant workers' children were waiting for a solution.

Mr *Corrie* (C/UK) and Mr *Cifarelli* (S/I) were cautious and warned that the European schools were not up to the 'double job' of educating the children of officials and migrant workers.

At the end of the debate, Mr *Borschette* put the Commission's view. He approved concertation with all those concerned and more decentralization. He endorsed Parliament's suggested teaching reforms but warned against the assumption that the problem of migrant workers' children could be solved via the European schools. Winding up, the rapporteur on this

point said that Parliament was aware of the magnitude of the problem of migrant workers' children. Nevertheless, it felt that the European schools should not be exonerated from their responsibility towards migrant workers' children.

An education policy for the EC

2412. In a Resolution, Parliament emphatically affirmed that the priority actions defined at the Council meeting of Education Ministers in June 1974 were part of the Community's responsibility.¹

The background to the resolution is the fact that the meeting of Education Ministers in June 1975 did not materialize and that the Education Committee (which was formed in June 1974 from representatives of the Member States and the Commission) has not yet reached agreement on the institutional aspects of Community activity.

Competition

Fourth Report on Competition Policy (25 September)

2413. By a narrow majority, Parliament rejected a resolution motion of its Committee on Economic and Monetary Affairs, whereby the House was to give its Opinion on the Commission's Fourth Report on Competition Policy. Socialists and Communists justified their rejection by the fact that the rapporteur had not paid enough attention to the problem of multinational companies.

¹ Bull. EC 6-1974, points 1201 to 1204.

Shipbuilding (24 September)

New Directive without consultation of the European Parliament

2414. Two consonant Oral Questions from Mr *Notenboom* (C-D/NL) and the Committee on Economic and Monetary Affairs, asking why Parliament was not consulted on a Directive concerning State aid for shipbuilding, were answered by Council President *Battaglia*, to the effect that there must have been a misunderstanding. What was involved was the new version of a Directive which in the main had incorporated the text on which the House had given an Opinion. Mr *Borschette* confirmed this on behalf of the Commission. For the Committee on Economic and Monetary Affairs, Mr *Normanton* protested forcefully against such a proceeding. He felt that it was by no means certain that Parliament had endorsed this Directive, which was far more than a new version. The Committee would pursue the matter further.

Agriculture (25 September)

The Franco-Italian wine war

2415. Three questions had been tabled on the wine market situation. Commissioner *Lardinois*, responsible for agriculture, stated that the cause of the crisis was to be found in the 1969 compromise, which had led to the European wine market organization. The Italian view that wine production should be as decontrolled as possible and the French view, which wanted a hard and fast system, had had to be reduced at the time to a common denominator. Mr *Lardinois* hoped that the Commission's latest Proposals would lead to stabilization. Some improvement was already indicated for the coming

financial year, since production could be expected to fall by 10%.

In the debate, Mr *Laban* (S/NL) called for swift restructuring of the wine market, to balance supply against demand. His group wholeheartedly supported the relevant Proposals of the Commission. Mr *Früh* (C-D/G) pointed to the results of limiting surface area, which were essentially acceptable, to those growers who had no other possibilities for cultivation. Mr *Lio-gier* (EPD/F) complained that the Community mechanisms slanted production towards quantity rather than quality. He defended the action of the French Government which could not stand by and see their wine growers ruined. Mr *Houdet* (L/F) spoke of the close link between the agricultural market and economic and monetary union. Lord *St. Oswald* (C/UK) asked for a comparative list to be compiled of taxes on wine, which were particularly high in the United Kingdom. Winding up Mr *Lardinois* recommended more economic methods in agriculture.

Wine from non-member countries

2416. Parliament expressed doubts on the Commission's proposed new arrangements concerning imported wine-sector products from non-member countries. It was uncertain whether these paid due attention to the two aims, i.e. effective protection for the home market and trouble-free, active trade relations with the Mediterranean countries. With this reservation the House approved the Commission's proposed Regulation, which primarily concerns imports of wine products from the Maghreb countries.

External relations

Results of the CSCE (24 September)

2417. In connection with a question from the Socialist Group to the Council, Parliament dis-

cussed how the fundamental decisions of the Conference on Security and Cooperation in Europe would affect relations between the EC and Comecon and what role the Council of the EC could play therein.

Council President *Battaglia* described the present status of EC-Comecon relations. He referred to the Community's offer of November 1974 to the State-trading countries, with the aim of concluding a trade agreement. Besides this there had been contacts between the Commission and the Comecon Secretariat. The CSCE and its results could have a positive influence on these contacts. He assured the House that the Community institutions would closely watch the implementation which had resulted from the CSCE and would act whenever Community responsibility was involved.

In the debate, Mr *Stewart* (S/UK) said the CSCE was a modest but real success. The Community had not had to make concessions on anything, while expanding its scope for contacts. Mr *Seefeld* (S/G) warned against crippling from the outset, with suspicion, the now initiated process of *détente* between East and West.

Mr *Klepsch* (C-D/G) felt that the real significance of the Conference could be judged only when it could be seen that the principles confirmed there had been put into practice. Mr *Bersani* (C-D/I) hailed the CSCE as a major world political event. Lord *Gladwyn* (L/UK) said that the coming year would reveal what the Final Act of the CSCE was worth. Mr *Krieg* (EPD/F) acknowledged the work the Conference had done. Lord *Bethell* (C/UK) warned against believing that ideological and military confrontation was now at an end. Mr *Ansart* (COM/F) hoped for widespread cooperation in all spheres between all the peoples of Europe.

All speakers praised the common positive attitude of the Community countries at the Conference.

Regional policy

Regional and local authorities and the Regional Fund

2418. The Oral Question from Mr *Corrie* (UK) for the European Conservatives, on what was being done to ensure that in connection with the Regional Fund the opinions of the regional authorities were conveyed to the Parliament's Committee on regional Policy and Transport, was answered by Commissioner *Thomson* to the effect that, on specific regional policy matters, the Committee could always obtain verbally or in writing the opinion of the regional authorities involved. As regards the financial endowment, Mr *Thomson* said that the 300 000 000 u.a. of the regional Fund would be completely used up by the end of the year.

In the debate reference was made to the particular burden of economically weak regions due to the general economic crisis, to the deteriorating levels between the regions always at the expense of the poorer areas and to the expediency of active participation by regional and local authorities in the regional programme.

Question Time

(24 September)

2419. In Question Time, Council President *Battaglia*, Italy's State Secretary at the Foreign Ministry, answered five questions for the Council. President *Ortoli*, Vice-President *Scarascia Mugnozza* and Mr *Borschette*, Mr *Spinelli*, Mr *Lardinois* and Mr *Thomson* answered six questions for the Commission.

Annual review of farm prices

Mrs *Boothroyd* (S/UK) to the Council:

'What measures are taken by the Council during their discussions on the annual review of farm prices to protect the interests of consumers?'

Mr Battaglia pointed out that in the lengthy intricate procedure of setting farm prices, the Council consulted officials in the Member States' responsible Ministries and specialist committees on which consumers and producers were represented. The effects of Member States' short-term economic policy measures could not, of course, always be accurately assessed by the Council beforehand. Mrs Boothroyd suggested that a Ministry for Consumer Affairs be established along British lines.

Commission Proposals still pending

Mr Broeksz (S/NL) to the Council:

'Has the Council taken note of the list of more than two hundred Commission proposals on which the European Parliament has delivered its opinion but on which the Council has not yet reached a decision? If so, what steps does the Council propose to take in order to remedy this state of affairs as quickly as possible?'

Mr Battaglia, explained that there were various reasons for this. Some Proposals had come in only recently, others would have to be revised, others again had meanwhile been approved or were shortly to be approved. And there were some which had been outrun by developments and had thus lapsed. He emphasized that the consideration of highly technical Proposals was inevitably very protracted.

European social policy

Mr Albers (S/NL) to the Council:

'What European measures, as distinct from national measures, does the Council propose to take in order to deal with unemployment in the Community?'

Mr Battaglia pointed out that on 23 June the Council had opened the European Social Fund for the benefit of the young unemployed and for the unemployed in certain sectors hit by the economic crisis. Further measures would come intrinsically from ECSC and EAGGF decisions.

European social policy

Mr Carpentier (S/F) to the Council:

'When will the next tripartite Conference of social partners—which the Council has approved in principle—take place?'

Mr Battaglia could not give a precise date. The Council was doing all it could so that the Conference could take place according to schedule in the second half of November.

Aid programme for Portugal

Mr Fellermaier (S/G) to the Council:

'When will the Council finally adopt its aid programme for Portugal?'

Mr Battaglia confirmed the Council's decision in principle of July, meaning that it would do something, as soon as Portugal so desired. Meanwhile the Council was working out proposals which it would present to the Portuguese government. On a motion tabled by the Socialist Group an urgent debate followed this question.¹

Economic aid for Portugal

Mr Espersen (S/DK) to the Commission:

'Following the latest political developments in Portugal, what practical proposals will the Commission submit to the Council for economic aid for that country?'

President Ortoli pointed out that the Commission did not think any further proposals were needed. Its proposals had been on hand for two months and were also valid for the changed situation in Portugal.

¹ Point 2403.

Dumping of rubbish overboard

Mr *Spicer* (C/UK) to the Commission:

'What is the Commission doing to stop the continued dumping overboard of rubbish from Belgian, British and French cross-channel ferries?'

Mr *Scarascia Mugnozza* said this question had been settled by the Oslo Agreement in which the Community had been represented by observers. The Commission would shortly be presenting harmonization procedures.

Position of independent airlines within the Community

Mr *Corrie* (C/UK) to the Commission:

'What is the Commission doing to ensure that independent airlines which can provide services between parts of the Community not previously linked directly (for example, Scotland and the Continent) do not suffer from subsidized competition from State airlines using less convenient routes?'

Mr *Borschette* replied that the Commission was now examining with the Member States, what action could be taken on the basis of the EC competition rules, and the case law of the Court of Justice.

Steel industry

Mr *Osborn* (C/UK) to the Commission:

'What action is being taken to deal with the deterioration in trading conditions and employment in the steel industries?'

Mr *Spinelli* replied that the Commission intended to begin to stabilize the market gradually through its quarterly forward programme.

Butter supplies

Mr *Howell* (C/UK) to the Commission:

'What quantity of butter expressed in terms of days' supply for the whole Community does the Commis-

sion consider should be held in store in order to ensure continuity of supply and at what level of supply would the provisions for social butter be withheld?'

In his reply, Mr *Lardinois* pointed out that butter production was very much a seasonal affair. With low stocks, supplies at stable prices could be at risk by the end of the winter; at this point the disposal of butter at cut prices for the socially weak categories was therefore no longer feasible.

Communication between the Commission and local government authorities in the Member States

Mr *Ellis* (S/UK) to the Commission:

'Does the Commission intend to take steps towards improving lines of communication between the Commission and local government authorities in the Member States?'

The Commission maintained official contacts only with the Member States' central governments. The Commission endeavoured directly or indirectly to obtain all necessary data from local authorities, who had in fact to implement Community decisions. Besides this, the Commission received regular visits from local government representatives.

Council

In September the Council held five meetings devoted to agriculture, general matters, the Budget and economy and finance.

355th Meeting—Agriculture (Brussels, 9 September 1975)

2420. *President:* Mr Marcora, Italy's Minister of Agriculture

From the Commission: Mr Lardinois, Member

Wine: The Council gave further consideration to all the measures intended to clear up the wine market in respect of the present disruptions and the medium- and long-term problems.¹

The French Delegation announced that it intended to use Article 31 of the basic Regulation on wine in relation to the safeguard clause in intra-Community trade.¹

356th Meeting—General matters (Brussels, 15 and 16 September 1975)

2421. *President:* Mr Rumor, Italy's Foreign Minister.

