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European Economic Community  
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**PART ONE**

**SPECIAL FEATURES**

# 1. Regional policy : New guidelines proposed

Regional policy guidelines

## Commission Communication to the Council

*1.1.1.* Community regional policy must be a comprehensive policy concerned with all regions of the Community and all Community activity. The resources and facilities available for its implementation must include:

- (i) A monitoring system to analyse the situation of each region and set priorities and guidelines to be followed by the Community and the Member States;
- (ii) New mechanisms to ensure that Community policies take account of regional interests and that appropriate measures are adopted to correct any unfavourable effects;
- (iii) Closer coordination of national regional policies;
- (iv) An increased financial effort by the Community, involving both changes to the existing Regional Fund and new measures;
- (v) The closer association of employers' organizations, trade unions and regional and local authorities in the development of Community regional policy.

These are the main points of the 'Guidelines on Community Regional Policy' adopted by the Commission on 1 June 1977 for transmission to the Council.

### The aims

*1.1.2.* A comprehensive and active regional policy is needed for four main reasons:

- (i) The establishment of the common market during the sixties did much to stimulate economic growth and brought benefits to both richer and poorer regions. But it did little to narrow down the gaps between them;
- (ii) The economic crisis has both aggravated the problems of the traditionally poorer regions and

created new problems throughout the Community;

(iii) Community policy decisions in other fields can have unfavourable effects on the regions;

(iv) The persistence of major regional imbalances is a serious obstacle to the convergence of national economic policies, without which further progress towards economic integration is not possible.

Community regional policy has therefore two main objectives. First, it seeks to reduce the regional imbalances which exist both in the traditionally less-developed regions and in those undergoing a process of industrial or agricultural redevelopment. Second, it aims to prevent new imbalances from appearing as a result of changes in the world economic pattern or policy measures adopted by the Community. It will clearly involve a variety of specific regional policy measures, but must also introduce a 'regional dimension' into Community policies in other fields. In addition, Community regional policy, while having its own specific role to play, is complementary to national regional policies, with which it has to be closely coordinated.

### The means

#### The determination of priorities and guidelines

*1.1.3.* The first task is to establish an effective monitoring system which will keep the situation of all the Community's regions under regular review and define where Community action is required. On the basis of a draft report from the Commission and after consulting Parliament and the Economic and Social Committee, the Council will set the main objectives of Community regional policy and guidelines to be followed at both Community and national levels over the following two years. This will be done every two years, beginning in 1979.



## Regional impact assessment

1.1.4. The Commission believes that the main Community policies must now have a 'regional dimension'. In future policy proposals the Commission will therefore take proper account of their regional implications, and in particular their effects on employment. Where necessary, it will also propose appropriate special measures to permit both the full achievement of the aims of the policy concerned and the correction of any unfavourable effects on the regions.

## Coordination of national regional policies

1.1.5. Coordination will be based on the two-yearly report and guidelines to be adopted by the Council, and the regional development programmes which the Member States have to submit by the end of this year. It will aim progressively to achieve a better regional distribution of the resources available for regional development.

The Commission is concerned here with the regional aid systems covered by Article 92 of the EEC Treaty, with the coordinated use of disincentives to investment in highly-developed regions, as used in certain but not all Member States, with the coordination of infrastructure measures, especially in frontier regions, and with the way in which Regional Fund resources are used in the different Member States.

## The Regional Policy Committee

1.1.6. The new comprehensive approach to regional policy will involve an increased role for the Regional Policy Committee. The Committee will be consulted on the two-yearly report on the economic and social situation of the regions; and its examination of disincentive measures, of the evolution of direct regional aids and of a method of assessing the results achieved by regional policy measures will be of particular importance to the development of a comprehensive regional policy.

## The financial instruments of regional policy

1.1.7. The principal financial instrument of Community regional policy is clearly the Regional Fund. But the Community's effective contribution to regional development will be greatly increased by the coordinated use of all Community financial instruments, including its loan facilities.

As far as the Regional Fund itself is concerned, the principal changes proposed are:

(i) The Fund becomes a permanent instrument of Community regional policy, and its resources will be fixed each year as part of the general Community budget. The Commission has proposed 750 million EUA for 1978. (The equivalent figure for 1977, expressed in EUA, is about 400 million.)

(ii) The Fund will be divided into two sections. The larger section (650 million EUA proposed) will provide support for national regional policies as in the past and will be based on the existing system of national quotas.<sup>1</sup> The remaining 100 million EUA will be used to finance specific Community measures outside the quota system.

(iii) Regions faced with two types of problem will qualify under the quota section of the Fund: those facing the most serious problems of underdevelopment (the Mezzogiorno, Ireland, Northern Ireland, Greenland and the French overseas departments and those facing major problems of industrial or agricultural redevelopment (such as many industrial regions of the United Kingdom or agricultural regions of France). These two categories of region coincide with the nationally-aided areas currently eligible for regional Fund assistance.

(iv) The non-quota section of the Fund will be able to provide assistance in tackling two further types of problem: regional problems which may result from Community policy decisions in other

<sup>1</sup> Belgium 1.5%; Denmark 1.3%; Germany 6.4%; France 15.0%; Ireland 6.0% (plus a further 0.5% to be deducted from the shares of the other Member States, except Italy); Italy 40.0%; Luxembourg 0.1%; Netherlands 1.7%; United Kingdom 28.0%.

fields, and problems arising in regions along Community frontiers feeling the effects of integration with particular sharpness.

The areas qualifying for assistance from the non-quota section will be determined in the light of the problem which may arise. They may be inside the nationally aided areas (and consequently eligible for assistance under the quota section too), or in other parts of the Community.

(v) Rates of grant will vary according to the nature and gravity of the problem faced. For infrastructure projects which contribute to the development of a region it is proposed that Fund assistance should vary between 10% and 50% of the investment cost. The assistance granted for industrial and service sector projects will be closely related to the number of jobs created or safeguarded.

(vi) The specific measures to be financed by the non-quota section will be determined by the Council, on a proposal from the Commission. One specific measure is proposed immediately, namely a system of interest rebates of up to five percentage points on loans from the ECSC, the European Investment Bank or other planned Community loan facilities. In addition, the Commission is examining the case for a system of participation in the risk capital of companies via existing national regional development bodies.

(vii) The proposals also require the Member States to indicate clearly how Regional Fund resources are used.

(viii) Finally, the Commission stresses the importance of the various Community loan facilities, existing or envisaged, especially in view of the budgetary limitations to which the Regional Fund is subject. The Commission is currently examining the scope for developing additional loan facilities and will shortly present to the Council its ideas on the role which such new facilities can play in regional policy.

## Information

1.1.8. Apart from its information activities aimed at the general public, which will continue,

the Commission proposes a series of special measures aimed at potential investors and those responsible for regional development, in particular the more systematic publication of the results of the regional studies undertaken and the publication of a guide to investment incentives throughout the Community.

## Implementation of the new regional policy

1.1.9. The scale of the tasks ahead requires appropriate mechanisms able to take stock of regional problems in all their aspects and indicate guidelines required for coordinated action by both Member States and the Community. In the Commission's view, this must involve consultation between the Community institutions, the Member States, the trade unions and employers' organizations, and the representatives of regional and local authorities. During the course of the discussions in the Council, the Commission will put forward proposals on how this can be achieved.

## 2. End of the North-South Conference

### Results of the Paris Ministerial Meeting

1.2.1. In a number of important areas results more positive than certain commentaries had given to believe; continuing disagreement on a number of other points; pursuit elsewhere and in other forms of the North-South dialogue which has been under way at the Conference on International Economic Cooperation (CIEC) since December 1975.

These were the initial Community reactions following the ministerial-level CIEC meeting held in Paris from 30 May to 2 June, which marked the end of the Conference. The statements made in Paris by President Jenkins and Mr Cheysson after the CIEC had closed—and the adoption of its 'final report'—also lay stress on the role played by the Community in the Conference and the initiatives it had taken—some of which were finally adopted—thus enabling appreciable progress to be made on important points.

### From 1975 to May 1977

1.2.2. The Conference which has just ended assumes its full significance only when the events leading up to it are traced back. It was the sharp rise on oil prices imposed by the producer countries in 1973 and the consequences for the world economy which prompted a number of moves in 1974 aimed at establishing a 'dialogue' between oil-producing and oil-consuming countries.<sup>1</sup>

### First initiatives

1.2.3. After the Shah of Iran had hinted at the possibility of such a dialogue, Mr Yamani, the Saudi Arabian Oil Minister, developed the idea and mentioned some countries which might take part. On 24 October 1974 Mr Giscard d'Estaing, the French President, in turn proposed that a conference be held which would bring together

oil-producing and oil-consuming countries. The Communiqué issued after the meeting held by the Heads of Government of the Community and the President of the Commission, Mr Ortoli, in Paris on 9 and 10 December 1974 contained the following references to energy:

'The Heads of Government, aware of the paramount importance which the energy problem has in world economy, have discussed the possibilities for cooperation between oil exporting and oil importing countries, on which subject they heard a report from the Federal Chancellor. The Heads of Government attach very great importance to the forthcoming meeting between the President of the United States and the President of the French Republic.'<sup>2</sup>

In December 1974 Mr Giscard d'Estaing discussed the matter with Mr Gerald Ford, the United States President, who took a favourable view of this initiative. After the first meeting of the European Council in Dublin on 10 and 11 March 1975 the following statement<sup>3</sup> was published on energy and preparation for a producer-consumer dialogue. On 24 February the Commission had sent two Communications to the Council on these topics.<sup>4</sup>

'The Heads of Government, meeting in Council in Dublin, examined the problems connected with the International Energy Conference. They agreed that the Community should undertake intensive preparation for this Conference without delay. Preparation will involve listing the various problems, concerning both matters specially relating to energy and directly connected questions concerning economics, finance and the developing countries, to be dealt with at the Conference and the preparatory meeting for it. Preparatory work will also attempt to define the joint responses to be made depending on the positions adopted by the other participants at the Conference.

The preparatory work will be carried out under the authority of the Council (Foreign Affairs) by a high-level *ad hoc* Committee composed of representatives of the Member States and the Commission. It will be based on the inventory, to be drawn up by the Commission, of problems to be dealt with at the Conference and the preparatory meeting, any proposals which the Commission submits to the Council on these problems and suggestions and requests made by the Member States.

<sup>1</sup> Bull. EC 4-1975, points 1401 and 1402.

<sup>2</sup> Bull. EC 12-1974, point 1104, paragraphs 31 and 32.

<sup>3</sup> Bull. EC 3-1975, point 2252.

<sup>4</sup> Bull. EC 2-1975, point 2258.

The Council will take the appropriate decisions on this basis and in particular will determine the content of and arrangements for the dialogue to be conducted with the other consumer and producer countries.

The Council has agreed to meet at the level of Heads of Government in good time to prepare for the Conference.<sup>1</sup>

### Preparatory meeting on energy

1.2.4. After invitations had been formally sent out by the French Head of State on 1 March 1975 a preparatory meeting (to pave the way for a subsequent conference) was held in Paris from 7 to 15 April 1975.<sup>2</sup> This meeting, which was attended by four producer countries, three non-producing developing countries, two industrialized consumer countries and the Community as such, was finally adjourned as a result of the differences which emerged in the course of the discussions.

Certain countries (in particular the United States) wanted the Conference to be concerned solely with energy problems (relations with the oil producers), while the developing countries brought up all the problems caused by the deterioration of their economic situation (commodity prices, development, etc.); as a result this first attempt ended in failure.

The idea of the 'dialogue' was, however, gaining ground. Between May and September 1975 there was a considerable development in thinking and attitudes: within the Community, at the OECD, and even with the seven developing countries which had taken part in the April 1975 meeting in Paris. On 15 September 1975, after contacts had been established and replies received from those concerned, the French Government sent out invitations to a further preparatory meeting.

### Convening of the CIEC

1.2.5. With the same participants this new preparatory meeting was held from 13 to 16 October 1975 in Paris.<sup>3</sup> In the statement adopted after the talks, the participants declared themselves in fa-

vour of convening in December 1975 a 'Conference on International Economic Cooperation (CIEC)', to be attended by 27 members (including the energy Community) and to cover four subjects: energy, raw materials, development and financial affairs, each being dealt with by a commission set up within the Conference. The four subjects selected showed that the energy problem was closely interwoven with the other three, a fact which had not been acknowledged by some of the participants at the preparatory conference on energy in April 1975. The title chosen for the Conference went even further in this direction and was similar to the title of the resolution passed in September 1975 by the seventh special session of the United Nations General Assembly: 'Development and international economic co-operation'.<sup>4</sup> The underlying concern was the establishment of a new international economic order.