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

Dialogue between the industrialized and developing countries: The Council agreed to accept the French Government's invitation to the Community to take part, on 13 October, in a fresh preparatory meeting for the Conference between the industrialized and developing countries.²

Implementing the Lomé Convention: The Council heard a communication from Mr Cheysson of the Commission on implementing the Lomé Convention.³

Export contracts for certain agricultural products: The Council took note of a Commission recommendation on opening negotiations with Egypt for an Agreement on supplying farm products.⁴

Overall Mediterranean approach: The Council heard a report by the Commission on the status of negotiations with various Mediterranean countries and asked the Commission to follow up its efforts to bring them to a successful conclusion.⁵

EEC-Turkey Association Council: The Council proceeded to prepare the Community position for the meeting of the EEC-Turkey Association Council, held the same day.⁶

Euratom-IAEA Agreement: The Council approved the Cooperation Agreement between the European Community and the International Atomic Energy Agency.⁷

357th Meeting—Budget (Brussels, 22 and 23 September 1975)

2422. *President:* Mr Fabbri, State Under-Secretary to Italy's Treasury Ministry.

From the Commission: Mr Cheysson, Member.

Meeting with a delegation from the European Parliament: Before starting work on drawing up the draft budget for 1976, the Council, with the Commission, met a delegation from the European Parliament led by Lord Bessborough, a Vice-President of the House and made up by Mr Cointat, as rapporteur, Mr Aigner and Miss Flesch.⁸

The meeting allowed the President and Council members to hear the EP delegation's initial thoughts on the preliminary draft budget and to have a frank and constructive talk on a number

¹ Point 2220.
² Point 2308.
³ Point 2333.
⁴ Point 2223.
⁵ Point 2331.
⁶ Point 2323.
⁷ Point 2319.
⁸ Point 2468.

of basic issues, in particular the 'margin for manoeuvre' accorded to Parliament in respect of increasing non-compulsory expenditure.

All those attending felt that the course of the meeting augured well for further development of the dialogue on budgetary matters between the Council and Parliament.

Supplementary budgets for 1975: The Council appraised the requests by the Commission in the preliminary draft of the third supplementary budget for 1975 and decided to act on most of them in terms of the draft general budget for 1976.¹ Using the preliminary draft of the fourth budget, the Council drew up the draft of the third supplementary and amending budget for 1975.²

Draft of the general budget for 1976: The discussion of 22 September did not enable the Council to reach agreement on this draft. The session had therefore to be resumed on 29 September.

At the close of the meeting, the Council drew up the draft of the General Budget for 1976 and adopted a statement.³

358th Meeting—Economy/finance (Brussels, 22 September 1975)

2423. *President:* Mr Colombo, Italy's Treasury Minister.

From the Commission: Mr Ortoli, President, Mr Haferkamp, Vice-President.

Community exchange system: The Council noted a statement by Mr De Clercq, Belgium's Finance Minister, on the outcome of a meeting on the Swiss franc joining the 'snake', between the Finance Ministers and Central Bank Governors of the countries in the Community exchange system and a Swiss Delegation, led by the

Finance Minister and the Governor of the National Bank.⁴

Euratom loans: The Council proceeded to examine certain features of the draft Decision to empower the Commission to issue Euratom loans with a view to the Community helping to finance nuclear power stations.

Economic situation in the Community: There was a brief discussion of the economic recovery measures taken or planned by the Member States.⁵

359th Meeting—Agriculture (Brussels, 29 and 30 September 1975)

2424. *President:* Mr Marcora, Italy's Minister of Agriculture.

From the Commission: Mr Lardinois, Member.

Wine: The Council scrutinized the various problems arising from the amendments to be made to the basic Regulation on wine.

The discussions did not yield a final agreement.⁶

Sugar: The Council agreed the guidelines to be followed concerning the supplementary matter to be added to the basic Regulation in respect of OCT and ACP sugar, and on the specific measures for the 1975/76 sugar marketing year.⁷

Long-term contracts for exporting agricultural products:

The Council got down to a general discussion on making long-term supply contracts for farm

¹ Point 2458.

² Points 2459 and 2460.

³ Point 2464.

⁴ Point 2201.

⁵ Point 2202.

⁶ Point 2220.

⁷ Point 2224.

products with certain non-Community countries.¹

As regards the Commission recommendation concerning an Agreement with Egypt on the supply of farm products, the Council indicated that it was favourably disposed to the Commission's move.¹

Hops: At the request of the German Delegation, the Council discussed the situation of the hop market.

Milk products: The Council discussed the proposed Regulation to lay down a specific measure on the disposal of skimmed-milk powder in public storage, with a view to exporting it in the form of compound feeds for livestock.

Commission

Activities

2425. In September attention and concern focused on preparation of the Community budget for 1976, the situation on the wine market and energy policy.

Budget matters: At the beginning of the month, the Commission adopted a *preliminary draft of the supplementary and amending budget for 1975* which would make available the appropriations needed for running the Joint Research Centre, and the indirect action until the end of the year, taking account of the salary increases and other higher costs. It proved possible to make these appropriations available by transfers within the budget without calling for fresh contributions from the Member States. Conversely, with respect to agricultural expenditure (EAGGF Guarantee Section), additional appropriations are absolutely necessary, as the Commission had announced as soon as budget talks

started last year. The supplementary budget provides for various internal transfers and 200 000 000 u.a. of new appropriations.²

The Commission also approved a *letter of amendment to the draft of the 1976 budget* which contains the latest evaluations for the EAGGF Guarantee Section appropriations. These are considerably up in comparison to 1975, owing to the general rise in prices and to familiar problems in several markets, particularly the milk product market.³

Following discussions of the Council budget meeting of 22 September, the Commission reiterated its reservations over the Council's intention to fall back systematically on supplementary budgets for a number of major items, which deprives the budget of its function as a forecast and guide, and is likely to cause highly detrimental delays. The Commission did not accept most of the cuts decided by the Council and is hoping to put these matters to the European Parliament. It is endeavouring to get the Council meeting on budgets on 29 September to arrive at a due and proper vote on the budget, so that the rules of the Treaty and Parliament's rights are respected.⁴

Agricultural policy: At a special meeting on 17 September, the Commission adopted its decisions in the *wine* affair, a source of much strain in the Community, especially between France and Italy.⁵ The Commission informed the French Government that the measures taken by the latter (taxes on imports of Italian wines) had no legal foundation and must therefore be rescinded. At the same time, the Commission adopted several measures which it can take on its own

¹ Point 2223.

² Point 2459.

³ Point 2462.

⁴ Point 2464.

⁵ Point 2220.

authority, to ease the disposal of Italian wines, either on the markets of non-member countries or on those of other Community countries, so as to relax the strain on the French market. Further ahead, the adoption of Commission Proposals, now under discussion by the Council, will allow the market to be cleared up, mainly by eliminating or deterring the production of wines of indifferent quality.

The Commission also adopted a Proposal for a regulation to establish a Community organization of the *mutton* market.¹ The Proposal would offer a Community structure for this market during the end of the transition period for the Accession of the new Member States (up to the end of 1977), which would enable a comprehensive system to be set up in 1978.

Energy and raw materials: The Commission took stock of the work being done on the common energy policy in the Community, with a renewed dialogue in prospect between producer and consumer countries, which will focus on energy, raw materials and development policy.² The Commission stressed the urgent need for a Community attitude by highlighting the leeway the Community had to make up in the energy sector, whereas considerable headway had been made last July concerning a common position on the other raw materials. An ambitious work programme was adopted which should enable the Commission to send the Council a consistent package of Proposals by end-October or early November, covering the internal and external aspects of Community energy policy.

The Commission also adopted a Communication to the Council on *saving energy* over the next three years.³

Industrial policy: The Commission held a sounding debate on restructuring the *aeronautics industry* on a European basis. Guidelines were approved and a financial text will be presented

for conclusive Commission approval early in October.

Also adopted at its first reading was the *forward steel programme* over the fourth quarter of this year. The fall in steel output which the Commission had already announced for the third quarter, will be heavier still since the measures for economic recovery launched by the various governments will not be felt for some months. The Commission's programme would spread this drop in production systematically and evenly between the various Member States.⁴

As regards development of the *European data-processing industry*, the Commission adopted a Proposal to the Council incorporating the initial components of a medium-term programme. The programme covers Community financing of several development projects (on a common programming language, software, etc.).⁵

A letter of amendment to the preliminary draft of the 1976 budget will be laid before the Council so that initial appropriations can be made available for this purpose in the new year.

Economic policy: The Commission reviewed its Proposal on establishing a *European Community Institute for Economic Research and Analysis* and decided to forward it to the Council as soon as possible.

Social policy: The Commission decided to send a letter to the Council suggesting that the *tripartite conference* (Ministers of Economy and Labour, both sides of industry, Community institutions), which the European Council approved in principle in July, be held during November.

The Commission outlined possible subjects. It suggested that the Conference study the traits of

¹ Point 2221.

² Point 2308.

³ Point 2250.

⁴ Point 2233.

⁵ Point 2236.

the new economic situation and its medium- and long-term repercussions (structural changes and their social impact).

Transport policy: The Commission adopted a proposed Regulation on harmonizing the main social provisions applicable to *transport by inland waterway*. The Regulation would harmonize the conditions of competition between Member States, but would substantially improve working conditions for boatmen and, in this way, enhance safety.¹

Commission relations with both sides of industry

2426. Under the aegis of the Commission, representatives of the management and labour in the textile and clothing industries met in Brussels on 30 September 1975.

The trade unions, represented by the European Trade-Union Committee for Textiles, Clothing and Leather, and the management organizations—the Coordination Committee for the Textile Industries in the EEC (Comitextil) and the Common Market Committee of the European Association of Clothing Industries—took part in the meeting.

The management and workers of the textile and clothing industries, who are accustomed to holding 'round-the-table' discussions at European level, are the first to organize such a meeting with the Commission. This meeting forms part of a scheme which was outlined by the tripartite conference of representatives of the Community institutions, the Member States and both sides of industry on 16 December 1974,² and which also covers the car, chemical and building industries.

The purpose of the meeting was an exchange of views on three topics, as follows:

— the economic and employment situations in the textile and clothing industries;

— assistance for these industries from the European Social Fund;

— the bilateral agreements already negotiated or in the process of negotiation under Article 4 of the Multifibre Agreement with several non-member countries which are major suppliers of textile products to the Community.

Court of Justice

New cases

Case 93/75—Mr Jacob Adlerblum, Paris v Caisse nationale d'assurance vieillesse des travailleurs salariés, Paris

2427. In an action concerning the grant of an increased old-age pension on the grounds of a dependent spouse, the Paris commission of first instance for social security disputes asked the Court of Justice on 2 September 1975 for a preliminary ruling on whether the pension granted by the Federal Republic of Germany to the spouse of the plaintiff as compensation for harm suffered through persecution constituted a social welfare benefit.

Case 94/75—Firma Süddeutsche Zucker-Aktiengesellschaft, Mannheim, v Hauptzollamt Mannheim

2428. In an action between a sugar manufacturer and the German authorities, the Baden-Württemberg Finanzgericht (revenue court) asked the Court of Justice on 3 September 1975 for a number of preliminary rulings on the

¹ Point 2257.

² Bull. EC 12-1974, point 1307.

interpretation of Article 1 of Regulation (EEC) 142/69¹ laying down certain detailed rules for the application of the quota system for sugar. The Court wished to know whether, when calculating levies on sugar production (provided for by Regulation (EEC) No 1009/67² on the common organization of the market in sugar), account should be taken of the quantity of white sugar produced from sweepings which were not produced in the same sugar year?

Case 95/75—Firma Effem GmbH, Verden/Aller, v Hauptzollamt Lüneburg

2429. The Finanzgericht Hamburg asked the Court of Justice on 3 September 1975 for a preliminary ruling on the validity of Regulations 311, 317, 381, 410 and 427/74³ fixing the export levies on cereals, in so far as they fix the total amount of the levy for forage preparations (tariff heading 23.07) without taking account of their starch content.

Case 96/75—EMI Records Limited, London v CBS Schallplatten GmbH, Frankfurt/Main

2430. In a manner similar to the High Court of Justice in London (*Case 51/75*) and the Sø—og Handelsretten in Copenhagen (*Case 86/75*), the Regional Court in Cologne, in an action concerning the trademark 'Columbia', asked the Court of Justice on 5 September 1975 for the same preliminary rulings on the protection of trademarks under Community law.⁴

Case 97/75—Commission official v Commission

2431. On 5 September 1975, a former Commission official brought an action to annul the Commission's decision to calculate the voluntary resignation allowance having regard to the income received by the plaintiff in his new post.

Case 98/75—Carstens Keramik GmbH Tönnieshof, Fredelsloh über Northeim v Oberfinanzdirektion Frankfurt/Main

Case 99/75—Firma August Hoff, Nürnberg-Grossgründlach, v Oberfinanzdirektion Frankfurt/Main

2432. In cases concerning the tariff classification of articles of furniture, ornaments and tableware respectively, which were the subjects of official tariff classification opinions, the Federal Finance Court asked the Court of Justice on 11 September for a preliminary ruling on the interpretation and delimitation of tariff headings 69.13 A and C on the one hand and 69.12 A and C on the other.

Case 100/75—Comptoir Commercial André et Cie SA, Paris v Council and Commission

2433. On 22 September 1975, a French company brought a claim for damages before the Court of Justice for losses it had suffered as a result of changes in the system of monetary compensatory amounts. Similar claims were recorded in 1974⁵ and at the beginning of 1975.⁶

Case 101/75—Firma Nordgetreide GmbH & Co KG, Obersicke bei Braunschweig v Commission

2434. On 22 September 1975 a German undertaking manufacturing cereal products brought a claim for damages before the Court of

¹ OJ L20 of 27.1.1969.

² OJ L308 of 18.12.1967.

³ OJ L34 of 7.2.1974, OJ L35 of 8.2.1974, OJ L43 of 15.2.1974, OJ L46 of 19.2.1974, OJ L49 of 21.2.1974 and OJ L50 of 22.2.1974.

⁴ Bull. EC 6-1975, point 2432; Bull. EC 7/8-1975, point 2437.

⁵ Bull. EC 12-1974, point 2435.

⁶ Bull. EC 2-1975, point 2439.

Justice for losses suffered on exports of maize groats, pellets and flaked grains to Denmark and United Kingdom owing to the fact that the Commission had adopted Regulations (EEC) Nos 751/75 and 1026/75¹ altering the monetary compensatory amounts without adopting transitional measures for transactions in progress.

Case 102/75—Commission official v Commission

2435. On 23 September 1975 a Commission official brought an action to annul the Commission's implied decision rejecting his claim concerning his grading on taking up his post.

Case 103/75—Mr Walter Aulich, Eindhoven v Bundesversicherungsanstalt für Angestellte, Berlin

2436. The result of the judgment in case 35/73,² in which the Court of Justice interpreted Article 22 of Regulation 3³ on social security for migrant workers as meaning that a holder of pensions due under the law of several Member States and who resides in one of those States has no right to benefits in kind from the State in whose territory he resides if the law of that State does not provide for such benefits was that the plaintiff in that case was entitled under Article 381(4) of the Reichsversicherungsordnung (German Insurance Code),⁴ to his share of the contribution paid under the sickness insurance arrangements he had voluntarily entered into in the Netherlands.

Dealing with a similar case, the Higher Social Court in Berlin asked the Court of Justice on 29 September 1975 for a number of preliminary rulings on whether the legal position is the same pursuant to Article 27 of Regulation (EEC) No 1408/71⁵ on the application of social security

schemes to employed persons and their families moving within the Community, which replaces Regulation 3.

Judgments

Case 50/74—Commission officials v the Council and the Commission

2437. On 10 July 1974, fifty-eight officials working at the Karlsruhe Research Centre brought an action before the Court of Justice to annul the Commission's decision dismissing their objection to the allocation of a particular sum of money for the sole benefit of local and establishment staff at Ispra and asking for the payment of a corresponding allowance.

The Court dismissed this action by its judgment of 30 September 1975.

Joint cases 89/74, 18 and 19/75—The Procureur général près la Cour d'appel de Bordeaux v Mr R.J. Arnaud, Teuillac, et al.

2438. In cases involving the adulteration of wine the Bordeaux Court of Appeal asked the Court of Justice on 7 November 1974 and 11 February 1975 for a ruling on the compatibility of Article 8 of the Code du vin français (French Wine Code) and Article 2 of the decree of 22 January 1974⁶ with Community Regulations 816/70⁷ laying down additional provisions for

¹ OJ L 74 of 22.3.1975; OJ L 101 of 21.4.1975.

² Bull. EC 10-1973, point 2444.

³ OJ 30 of 16.12.1958.

⁴ BGBl.

⁵ OJ L 149 of 5.7.1971.

⁶ Official Gazette of the French Republic, 8.2.1974, p. 1479.

⁷ OJ L 99 of 5.5.1970.

the common organization of the market in wine, 817/70¹ laying down special provisions relating to quality wines produced in specified regions and 1539/71² determining Community methods for the analysis of wines.

By its judgment of 30 September, the Court ruled that the abovementioned Regulations should be interpreted as meaning that a Member State may, under present Community law, rely, as a national supervisory measure, on a legal presumption of excess addition of alcohol, based on the ratio of alcohol to dry extract determined by the 100° method, provided that this presumption may be qualified by its being applied in such a way that wines from other Member States are not placed at a disadvantage, whether *de jure* or *de facto*.

Joint cases 10 to 14/75—Fédération nationale des producteurs de vins de table et vins du pays, Paris v Mr P. Lahaille, Marseille, et al.

2439. Dealing with actions concerning wine frauds, the Aix-en-Provence Court of Appeal asked the Court of Justice, on 3 February 1975, for preliminary rulings on whether table wines moving within the Community must not only meet the standards laid down in Regulation 816/70¹ laying down additional provisions for the common organization of the market in wine, but also conform with national rules and practice.

Despite the interpretation given in joint cases 89/74, 18 and 19/75, the Court held in its judgment of 30 September 1975 that table wines need not conform to analytical standards other than those provided for in Regulation (EEC) 816/70 and that a Member State cannot demand an accompanying certificate in respect of wines from another Member State other than that for which provision is made in Community Regulations.

Case 16/75—Commission Official v Commission

2440. This action to annul the Commission's express refusal to consider the plaintiff's total length of service with OECD as annuities for the purpose of calculating her pension, was struck from the Court record by Order of 18 September 1975.

Case 28/75—Firma Baupla GmbH, Import und Vertrieb von Baustoffen, Saarlouis, v Oberfinanzdirektion Köln

2441. In a case concerning the tariff classification of prefabricated external wall sections which were the subject of an official tariff classification opinion contested by the applicant, the Federal Finance Court asked the Court of Justice on 12 March 1975 for a preliminary ruling on the classification of composite products.

In its judgment of 25 September 1975, the Court ruled that where it appeared that a composite product should be classified under two or more headings of the Common Customs Tariff, each relating to materials used in the composite product, no such heading may be considered as more specific than the others on the sole ground that it gives a more exact or more complete description of the product concerned. Rules 3(b) or 3(c) for the interpretation of the Common Customs Tariff must be applied when classifying such a product.

Case 32/75—Mrs A. Christini, Vve E. Fiorini, Vénissieux, v Société nationale des chemins de fer français, Paris

2442. In an action concerning the issue by the SNCF of a reduced rate passenger ticket for large

¹ OJ L99 of 5.5.1970.

² OJ L163 of 21.7.1971.

families to an Italian national, the Paris Cour d'Appel (Court of Appeal) asked the Court of Justice on 21 March 1975 for a preliminary ruling on whether such a ticket constituted a 'social advantage' within the meaning of Article 7 of Regulation 1612/68¹ on freedom of movement of workers within the Community.

By its judgment of 30 September 1975, the Court replied in the affirmative to this question.

Case 44/75—Firma Karl Könecke Fleischwarenfabrik, Bremen v Commission.

2443. The plaintiff had been prevented from importing products from non-member countries as a result of protective measures adopted by the Commission in respect of certain beef and veal products. The plaintiff brought an action before the Court of Justice on 6 May 1975 to annul the protective Regulations in question² in so far as they applied to products in respect of which a contract of sale had been concluded before 7 March 1975.

As the plaintiff had withdrawn its action, this case was struck from the Court record by Order of 18 September 1975.

Economic and Social Committee

133rd Plenary session

2444. The 133rd plenary session of the Economic and Social Committee was held in Brussels on 24 and 25 September with the regular Chairman, *Mr Canonge* in the Chair. This session saw the Committee at full strength for

the first time since the enlargement of the Community, in so far as the members representing the British trade unions took their seats.

The Committee adopted ten Opinions.

Opinions

Opinion on the Commission's Communication to the Council concerning equality of treatment of men and women as regards access to employment, vocational training, promotion and working conditions

2445. This Opinion, prepared from the report by *Mrs Weber* (Germany—Workers Group) was adopted, in the presence of Commission Vice-President Hillery, by a large majority with two members voting against and eight abstaining.

The Opinion highlighted the following aspects: the right to work is one of the basic human rights; the need to open up all the professions to women as well as the appropriate training; the idea that legislation and practices now in effect must be changed so as to enable family responsibilities to be fitted in with vocational aspirations; education and vocational training comprise one of the ways of getting rid of traditional concepts of the respective roles of men and women on the labour market; extension of social welfare services; the need for an objective study of physical and social working conditions in professions which women are now entering, and the hope that practical action will be taken at the earliest opportunity.

¹ OJ L257 of 19.10.1968.

² Regulation (EEC) 610/75, OJ L63 of 8.3.1975; Regulation (EEC) 888/75, OJ L85 of 5.4.1975; Regulation (EEC) 1090/75, Article 1, OJ L108 of 26.4.1975.

Commission Communication to the Council on developing the common transport policy

2446. This supplementary Opinion,¹ prepared from the report by Mr *Renaud* (France—Employers Group), and adopted unanimously apart from twelve abstentions bears on the links between transport policy and other Community policies, particularly as regards the energy, regional, taxation and financial fields.

With regard to transport, as such, and energy policy, the Committee found that developments since 1973 amounted to a radical change, which had an appreciable impact on our economic make-up, our development and our life style. Energy will for the future remain a valuable and costly item which will have to be used as economically as possible.

As regards transport and regional policy, the Committee stressed that transport plays a role in the quest for balance between areas of overconcentration and zones of low economic development, as one of the special tools of regional policy.

In the matter of transport and financial implications, the Committee found it difficult to accurately define the financial impact of the other common policies on transport.

Use of telecommunication resources and the correlation between telecommunications and transport

2447. This Opinion, prepared from the report by Mr *Roseingrave* (Ireland—General Interests Group) was adopted unanimously apart from 11 abstentions.