### The Paris Conference

1.2.6. From its official opening at ministerial level on 16 December 1975,<sup>5</sup> the actual commencement of its works in February 1976,<sup>6</sup> through to the adoption of its 'final report' on 2 June 1977, the Paris Conference experienced many ups and downs.

Viewed from outside, the dialogue was broken on two occasions: it was temporarily suspended from July to September 1975,<sup>7</sup> and then in November<sup>8</sup> it was decided to adjourn its ministerial session, initially scheduled to take place in December 1976. It was not until March 1977<sup>9</sup> that it was

<sup>1</sup> Bull. EC 3-1975, point 2252.

<sup>2</sup> Bull. EC 4-1975, points 1401 to 1409 and 10-1975, point 1103.

<sup>3</sup> Bull. EC 10-1975, points 1101 to 1108.

<sup>4</sup> Bull. EC 9-1975, point 1104.

<sup>5</sup> Bull. EC 12-1975, points 1201 to 1207.

<sup>6</sup> Bull. EC 2-1976, points 1301 to 1307.

<sup>7</sup> Bull. EC 7/8-1976, points 2318 to 2321 and 9-1976, points 2307 to 2309.

<sup>8</sup> Bull. EC 11-1976, points 2315 and 2316.

<sup>9</sup> Bull. EC 3-1977, points 2.2.3 to 2.2.6.

agreed to resume the conference and hold the final meeting at ministerial level at the end of May.

The difficulties encountered arose from differences of views between industrialized and developing countries. The latter, linking the problems dealt with in Paris to those which had been the subject of the fourth session of UNCTAD in Nairobi in May, considered that the eight industrialized countries were not demonstrating the political will to seek effectively practical solutions to development problems (e.g. the problem of indebtedness). The senior officials, meeting in July, had considered that once the analytical work was over, the next phase should be action-oriented, that is that concrete proposals for action should be adopted for submission to the Ministerial Conference. It was the lack of agreement on the work programme of the four commissions for the second phase of the Conference which led to the work being temporarily suspended in July.<sup>1</sup> Similarly, in November 1976, since substantial progress in bringing the respective positions closer together had not been possible within the commissions,<sup>2</sup> the Group of 19 developing countries blamed the industrialized countries for the postponement of the Ministerial Conference (agreed by the two co-chairmen).

### **The Ministerial Meeting of May-June 1977**

1.2.7. The Conference on International Economic Cooperation, which met at ministerial level from 30 May to 2 June — and which was addressed by Mr Roy Jenkins, President of the Commission, on the first day—discussed at length the reports drawn up by each of the four commissions, and finally adopted, at the end of difficult negotiations, its 'final report'. The Community was represented<sup>3</sup> at the CIEC by Dr Owen, President of the Council, Mr Roy Jenkins, President of the Commission, and Mr Cheysson, Member of the Commission.

The Community position was outlined by Dr David Owen, President of the Council, whose speech was followed by an address from Mr Jenkins, President of the Commission.

### **Dr Owen's speech**

1.2.8. 'The Community has a deep commitment to constant progress in the permanent dialogue between industrialized and developing countries of which the CIEC is an outstanding example. We are totally dedicated to the elimination of poverty and disease and to the growing world-wide cooperation which is necessary to achieve that aim.

The problems of the world's poor cannot be solved without the active and whole-hearted participation of the wealthier countries. Quite apart from the moral imperative which you, Mr Chairman, mentioned, there is an economic imperative which binds us together. Developing countries need the co-operation of international institutions as well as developed countries to finance their development. Balance of payments problems affect rich and poor countries, deficits must be financed until they can be corrected if world trade is to prosper for us all. Industrialized countries need markets for their products in developing countries as well as raw material supplies from them. Developing countries need markets for their production as they industrialize. Developing and industrialized countries alike need increasing resources of energy. A world shortage of energy will not increase wealth but increase poverty. A sharp jump in energy prices can produce inflation and recession affecting every nation. All these problems require international cooperation and organization if we are steadily to improve the international economic system.

The conference has been at work for some eighteen months. It is claimed by some that very little progress has been made during that time. I would like to say firmly that I think this conclusion is wrong.

Let us consider the facts. Eighteen months ago, the concept of a common fund for commodities was far from being generally accepted. Now there is agreement to the principle among all the countries gathered here. On Friday last week, a new proposal was put forward by the Group of Eight as a whole which is designed to give a strong positive impetus to the negotiation of this question in Geneva. It represents a

<sup>1</sup> Bull. EC 7/8-1976, points 2318 to 2322.

<sup>2</sup> Bull. EC 11-1976, point 2315.

<sup>3</sup> Bull. EC 10-1975, points 1109 to 1112 and 11-1975, point 1104.

major step forward in this field. And I hope it will provide the basis for agreement between us before the end of the conference.

Eighteen months ago, the support offered for the export earnings of developing countries by the IMF's system of compensatory financing was far less than it is today. In addition, a specific proposal has been put forward at this conference for a new international study on compensatory financing. On this question too, I hope we shall be able to reach agreement before the end of the conference.

Eighteen months ago, the divergence of views between us was very wide indeed on how to protect purchasing power of producers of raw materials. Now, there is a great deal more understanding of this problem and the proposal put forward by the Group of Eight last week will, I hope, provide the basis for agreement.

Eighteen months ago, no general commitment had been made by all the industrialized countries represented here to the need for increases in development assistance. Now, we have seen a significant step forward in this field in the proposals which the Group of Eight have tabled. They include a collective commitment to the idea of substantial and effective increases in aid, of specific measures for this purpose, and of a review of implementation. These are real improvements and I hope they will be welcomed as such.

Eighteen months ago—or even a year ago—there was a total contrast in the approach by both sides to problems connected with debt. Now, taking its cue from the Resolution on debt passed by UNCTAD at Nairobi, the conference has considered new ideas from both sides for a more systematic handling of such cases. Here the Community, together with the United States, has put forward some important proposals, not merely for acute debt crises but for remedial action to help aid-dependent countries in long-term situations. These proposals respond directly to the task given us by UNCTAD, and we should do our utmost here at this meeting to take this work further and complete this task. This would be a major achievement for the conference.

Eighteen months ago, no comprehensive intergovernmental discussions on energy problems had ever taken place. Now, as a result of the detailed discussions we have achieved far greater mutual understanding of the problems we all face. We have agreed that it is important for the economic well-being and progress of all countries that adequate and stable supplies of energy should be available. We have also agreed that appropriate measures should be taken to assist developing countries to develop and diversify their energy resources, by improving the flow of investment funds and technical assistance.

With the objective of enabling this process of improving mutual understanding to continue, and in the absence of any existing forum for achieving this, the Group of Eight have circulated a paper setting out their ideas for a consultative framework for energy. The European Community believes that it will be essential, and in the interests of consumers and producers alike, that we should reach agreement on this matter.

Investment is crucial to the attainment of our common objectives. We have come closer to agreement on the factors which are important in maintaining a healthy climate for investment. The Community attaches great importance to this and I hope it will be possible to reach full agreement before the end of the Conference.

As a result of discussion in this Conference, the members of the Group of Eight have come to understand more clearly the problems of individual countries with low incomes, in particular least developed countries and other countries most in need. They have a special need for additional aid in appropriate forms and on concessional terms. The members of the Group of Eight have agreed that, as part of a successful outcome of this conference, it would be appropriate to take special action to help such countries. The widest possible number of countries would take part in this special action in parallel with their efforts to increase the volume of development assistance. The members of the Group of Eight therefore aim to contribute one billion dollars to this special action programme, which would be provided to the recipient countries, as additional and, as far as possible, quick disbursing aid or debt relief. Their contributions would all be of comparable quality. I hope we will be setting out our views on this more fully very soon.

From what I have said, I hope it will be clear that the Community has aimed at this conference to deploy its political and economic influence in a positive and constructive way. I believe that this positive approach is in fact shared by all the participants here today. But, though goodwill is present and is essential, it is not enough. We have now reached a decisive stage, when previous efforts, must be translated into agreement in this conference and elsewhere.

We are all aware that this conference cannot solve all the problems. The North-South Dialogue will and must continue in many forums. After this conference is over, it will be vital to continue to build on the efforts we have made together to ensure that the world's economic system is constantly improved. We are only at the beginning of a process which must now gather momentum and commitment. We will need realism as well as goodwill if poverty, disease and hunger are to be banished and if real peace is to come to our sunfe torn world.

I hope this conference will be a memorable landmark in achieving these objectives.'

## President Jenkins' speech

1.2.9. 'As President of the Commission of the European Communities, I would like to express my pleasure in participating in this Conference and stress the great importance I attach to it. This meeting marks the end of an important stage in our dialogue. But the process of dialogue must go on elsewhere and will go on in the interest of both sides. We are all involved in a process of moving towards a more just and more equitable economic order. We can no longer tolerate the enormous gap between the rich and poor in the world community. The economic developments of recent years have underlined this.

Dr Owen has covered on behalf of the European Community a number of specific issues over which I shall not go again. He has also spoken of the interdependence of the countries represented here today. I much agree with what he has said and indeed would reinforce his remarks by adding that the well-being of all developed and developing nations is bound together. Economic growth and prosperity in developing countries is of course essential if their peoples are to enjoy a better life. But there is a growing realization that on the one hand growth in non-industrial countries is also necessary for the economic health of industrial countries and thus for the world economy as a whole, and that equally the economic stability of industrial countries is vital if improvement in the economies of developing countries is to be maintained. It follows that we now have the strongest common interest in working together. If we are to do so successfully, this will require an effort by everyone round this table.

To my mind the work which has been taking place in Paris over many months and which has culminated in this Conference has contributed a great deal to the general perception of these truths. Moreover, the CIEC has in fact already produced a significant result in that problems of development and co-operation have become an item on the agenda of virtually every major international meeting. I would only add that in its role as the most important economic partner of the developing world the Community is particularly aware of the meaning of interdependence. The Community is the largest customer for the exports of the developing countries and the largest supplier of their imports. It is therefore natural for us to appreciate the need for solidarity between developing and developed and between producer and consumer countries.

I should like to emphasize that we as a Community have attached the highest possible importance to our policy towards the developing world. Two clear examples of this have been the Lomé Convention between the Community and its partners in Africa, in the Caribbean and in the Pacific, and the regional and bilateral arrangements which the Community has made in the other continents of the world. I would also remind you of the pioneering role adopted by the Community

in introducing as early as 1971 the Generalized System of Tariff Preferences, which has been constantly improved since then. We intend to continue our efforts in this field, and we have already declared that we shall continue the operation of the system into the 1980s.

In the framework of this Conference the institution of which I am President has, I believe, made major contributions. We shall continue with great commitment to play our part as a Community institution in the work which lies ahead of us.

I believe that the discussions which have so far taken place have now led us to the point where a number of important decisions can be taken as a prelude to the further discussions in numerous fields which we will subsequently have to continue elsewhere. If we can imbue our work with a combination of sincerity and determination, our achievements should be commensurate with the task—crucial to the whole future of the world—which confronts us and the efforts which have already been made.'

## Adoption of the final report and 'atmosphere' of the meeting

1.2.10. In the report adopted at the close of the Paris Conference the points on which agreement was reached and those which remained deadlocked are about equal in number.

Of the points of agreement, however, some are of special importance, for instance the problem of official development assistance, of a \$ 1 000 million special action for the poorest developing countries and the principle of establishing a Common Fund for raw materials.

The points on which no agreement was reached included consultations on energy matters, the problem of purchasing power and that of compensatory financing (stabilization of export earnings). The report indicates in a very general manner and in a moderated tone the assessment of the Group of Nineteen and that of the Group of Eight. The two groups of countries also agreed that the Conference had helped towards a better understanding of the international economic situation and that its discussions had been useful to all the participants.

The participants agreed to transmit the results of the Conference to the United Nations General Assembly (when its 31st session is resumed) and

to all other relevant institutions for appropriate action. They also undertook to implement the measures which had been agreed and invited the countries which had not participated in the CIEC to join in this cooperative effort. The adoption of the final report, by consensus, had been preceded and accompanied by long and delicate negotiations on detailed texts for each of the subjects dealt with in the four areas covered by the Conference. These texts, which were the subject of varying degrees of agreement and disagreement, as reflected in the final report, are embodied in a lengthy document which will be annexed to the report and which forms an integral part of it.