Since telecommunications is a vast subject, the Committee confined itself to studying 'the use of telecommunications resources and the correlation between telecommunications and transport'. The intention was to alert the Commu-

ity institutions to the big problems involved in telecommunications, to highlight specific features and suggest priorities for their development.

Commission Proposals to the Council for Regulations relating to application of generalized tariff preferences for 1976

2448. This Opinion, prepared from the report by Mr *Evain* (France—Employers Group) was unanimously adopted.

The Committee approved the care taken by the Commission in its generalized preference Proposals for 1976. Improvements had to be found especially for better application of the scheme as it has developed so far. In the long-term, generalized preferences should be dovetailed into the series of Community instruments for development assistance, and the repercussions of such an overall policy on the Community's internal situation should be appraised to assess whether counterbalancing measures should be taken.

Proposal for a Council Directive relating to pollution of sea water and fresh water for bathing (quality objectives)

2449. In this Opinion, prepared from the report by Mr *De Grave* (Belgium—Workers Group) and adopted unanimously, the Committee approved the proposed Directive, fully aware of the new problems arising from the fact that the Directive stipulates the classification of bathing water into three categories, i.e. water in which bathing is authorized, or tolerated or prohibited.

Proposal for a Council Regulation (EEC) amending the Regulations (EEC) 1408/71 and 574/72 on standardizing the system of paying family benefits to

¹ On 28 March 1974, the Committee issued an Opinion in principle on this Communication, Bull. EC 3-1974, point 2454.

workers, the members of whose families reside in a Member State other than the country of employment

2450. This Opinion, prepared from the report by Mr *Purpura* (Italy—General Interests Group) was adopted unanimously.

The Committee approved the proposed Regulation presented by the Commission and noted the delay in its presentation owing to difficulties deriving from the accession of the three new Member States. Reiterating that the continuous improvement of social security Regulations was always desirable, to ease the free movement of labour between the Member States, the Committee felt that the Proposal was a decisive stride towards the removal of certain barriers to the mobility of workers within the Community.

ECSC Consultative Committee

2451. The *steel crisis* was the focus of the debates at the 172nd meeting of the ECSC Consultative Committee in Rome on 29 September, chaired by the regular Chairman, Mr *Capanna*.

The accent was everywhere on the extreme seriousness of the crisis, as was particularly emphasized by Mr *Ferry*, who acted as spokesman for the producers in presenting a draft resolution to the effect that the Community iron and steel industries are in a state of crisis and that it is up to the Commission to study measures appropriate to the urgency and seriousness of the situation and the basic concerns of the ECSC Treaty, and to present these at the earliest opportunity, for approval by a Council meeting to be specially called.

Mr *Ferry* criticized the method used by the Commission, which was to influence steel pro-

duction via forward programmes. This formula could no longer measure up to the present situation and any further procrastination on the part of the Community institutions would be a grave lapse from the basic principles of the Treaty. Mr *Ferry*, whose address was something of a solemn warning, urged the Commission to discover in the Treaty or in the exception procedures likely to obtain Council approval, effective means to halt a deterioration which would inevitably end in the disintegration of the common market in steel.

Measures to be taken concerning production, trade and prices must constitute a strictly applied defence against non-member countries.

The present crisis, said Mr *Ferry*, should in the end give us the chance to redefine in the widest possible international context competition rules better tailored to the need to ensure greater stability of employment and of company resources.

Mr *Ferry's* analysis met with agreement from the other speakers.

In reply, Commissioner *Spinelli* first spoke of the existing possibilities in the social sphere, which should offset the cost of lost hours of work.

As regards the steel market, however, measures could be contemplated, but they must find general agreement and their application must not run up against a monitoring system difficult to operate.

There remained the measures *vis-à-vis* non-Community countries. Although Mr *Spinelli* believed it possible to slow down imports, we must not slide into protectionism. Instead we must stimulate the free play of market forces for the greatest good of the economy in general and of the steel industry, which will benefit from it.

Finally, the draft resolution was adopted as amended with a supplement stressing the need to

counter the social repercussions and the fall in unemployment and workers' incomes.

2452. The Consultative Committee again examined the Commission's amendments to the *Forward Steel Programme* for the current year and gave a favourable opinion on a draft Decision of the Commission concerning the *unit of account used within the scope of the ECSC Treaty*.

European Investment Bank

Loans issued

2453. The EIB has concluded a contract at Luxembourg for a US \$100 million issue of five-year notes on the international capital market.

Bearing interest at 9%, payable annually, the notes are being offered to the public at 99.5%. Redemption will be at par at term and, calculated on the basis of their full lifetime, the yield on the notes is 9.13%.

The underwriters are an international syndicate of banks.

Application has been made to list the issue on the Luxembourg stock exchange.

Loans granted

Denmark

2454. The EIB is helping finance two new production platforms in the Dan oilfield, 200 km off the west coast of Jutland in the Danish sector of the North Sea. A loan equivalent to Dkr 43 000 000 (6 100 000 u.a.) has been granted for

nine years at an interest rate of 9 1/2% to Dansk Boreselskab A/S, a company in the A.P. Møller group.

The new installations, to which the EIB loan contributes will help to raise total production capacity to some 600 000 tonnes a year by 1977.

In comparison with other North Sea fields, these reserves are fairly limited but they will nonetheless contribute towards the EEC's drive to maximize domestic energy resources and reduce its dependence on imports.

The project is of importance for Denmark, which, apart from this one oilfield in production, has practically no other fuel reserves or hydro-electric resources, and so far no nuclear power stations. Raising production from the Dan field therefore offers one of the few short-term possibilities for Denmark to reduce its very high dependence on imported oil.

Ireland

2455. A third loan, this time the equivalent of £17 500 000 (30 000 000 u.a.) has been granted by the EIB for development of the Irish telecommunications system.

The terms are twelve years with an interest rate of 9 1/2% and the loan raises to £34 500 000 the total finance provided by the Bank for this purpose.¹

All the loans contribute towards different projects within the Department of Posts and Telegraphs' five-year (1973-78) expansion programme for the country's telephone service.

Under this programme, the number of subscribers is expected to rise from the 1973 figure of 268 000 to 448 000, 95% of whom will have access to automatic direct-dialling facilities.

¹ Bull. EC 11-1973, point 2457, and 9-1974, point 2443.

The development of a modern, efficient telecommunications system holds a high priority in the Irish Government's efforts to attract new industry and encourage the expansion of existing activities, both of which are badly needed to provide new job opportunities and combat a level of unemployment which is consistently the highest of the member countries of the Community.

United Kingdom

2456. A loan equivalent to £1600000 (2700000 u.a.) has been granted by the EIB to help finance construction of a glucose factory by Tate & Lyle Ltd., the international trading, manufacturing and services group based in London. The loan has been provided by the EIB for ten years at an interest rate of 9 1/2%.

The factory is being built by the Howden Glucose Company Ltd., a wholly-owned subsidiary of Tate & Lyle on the River Ouse at Howden, near Goole in Yorkshire and when fully on stream, towards the end of next year, will have a production capacity of some 35000 tonnes per year. Most of the production is destined for use as a sweetener by the food industry and also in brewing.

The plant will create new job opportunities in an area of unemployment.

2457. A loan equivalent to £17500000 (30000000 u.a.) has been granted to the United Kingdom Post Office by the EIB to help modernize and extend the telecommunications network in Wales and certain parts of the adjoining counties of England. Investment in the entire project amounts to £104000000. The need for investments on this scale is clear from the fact that the area of Wales & The Marches Telecommunications Board—one of ten regions into which the United Kingdom is divided for tele-

communications purposes—has a telephone density of only 18 per 100 population compared with a national figure of 34, which handicaps industrial development.

Financing Community activities

Preliminary draft third supplementary budget

2458. The purpose of this preliminary draft supplementary budget, which was sent to the Council on 30 June,¹ was to increase the size of the staff of the Commission's Directorate-General for Development and Cooperation, to cope with implementing the Lomé Convention. As this proposal was made quite late in the year at a time when the preliminary draft general budget for 1976 was already being examined, the budget authority preferred to review staff requirements in the context of the preliminary draft budget for 1976 rather than to 'follow up the preliminary draft supplementary budget. Accordingly, on 29 September the Council decided to grant the Commission 42 extra posts for 1976 to be assigned to the Directorate-General for Development and Cooperation, and authorized the Commission to start the recruitment procedure straight away.

Third supplementary and amending budget

Preliminary draft fourth supplementary and amending budget

2459. On 15 September the Commission sent to the Council the preliminary draft fourth

¹ Bull. EC 6-1975, point 2464.

Table 2—Estimated revenue for 1975 (including the draft third supplementary budget)

(in u.a.)

	1975 Budget, including first and second supplementary budgets	Draft third supplementary budget	New total 1975
Own resources	3 901 955 169	+ 28 523 539	3 930 478 708
Contributions (GNP scale)	2 102 473 645	+ 175 643 815	2 278 117 460
Other revenue	57 162 239	—	57 162 239
Grand total	6 061 591 053	+ 204 167 354	6 265 758 407

supplementary and amending budget, which was designed:

(i) to authorize additional appropriations for the Guarantee Section of the EAGGF (supplementary budget), adjust the allocation of appropriations within Titles 6 and 7 and transfer appropriations from Chapter 92 (Food aid) to the Guarantee Section of the EAGGF.¹

When drawing up the preliminary draft budget for 1975 the Commission had proposed to enter the sum of 200 million u.a. in Chapter 98 to cover the foreseeable implications of the decision on prices to be taken for the 1975/76 marketing year.

However, the budget authority chose not to enter this amount and undertook to draw up a supplementary budget, at the appropriate time, to meet this expenditure;

(ii) to authorize additional appropriations for Chapter 33 (Research expenditure). It should be emphasized that these additional requirements for 1975, which result from the Commission's undertakings concerning the Council Decisions of 15 July 1975 on energy research, which were formally confirmed on 22 August,² may be met by transferring appropriations within the General Budget of the Communities. Consequently, this part of the preliminary draft is an amending budget in nature.

Draft third supplementary and amending budget for 1975

2460. As the preliminary draft third supplementary budget for 1975 was rejected by the budget authority, the preliminary draft fourth supplementary and amending budget presented by the Commission becomes the draft third supplementary and amending budget drawn up by the Council.

On 22 September the Council approved a batch of proposals concerning an increase in appropriations for the Guarantee Section of the EAGGF (with the exception of charging to the Guidance Section the sum of 62.5 million u.a. for premiums for rebuilding herds, as no decision has yet been taken on the Commission's proposal for a Regulation).

The Council has also accepted the Commission's research proposals and inserted in the draft budget an appropriation to cover the financial implications of the research programme on the management and storage of radioactive waste, which it approved on 26 June.³ The sum involved is 1315000 u.a. (appropriations for payment for 1975).

Tables 2 and 3 show the trend in appropriations available and estimated revenue for 1975,

¹ Point 2466.

² OJ L231 of 2.9.1975.

³ OJ L178 of 9.7.1975.

Table 3—Appropriations authorized for 1975 (including the draft third supplementary budget)

(in u.a.)

	1975 Budget, including first and second supplementary budgets	Draft third supplementary budget	New total 1975
<i>Commission</i>	5 960 201 337		
Research and investment expenditure		+ 4 775 000	
Expenditure on the scientific and technical policy programme		− 300 000	
Social Fund (vocational retraining)		− 3 160 000	
EAGGF		+ 260 000 000	
Food aid expenditure		− 60 000 000	
Flat-rate refund to the Member States for expenses incurred in the collection of own resources		+ 2 852 354	
<i>Commission—new total</i>			6 164 368 691
<i>Other institutions</i>	101 389 716		101 389 716
Grand total	6 061 591 053	+ 204 167 354	6 265 758 407

taking into account the draft third supplementary budget drawn up by the Council on 22 September, which has been sent to the European Parliament.