The discussions at the Ministerial Meeting showed that the participants on the whole wished to avoid confrontation, and the spirit which prevailed at the end of the work was that of cooperation. It is true that each of the groups expressed disappointment on certain points: the Eight on the disagreement about energy consultations; the Nineteen on the changes in the structures of the economic system and the establishment of a new international economic order. They all, however, underlined the positive nature of the CIEC, the improved understanding which resulted, the usefulness of the discussions and the progress accomplished, as illustrated by the statements made at the end of the Conference. They also stressed that the CIEC was only one stage in the dialogue between developing and industrialized countries and would have to be pursued in the appropriate forums, particularly within the United Nations.

## The 'final report'

1.2.11. The text of the report adopted at the end of the Conference was as follows:

'1. The Conference on International Economic Cooperation held its final meeting in Paris, at ministerial level, from 30 May to 2 June 1977. Representatives of the following 27 members of the Conference took part: Algeria, Argentina, Australia, Brazil, Cameroon, Canada, Arab Republic of Egypt, European Economic Community, India, Indonesia, Iran, Iraq, Jamaica, Japan, Mexico, Nigeria, Pakistan, Peru, Saudi Arabia,

Spain, Sweden, Switzerland, United States, Venezuela, Yugoslavia, Zaire and Zambia. The participants welcomed the presence of the Secretary-General of the United Nations. The following observers also attended the Conference: OPEC, IEA, UNCTAD, OECD, FAO, GATT, UNDP, UNIDO, IMF, IBRD and SELA.

2. The Honourable Allan J. MacEachen, PC, MP, President of the Privy Council of Canada, and His Excellency Dr Manuel Perez-Guerrero, Minister of State for International Economic Affairs of Venezuela, co-chairmen of the conference, presided over the Ministerial Meeting. Mr Bernard Guitton served in his capacity of Executive Secretary of the Conference.

3. The Ministerial representatives at the meeting recognized that during the course of its work, and within the framework established at the Ministerial Meeting with which the Conference was initiated in December 1975, the Conference had examined a wide variety of economic issues in the areas of energy, raw materials, development and finance. There was recognition that the issues in each of these areas are closely interrelated and that particular attention should be given to the problems of the developing countries, especially the most seriously affected among them.

4. The Co-Chairmen of the Commissions on Energy, Mr Stephen Bosworth and HE Abdul-Hadi Taher; on Raw Materials, Their Excellencies Alfonso Arias Schreiber and Hiro-michi Miyazaki; on Development, HE Messaoud Ait-Chaalal and Mr Edmund Wellenstein; and on Financial Affairs, Mr Stanley Payton and HE Mohammed Yeganeh presented on 14 May the final reports of the work of the four Commissions, which were considered at a meeting of Senior Officials of the Conference from 26 to 28 May, and subsequently submitted to the Ministerial Meeting.

5. The participants recalled their agreement that the Conference should lead to concrete proposals for an equitable and comprehensive programme for international economic cooperation including agreements, decisions, commitments and recommendations. They also recalled their agreement that action by the Conference should constitute a significant advance in international economic cooperation and make a substantial contribution to the economic development of the developing countries.

6. The participants were able to agree on a number of issues and measures relating to:



*Energy*

- (1) Conclusion and recommendation on availability and supply in a commercial sense, except for purchasing power constraint.<sup>1</sup>
- (2) Recognition of depletable nature of oil and gas. Transition from oil-based energy to more permanent and renewable sources of energy.
- (3) Conservation and increased efficiency of energy utilization.
- (4) Need to develop all forms of energy.
- (5) General conclusions and recommendations for national action and international cooperation in the energy field.

*Raw materials and trade*

- (1) Establishment of a common fund with purposes, objectives and other constituent elements to be further negotiated in UNCTAD.
- (2) Research and development and some other measures for natural products competing with synthetics.
- (3) Measures for international cooperation in the field of marketing and distribution of raw materials.
- (4) Measures to assist importing developing countries to develop and diversify their indigenous natural resources.
- (5) Agreement for improving generalized system of preferences schemes; identification of areas for special and more favourable treatment for developing countries in the multilateral trade negotiations, and certain other trade questions.

*Development*

- (1) Volume and quality of official development assistance.
- (2) Provision by developed countries of \$ 1 billion in a special action programme for individual low-income countries facing general problems of transfer of resources.
- (3) Food and agriculture.
- (4) Assistance to infrastructure development in developing countries with particular reference to Africa.
- (5) Several aspects of the industrialization of developing countries.
- (6) Industrial property, implementation of relevant UNCTAD resolutions on transfer of technology and on UN Conference on science and technology.

*Finance*

- (1) Private foreign direct investment, except criteria for compensation, transferability of income and capital and jurisdiction and standards for settlement of disputes.
- (2) Developing country access to capital markets.
- (3) Other financial flows (monetary issues).
- (4) Cooperation among developing countries.

The texts agreed appear in the attached annex which is an integral part of this document.

7. The participants were not able to agree on other issues and measures relating to:

*Energy*

- (1) Price of energy and purchasing power of energy export earnings.
- (2) Accumulated revenues from oil exports.
- (3) Financial assistance to bridge external payments problems of oil-importing countries or oil-importing developing countries.
- (4) Recommendations on resources within the Law of the Sea Conference.
- (5) Continuing consultations on energy.

*Raw materials and trade*

- (1) Purchasing power of developing countries.
- (2) Measures related to compensatory financing.
- (3) Aspects of local processing and diversification.
- (4) Measures relating to interests of developing countries in: world shipping tonnage and trade; representation on commodity exchanges; a Code of Conduct for Liner Conferences, and other matters.
- (5) Production control and other measures concerning synthetics.
- (6) Investment in the field of raw materials.

<sup>1</sup> Certain Group of 19 delegations consider that this item should be viewed in the context of the report of the Co-Chairman of the Energy Commission to the Ministerial Meeting and the proposal presented to the Energy Commission, by the delegates of Egypt, Iran, Iraq and Venezuela.

(7) Means for protecting the interest of developing countries which might be adversely affected by the implementation of the integrated programme.

(8) Relationship of integrated programme to new international economic order.

(9) Measures related to trade policies, to the institutional framework of trade, to aspects of the GSP, to the MTN, and to conditions of supply.

### *Development*

(1) Indebtedness of developing countries.

(2) Adjustment assistance measures.

(3) Access to markets for manufactured and semi-manufactured products.

(4) Transnational corporations.

### *Finance*

(1) Criteria for compensation, transferability of income and capital and jurisdiction and standards for settlement of disputes.

(2) Measures against inflation.

(3) Financial assets of oil-exporting developing countries.

The proposals made by participants or groups of participants on these matters also appear in the same annex.

8. The participants from developing countries in CIEC, while recognizing that progress has been made in CIEC to meet certain proposals of developing countries, noted with regret that most of the proposals for structural changes in the international economic system and certain of the proposals for urgent actions on pressing problems have not been agreed upon.

Therefore, the Group of 19 feels that the conclusions of CIEC fall short of the objectives envisaged for a comprehensive and equitable programme of action designed to establish the new international economic order.

9. The participants from developed countries in CIEC welcomed the spirit of cooperation in which on the whole the Conference took place and expressed their determination to maintain that spirit as the dialogue between developing and developed countries continues in other places. They regretted that it had not proved possible to reach agreement on some important areas of the dialogue such as certain aspects of energy cooperation.

10. The participants in the Conference think that it has contributed to a broader understanding of the international economic situation and that its intensive discussions have been useful to all participants. They agreed that CIEC was only one phase in the ongoing dialogue between developed and developing countries which should continue to be pursued actively in the UN system and other existing, appropriate bodies.

11. The members of the Conference agreed to transmit the results of the Conference to the United Nations General Assembly at its resumed 31st Session and to all other relevant international bodies for their consideration and appropriate action. They further agreed to recommend that intensive consideration of outstanding problems be continued within the United Nations system and other existing, appropriate bodies.

12. The participants in the Conference pledged themselves to carry out in a timely and effective manner the measures for international cooperation agreed to herein. They invite the countries which did not participate in the Conference to join in this cooperative effort.

13. Finally, the ministerial representatives at the Conference reiterated their appreciation to the President of the French Republic and to the Government of France for their hospitality and for their cooperation in facilitating the work of the Conference on International Economic Cooperation.'

### **Commission reactions**

#### *Press conference given by Mr Roy Jenkins and Mr Claude Cheysson*

1.2.12. President Jenkins underlined—in a press conference given at the end of the CIEC—that the results of the conference had been better than many comments had given to believe. Major advances had been made in relations between the industrialized and developing world. The Community in general, and the Commission in particular, had been able to play an active and significant part. Without the Community there would have been no dialogue and no results. The President singled out:

(i) the common fund, the principle of which had now been agreed;

(ii) official development assistance, where there had been a significant advance in the commitments given by industrial countries, notably the US and Japan;

(iii) the special action programme, for which the developing countries had undertaken to provide \$ 1 000 million;

(iv) monetary issues, where there was agreement on increased flows of capital.

In general, the atmosphere of the conference had been good. There were considerable risks in assembling such a conference which could have led to confrontation and breakdown. However, the risks had been run and overcome. A considerable advance had been made which could not have been achieved without the conference or the Community's contribution.

Mr Cheysson echoed the President's assessment and stressed the part played by the representatives of the Community (Dr Owen, President Jenkins and himself) in the three working groups. The agreement reached on the establishment of a common fund was particularly important in unblocking commodity negotiations. This had been regarded by the developing countries as the most important issue in the field of raw materials. One could not have expected fundamental changes in the world economic order in 18 months, but important progress had been made.

In answer to questions, the following principal points were made:

(i) *Form of the conference:* The President agreed that there had been risks, that more progress might have been achieved earlier and that the ministerial meeting had set itself formidable tasks, but despite the risks it had achievements to show.

(ii) *Follow-up:* Mr Jenkins said that it would be a great setback if there were any tendency to go back on agreements reached at the conference. One should not think in terms of concessions to the developing world or of the dialogue as a charitable exercise. It was a recognition of interdependence. The economic development of the third world was of great importance to the economies of the industrial countries. To follow up the conference, one should make a reality in all forums of the points of agreement and build on them.

Mr Cheysson confirmed that the CIEC was definitely closed, but will continue to influence the future discussions between developed and developing countries, wherever they take place. It had brought insufficient results for both sides. But without its existence it was unlikely that such attention would have been paid both by governments and the public in all countries of the world to the importance of economic matters and economic interdependence.

(iii) *Energy:* Mr Cheysson said that the industrial countries maintained their belief in the need for a continuing dialogue on energy. There were fundamental problems which needed consideration by all countries in the world, including the East Europeans. Taking into account not only the present but also the long-term balance between energy producers and consumers, satisfactory solutions would be found only on a world-wide level. Therefore, it would not be a valid alternative to look now for regional solutions, for example within the Euro-

Arab Dialogue, since CIEC had not come to a conclusion in this field.

(iv) *Stabex:* Mr Cheysson also recalled that one of the major contributions of the EEC to the CIEC was the proposal for a study of a stabilization scheme for raw material export earnings. Unfortunately, no agreement could be reached at the conference on this.

(v) *Priorities:* In the third world, the President said that the urgent moral demand was to help the poorest and those most in need of aid. Mr Cheysson pointed out that the group of 19 at the conference represented countries which did not all share the same interests.

# 3. VAT: Adoption of sixth Directive

## Tax on budgetary implications

*1.3.1.* The final adoption by the Council, on 17 May, of the sixth Directive on value added tax (VAT)<sup>1</sup> represents a milestone on the road to harmonization provided for by the EEC Treaty.

This Directive, which was adopted on the basis of the proposal submitted by the Commission on 29 June 1973<sup>2</sup> and amended on 26 July 1974<sup>3</sup> to take account of the opinion of Parliament, is important for the development of the Community in two ways. From the tax viewpoint it makes VAT more neutral by eliminating distortions of and obstacles to competition. From the budgetary viewpoint, it means that the Communities' own resources arrangements, which are to replace the financial contributions of the Member States, can now be operated in full.

It has taken almost four years for the Commission's proposal presented to the Council in June 1973 to be adopted as the sixth Directive. These four years have been years of protracted discussions and even severe disagreement, particularly during the last few months. The Commission has played an especially active role during the final phase of negotiations, its aim being to ensure that the directive would be adopted during the United Kingdom's presidency of the Council, as had been agreed jointly on 16 December by the Council under the presidency of the Netherlands.

### The sixth Directive and the tax harmonization process

*1.3.2.* This new Directive on the common system of value added tax was adopted by the Council on 17 May after about three years' work. It is the sixth in a series of Directives devoted to the harmonization of legislation in Member States relating to turnover taxes.

This harmonization process—the source of which is Article 99 of the EEC Treaty—did not really

get under way until 11 April 1967<sup>4</sup> when the first and second Council Directives on this subject were adopted. The first established the principles and guidelines for the common system of value added tax and the second laid down the structures and main elements of this system.

It has taken the ten years which have elapsed between the first two and the sixth Directives to establish what is known as the 'uniform basis of assessment' for value added tax, i.e. a set of common rules making it possible to define the scope of the tax and the method of determining the liability: territorial application, taxable persons, taxable transactions, place of taxable transactions, chargeable event and the chargeability of tax, taxable amount, rules for applying rates of taxation, exemptions, machinery for deductions relating to input tax, special schemes.

The uninitiated observer may be inclined to question the real values of this Directive for the building of the Community: was it really necessary to adopt a full range of rules, some very complex, to realize the objective set out in Article 99 of the EEC Treaty? In other words, has not the harmonization of value added tax become an end in itself? Before dealing with this objection—which is related to the question of tax neutrality within the Community and in international trade in goods and services—consideration must be given to a further aspect of the problem, namely the implementation of the Communities' own resources arrangements in full in accordance with the Decision of 21 April 1970.<sup>5</sup>

### The introduction of the definitive arrangements for the own resources system

*1.3.3.* What are own resources? They are revenue accruing to the Community as of right from

<sup>1</sup> OJ L 145 of 13.6.1977.

<sup>2</sup> OJ C 80 of 5.10.1973 and Supplement 11/73 — Bull. EC.

<sup>3</sup> Bull. EC 7/8-1974, point 2137.

<sup>4</sup> OJ 71 of 14.4.1967.

<sup>5</sup> OJ L 94 of 28.4.1970.

taxes levied on certain transactions such as imports and sales. The revenue is generated by the transactions themselves, and is not determined by a scale of payments, as is currently the case with the financial contributions which the Member States make to the budget of the Communities.

The decision to replace Member States' financial contributions by the Communities' own resources was taken by the Council on 21 April 1970<sup>1</sup> and was then ratified by the national parliaments. The changeover was to be carried out gradually: initially, own resources comprised only the agricultural levies and an increasing proportion of customs duties, the shortfall being covered by financial contributions from Member States calculated on the basis of a scale of payments.

Under the Council Decision, the Communities' budget was to be fully financed, from 1 January 1975, by own resources. The financial contributions of the Member States were to be replaced by the allocation to the Communities of an amount of VAT revenue up to a maximum of 1% of the basis of assessment. But the Council failed to agree on a single definition of a uniform basis, and the system of financial contributions, now calculated on the basis of each Member State's share of Community GNP—an arrangement provided for in Article 4(2) and (3) of the Decision of 21 April 1970—was continued up to and including 1977. Now that the sixth Directive has been adopted, the own resources arrangements can be completed in 1978 and the Community will have a system giving it financial autonomy. In practice, this will be achieved only when the Council has approved the implementing financial regulation relating to VAT, and when the Member States have adapted their own legislation.

Transition to the complete own resources arrangements has important implications:

(a) The system of financing will be neutral, in the sense that the own resources paid by Member

States will stem purely from the economic activity in each State. In the case of the three new Member States, however, Article 131 of the Act of Accession imposes certain limits on actual payments until 1980.

(b) The new system will also impose new constraints as regards budget estimates and management. The volume of revenue will be a more rigid factor than in the past, since it will no longer be a question of increasing without limit this revenue to cover expenditure, as in the case of financial contributions from Member States. Accuracy in estimating revenue and rigour in administering expenditure will therefore be even more necessary than in the past.

This clearly demonstrates the importance of the common VAT system, all the structures of which must be harmonized to allow of a fair distribution of the financial burden between Member States.

This budgetary, somewhat technical, aspect of harmonization may not strike the Community citizen, whether producer or consumer, as being of essential interest; the other positive aspect of the Directive—the improvement of tax neutrality in international trade in goods and services—therefore merits particular emphasis.

### The improvement of tax neutrality

1.3.4. The two Directives of 11 April 1967 having made the introduction of VAT compulsory, while maintaining tax exemption of exports and the taxation of imports, it might be thought at first sight that the situation is practically ideal for producer or dealer in international trade. The consumer, too, is likely to be pleased by the widening of the tax exemptions granted to travellers, since, once his purchases have been taxed in one member country, they cannot be taxed a second time on import into another.

<sup>1</sup> OJ L 94 of 28.4.1970.

The sixth Directive does not alter this situation, but adds something: either by filling gaps left by the second Directive (particularly in the very wide field of supplies of services, in the agricultural sector, in the small enterprises sector, in the determining of exempted activities and transactions, in the machinery for deductions relating to input tax) or by laying the groundwork for future action (particularly as regards second-hand goods and *objets d'art*, antiques and collectors' items, international passenger transport, the list of expenditure for which deduction of tax may not be made, the arrangements for refunding tax to foreign enterprises).

All of these factors clearly play a part in improving tax neutrality, since their objectives include:

- (a) the prevention of double taxation or non-taxation in respect of the supply of services;
- (b) the provision of an agreed framework for the wide range of special schemes for small enterprises;
- (c) the determination of a common basis and method for calculating the flat-rate repayment of input tax to farmers who are not subject to the normal VAT arrangements;
- (d) the avoidance of tax incentives or penalization measures by drawing up common lists of exemptions, a common list of non-deductible expenditure, a common scheme for second-hand goods or common arrangements for refunding tax to foreign enterprises.

It might be argued that only the first of these measures, that concerning the provision of services, really related to tax neutrality in international trade, but such an objection is based on a narrow view of the problem, confined to one aspect of the subject only and ignoring the point that the real aim goes beyond the search for neutrality at frontiers. The real aim is to facilitate the inter-penetration of economies, making the Community a single large market in which persons, goods, services and capital can move freely and where competition cannot be distorted through differently structured national laws relating to

VAT. This aim is set out in Article 4 of the first (1967) Directive and is usually expressed as the 'abolition of tax frontiers within the Community'.

Since this aim cannot be achieved within the very near future, the Council has provided for quite a large number of temporary derogations. These concern measures which actually have no particular impact on tax neutrality at intra-Community frontiers; but they will allow the Member States concerned to adapt their legislation gradually to Community rules.

# 4. Budget guidelines and policy options

1978 budget

## The 1978 preliminary draft budget

1.4.1. The preliminary draft budget for 1978<sup>1</sup> adopted by the Commission on 26 May is the first quantified reflection of the guidelines it has been working on in the first few months of the year. The amounts of the appropriations proposed in it and the concentration of financial efforts on selected activities represent policy options of considerable significance.

Among the most significant chapters of the preliminary draft budget are those concerned with regional and social operations (the European Regional Development Fund and the European Social Fund). In both cases the aim is to make a Community contribution to operations which, directly or indirectly, will have positive consequences for employment.

The main effort requested by the Commission will apply to the Regional Fund in connection with its reorganization after the experimental phase of the first three financial years. The increase in the appropriations should make it possible to boost the quality of operations. As regards the European Social Fund, the appropriations for which have been steadily increasing for several years, the aim is to maintain this growth.

Another important chapter is that pertaining to industry and energy. As regards industry, the main concern is to obtain significant means of action in two major sectors where operations have already been launched: data-processing and aircraft manufacturing, both vital European growth industries.

As regards energy, the first initiatives launched two years ago must be so supplemented as to provide the Community with a complete range of means of influencing research on new resources, the development of alternative energy sources, technological development aimed at better exploitation of existing sources as well as energy conservation.

Lastly, continuing its sustained efforts since the enlargement of the Community, the Commission has asked for a significant strengthening of the appropriations for development cooperation.

## Proposed appropriations for 1978 in outline

### Volume of expenditure

1.4.2. In the Commission's eyes, the Community budget is, by definition, an expression in financial terms of the political will to strengthen and develop the Community. This does not mean an increase in the budget for its own sake. Community operations must not constitute an added burden on the taxpayer; rather must they replace national operations in cases where the Community is able to act more effectively.

This means that increases in the budget must be accepted where they are the consequences of Community operations which meet these standards and where they are vital to the maintenance and development of a strong Community.

However, as the Commission stressed in its communication on the main outlines of the 1978 budget, sent to the Council and Parliament in March 1977, the Commission is fully aware of the climate of austerity in respect of public expenditure now prevailing in all the Member States. Even though the Community budget is more modest than those of the Member States—some 2% of the total of these—it must nevertheless be seen in that context.

This is why the Commission has been at pains to hold down its proposals in so far as this was compatible with budgetary aims and to concentrate increases in the priority sectors as defined in its communication dealing with budget problems as a whole.<sup>2</sup>

<sup>1</sup> Points 2.3.81 to 2.3.83.

<sup>2</sup> Bull. EC 3-1977, point 2.3.94.

1.4.3. Despite severe reductions in the rates of growth suggested for some programmes, the overall increase in the *budget* is a significant one. The total of appropriations for commitment in the 1978 budget amounts to 12 495 million EUA,<sup>1</sup> as compared with 10 255 million EUA in the 1977 budget (including the supplementary budget and the letter of amendment now in the hands of the Council and Parliament), i.e. a 21.85% increase. The total of appropriations for payments amounts to 11 850 million EUA as against 9 586 million EUA in the 1977 budget, including the supplementary budget. This increase is higher than those of the last few years. The reason is that the rate of increase of EAGGF Guarantee Section expenditure has gone up, a fact which has necessitated adjustments in the budget as a whole, to avoid severe restraints on the development of non-agricultural operations.

In the Commission's proposals, 'compulsory' expenditure involves commitments totalling 9 827 million EUA (approximately four-fifths of the total), a 17.75% increase over 1977, while 'non-compulsory' expenditure amounts to 2 668 million EUA, a 39.76% increase. This figure corresponds pretty much to the rate proposed for the 1977 budget and is far below that of the 1976 budget.

The Commission's proposals mean that the increase in non-compulsory expenditure exceeds the maximum rate, which—to conform with the Treaties—should be 13.6%.<sup>1</sup> This situation resembles those which arose in previous years, where the maximum rate was exceeded because of the need to create opportunities for new operations on a highly limited basis. The final percentage of the increase will be decided jointly by the Council and Parliament.

### Structure of expenditure

1.4.4. Agricultural expenditure continues to dominate the budget. The *EAGGF Guarantee Section* accounts for some 62% of the overall

budgetary volume; increasing by 871 million EUA, it reaches 7 795 million EUA, i.e., the largest rise in absolute figures. However, mention must also be made of the revenues derived from agricultural levies and levies for sugar storage (375 million EUA), which bring the total budgetary revenue from agricultural sources to some 1 672 million EUA: the net total of agricultural expenditure is thus 6 123 million EUA. This increase reflects the impact, over a whole year, of the recent decisions on farm prices on the basis of the best estimates currently available of economic developments. As has been the case in the past, other increases in expenditure may occur in 1978 as a result of market developments—which it is impossible to predict at present—and of next year's price decisions. However, the Commission will make every effort to adhere to its declared intent of holding down agricultural expenditure, its revised proposals on the elimination of the monetary compensatory amounts being of particular importance in this respect.

As regards the *EAGGF Guidance Section*, a significant increase of 186 million EUA has been proposed, bringing the appropriations for commitment up to 511 million EUA, including drawings on the 'Mansholt reserve'. This increase is intended to complete the measures for encouraging structural reform and should help to resolve in part some of the most urgent problems in this area.

1.4.5. However, the Commission takes the view that the main thrust of the 1978 budget should be aimed at a balanced series of Community operations intended to meet the problems of unemployment and structural change now plaguing the Community.

The *European Regional Development Fund*, which deals directly with the problem of structural imbalance, is of particular importance this year. After its first three years (1975-77), during which the total expenditure was fixed by the initial

<sup>1</sup> Bull. EC 4-1976, point 2.3.78.