General budget for 1976

2461. On 25 August the Commission sent the preliminary draft budget for 1976 to the budgetary authority.¹ In April the Commission had announced that it wanted to postpone the final estimate of 1976 appropriations for the Guarantee Section of the EAGGF (Titles 6 and 7) until September, when it would have more reliable statistics based on better information concerning crops in the Community and the situation on world markets.

Letter of amendment to the preliminary draft budget for 1976

2462. On 10 September the Commission adopted the 1976 budget estimates of EAGGF

expenditure, as announced in its letter dated 25 August, and sent them to the budgetary authority in a letter of amendment.

In this letter the Commission also proposed new measures concerning data processing.

General Introduction to the preliminary draft budget for 1976

2463. The General Introduction,² which gives the reasons for the appropriations requested for 1976, follows a different format from that of previous years.

It gives a more detailed financial analysis of the different policies, describes and gives the reasons for the expansion of policies and new measures, and for the first time includes the triennial forecasts, thus enabling the 1976 appropriations to be examined in a broader framework.³

¹ Bull. EC 7/8-1975, point 2465.

² Volume 7 of the preliminary draft budget.

³ Point 2469.

Drawing up the preliminary draft budget for 1976

2464. In accordance with budget procedure, the Council started its examination of the preliminary draft budget of the Communities for 1976 on 22 September.

As it was impossible for the Council to adopt the budget, the Ministers postponed the final decision until a special session on 29 September. At this meeting the Council approved the draft budget (Table 4).

The Council also adopted the following statement:

'The economic and financial situation of the Member States of the Community led the Council, during the first reading of the draft budget for 1976, to seek every saving possible in the light of the information available in September. It has thus adopted the draft budget which it is now forwarding to the Parliament.

The Council expresses the hope that, in the subsequent budgetary procedure, account will be taken of

— any additional economies which might appear feasible between now and the second reading,

— any changes in world economic conditions, — any improvement in the various policies which have been adopted by the Council before the second reading.'

The Commission's proposals, totalling 8 057 million u.a., were reduced to 7 456 million u.a., a cut of 601 million u.a. or 7.47%.

Basically, reductions were made for the following three reasons:

1. The Council's approach is to authorize only those appropriations for which there is a formal legal basis. For this reason, the appropriations for many new measures were deleted.

As a result of the Council's very restrictive attitude, the draft budget is not, as the Commu-

ity had hoped, the forecasting document reflecting the way in which Community policy is heading, but a statement of accounts recording the cost of measures already decided on. In certain cases this will inevitably lead to supplementary budgets, a solution which the European Parliament and the Commission have always fought against.

2. The likelihood that certain appropriations would be reinstated by the European Parliament by virtue of its margin for manoeuvre provided for in Article 203 of the EEC Treaty. The draft adopted on 29 September is only the first of the four stages in the budget procedure.

3. The economic and financial position of the Member States.¹

Agricultural expenditure in 1975 and 1976

2465. In view of the major difficulties caused in Council by the agricultural part of the Community budget, a brief rundown of the main aspects of the problem may be useful.

EAGGF part of the third supplementary and amending budget

2466. Because of the inevitability and unpredictability of agricultural expenditure, the Guarantee Section budget is always very likely to be either too large or too small, with the result that appropriations are cancelled or additional ones have to be requested. In 1975 more appropriations were needed. It is estimated that the authorities and bodies responsible for payments in the Member States will pay out 4 696.5 million u.a. in 1975. Appropriations available, in the shape of the initial appropriations and carry-overs, total 4 312 million u.a.

¹ See the statement by the Council above.

Table 4—Draft budget for 1976

Trend in Community expenditure by sector after the Council Decisions of 29 September 1975

(in u.a.)

Sector	1975 appropriations, including the first, second and third supplementary budgets	%	1976 preliminary draft budget (including letter of amendment)	%	Percentage change between 1975 and 1976 col. 3 col. 1	1976 draft budget	%	Percentage cut compared with preliminary draft col. 6 col. 3	Percentage change between 1975 and 1976 col. 6 col. 1
	1	2	3	4	5	6	7	8	9
<i>I. Commission</i>									
<i>A. Administrative appropriations</i>									
1 - Staff	204 064 780	3.26	249 767 016	3.10	+ 22.40	241 707 899	3.24	- 3.23	+ 18.45
2 - Administration	64 151 800	1.02	80 500 020	1.00	+ 25.48	78 156 450	1.04	- 2.92	+ 21.83
3 - Information	6 300 000	0.10	6 830 000	0.09	+ 8.41	6 340 000	0.08	- 7.18	+ 0.63
4 - Aids and subsidies	16 843 300	0.27	22 984 810	0.28	+ 36.46	22 313 151	0.31	- 2.93	+ 32.47
	291 359 880	4.65	360 081 846	4.47	+ 23.59	348 517 500	4.67	- 3.22	+ 19.62
<i>B. Intervention appropriations</i>									
1 - Agriculture	4 567 805 250	72.90	5 493 221 900	68.16	+ 20.26	5 490 505 500	73.63	- 0.05	+ 20.20
2 - Social Sector	375 495 200	5.99	516 642 000	6.41	+ 37.—	412 600 000	5.53	- 20.14	+ 9.88
3 - Regional Sector	150 000 000	2.39	450 000 000	5.58	+ 200.—	300 000 000	4.02	- 33.33	+ 100.—
4 - Research, technology, industry and energy	130 862 998	2.09	248 979 871	3.10	+ 92.19	135 672 526	1.82	- 45.51	+ 3.68
5 - Development cooperation	252 797 000	4.03	419 192 000	5.20	+ 65.—	211 222 000	2.83	- 49.62	- 16.45
	5 476 960 448	87.40	7 128 035 771	88.45	+ 30.18	6 550 000 026	87.84	- 8.11	+ 19.59
<i>C. Contingency reserve</i>	3 000 492 ₁	0.05	5 000 000	0.06	+ 66.64 ₁	3 000 000	0.04	- 40.—	—
<i>D. Refunds to the Member States</i>	393 047 871	6.27	437 195 617	5.43	+ 11.—	427 162 652	5.73	- 2.29	+ 8.68
Commission—Total	6 164 368 691	98.38	7 930 313 234	98.41	+ 28.70	7 328 680 178	98.28	- 7.59	+ 18.89
<i>II. Other institutions</i>	101 389 716	1.62	127 671 047	1.59	+ 25.92	127 883 684	1.72	+ 0.16	+ 26.11
Grand total	6 265 758 407	100.—	8 057 934 281	100.—	+ 28.65	7 456 563 862	100.—	- 7.47	+ 19.—

¹ The 1975 appropriation of 3 500 000 u.a. was reduced to 3 000 492 u.a. in the first supplementary budget (the sum of 499 508 u.a. was transferred to Chapter 33).

The main areas in which expenditure exceeded forecasts are as follows:

- (1) *Sugar*: Up by about 190 million u.a., mainly because of expenditure incurred to cope with supply difficulties.
- (2) *Beef and veal*: Up by about 460 million u.a., mainly because of new premiums introduced by the Council and exceptional market conditions in this sector.
- (3) *Wine*: Up by about 120 million u.a., because of the wine crisis which has resulted in considerably more wine being distilled than had been expected.
- (4) *Monetary compensatory amounts in respect of intra-Community trade*: Up by about 230 million u.a. because of the trend in intra-Community trade and the state of the pound on foreign exchange markets.

As these increases were not fully off-set by decreases in other areas, for example milk products, oils and fats, and pigmeat, expenditure exceeds available funds by 384.5 million u.a.

The Commission has proposed to cover this difference as follows:

(in million u.a.)

(i) supplementary budget representing the contingency amount included in the 1975 preliminary draft budget for the purpose of price adjustments	200
(ii) transfer from Title 9 (Food Aid) to Titles 6 and 7 (Guarantee Section)	60
(iii) transfer to the Guidance Section of 50% of expenditure on calving premiums and premiums for the retention of dairy herds	62.5
(iv) in addition, the closure of the Guarantee Section accounts for 1971 and 1972 will probably leave the Commission with a balance of about	62
Total	384.5

On 22 September the Council adopted a draft supplementary and amending budget releasing additional appropriations totalling 260 million u.a. The Commission or the Council will have to take a decision on the remaining 124.5 million u.a. required.

Letter of amendment to the 1976 preliminary draft budget

2467. The Commission had delayed sending the Council its proposals for the 1976 appropriations, so that its estimates would take into account as far as possible, the most recent data concerning agricultural crops. For this reason, these appropriations were the subject this year of a letter of amendment adopted by the Commission on 10 September, after consulting the EAGGF Committee on 3 September. The total amount proposed is 5160.3 million u.a. for the Guarantee Section, an increase of about 10% over the revised estimates for 1975 (4696.5 million u.a.) used as the basis for drawing up the preliminary draft fourth supplementary and amending budget.

About 4638 million u.a. of this total are shared among the various agricultural sectors.

Table 5—Expenditure by market sector

Sector	m. u.a.	Percentage
Milk products	1941	41.9
Cereals	715	15.5
Beef and veal	680	14.7
Oils and fats	411	8.8
Tobacco	203	4.4
Wine	196	4.2
Sugar	170	3.7
Fruit and vegetables	113	2.4
Pigmeat	69	1.5
Other	140	2.9

To this expenditure must be added:

(1) The sum of 262 million u.a. for accession compensatory amounts provided for by the Act of Accession. They mainly concern UK imports from the other Member States.

(2) The sum of 260 million u.a. for monetary compensatory amounts in respect of trade within the Community and non-member countries. This type of expenditure results from the arrangements set up by the Council Regulation of 12 May 1971.¹

It is based on the difference between the rates used for the purpose of applying the agricultural policy—i.e., the representative rates—and the rates for converting national currencies into units of account based on their real value on foreign exchange markets.

It should be noted that the monetary factors account for Guarantee Section expenditure amounting to 527 million u.a. This total includes the monetary compensatory amounts as well as the additional expenditure intended to cover the difference resulting from the conversion into budgetary units of account, in accordance with IMF parities, of expenditure incurred in the Member States in national currency on the basis of the representative rates used for agricultural transactions, the latter being included in the appropriations for the various sectors. These monetary factors were insignificant until 1974, had a considerable impact in 1975 and will represent about 10% in 1976.

Meeting between Parliament and Council

2468. On 22 September the Council and a delegation from the European Parliament met to discuss the preliminary draft budget. At this stage in the proceedings the main question was to determine by what proportion the European Parliament could increase the discretionary ('non-compulsory') expenditure.²

An agreement was reached guaranteeing the European Parliament, in any event, a margin of increase in discretionary expenditure equivalent to about half the maximum rate established by the Commission which is 15.3% for the 1976 financial year. Delicate matters such as the classification of expenditure were not settled, but—in the words of the Council press release—'All who took part in the meeting were unanimous that the climate in which it had taken place augured well for the subsequent development of talks between the Council and the European Parliament on budget matters.'

Multinannual forecasts

2469. The triennial forecasts provided for by the Council Decision of 21 April 1970 were presented as an Annex to the 1976 preliminary draft budget.

For the first time these forecasts were drawn up at constant (i.e., 1975) prices, as it is difficult to make plausible assumptions concerning price fluctuations. The figures already presented had to be updated considerably in September for the letter of amendment concerning agricultural expenditure in 1976.