Regulation at 1 300 million u.a., the Commission decided to put forward for the first time a proposal regarding the amount of the fund as part of normal budgetary procedure. Over the last few years an increasing degree of importance has been attached to the Fund. Besides, it is necessary to restore the volume in real terms of the volume of operations initially envisaged for the Fund. The Commission accordingly takes the view that a substantial increase is needed, above and beyond the some 400 million EUA earmarked for 1977 and is proposing an appropriation of 750 million EUA for new commitments by the Fund in 1978. In the near future the Commission is to put forward proposals on a reform of the Regional Fund so as to make it more effective.

The *Social Fund* is mainly concerned with the problem of unemployment and is therefore another priority sector. Its commitments have grown over the last few years, but actual payments have lagged behind. The Commission therefore wishes to improve the Fund's impact in 1978 by asking for a major increase in appropriations for payment: a rise from 141 to 536 million EUA. However, in the light of the priorities involved, the Commission takes the view that the increase in new commitments should keep pace with the inflation rate, i.e. that they should be increased from 503 to 560 million EUA. Obviously, once payments have caught up with commitments, a further substantial increase in the latter will have to be envisaged. At a later date, the Commission will also be able to put forward proposals on the new operations by the Social Fund envisaged in its recent proposals on the reform of that Fund.

*Industrial adaptation* is a further aspect of the Community's economic problems. The Commission has considered it opportune to propose increased expenditure on industrial policy in the data-processing and aircraft manufacturing sectors, and may propose other operations at a later date.

In the *energy* sector, the preliminary draft budget includes proposals for expenditure on a whole range of new or existing operations. The most notable among those already under way are technological development projects in the hydrocarbons sector and in prospects for uranium. New operations include plans for developing new energy sources (e.g. liquefaction of coal, and geothermal energy) which are of outstanding importance as part of the attempt to reduce the Community's dependence on imported oil.

Apart from these sectors, which are concerned with the Community's internal economic priorities, the Commission attaches particular importance to *development cooperation*. In this sector the appropriations for commitment which have been proposed have gone up from 513 to 930 million EUA, an increase of over 80%, while appropriations for payment have risen from 513 to 633 million EUA. The Commission has also proposed that the level of the Community's food aid programme be consolidated and that aid to non-associated countries be increased from 48 to 80 million EUA. In addition, 1978 will be the starting year for the financial protocols concluded between the Community and a number of Mediterranean countries.

Obviously, the budget includes other operations not mentioned here. However, the sectors which have been mentioned comprise the Commission's main policy objectives. Even in these sectors the Commission has made every effort to hold down increases wherever this was compatible with its objectives; in all other sectors it has practised an even greater austerity.

## Revenue

1.4.6. As regards revenue, the most important innovation is the use of the *value added tax* (VAT)<sup>1</sup> as an own resource. Thanks to the addi-

<sup>1</sup> Points 1.3.1 to 1.3.4.

tion of this revenue, the 1978 Community budget will be financed entirely from the Community's own resources. The own resources already at the Community's disposal (agricultural levies, levies on sugar storage and import duties) will continue to finance roughly half the budget. The contributions by the Member States based on a proportion of their national product will be replaced by a portion of the VAT equal to a maximum of 1% of the tax base. For 1978 the Commission has asked for a rate of 0.77%.<sup>1</sup>

fixed at 400 million EUA. In some other sectors the conversion is having the opposite effect, while in others there is no change.

## Introduction of the EUA

1.4.7. In the 1978 budget, Community revenues and expenditure are expressed for the first time in *European units of account* (EUA). The EUA<sup>2</sup> is a basket unit reflecting the value in real terms of the currencies of the Member States; its equivalent in national currencies changes daily. However, in drawing up the budget it is necessary to use specific exchange rates. The 1978 budget is expressed in the EUA valid on 1 February 1977. However, actual expenditure will as a general rule be recorded in line with the rate of the day, although for some expenditure the rates will remain fixed for longer periods, even though the value of each type of expenditure will be updated at least once a year. The introduction of the EUA presents some transitional problems as regards converting the current rate into EUA. The Commission has adopted the principle that the effects of the adoption of the new unit of account should be financially neutral. It has therefore been necessary to examine each category of expenditure and allocate to it an appropriate conversion rate which takes account of the actual economic and financial impact of existing operations and the conversion of the sums involved into EUA. Thus, in respect of the Regional Fund, where a large portion of the expenditure was in depreciated currencies, the value of 500 million u.a.—the 1977 level of expenditure—was

<sup>1</sup> Point 2.3.82.

<sup>2</sup> Bull. EC 3-1975, points 2201 and 2446.

# 5. EEC-Lebanon cooperation Agreement

Agreement with Lebanon

*1.5.1.* The signing in Brussels on 3 May of a cooperation agreement between the Community and Lebanon marked a further step in the application of the Community's overall Mediterranean approach.

This agreement follows those signed on 18 January with Egypt, Jordan and Syria<sup>1</sup>: the Community now has similar links with all the Mashrek countries. This is the third agreement with this country, which first expressed the desire to enter into negotiations with the Community in 1962. Since the 1965 trade and technical cooperation agreement, the content and scope of each subsequent agreement have contributed to a considerable improvement in the nature and quality of relations between the Community and Lebanon.

The cooperation agreement was signed on behalf of the Lebanese Government by Mr Fouad Boutros, Vice-President of the Council and Minister of Foreign Affairs, and on behalf of the Community by Dr David Owen, United Kingdom Secretary of State for foreign and Commonwealth Affairs and President of the Council of the European Communities, and Mr Claude Cheysson, Member of the Commission.

Emphasizing the Lebanon's considerable needs arising from the destruction and damage which have not spared any sector of its economy, Mr Boutros asked the Community at the signing ceremony to do all it could to contribute to the reconstruction of Lebanon by granting aid of some 100 million u.a. via the European Investment Bank. This request was officially submitted in a letter dated 17 May.

## Scope of the agreement

*1.5.2.* As with the other Mashrek countries, the agreement with Lebanon is aimed at establishing wide-ranging cooperation by combining the various measures which could contribute to its economic and social development, in trade and in economic, technical and financial cooperation.

The agreement being of indefinite duration, it provides a timescale for overall cooperation that will enable development problems extending beyond the short term to be tackled. A cooperation council, assisted when necessary by committees of experts, will ensure a permanent dialogue, which could also be set up between representatives of political forces. Meetings are planned to review the results of the agreements and to consider any improvements that can be made to them, the first round to begin in 1979, the second in 1984.

## Economic, technical and financial cooperation

*1.5.3.* The economic, technical and financial cooperation provided for under the agreement will complement the efforts to be made by Lebanon in the framework of the objectives and priorities of its development plan and programme. Special emphasis is placed on regional cooperation and the implementation of integrated schemes, i.e. those which combine several types of operation (e.g. training, investment aid, trade promotion).

Over and above the Community's financial contribution to the development of production and the economic infrastructure of Lebanon, there is considerable scope in the following fields:

- (i) marketing and sales promotion;
- (ii) industrial cooperation, particularly by organizing contacts between business operators, facilitating the acquisition of patents on favourable terms, working towards the removal of non-tariff barriers, etc.;
- (iii) encouragement of private investment;
- (iv) cooperation in the fields of science, technology and the protection of the environment;
- (v) the participation by Community operators in prospecting, production and processing pro-

<sup>1</sup> Bull. EC 1-1977, points 1.3.1 to 1.3.5.

grammes for the resources of the parties concerned, and any activities which would develop these resources on the spot, and the proper execution of cooperation and investment contracts concluded to this effect between the respective operators;

(vi) cooperation in the fisheries sector.

The sums to be made available to Lebanon (EIB loans, loans on special terms and grants) will total 30 million u.a. A financial protocol sets out the procedures for utilizing the Community's contribution, for a period beginning from the signing of the agreement and expiring (as for the other Mashrek countries) on 31 October 1981; in addition to being a direct contribution by the Community in the development of these countries, it will act above all as a catalyst for raising capital from other sources.

These resources will be allocated to the partial or total financing of investment projects in the fields of production and economic infrastructure, the technical preparation of these projects and training measures.

The agreement explicitly provides for the possibility of joint measures in which other providers of funds or international financial organizations could participate along with the Community. This provision should allow in particular for triangular cooperation with the oil-producing countries.

### Trade arrangements

1.5.4. There will be a 100% tariff reduction as from 1 July 1977 for products other than those covered by the common agricultural policy, i.e. raw materials and industrial products, including ECSC products.

There are some temporary exceptions to this rule: imports into the Community of certain products—woven fabrics of cotton and phosphatic fertilizers—will be subject to ceilings until the end of 1979 at the latest.

The tariff concessions for exports of agricultural products vary between 40% and 80%. They are however accompanied by certain precautions (quotas, import timetables, adherence to the rules of the common organizations of the markets, safeguard clauses) designed to safeguard the legitimate interests of Community producers.

Community exports to Lebanon will enjoy most-favoured-nation treatment, although exceptions may however be made with regard to other developing countries. The agreement does not require Lebanon to grant reciprocity immediately: it undertakes to consolidate the existing system, but may strengthen its customs protection where necessary for its industrialization and development needs.

However the liberalization of trade remains the ultimate objective of the agreement, and the measures which may be taken to this end must be reviewed as the gap between development levels narrows.

# 6. The London Western Summit

1.6.1. For the first time, the Community as such participated in some of the discussions which took place at the third summit of Western industrialized countries held in London on 7 and 8 May. It was represented by Mr Roy Jenkins, President of the Commission, and Mr James Callaghan, President of the Council of the Communities and Prime Minister of the United Kingdom.

The two previous summits were held at Rambouillet<sup>1</sup> from 15 to 17 November 1975 and in Puerto Rico<sup>2</sup> on 27 and 28 June 1976. As at both of those meetings of the Heads of State or Government a final declaration was issued after the London talks.

## Origin and development of the Western summits

1.6.2. The origin of the Western economic summits, which began in 1975, is to be found in the first North-South contacts. This is not surprising considering the objectives assigned to these meetings by the Rambouillet Declaration, which stated: 'The industrial democracies are determined to overcome high unemployment, continuing inflation and serious energy problems'.

These problems were in fact the reasons behind the Paris preparatory meeting on energy in April 1975,<sup>3</sup> attended by oil-producer and consumer countries. Moreover, the economic crisis, which reached its acutest level in 1974 and 1975 and to which the three Western summits devoted much attention, is due in no small measure to the energy crisis.

The composition of the summits has changed over this three-year period. Six countries took part in the Rambouillet meetings in November 1975: four Community Member States (Germany, France, Italy and the United Kingdom), the United States and Japan.

One more country, Canada, was represented at the Puerto Rico summit the following year.

In 1977 the major advance was the participation of the Community as such.

Although matters within the competence of the Community were discussed at the previous summits, the Community was not invited to take part in the meetings, which were purely intergovernmental affairs. This was criticized by the European Parliament, the Commission and the five Member States that were not invited.<sup>4</sup>

In response to this criticism the European Council, meeting in Brussels on 12 and 13 July 1976, briefly considered the Puerto Rico conference and unanimously agreed that when such conferences took place the Member States should inform and consult one another as quickly as possible on how Community interests could be consolidated and that, should problems crop up which fell within the Community's competence, these should be dealt with in full compliance with the requirements of Community procedure.<sup>5</sup>

The difficulties were still not ironed out, however, since one Member State was still reluctant to accept the idea of such participation. This led Parliament to adopt the following resolution on 22 March 1977:

*'The European Parliament,*

— emphasizing that the problems to be examined at the Western Economic Summit in London on 6 and 7 May 1977 directly concern the competences of the Community and the fundamental interests of all its Member States,

— recalling the undertaking given by the European Council of 12 and 13 July 1976 after the Puerto Rico Conference to respect Community procedures and systems and systems at international conferences,

— recalling the commitment that the Community should be able to speak with one voice in international affairs,

<sup>1</sup> Bull. EC 11-1975, Third Part.

<sup>2</sup> Bull. EC 6-1976, Third Part.

<sup>3</sup> Bull. EC 4-1975, points 1401 to 1409.

<sup>4</sup> Bull. EC 3-1977, point 2.3.1.

<sup>5</sup> Bull. EC 7/8-1976, end of point 2434.

1. Insists that the Community as such—Council and Commission—be represented at the forthcoming Western Economic Summit in London;
2. Urgently requests all the Governments of the Member States and the Council of the Communities to work towards this end and requests the Government of the host country of the Summit to take immediate action in line with this position adopted by the parliamentary institution which represents the peoples of the Community;
3. Instructs its President to forward this resolution to the Governments of the Member States and the Council of the Communities.<sup>1</sup>

Agreement was finally reached on a Community presence at the London Summit when the European Council met in Rome on 25 and 26 March. A statement issued by the Presidency placed on record that:

'The President of the Council and the President of the Commission will be invited to take part in those sessions of the Downing Street Summit at which items which are within the competence of the Community are discussed. Examples of such items are negotiations about international trade and the North-South dialogue.'<sup>2</sup>

Since the State chairing the Council wished to devote the first day of the Summit to a general discussion between Heads of State or Government alone, without the President of the Commission being present, the Commission spokesman made the following statement on 4 May:

'1. Compared with similar events in the past (Rambouillet, Puerto Rico), a step forward has been made in that for the first time the Community as such will be taking part in a meeting of this kind.

2. However, the arrangement of the agenda appears artificial and is not entirely satisfactory.'

### The Downing Street Conference

1.6.3. The Downing Street Summit, as it is usually called, was attended on 7 and 8 May by the Heads of State or Government of the seven countries that attended the Western Summit meeting in Puerto Rico and by Mr Roy Jenkins, President of the Commission.

The topics discussed included world economic prospects, international trade and the Tokyo Round, energy problems, North-South relations and non-proliferation of nuclear weapons.

1.6.4. The following *declaration*, to which an appendix was added, was issued at the end of the conference:

#### Downing Street Summit Conference: Declaration

'In two days of intensive discussion at Downing Street we have agreed on how we can best help to promote the well-being both of our own countries and of others.

The world economy has to be seen as a whole; it involves not only cooperation among national governments but also strengthening appropriate international organizations. We were reinforced in our awareness of the interrelationship of all the issues before us, as well as our own interdependence. We are determined to respond collectively to the challenges of the future.

— Our most urgent task is to create more jobs while continuing to reduce inflation. Inflation does not reduce unemployment. On the contrary it is one of its major causes. We are particularly concerned about the problem of unemployment among young people. We have agreed that there will be an exchange of experience and ideas on providing the young with job opportunities.

— We commit our governments to stated economic growth targets or to stabilization policies which, taken as a whole should provide a basis for sustained non-inflationary growth in our own countries and world wide and for reduction of imbalances in international payments.

— Improved financing facilities are needed. The International Monetary Fund must play a prominent role. We commit ourselves to seek additional resources for the IMF and support the linkage of its lending practices to the adoption of appropriate stabilization policies.

— We will provide strong political leadership to expand opportunities for trade to strengthen the open international trading system, which will increase job opportunities. We reject protectionism: it would foster unemployment, increase inflation and undermine the welfare of our peoples. We will give a new impetus to the Tokyo Round of Multilateral Trade Negotiations. Our objective is to make substantive progress in

<sup>1</sup> OJ C 93 of 18.4.1977.

<sup>2</sup> Bull. EC 3-1977, point 2.3.1.

key areas in 1977. In this field structural changes in the world economy must be taken into consideration.

— We will further conserve energy and increase and diversify energy production, so that we reduce our dependence on oil. We agree on the need to increase nuclear energy to help meet the world's energy requirements. We commit ourselves to do this while reducing the risks of nuclear proliferation. We are launching an urgent study to determine how best to fulfil these purposes.

— The world economy can only grow on a sustained and equitable basis if developing countries share in that growth. We are agreed to do all in our power to achieve a successful conclusion of the CIEC and we commit ourselves to a continued constructive dialogue with developing countries. We aim to increase the flow of aid and other real resources to those countries. We invite the Comecon countries to do the same. We support multilateral institutions such as the World Bank, whose general resources should be increased sufficiently to permit its lending to rise in real terms. We stress the importance of secure private investments to foster world economic progress.

To carry out these tasks we need the assistance and cooperation of others. We will seek that cooperation in appropriate international institutions, such as the United Nations, the World Bank, the IMF, the GATT and OECD. Those among us whose countries are members of the European Economic Community intend to make their efforts within its framework.

In our discussions we have reached substantial agreement. Our firm purpose is now to put that agreement into action. We shall review progress on all the measures we have discussed here at Downing Street in order to maintain the momentum of recovery.

The message of the Downing Street Summit is thus one of confidence:

- in the continuing strength of our societies and the proven democratic principles that give them vitality;
- that we are undertaking the measures needed to overcome problems and achieve a more prosperous future.'

#### Appendix to Downing Street Summit Declaration

1.6.5. The following appendix accompanied the Declaration:

#### *World economic prospects*

1.6.6. Since 1975 the world economic situation has been improving gradually. Serious problems, however, still persist in all of our countries. Our most urgent task is to create jobs while continuing to reduce inflation. Inflation is not a remedy to unemployment but one of its major causes. Progress in the fight against inflation has been uneven. The needs for adjustment between surplus and deficit countries remain large. The world has not yet fully adjusted to the depressive effects of the 1974 oil price rise.

We commit our Governments to targets for growth and stabilization which vary from country to country but which, taken as a whole, should provide a basis for sustained non-inflationary growth world-wide.

Some of our countries have adopted reasonably expansionist growth targets for 1977. The governments of these countries will keep their policies under review, and commit themselves to adopt further policies, if needed to achieve their stated target rates and to contribute to the adjustment of payments imbalances. Others are pursuing stabilization policies designed to provide a basis for sustained growth without increasing inflationary expectations. The governments of these countries will continue to pursue those goals.

These two sets of policies are interrelated. Those of the first group of countries should help to create an environment conducive to expansion in the others without adding to inflation. Only if growth rates can be maintained in the first group and increased in the second, and inflation tackled successfully in both, can unemployment be reduced.

We are particularly concerned about the problem of unemployment among young people. Therefore we shall promote the training of young people in order to build a skilled and flexible labour force so that they can be ready to take advantage of the upturn in economic activity as it develops. All of our governments, individually or collectively, are taking appropriate measures to this end. We must learn as much as possible from each other and agree to exchange experiences and ideas.

Success in managing our domestic economies will not only strengthen world economic growth but also contribute to success in four other main economic fields to which we now turn—balance of payments financing, trade, energy and North-South relations. Progress in these fields will in turn contribute to world economic recovery.

*Balance of payments financing*

1.6.7. For some years to come oil-importing nations, as a group, will be facing substantial payments deficits and importing capital from OPEC nations to finance them. The deficit for the current year could run as high as \$45 billion. Only through a reduction in our dependence on imported oil and a rise in the capacity of oil-producing nations to import can that deficit be reduced.

This deficit needs to be distributed among the oil-consuming nations in a pattern compatible with their ability to attract capital on a continuing basis. The need for adjustment to this pattern remains large, and it will take much international co-operation, and determined action by surplus as well as deficit countries, if continuing progress is to be made. Strategies of adjustment in the deficit countries must include emphasis on elimination of domestic sources of inflation and improvement in international cost-price relationships. It is important that industrial countries in relatively strong payments positions should ensure continued adequate expansion of domestic demand, within prudent limits. Moreover these countries, as well as other countries in strong payments positions, should promote increased flows of long-term capital exports.

The International Monetary Fund must play a prominent role in balance of payments financing and adjustment. We therefore strongly endorse the recent agreement of the Interim Committee of the IMF to seek additional resources for that organization and to link IMF lending to the adoption of appropriate stabilization policies. These added resources will strengthen the ability of the IMF to encourage and assist member countries in adopting policies which will limit payments deficits and warrant their financing through the private markets. These resources should be used with the conditionality and flexibility required to encourage an appropriate pace of adjustment.

This IMF proposal should facilitate the maintenance of reasonable levels of economic activity and reduce the danger of resort to trade and payments restrictions. It demonstrates co-operation between oil-exporting nations, industrial nations in stronger financial positions, and the IMF. It will contribute materially to the health and progress of the world economy. In pursuit of this objective, we also reaffirm our intention to strive to increase monetary stability.

We agreed that the international monetary and financial system, in its new and agreed legal framework, should be strengthened by the early implementation of the increase in quotas. We will work towards an early agreement within the IMF on another increase in the quotas of that organization.

*Trade*

1.6.8. We are committed to providing strong political leadership for the global effort to expand opportunities for trade and to strengthen the open international trading system. Achievement of these goals is central to world economic prosperity and the effective resolution of economic problems faced by both developed and developing countries throughout the world.

Policies on protectionism foster unemployment, increase inflation and undermine the welfare of our peoples. We are therefore agreed on the need to maintain our political commitment to an open and non-discriminatory world trading system. We will seek both nationally and through the appropriate international institutions to promote solutions that create new jobs and consumer benefits through expanded trade and to avoid approaches which restrict trade.

The Tokyo Round of multilateral trade negotiations must be pursued vigorously. The continuing economic difficulties make it even more essential to achieve the objectives of the Tokyo Declaration and to negotiate a comprehensive set of agreements to the maximum benefit of all. Toward this end, we will seek this year to achieve substantive progress in such key areas as:

- (i) a tariff reduction plan of broadest possible application designed to achieve a substantial cut and harmonization and in certain case the elimination of tariffs;
- (ii) codes, agreements and other measures that will facilitate a significant reduction of non-tariff barriers to trade and the avoidance of new barriers in the future and that will take into account the structural changes which have taken place in the world economy;
- (iii) a mutually acceptable approach to agriculture that will achieve increased expansion and stabilization of trade, and greater assurance of world food supplies.

Such progress should not remove the right of individual countries under existing international agreements to avoid significant market disruption.

While seeking to conclude comprehensive and balanced agreements on the basis of reciprocity among all industrial countries we are determined, in accordance with the aims of the Tokyo Declaration, to ensure that the agreements provide special benefits to developing countries.

We welcome the action taken by governments to reduce counter-productive competition in officially supported export credits and propose that substantial further efforts be made this year to improve and extend the present consensus in this area.



We consider that irregular practices and improper conduct should be eliminated from international trade, banking and commerce, and we welcome the work being done toward international agreements prohibiting illicit payments.

### *Energy*

1.6.9. We welcome the measures taken by a number of governments to increase energy conservation. The increase in demand for energy and oil imports continues at a rate which places excessive pressure on the world's depleting hydrocarbon resources. We agree therefore on the need to do everything possible to strengthen our efforts still further.

We are committed to national and joint efforts to limit energy demand and to increase and diversify supplies. There will need to be greater exchanges of technology and joint research and development aimed at more efficient energy use, improved recovery and use of coal and other conventional resources, and the development of new energy sources.

Increasing reliance will have to be placed on nuclear energy to satisfy growing energy requirements and to help diversify sources of energy. This should be done with the utmost precaution with respect to the generation and dissemination of material that can be used for nuclear weapons. Our objective is to meet the world's energy needs and to make peaceful use of nuclear energy widely available, while avoiding the danger of the spread of nuclear weapons. We are also agreed that, in order to be effective, non-proliferation policies should as far as possible be acceptable to both industrialized and developing countries alike. To this end, we are undertaking a preliminary analysis to be completed within two months of the best means of advancing these objectives, including the study of terms of reference for international fuel cycle evaluation.

The oil-importing developing countries have special problems both in securing and in paying for the energy supplies needed to sustain their economic development programmes. They require additional help in expanding their domestic energy production and to this end we hope the World Bank, as its resources grow, will give special emphasis to projects that serve this purpose.

We intend to do our utmost to ensure, during this transitional period, that the energy market functions harmoniously, in particular through strict conservation measures and the development of all our energy resources. We hope very much that the oil-producing countries will take these efforts into account and will make their contribution as well.

We believe that these activities are essential to enable all countries to have continuing energy supplies now and for the

future at reasonable prices consistent with sustained non-inflationary economic growth and we intend through all useful channels to concert our policies in continued consultation and cooperation with each other and with other countries.

### *North/South relations*

1.6.10. The world economy can only grow on a sustained and equitable basis if developing countries share in that growth. Progress has been made. The industrial countries have maintained an open market system despite a deep recession. They have increased aid flows, especially to poorer nations. Some \$8 billion will be available from the IDA for these nations over the next three years, as we join others in fulfilling pledges to its Fifth Replenishment. The IMF has made available to developing countries, under its compensatory financing facility nearly an additional \$2 billion last year. An International Fund for Agricultural Development has been created, based on common efforts by the developed OPEC, and other developing nations.

The progress and the spirit of cooperation that have emerged can serve as an excellent base for further steps. The next step will be the successful conclusion of the Conference on International Economic Cooperation and we agreed to do all in our power to achieve this.