The definitive forecasts, including those for the Guarantee Section of the EAGGF, indicate total requirements of 7930 million u.a. in 1976, 8525 million u.a. in 1977 and 8800 million u.a. in 1978.

The VAT rate (mathematical relationship between, on the one hand, expenditure not covered by customs duties and agricultural levies, and on the other, 1% of the VAT assessment basis) will be about 0.60% in the three years covered by these forecasts.

¹ Bull. EC 7-1971, 2nd Part, point 39.

² Article 203(8) of the EEC Treaty.

5. Institutional questions— European policy

Financing Community activities

This rate presupposes that there will be a uniform basis of assessment, but this hinges on the approval and implementation of the 6th Council Directive on VAT.

The 1976-78 forecasts have been sent to the Economic Policy Committee for an opinion.

Control of own resources

2470. On 25 September the Commission approved and sent to the Council and to the European Parliament the report on the operation of the own resources inspection arrangements (establishment and payment) envisaged in Article 14(4) of Regulation 2/1971 implementing the Decision of 21 April 1970 on the replacement of financial contributions from the Member States by the Communities' own resources.¹

This report comprises:

- (1) an examination of national measures in the Member States on the subject of verification and inquiries;
- (2) an examination of the information submitted to the Commission by the Member States in the yearly reports provided for in Articles 5 and 13 of Regulation No 2/1971;
- (3) an examination of the arrangements for associating the Commission Departments with the inspections carried out by the Member States;
- (4) a general assessment of cooperation between the Member States and the Commission concerning inspection arrangements.

Political cooperation

Ministerial meeting

2501. The 20th meeting of the Ministers for Foreign Affairs, under political cooperation, took place in Venice on 11 and 12 September, chaired by Mr *Rumor*, Italy's Foreign Minister. The Commission was represented by President *Ortoli* and Vice-President, Sir Christopher *Soames*. The officiating Chairman made the following comments on the proceedings:

Middle East: 'The Middle East situation was the subject of discussions prompted by the lively interest of the Nine in this area, which is of the utmost importance to Europe and to the whole world. The Nine welcome as an encouraging result the conclusion of a second interim agreement between Egypt and Israel. The Ministers look upon the agreement as an important contribution to *détente* and towards the eventual negotiation of a peaceful, just and lasting settlement. The efforts of Egypt, Israel and the United States in that direction were warmly appreciated by the nine Ministers. They welcomed the suggestion that efforts may shortly be made to achieve progress between Israel and Syria. The Nine reiterate their conviction that the negotiations should be kept going, in order that substantial new progress may be made towards a peaceful general solution, in the context of the Geneva conference'.

Portugal: 'The Ministers discussed the most recent developments of the political situation in Portugal. They are heartened by the efforts made by the forces of democracy in that country to put into action the will of the vast majority of the people as expressed in free elections. The Ministers hope that further developments will make it possible to give effect to the Council's decisions on the European Community's contribution towards improving Portugal's economic position'.

¹ OJ L3 of 5.1.1971.

Cyprus: 'The Foreign Ministers of the Nine expressed their keen regret that for want of practical proposals, the inter-Community discussions initially scheduled for 8 and 9 September in New York have been deferred.

They hoped that these inter-Community talks sponsored by the United Nations' Secretary-General would be resumed as early as possible, and on this point, once again expressed the hope that the parties concerned would be able to get down to a constructive and practical appraisal of the basic problems in the Cyprus question, and that they would advance towards a solution through mutual and balanced concessions.

With this goal in mind, the Nine intend to follow up their friendly approach to the parties concerned, on the basis of the links which, *inter alia*, underly the relations of association between Cyprus, Greece and Turkey on one side and the European Community on the other.

The Ministers reiterated their hopes that no unilateral move would compromise the relaxed atmosphere needed for negotiations to keep moving forward'.

Euro-Arab dialogue: 'As regards the Euro-Arab dialogue, the Foreign Ministers of the Nine took note of the Chairman's report on the second meeting between European and Arab experts in Rome on 22 to 24 July. They were pleased to find that progress was made at the meeting towards broad and lasting cooperation between European and Arab countries.

They reaffirmed the value they set on this dialogue, the political importance they attach to it and their determination to develop and intensify it'.

Financial aid to Egypt: 'The Nine are aware of the urgent need to facilitate economic recovery in the Middle East and will go on playing their part in the efforts to this end, in particular towards the reconstruction and development of Egypt'.

Other matters on the agenda of the Ministers' meeting were the results of the CSCE, action to

be taken following the Conference and the Community's presence at the United Nations. As regards the UN, the Ministers congratulated Mr *Thorn*, President of the Luxembourg Government and the Grand Duchy's Foreign Minister, who will shortly assume the Presidency of the General Assembly, for its thirtieth session, and expressed the Community's resolve to attend the United Nations as a political unit. Besides showing consistency in matters of specific competence, the Community must present its own attitude to political questions of a general nature. It was agreed that Mr *Rumor*, the Chairman-in-Office, would make a statement on behalf of the Community before the General Assembly.

Statement by Mr Rumor at the United Nations

2502. On 23 September, on behalf of the Community, Mr *Rumor*, Italy's Minister for Foreign Affairs and President-in-Office of the Council of the Communities and of Political Cooperation, addressed the 30th session of the General Assembly of the United Nations in the following terms:

'Mr President, it is to you first of all that I speak, to offer you my respectful congratulations on your election as President of the United Nations General Assembly.

The civic tradition and long experience of democracy of the country you represent, and your merits as an eminent statesman, assure us that in you, the Assembly will find a reliable and enlightened guide.

As President-in-Office of the Council of the European Economic Community, let me also say how glad I am to see the representative of a Community country called to preside over the proceedings of the United Nations General Assembly on its thirtieth anniversary. Before you, Mr President, I am renewing the commit-

ment of the nine countries of the Community to strive to develop and intensify together their relations with the United Nations.

I would also say to the Secretary-General, Mr Kurt Waldheim, how much we value the unremitting and tireless efforts he is making to secure victory for the ideals of the United Nations. As he very rightly said himself when presenting his report to our Assembly: "It is generally acknowledged that in the world today no other rational solution can, in international relations, replace the principles and the procedures of the United Nations".

I am happy to take the floor at this regular session, as I already had the opportunity of doing at the Seventh Special Session, to begin with, on behalf of the nine Foreign Ministers of the Community.

On 17 July, at the end of a meeting of the European Council, the Heads of Government of the nine Community countries made a statement on the United Nations, which was then presented to the Secretary-General and distributed to the member countries of the United Nations.

The statement expresses the common view of the Nine on the role which the United Nations are called upon to play, and their own common approach to the problems which the United Nations must help to solve.

Regarding the role of the United Nations, the Community countries expressed their conviction that while sensitive to the tensions which still divide the world, the United Nations remains the vital instrument of contact, negotiation and cooperation, since the growing interdependence of countries and peoples is multiplying the problems requiring solutions at world level. Consequently, the Community countries intend to take an active and constructive part in the efforts to strengthen the role and effectiveness of the United Nations, in which the Nine reaffirm their confidence.

I believe it will be generally acknowledged that, during the Seventh Special Session of the General Assembly which has just closed, the countries of the European Community have proved their resolve to make together a positive contribution towards establishing a fairer and more balanced international economic order. We are happy with the satisfactory results of the Seventh Special Session and hope, as a Community, to share in the action to follow.

Within the United Nations, the Nine intend to work for conciliation and dialogue, whose prerequisites are the principle of universality, application of the provisions of the Charter and respect for the rights and responsibilities of Member States.

Then with regard to the problems faced by the United Nations, the Nine are working, primarily, to preserve peace and for the peaceful settlement of disputes and conflict.

As an example, I would mention the active support which the Nine, drawing upon the special ties of association between the Community and the three countries concerned, is now throwing behind the unceasing and dogged efforts of the United Nations Secretary-General to solve the Cyprus crisis, in accordance with his mandate from Resolution 3212 (XXIX) of the 29th General Assembly and from Resolution 367 (1975) of the Security Council, for whose adoption the Nine have actively worked.

Similarly, as regards the Middle East, the Nine reaffirm their keen and constant interest in intensifying the efforts to secure an overall peaceful, equitable and lasting settlement, in accordance with Resolutions 242 (1967) and 338 (1973) of the Security Council, and the principles of their Declaration of 6 November 1973.

It is the concept of justice and the resolve to champion the basic freedoms and human rights, as the Nine expressed them in their Declaration,

which inspires the commitment whereby the Community Governments will help to terminate, wherever they may arise, the practices of *apartheid* and all forms of racial, political and religious discrimination.

The principles of independence and equality for all peoples underly the action of the Nine to make a solid contribution to the permanent solution of the problem of decolonization; this contribution has not failed the new members of the United Nations, the Republic of Cape Verde, the Democratic Republic of Sao Tomé et Príncipe and the People's Republic of Mozambique, whom we welcome amongst us today, in their accession to independence, and we are constantly renewing that contribution in affirming the rights of the peoples of Namibia and Rhodesia.

The Nine, who during the Conference on Security and Cooperation in Europe, have acted in close liaison with the other Western countries, in particular the United States and Canada, are happy that the Conference succeeded in defining principles of conduct to strengthen security and develop cooperation, trade and contacts between all the peoples of Europe. They are convinced that the results of the Conference make an ample contribution to the process of *détente*, beyond Europe, in the whole world.

In their statement on the United Nations, the Nine wished to see firm progress made towards a fairer and more balanced structure of international economic relations.

Lastly, in the spirit of interregional collaboration desired by the United Nations, the Euro-Arab dialogue is unfolding, which would restructure, in a broader and more comprehensive setting, the links between mankind, and the ties of cooperation between the Community and the Arab League countries. The dialogue has started out successfully with the meetings between two delegations of experts which took place in Cairo and Rome a short time ago.

The Nine wish to maintain a constructive dialogue and develop as many contacts as possible with the other members of the United Nations, in a spirit of mutual understanding, to align and, if possible, harmonize their respective positions.¹

¹ Provisional translation.



3RD PART
DOCUMENTATION

Action programme for taxation

Commission Communication to the Council, transmitted on 30 July 1975

1. Despite the disappointments of the first stage, achievement of economic and monetary union remains the priority objective in the work of building the new Europe.

The union cannot be attained without a number of measures with regard to taxation. The importance of these measures has been stressed on many occasions by the Community institutions: in its Resolution of 22 March 1971,¹ which established the bases of the union, the Council gave a prominent place to fiscal harmonization, and it reaffirmed the importance of the measures to be adopted in this field in its Resolution of 21 March 1972.²

2. However, none of the important proposals which the Commission submitted under these Resolutions has been adopted by the Council, although the latter, in its Resolution of 21 March 1972, agreed to give these proposals priority treatment on its agenda and to reach decisions on them within six months from the date of their entry on the agenda. The Commission much regrets the lack of political will among the Member States, which has prevented all progress in this field, and feels that it is now time to reconsider the matter: its scale and importance are such that it must be tackled resolutely, and without further delay.

3. The Commission is well aware that tax harmonization is subject to limits set by a large number of constraints. The fiscal system of any given country depends closely on its economic and social structures. Taxation is, also, for the Governments, an important instrument for achieving economic and social objectives, whether they affect structures or current economic

trends. Until these objectives can be defined and achieved at Community level, the authorities will have to ensure that harmonization in no way hampers the use of taxation as an instrument of national policy. Tax harmonization must support work on the convergence of economic policies, without imposing restrictions of the Member States earlier than is necessary, especially as regards the rates of the main taxes and charges.

4. Accordingly, the Commission feels that, for the near future, it would be better to concentrate on essentials and to restrict Community measures to those which are absolutely indispensable. However, it must stress that in the longer term other measures will be necessary if integration is to be taken further.

5. The programme proposed thus has two main parts:

(i) in the first place, the aim is to complete work on establishing tax conditions which would enable the highest possible degree of liberalization in the movement of persons, goods, services and capital and of interpenetration of economies. This context includes in particular measures for harmonization of the structures and implementing procedures relating to various categories of taxes and charges;

(ii) secondly, preparations must be made, with a view to further European integration, to bring closer together the respective burdens of those taxes and charges having any substantial impact in this context. A point which is relevant here is the use of taxation as an instrument of common policies.

6. The Commission has consulted the employers' federations, the unions, and the

¹ OJ C28 of 27.3.1971.

² OJ C38 of 18.4.1972.

revenue departments of the member countries. The suggestions and proposals which it is making take fully into account the view expressed in these consultations and reflect the desiderata of managements and unions. Responsibility for prompt action with regard to the Commission's proposals now lies with the Council.

7. The Council's attitude in this connection will show its desire to make progress towards economic and monetary union. Failure over a long period to establish the tax arrangements necessary to economic and monetary union could only be interpreted by public opinion, despite all the declarations of intention, as a decision to abandon the idea of establishing the union.

I. Measures designed to meet the taxation requirements for economic and monetary union

Value added tax

8. In the field of turnover taxes, the action of Community institutions aims to preserve neutrality of competition (internal and external) from the dangers constantly posed in the past by the existence of 'cascade' taxes in most countries and by the operation of flat-rate set-offs at frontiers, and to pave the way for the utmost economic interpenetration so as to form a large economic area with the features of a domestic market.

Some progress was made towards attainment of these objectives when the Council adopted, in 1967, two initial directives which led to the introduction of VAT in all the Member States.¹ The next step now due is the adoption of the proposal for a sixth Directive on the establishment of a uniform basis of assessment for VAT,² submitted by the Commission in June 1973.

The Commission feels that the Council should act rapidly on this proposal, for until it is

adopted, the 'own resources' scheme set up by the Council's Decision of 21 April 1970 cannot be properly implemented on 1 January 1978.³

9. If the 'own resources' mechanism—involving the transfer of not more than 1% of VAT assessed on a uniform basis—is to function correctly, uniform measures for the collection of the resources must be adopted. Once the Council has taken a decision as to the proposed sixth Directive, the Commission will accordingly draw up proposals to supplement and, where necessary, adapt to the specific characteristics of this category of own resources the rules and procedures already in force under Council Regulation No 2/71 of 2 January 1971.⁴

10. The procedures used and the formalities required in connection with VAT at intra-Community frontiers are complicated, cumbersome and costly. This bears heavily on firms, particularly the smaller ones, so much so that they are frequently deterred from engaging in international trade. In addition, therefore, to the programme which it has put before the Council for simplifying customs procedures and formalities⁵ the Commission intends to draw up proposals for similarly simplifying VAT arrangements as quickly as possible.

11. The Commission has ascertained that certain problems peculiar to importation could not be solved in the proposed directive on the uniform basis of assessment. To overcome these problems, it intends to take action in the following fields:

— temporary admission: without prejudice to the application of the provisions of the Treaty

¹ EEC Directives 67/227 and 67/228 — OJ 72 of 14.4.1967.

² OJ C80 of 5.10.1973; OJ C121 of 11.10.1974.

³ OJ L94 of 28.4.1970.

⁴ OJ L3 of 5.1.1971.

⁵ Bull. EC 2-1975, point 2101.

relating to the supply of services the aim is to harmonize certain laws, regulations and administrative provisions, one of the key objectives being to make it easier for undertakings in one Member State to tender for public procurement work in other Member States. Participation in such tenders, which is a matter the Commission attaches the highest importance to, is at present hampered by a very large number of obstacles, including taxation ones which simply must be removed;

— repairs carried out for non-taxable persons in another Member State—steps must be taken to avoid the double taxation which occurs at present;

— mail-order sales: the cross-frontier development of this type of sale to non-taxable persons, which has the undeniable advantage of widening the choice available to consumers and consequently helping to keep down prices, encounters serious tax and other obstacles. A system thus needs to be introduced which is administratively simple and at the same time ensures that the States concerned each receive the right share of tax receipts.

Excise duties and other indirect taxes

12. In the field of excise duties, three problems first had to be solved: which excise duties to retain, the harmonization of their structures and how to prevent Member States from introducing new excise duties entailing set-off or checking at frontiers. Appropriate proposals were made by the Commission in 1972 and 1973 (outline directive and directives on beer, wine, spirits and minerals oils).¹

13. A first directive concerning excise duties on manufactured tobacco was also adopted by the Council on 19 December 1972.² The two years specified in this Directive for implementing provisions on the structure of the excise duty on

cigarettes were, however, extended for a year by Council Directive No 74/318 of 25 June 1974.³ The Commission has now proposed a further one-year extension. This extension is needed to work out an acceptable solution to a problem which was difficult enough with just the Six and became more complicated with the enlargement of the Community.

On the basis of the original text, the Commission has also laid before the Council a proposal for defining and classifying manufactured tobacco in various groups.⁴ It intends to move on to the next stage of harmonization by submitting further proposals in the near future.

14. In view of the economic importance of the sectors in which these excise duties apply, all further progress in gradually establishing a single market depends on the adoption of the above proposals. Once adopted, they would also enable distortions stemming from the differences in the tax structures to be eliminated. There is no reason why such distortions should survive in such a major field of consumption several years after those caused by turnover taxes were eliminated with the introduction of VAT.

Aware of the importance of this problem, the Council undertook, in its Resolution of 22 March 1971,⁵ to take decisions with regard to these texts by 1 January 1974. The Commission therefore urges prompt action in this field.

15. Intra-Community trade in products subject to excise duty involves procedures and formalities that cost money. Such procedures and formalities also exist within the Member States,

¹ OJ C43 of 29.4.1972; OJ C92 of 31.10.1973.

² Directive 72/464 — OJ L303 of 31.12.1972.

³ OJ L180 of 3.7.1974.

⁴ OJ C72 of 27.6.1974.

⁵ OJ C28 of 27.3.1971.

although in a simpler form, and are largely the result of the generally high level of excise duty. However, steps could usefully be taken to simplify trade between Member States. The Commission will accordingly seek to devise solutions which enable formalities and controls to be relaxed without detracting from the proper collection of excise duties.

16. On other indirect taxes, the Council has already adopted three directives on the harmonization of provisions concerning capital duty¹ (indirect taxes on the raising of capital).

The Commission plans to lay before the Council before the end of 1975 a proposal for a directive on the harmonization of indirect taxes on transactions in securities. The aim of this proposal is to eliminate tax obstacles to the free movement of capital between Member States, and it is therefore part of the work to establish a European capital market. The Commission's long-term objective is in fact the abolition of this tax, which has no place in a modern tax system.

17. A proposal is being drawn up for a directive designed to facilitate the effective exercise of the freedom to supply services in connection with indemnity insurance. The disparities in the tax systems in this field could impair competition. Without ruling out fuller harmonization later on, the proposal will therefore contain a clause aimed at avoiding cases of double taxation or of non-taxation.

Direct taxes

18. The complexity of the problems to be solved—stemming from historical grounds, technical factors and the use of these taxes as a major instrument of economic and social policy—together with the enlargement of the Community have caused considerable delay in the process of harmonizing direct taxes. It would

be dangerous to allow this situation to last, for the difficulties caused by disparities in this field are aggravated by the lack of set-off arrangements at frontiers to neutralize their effects. The work which has been going on for several years with a view to eliminating tax obstacles to the cross-frontier merger of firms and to the free movement of capital should now be stepped up and other measures taken at the same time.

19. The Commission recalls in this connection that as requested by the Council it put forward in January 1969 two proposals for directives² concerning the common tax arrangements applying to mergers, divisions and contributions of assets between companies in different Member States and the common tax arrangements applying to parent companies and subsidiaries in different Member States. It deeply regrets that despite the undertakings entered into in several resolutions on industrial policy and the concern shown on this matter at the highest political level at the Paris Summit Conference in 1972, the Council has still not acted on these proposals, which are also indispensable if the new 'European' companies are to operate properly. The Commission stresses the need for an early decision.

20. The Commission will also transmit to the Council in the very near future a proposal for a directive harmonizing the systems of company taxation and of withholding taxes on dividends. As it pointed out to the Council in a letter dated 7 December 1973, harmonization will be based on a common imputation system partially relieving the double economic taxation of dividends and will involve some narrowing of

¹ Directive 69/335 — OJ L249 of 3.10.1969; Directive 73/80 — OJ L103 of 18.4.1973; Directive 73/79 — OJ L103 of 18.4.1973.

² OJ C39 of 22.3.1969.

differences both in the rates of taxes on profits and in those of tax credit. This is one of the steps towards the establishment of a European capital market and paves the way for a further narrowing of differences between taxes on firms' profits.

The Commission will also put forward solutions to the technical problems raised by dividends when they are paid through companies investing in securities or through unit trusts.

21. As regards bond interest, in 1973 the Commission came out in favour of the principle of a substantial withholding tax, something like 25%, reflecting the need to ensure fair taxation and the concern for social implications shown by the Heads of Government. The Commission maintains this position, but, as it has already stated, will make a proposal along these lines only when the Community has a system for controlling external capital movements.

22. The Commission also intends to pursue its work relating to the basis of assessment of taxes on the profits of firms. This is a very wide field covering a whole range of provisions such as depreciation, capital gains, valuation of stocks, carry-forward of losses, treatment of tax-free reserves, etc.

While harmonization of the particularly large number of incentives in this field must be ruled out for the time being—such measures come under the economic policy of each Member State—a definition of a 'normal' basis of assessment must be worked out if distortions of competition are to be eliminated, taxes made transparent and rates subsequently brought closer together.

23. In the field of personal income tax, a number of particular problems are being examined: in particular there are the increasingly common cases of tax-payers who, on moving

from one Member State to another, are penalized because they are unable for instance to deduct certain expenses from their taxable incomes.

International tax evasion and avoidance

24. International tax evasion and avoidance lead to losses of revenue and breaches of the principle of tax fairness; it can also cause distortions in capital movements and the conditions of competition. Accordingly, on 10 February 1975, the Council adopted a resolution¹ proposed by the Commission laying down the principles of the measures to be taken by the Community to ensure that taxes on incomes and profits are correctly determined.

To implement this resolution, the Commission will shortly put forward proposals on:

- the mutual exchange of information between Member States;
- enquiries to be carried out in one Member State at the request of another;
- constant collaboration by the Member States and the Commission so as to keep under review the operation of machinery for mutual assistance and to improve it.

In its work on implementing this resolution, the Commission will also look into the possibility of making it easier for officials of one State to be associated with work carried out in another State and of harmonizing the legal and administrative instruments of the revenue departments for collecting information and exercising their right of control.

25. Following up its Communication to the Council of November 1973 on multinational

¹ OJ C35 of 14.2.1975.

undertakings,¹ the Commission will continue its work with a view to presenting proposals on:

- the elimination of double taxation which can result from adjustments made to profits by a Member State;
- the fixing of common rules for avoiding artificial transfers of profits between undertakings in the same group by means of transfer pricing.

It further calls attention to the suggestions which it made in the report on the tax arrangements applying to holding companies² drawn up in June 1973 at the request of the Council, and in particular those concerning the shifting of the burden of proof where there is a presumption of tax avoidance and the charging of a withholding tax on interest and royalties paid to companies bearing little or no tax on such income.