We shall work:

- (i) to increase the flow of aid and other real resources from the industrial to developing countries, particularly to the 800 million people who now live in absolute poverty; and to improve the effectiveness of aid;
- (ii) to facilitate developing countries' access to sources of international finance;
- (iii) to support such multilateral lending institutions as the World Bank, whose lending capacity we believe will have to be increased in the years ahead to permit its lending to increase in real terms and widen in scope;
- (iv) to promote the secure investment needed to foster world economic development;
- (v) to secure productive results from negotiations about the stabilization of commodity prices and the creation of a Common Fund for individual buffer stock agreements and to consider problems of the stabilization of export earnings of developing countries; and
- (vi) to continue to improve access in a non-disruptive way to the markets of industrial countries for the products of developing nations.

It is desirable that these actions by developed and developing countries be assessed and concerted in relation to each other and to the larger goals that our countries share. We hope that the World Bank, together with the IMF, will consult with other developed and developing countries in exploring how this could best be done.

The well-being of the developed and developing nations are bound up together. The developing countries' growing prosperity benefits industrial countries, as the latter's growth benefits developing nations. Both developed and developing nations have a mutual interest in maintaining a climate conducive to stable growth worldwide.'

### **Official statements on the results of the conference**

*1.6.11.* Several statements were made following the conference. Below are the statements made in the House of Commons by Mr Callaghan, Prime Minister of the United Kingdom and President of the Council, and summaries of statements made by Mr Roy Jenkins, President of the Commission, in London and Brussels.

#### *Mr Callaghan*

*1.6.12.* The Prime Minister's statement was made in the House of Commons on 9 May 1977:

'With permission, Mr Speaker, I would like to make a statement on the Downing Street Summit which was attended by the Presidents of France and of the United States, and the Prime Ministers of Canada, France, Italy and Japan and the Chancellor of the Federal Republic, as well as the Finance and Foreign Ministers of the countries represented, and yesterday by the President of the European Commission. Nearly a year has elapsed since our meeting in Puerto Rico, and there was a general wish among the leaders of the major industrial democracies to consult, to exchange experiences and ideas and to harmonize as far as possible our responses to our shared problems, recognizing that our well-being is bound up together. Our discussion had the purpose of agreeing a common analysis, and so a common approach.

We have been able to share our views with the new American Administration, and to review the state of the world's economy and examine our present policies as a whole. We have reviewed our policies to combat inflation and unemploy-

ment and discussed the policies that will be needed to reach a successful conclusion of the CIEC. We also readily responded to President Carter's call for a close examination both of the need to conserve energy and of the dangers of nuclear proliferation.

Let me briefly restate seven target areas where we pledged ourselves to action. First, we agreed that our most urgent task is to create more jobs, including special measures for young people, and that hand in hand with the fight against unemployment is the fight against inflation. Inflation destroys jobs, corrodes democracy and undermines economies strong and weak.

Secondly, Heads of Government committed themselves to maintain their targets for economic growth or for stabilization policies. We recognized that growth rates must be maintained in the stronger economies, increased in the weaker economies, and inflation tackled successfully in both, if we are to cut unemployment and provide a basis for sustained non-inflationary growth.

If countries concerned seem likely to fall short, they will adopt further policies to achieve their targets. This should give added stability and confidence.

Thirdly, we committed ourselves to seek more resources for the International Monetary Fund and to support the link between its loans and the adoption of appropriate stabilization policies. Such facilities are essential if countries now in balance-of-payments deficit are to maintain reasonable levels of internal activity and foreign trade so that the world can avoid the danger of new trade and payment restrictions.

The danger of new trade restrictions also prompted our fourth pledge: that we would work to expand opportunities for world trade by giving a new impetus to the multilateral trade negotiations originally launched at Tokyo in 1973, whilst not removing the right of individual countries to avoid significant market disruption.

In view of the increase in demand for energy and oil imports which is placing increasing pressure on finite sources of fuel we pledged ourselves to greater energy conservation and agreed on the need for greater exchanges of technology, joint research and development for the efficient use of energy sources, including the improved production and use of coal.

This brought us face to face with the nuclear dilemma. The present generation has an awesome responsibility for the future of mankind. We agreed to launch an urgent study, the first stage of which we intend will be completed within two months, of how to reconcile the world's demand for nuclear power with the need to avoid the spread of nuclear weapons

Our initial studies will be concerned with the terms of reference for evaluating the nuclear fuel cycle internationally.

Our seventh pledge was to the world's poor for whom the impact of the oil crisis and world recession has been devastating. The countries attending the Summit agreed to do all in their power by means of trade, aid and finance to help the developing countries towards a just share in the sustained growth of the world economy. We should work for a successful conclusion of the CIEC in Paris at the end of the month. We also invite the Comecon countries to join us in this, the only war worth fighting—the war on want.

We placed on record a welcome for the work being done to achieve international agreement to eliminate irregular practices in international trade, banking and commerce.

The text of the Downing Street Declaration, together with the fuller appendix issued with it, will be published in the Official Report.

Mr Speaker, all of us recognized the difficulties of raising standards or in certain countries even of maintaining them, and the problem of overcoming unemployment. But we shared a common determination to succeed, and we ended our discussions with the confidence that our democratic systems have the resilience and the inner strength to surmount our present difficulties. It is our perception that the world economy is one and must be managed increasingly as one. This weekend the seven leading industrial democracies pledged themselves to a programme aimed not simply at their own future prosperity but in working for that prosperity to be more fairly shared in a safe and peaceful world.'

### Mr Roy Jenkins

1.6.13. The statements on the various issues made by the President of the Commission after the conference have been summarized as follows:

*Commission participation* — The President said that although the arrangements for his participation were artificial and untidy, the Commission had nevertheless been represented at a summit for the first time and this represented a considerable advance. It was a pity there had had to be argument about it, but no discourtesy had been shown to him on Sunday and he had played a full and active part. The arrangements did form a basis on which to find a more satisfactory solution which was very important both for the cohesion of the Community and the interests of the five smaller Member States. It was not a personal question, but one of principle to which

the five in particular attached great importance. He hoped for a clearer position in the future on Community representation.

*Results* — President Jenkins said that he had been present for the two items on which the most concrete decisions had been taken (North-South Dialogue and multilateral trade negotiations) and on which good and significant progress had been made. This had made his participation worthwhile.

*North-South Dialogue* — Because of the progress made there were now good prospects for a common position of the industrial countries at the CIEC in Paris. Agreement had been reached on the principle of a common fund, on a study of an international stabex and on immediate aid for the poorest countries. The summit had not reached a final position for the CIEC but had moved a good way towards one. The acceptance of the principle of a common fund and of a study on a universal stabex scheme marked real progress.

*Trade* — Significant progress had been made here in giving the required political impetus to the multilateral trade negotiations. The Community would play its full part to this end. The participants in the summit had agreed that it was not desirable to set a deadline for the end of the negotiations, since speed was not the overriding consideration. It was important to react to the threat of protectionism by giving a push towards a successful outcome, and this had been done at the summit.

*Energy* — The outcome was broadly satisfactory. On the nuclear study set up by the summit, mentioned in the final declaration, Mr Jenkins hoped that the Commission would participate but this was a question for the Community to decide, which it would no doubt do through its normal procedures.

*Enlargement* — This had not been discussed.

### Statement by the President of the Commission to Parliament

1.6.14. On 11 May President Jenkins spoke of the outcome of the Downing Street Summit in a statement to Parliament, of which the following is an extract:

'This was the first time that the Community as such had played any part at a Western Summit meeting, and I greatly welcome this important innovation. I should add that, at those parts of the meeting I attended, the role and responsibilities of the Community were fully recognized by members and non-members of the Community alike.

I was happy to contribute to the results of the meeting. At the same time I cannot pretend that the arrangements for the representation of the Community were either logical or entirely satisfactory. I was able to play a full part in the discussions on trade and to an extent that on energy. My staff helped in the North-South Dialogue, and to a limited preparation of these parts of the declaration and its appendix, and I contributed to the discussion of the final text, but I was not present for the general economic debate, on which such vital questions as growth, inflation and employment, particularly among young people, were discussed. The House will recall that these were the subject of a statement at the last European Council in Rome, when the European Commission was charged with certain tasks. Nor was I present at most of the discussions on energy, though I recognize that here there was overlapping with the wider question of the non-proliferation of nuclear weapons. Given the range of the Community's responsibility, attempts to distinguish between the general and specific aspects of our economic problems are inevitably artificial and difficult. I hope that we shall be able to get a better arrangement next time.

The declaration, with its appendix, speaks for itself, but I should like to say a brief word about certain parts of it. I deal first with trade. As you will have seen, all those at Downing Street endorsed the giving of a new impetus to the Tokyo Round of multilateral trade negotiations. In the circumstances which prevail, our explicit rejection of protectionism was not an automatic and platitudinous reflex. The world has changed since the multinational trade negotiations were launched in 1973, and each of the participating governments is exposed to heavy protectionist pressure; but all concerned recognized that the return to growth and stability lay in the expansion of trade and the strengthening of the open trading system rather than through protectionism. Thus, we agreed on certain objectives in the forthcoming negotiations which we in the Community can only welcome—not just the reduction of tariffs, but tariff harmonization; the reduction of non-tariff barriers; the reduction of counterproductive competition in officially-supported export credits; and the outlawing of those irregular practices and improper conduct which have recently disfigured our trading system.

I emphasize that in working for comprehensive and balanced agreements—they must be comprehensive and balanced—we shall seek to ensure that special benefits go to the non-industrial countries, and I indeed particularly welcome, beyond these trading questions, the progress made in our approach to relations with these non-industrial countries in the developing world. The participants at the conference agreed to do all in their power to achieve the successful conclusion of the Conference on International Economic Cooperation, which culmi-

nates in Paris at the end of this month. The participants in the Summit pledged themselves to increase the flow of aid and other real resources, to facilitate the access of non-industrial countries to sources of international finance, to support such lending institutions as the World Bank and increase its lending capacity, and to secure productive results from negotiations about the stabilization of commodity prices and the creation of a common fund for individual buffer-stock agreements.

I lay particular emphasis on the agreement to consider the problems of the stabilization of export earnings, a point to which, as you know, the Community and its members attach particular importance, based in part on the success of our own schemes under the Lomé Convention. Commodity prices and export earnings stabilization must, I think, be seen as two complementary sides of the same coin.

The weight given to the importance of creating greater security for private investment to foster world economic progress is also welcome. Last, under this heading of relations with the developing world, I draw attention to the invitation to the Comecon countries to join us in increasing the flow of aid and other real resources to the non-industrial world.

I also welcome the emphasis in the Declaration and its Appendix on the need to conserve energy, to increase and diversify its production and to reduce our dependence upon oil. In the Appendix, the participants stated explicitly that increasing reliance would have to be placed on nuclear energy to satisfy our growing energy requirements. This is of particular importance to the Community whose dependence on imported supplies is very great. Here we come up against the familiar dilemma of how to promote peaceful uses of nuclear energy, while avoiding the spread of nuclear weapons. There is to be a study of these issues, including work on terms of reference, for an evaluation of the international nuclear-fuel cycle. As I said at the meeting itself, I trust that the Community, which has much to contribute to such an evaluation, will be able to play its part in it. We greatly welcome the Summit's commitment to greater exchanges of technology and joint research, a more efficient use of energy, the improved recovery and use of coal and other conventional resources, as well as the development of new sources of energy. How we now tackle the energy problem will, indeed, shape much of the future of the Community and our people. Not only must we expound to them the urgent nature of our needs in the nuclear field, but we must also be prepared to respond sensitively to their doubts and anxieties.

Finally, I echo the message of the Summit as set out in the last paragraph of the Declaration, the need for a restoration of confidence in the continuing strength of our societies and the proven democratic principles on which they are based.'



**PART TWO**

**ACTIVITIES  
IN MAY 1977**

# 1. Building the Community

## Economic and monetary policy

### Report by Mr Ortolì on the economic situation

2.1.1. On 11 May, Mr Ortolì, Vice-President of the Commission, gave Parliament, meeting in Strasbourg, a report on the economic situation in the Community.

After outlining the causes of the present economic crisis and the consequences—a combination of inflation and unemployment—which it had entailed for the Community countries, Mr Ortolì said that, although Member States had adopted similar strategies, they had achieved unequal results in their efforts to eliminate inflation and to reduce unemployment through a return to growth:

- (i) during the period 1974-76, *the growth* of GDP in real terms had been nil in the United Kingdom, 2.5% in Germany, 6% in France and between 4.5% and 5% in other countries;
- (ii) *rates of inflation* had again differed widely from country to country in 1976, ranging from 4.5% in Germany to 18% in Italy;
- (iii) *external disequilibria* had become more marked in 1976: the situation had worsened in Denmark, Italy and France; the United Kingdom had remained in deficit; Germany had maintained its position and the Netherlands had increased its surplus.