26. In the matter of indirect taxes, the Commission will shortly transmit to the Council a proposal on mutual assistance between Member States to enforce collection of amounts due in connection with VAT, excise duty and other indirect taxes on consumption along the same lines as proposals already put forward concerning agricultural levies and customs duties. The adoption of this proposal would enable Member States to recover amounts owed by a person liable to VAT or other indirect tax, even if this person resided or had his only seisable property in a Member State other than that in which the tax debt arose.

27. As in the field of direct taxes, the Commission intends to promote mutual assistance between tax authorities in connection with indirect taxes in order to prevent fraud at international level. It will, in addition, study ways and means of quantifying the thoroughness of controls in each State and also seek to discover the most widespread methods of fraud with a view to proposing measures for preventing infringe-

ments of national laws and prosecuting offenders.

Tax exemption for individuals

28. As regards goods imported by travellers, a first directive was adopted by the Council in 1969.³ The exemptions were increased in 1972.⁴ The Commission intends to pursue this policy of extending the exemptions and will submit a proposal early in 1976. It is also planning to propose adjustments at regular intervals to these exemption amounts whose real value already falls well below what it was originally because of the steady rise in prices.

29. As regards consignments of goods by individuals, the Council has already introduced exemption for small consignments of a non-commercial character within the EEC⁵ but still has to act on a Commission proposal for introducing similar facilities for consignments from non-member countries.⁶

30. Supplementing the arrangements for exemptions for individuals, the Commission will submit, before the end of the year, two new proposals for directives concerning:

- the permanent importation of certain personal effects, especially on the occasion of removal, inheritance, marriage, etc.,
- the temporary importation of certain goods (private cars, caravans, etc.).

¹ Bull. EC 11-1973, points 1201 to 1204.

² Bull. EC 6-1973, point 2119.

³ Directive 69/169 — OJ L133 of 4.6.1969.

⁴ Directive 72/230 — OJ L139 of 17.6.1972.

⁵ Directive 74/651 — OJ L354 of 30.12.1974.

⁶ OJ C18 of 25.1.1975.

31. The Commission takes the view that all these measures dealing with exemptions, though not indispensable to the establishment of economic and monetary union, are of great importance, since they are concerned with satisfying the interests and the needs of individuals and constitute tangible and meaningful evidence for the public at large of the Community's existence.

Prior examination and consultation procedure

32. The success of the sort of programme advocated in this communication, graduated and spread over a period of time, implies a consensus, if no more than tacit, between the Member States as to the objectives to be attained and their willingness to refrain from unilateral measures which compromise the requisite and eventual convergence of their tax systems.

This is a fundamental condition, but if it is to be fulfilled, the Community institutions and the Member States must have at their disposal all the relevant information on the main provisions which the national authorities plan to adopt in the fields covered by the tax harmonization process, and it would perhaps be appropriate to give the Commission the opportunity of making known its views on these plans and in particular on the effects that their adoption might have on this process. Accordingly the Commission will as early as the beginning of 1976 propose to the Council that a procedure for prior examination and consultation be instituted, the rules of which would be modelled on those operating in the transport field pursuant to the Council's decision of 21 March 1962.¹

Timetable

33. The timetable planned by the Commission for the submission of the proposals mentioned in this part is attached.

II. Long-term measures with a view to fuller integration

34. The measures set forth in the previous paragraphs are not sufficient if the aim is to achieve a genuine single market, entailing, *inter alia*, the abolition of tax frontiers. Taxes, which account for a substantial proportion of the gross national product of the Member States, are one of the key forces in their economic and social life, they strongly influence many factors, including the structure of consumption, and consequently, that of production, the profitability of firms, the location of investments, and the conditions of competition in general.

In a community of States closely integrated not only in the economic field but also, to a certain extent, in the political field, these various factors should not be artificially influenced by differences in fiscal burdens. Some alignment of these burdens will therefore eventually be necessary.

This alignment is also necessary in view of the role of taxation as an instrument of economic and social policy, if we are to achieve an ever closer coordination of national policies and to develop genuine common policies in the key areas of economic and social life.

Value added tax

35. Bringing VAT rates closely into line is an obvious requirement for a common market having the features of a domestic market. This objective has therefore never really been challenged, but the course to be taken and above all the pace at which progress is to be made have given rise to concern. Aware of the difficulties of attaining such an objective, the Commission feels that this should be a longer term and gradual process.

¹ OJ 23 of 3.4.1962.

36. Harmonizing rates will be possible only if certain conditions, which are far from being fulfilled at present, are met in advance. Differences exist between national systems not only as regards the level of rates but also as regards the number of these rates and their scope. The introduction of a uniform basis of assessment would not alter this situation. Accordingly, agreement must first be sought on the number of rates and, if a solution other than that of a single rate were selected, on a list of goods and services subject to the various rates and the relationships between these rates.

Other benefits would accrue from such measures:

- neutrality in competition on the internal market — seen from the outset as the fundamental objective of VAT — would be created for substitutable products;

- larger exemptions would be possible, as a major source of variation in the tax burden from one country to the next would be removed;

- it would be easier to simplify certain procedures and formalities in intra-Community trade.

Excise duties

37. In the field of excise duties, the harmonization of rates is as essential as for VAT. The problems to be solved are largely the same or similar and will therefore be tackled from the same angle. However, for these duties, a further factor must be taken into account: certain excise duties are key components of sectoral policies (e.g. energy policy, transport policy, environment policy and agricultural policy) at both national and Community level. The fixing of harmonized rates will therefore depend on the objectives set for these common policies.

The Commission recalls in this connection that it has already laid before the Council proposals,

for example under the common transport policy, having a substantial impact on tax harmonization. These include the proposal for a first Council Directive on the adjustment of national taxation systems for commercial road vehicles¹ and the proposed Council decision on the introduction of a common system of charging for the use of transport infrastructures.²

Direct taxes

38. Disparities in the area of direct taxes will become more and more noticeable as economic integration advances and as differences in the other factors influencing economic life are gradually narrowed. These disparities will therefore need to be eliminated.

39. In this context, attention will have to be directed to the incentive measures which Member States resort to in so far as they affect the basis of assessment of these taxes.

These measures are, whether permanent or temporary, designed to encourage investment in general or selectively; thus the authorities can influence the general business climate, grant actual aids to certain industries, or encourage the development of certain regions. Depending on the case, such measures, whose exact scope is often difficult to assess, consist in fact either in depreciating at a greater rate than can be justified by actual technical or economic depreciation, or in total or partial exemption of profits, generally on condition that they are reinvested, or even in tax rebates. Their impact, whether on the economy in general or on the specific competitive situation of the industries favoured and of the assisted regions, is not inconsiderable.

¹ OJ C95 of 21.9.1968.

² OJ C62 of 22.6.1971.

If economic and monetary union is to be fully achieved, it is unthinkable that such measures should be adopted by the Member States without being properly related to an overall policy, even where, as aids, they do not actually conflict with the Treaty: as concerted economic policies are gradually worked out and implemented, it will prove increasingly necessary to coordinate the use of the tax system as an instrument of intervention.

40. In the field of company taxation, the process of bringing rates closer into line, beginning with the introduction of a common system of tax credits will have to be continued. How far this process should go will be determined by reference to the requirements of competition.

41. Another problem is whether, and if so to what extent, action will be required in other fields of direct taxation such as wealth taxes, taxes on specific occupations, etc., in order to attain Community objectives.

Conclusions

42. This Communication does not purport to produce a final and exhaustive list of the measures which should be undertaken by the Community, in future years, in the fiscal area. The programme should be reviewed periodically in the light of progress made in defining and establishing the union.

In any case, it is impossible to plan in advance for all cases where taxation could prove a useful instrument for attaining specific economic and social objectives. The Commission is well aware of this and will include the necessary measures in the proposals which it will be making in these fields.

43. In addition taxation problems arise in the field of external relations. These problems are

connected in particular with investments and with the taxation of capital and of the income derived from it. In the future these problems may be more sharply marked. An increase in direct and indirect investment in the Community by third countries, and vice versa, is indeed already taking place. Moreover, the Community has undertaken a process of industrial cooperation with the developing countries, especially under the Lomé Convention. This cooperation has taxation aspects, which hitherto have primarily been dealt with through bilateral agreements. The Commission intends to examine the possibility of enabling Member States to tackle these problems better on a Community basis and so to make it easier to carry out a policy of industrial cooperation with the developing countries.

Annex timetable

Timetable of measures set forth in part I

1975

- Harmonization of systems of company taxation and of withholding taxes on dividends;
- Harmonization of indirect taxes on transactions in securities;
- Mutual assistance between the Member States with a view to enforcing recovery of taxes due in respect of VAT and excise duties.

1976

- Uniform collection of own resources deriving from VAT (this proposal assumes that the Council has already taken action with regard to the 'uniform basis of assessment');
- Solution of VAT problems connected with repairs carried out abroad, mail-order sales and temporary admission of certain goods;
- Extension of exemptions for individuals;

Action programme for taxation

- Measures to establish effective cooperation between revenue departments to combat tax avoidance in the field of direct taxes;
- Elimination of double taxation likely to arise from profit adjustments made by a Member State;
- Prior examination and consultation procedure;
- Simplification of VAT formalities at intra-Community frontiers.

From 1977 onwards

- Measures enabling excise duties to be properly collected and formalities and checks to be streamlined;
- Fixing of common rules to prevent artificial transfers of profits between firms of the same corporate group through transfer pricing;
- Narrowing of divergences in the bases of assessment of taxes on the profits of enterprises.



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Statut für Europäische Aktiengesellschaften. Geänderter Verordnungsvorschlag. (Vorschlag einer Verordnung des Rates über das Statut für Europäische Aktiengesellschaften. Von der Kommission gemäß Artikel 149 Absatz 2 des EWG-Vertrags dem Rat vorgelegter geänderter Vorschlag).
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Statuut voor Europese naamloze vennootschappen. Gewijzigd voorstel voor een verordening. (Voorstel voor een verordening van de Raad betreffende het Statuut voor Europese naamloze vennootschappen. Gewijzigd voorstel door de Commissie bij de Raad ingediend op 13 mei 1975 krachtens artikel 149, alinea 2, van het EEG-Verdrag).
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Vergelijkende tabellen van de stelsels van sociale zekerheid van toepassing in de Lid-Staten van de Europese Gemeenschappen (1 juli 1974). Algemeen stelsel. 8^e uitgave. (1975). 123 blz. (DK.D.E.F.I.NL) FB 165,-

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X/438/75 (6)

Bijwerking van de vooruitzichten op korte en middelkorte termijn voor de landbouwmarkten. Supplement op het „Verslag over de Landbouw in de Gemeenschap 1974“.

Landbouwbulletin. Nr. 6. Juli 1975.

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1975. pag. diff. (Mult. DK.D.E.F.I.NL.grec)

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CEE/GR/INT (4)

Accord intérimaire entre la Communauté économique européenne et la Grèce en raison de l'adhésion de nouveaux États membres à la Communauté. Protocole additionnel à l'accord créant une association entre la Communauté économique européenne et la Grèce. Signés à Bruxelles le 28 avril 1975.

1975. pag. diff. (Mult. DK.D.E.F.I.NL.grec)

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CEE/GR/INT (5)

Accordo interinale tra la Comunità economica europea e la Grecia a seguito dell'adesione di nuovi Stati membri alla Comunità. Protocollo addizionale all'accordo che crea un'associazione tra la Comunità economica europea e la Grecia. Firmati a Bruxelles il 28 aprile 1975.

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