Unemployment has increased throughout the Community and some 5.5 million people were now out of work—0.5% of the working population in Luxembourg, approximately 4% in Germany and the Netherlands and still higher percentages in the other countries (reaching about 10% in Ireland). Mr Ortolì emphasized that the fact that this problem was a general one affecting all the countries was just as worrying as the phenomenon itself, especially as there was little hope of any real improvement in the near future.

Nevertheless, the situation, by no means uniform throughout the Community, had a number of encouraging features which were now becoming discernible: real progress had been made towards aligning economic policies; the fight against inflation was beginning to show results, as the rate of price rises seemed to be slowing down; there were signs of an improvement in the balances of payments in 1977, with reduced surpluses in some Community countries and reduced deficits in others; the Community was benefiting from growth in major non-member countries, especially the United States, and from the boost which this was giving to world trade in general.

But the improvement has been slow and limited and there remained a serious unemployment problem. The Community's GDP would expand in real terms only by about 3.5% in 1977, after reaching 4.3% in 1976; inflation would probably remain at an annual rate of around 10% and some 4.8% of the labour force was likely to be out of work, as against 4.6% in 1976. There should therefore be no relaxation of combined efforts to consolidate the economic upturn and so re-establish a growth pattern facilitating the elimination of unemployment, and to reduce the discrepancies in trends from country to country, which were undermining the cohesion of the Community.

At this point in his report, Mr Ortolì drew the following three conclusions as regards policy:

(a) firstly, all the Member States must close ranks and pursue a *medium-term strategy* which would ensure that national short-term economic policies were mutually compatible and priority must be given to a return to full employment without inflation. Domestic demand in the countries with a surplus on current account would therefore need to be boosted to stimulate exports in the deficit countries; the deficit countries, for their part, would have to concentrate more on exports by making a special effort to curb rising production costs and by giving priority to investments likely to make their products more com-

petitive. Germany was at the present time the main candidate for the position of growth leader. For this reason, the Community hoped that the German authorities would, if necessary, adopt measures to ensure that the 5% growth target set for this country for 1977 was in fact achieved.

(b) Secondly, if there was to be a successful conclusion to this task, there would have to be a consensus. The Tripartite Conference on growth, stability and employment, due to be held in Luxembourg on 27 June, might help to achieve such a consensus. This dialogue, which would have to be continued in the future, would yield a diagnosis of present ills and a common strategy for all those parties and interests involved.

(c) Finally, the solution of the unemployment problem would require an *active employment policy* as well as a sharper increase in rates of growth. Although something had been done along these lines at both national and Community level, greater and better planned efforts were essential.

Mr Ortoli then turned to the problem of *investment*, an integral part of the growth strategy. In recent years government investment had varied from country to country, private investment (excluding housing) had fallen off markedly, and no real improvement was in sight.

This might lead to a long-term weakening of the growth potential in the Community. There was therefore an urgent need to encourage investment if the chances of substantially reducing unemployment were not to be jeopardized in the years ahead. This need was most vital in those member countries with structural balance-of-payments deficit. These countries would have to improve their production structures to ensure a steady expansion of productivity.

In order to meet the objectives of growth and full employment set out in the fourth medium-term programme, thought must be given to ways and means of stimulating directly the creation of capital, both generally and industry by industry. In this context, the European Council had entrusted

the Commission with the task of seeing that the Community's financial resources were put to better use in these fields. Although the Community's direct contribution was not large, it played a part that was by no means negligible in recommending and encouraging both national and Community measures to stimulate investment. The Community could help to solve some very serious problems and generate more funds than those at its immediate disposal. The Commission must help to show that there was, at the present time, plenty of room for vigorous action at national level and, where appropriate, at Community level, to boost demand in the medium term, to reduce certain structural deficits in trade balances (particularly through investment designed to save energy or develop new sources of energy), to create employment which would not be accompanied by marked inflation, to free log jams in production or infrastructure and to facilitate industrial conversion.

The Commission had already taken steps to implement these ideas by its action on coordination, its measures for the steel industry and its proposals on regional policy. Although—Mr Ortoli pointed out—the new or overhauled machinery for Community loans was not a panacea for all ills, the Community could usefully develop the loan technique, its role to be based on a careful analysis of requirements, of the financial resources which could be used and of the fields in which the Community could take useful action.

Finally, after touching on the Community's economic and financial responsibilities at world level—its contribution to the process of adjustment designed to achieve a more balanced distribution of surpluses and deficits and its help in strengthening the machinery for financing external deficits—Mr Ortoli concluded as follows:

'I shall leave you with these few ideas, Mr President. They may be somewhat bleak but they are in keeping with the times. I have attempted only to review the situation and point to appropriate courses of action. You know as well as I do that

such action will require a very vigorous effort from our governments and from the Commission, and a climate inspiring confidence among all those engaged in the economic process.

Although I have not mentioned the problems connected with strengthening coordination within the Community, apart from saying that I did think some progress was being made here, I am sure that Europe, as such, has a part to play. Our interdependence and the strength of our unity, as compared with the weakness of a divided continent, make us a dependable partner in world trade.

But we are more than that—we are a Community. The crisis we are going through has highlighted the reality of our economic ties, which can be seen in each Member State, and the need for solidarity. We must be absolutely determined to reduce our disparities, strengthen our cohesion and make a maximum contribution to healthy growth. Only in this way can we overcome the crisis, conquer unemployment and banish the threat of renascent protectionism, which, as history teaches, has always ultimately led to reduced growth and increased unemployment.'

### Community loan

2.1.2. Following negotiations conducted by the Commission on instructions from the Council,<sup>1</sup> the latter decided, on 17 May,<sup>2</sup> to authorize the Commission to contract, on behalf of the Community, a loan of \$500 million, the funds raised to be on-lent to Italy.

This loan is subject to the economic policy conditions which were agreed by the Council on 18 April<sup>3</sup> and which were the subject of a formal Decision of 17 May.<sup>2</sup> Following this operation (which represents the refinancing of the amount, repaid in autumn 1976, of the United Kingdom's contribution to the medium-term financial assistance granted to Italy), the loans issued to Member States through the activation of the Community loan machinery<sup>4</sup> now total \$1 800 million.

The loan contract authorized by the Council Decision of 17 May was signed by Mr Ortolì, Vice-President of the Commission on 26 May.

The funds were raised by means of international bonds denominated in US dollars and issued in two tranches: one of \$200 million for five years with an interest rate of 7½%, the other of \$300 million for seven years with an interest rate of 7¾%. The bonds were issued at 99% of their nominal value, with the interest payable annually.

The bonds were underwritten by a syndicate of banks lead-managed jointly by the Deutsche Bank, the Banque de Paris et des Pays-Bas and the Crédit Suisse White Weld. There were seventeen other banks involved: three German, three French, three British, two Dutch, two Belgo-Luxembourg, one Italian, one Swiss and two American. This operation, the largest ever carried out on the Eurobond market, allowed of a balanced representation of the banking interests of the Community member countries through the three financial markets of Frankfurt, Paris and London.

### Monetary Committee

2.1.3. The *Working Party on Securities Markets* met in Brussels on 23 and 24 May and, in accordance with its normal practice, reviewed developments in the first quarter of 1977 on the international bond markets and on the national capital markets.

### Economic Policy Committee

2.1.4. The Economic Policy Committee held its 46th meeting in Brussels on 16 May, with Mr

<sup>1</sup> Bull. EC 4-1977, point 2.1.6.

<sup>2</sup> OJ L 132 of 27.5.1977.

<sup>3</sup> Bull. EC 4-1977, point 2.1.5.

<sup>4</sup> OJ L 46 of 20.2.1975; Bull. EC 2-1975, point 2201, and 7/8-1975, point 2211.



Maldague in the chair. The meeting was devoted entirely to preparations for the forthcoming Tripartite Conference to be held in Luxembourg on 27 June.

The *Working Party on Public Finance* also met in Brussels on 26 May. It continued its work on structural budget benchmarks and decided to submit an interim report on this subject to the Economic Policy Committee.

## Internal market and industrial affairs

### Free movement of goods

#### Removal of technical barriers to trade

##### *Motor vehicles*

2.1.5. On 17 May the Council adopted a Directive<sup>1</sup> on the approximation of the laws of the Member States relating to *towing devices* on motor vehicles. The Commission's proposal was presented to the Council on 31 December 1974.<sup>2</sup>

The Directive will make it compulsory for every motor vehicle to be fitted with a hook to enable the vehicle to be towed. The main purpose of the measure is to protect the user.

### Industrial structures and problems

#### Steel

##### *Implementation of the crisis measures*

2.1.6. In May the Commission took the following implementing measures.

*Minimum prices* — In connection with the guidelines on steel prices<sup>3</sup> already adopted on account

of the difficulties facing this industry, the Commission, acting under Article 61 of the ECSC Treaty, fixed minimum prices for certain types of reinforcing bars by a Decision dated 4 May.<sup>4</sup> The Council was consulted on this matter on 3 May.<sup>5</sup>

These prices are basic prices ex basing points. They are compulsory for transactions carried out as of the third working day following the entry into force of the decision and, from that date onwards, replace lower list prices until the latter are adjusted by undertakings.

Undertakings whose published list prices are lower than the minimum prices must publish new list prices aligned on those stipulated in the Decision of 4 May within fifteen days following the entry into force of the Decision.

This Decision applies to sales within the Community and to the following countries: Austria, Finland, Norway, Sweden and the European territory of Portugal.

The minimum prices do not preclude alignments on more favourable delivered list prices charged by other producers in the Community or in the above countries. Within the Community, however, alignments on quotations for concrete reinforcing bars from non-member countries are permissible only where the prices delivered at destination are not lower than the delivered prices obtained from a more favourable Community price list.

The decision in question entered into force on the day of its publication in the Official Journal of the European Communities<sup>4</sup> and will be applicable until 31 December 1977, unless repealed before then. The Commission may adjust the level of the minimum prices during the period of val-

<sup>1</sup> OJ L 145 of 13.6.1977.

<sup>2</sup> OJ C 24 of 1.2.1975.

<sup>3</sup> Bull. EC 3-1977, points 2.1.15 to 2.1.19, and 4-1977, point 2.1.14.

<sup>4</sup> OJ L 114 of 5.5.1977.

<sup>5</sup> OJ C 125 of 27.5.1977.

idity of the decision if, in its view, developments so warrant.

*Guideline prices* — In implementation of the guidelines previously adopted in order to ease the present crisis, the Commission also issued on 4 May a series of guideline prices for certain iron and steel products.

### *ECSC-Japan Contact Group*

2.1.7. In connection with the work of the ECSC-Japan Contact Group, a Commission delegation met a Japanese Government Delegation in Tokyo on 23 and 24 May.<sup>1</sup> The discussions mainly concerned the market situation in steel products and the measures taken by the Commission to cope with the crisis in the Community steel industry.

### *Industrial loans*

2.1.8. Pursuant to Article 54 of the ECSC Treaty, the Commission has granted a loan of Lit 80 000 million (approximately 81 million EUA) to *Società Acciaierie di Piombino Spa*, Piombino (Livorno), to finance the new overall programme of modernization and rationalization at the Piombino integrated works.

This investment programme covers a number of projects which will help both to rationalize iron production, while improving supplies to the LD steel works, and to reduce the imbalance between the breakdown rolling stage and the steelmaking stage.

### **Shipbuilding**

2.1.9. Because of the important place that they are bound to assume, support measures formed the principle subject of the discussions that took place at the OECD in Paris on 3 and 4 May.<sup>2</sup> With some Member States planning to introduce such measures, the representative of the Com-

munity explained why they were necessary and also what they will aim at and what criteria will govern them at Community level. When the Commission has formally expressed its opinion on these measures, they will be studied in depth with the partners of the Nine in the OECD.

## Customs union

### **Tariff measures**

#### *Tariff quotas*

2.1.10. On 17 May,<sup>3</sup> the Council adopted a regulation on the opening, allocation and administration of a Community tariff quota for processing work in respect of certain textile products under the Community outward processing arrangements with Switzerland.

This quota, opened for the period 1 September 1977 to 31 August 1978, is divided into three categories of processing. The first tranche of 1 640 000 u.a. is allocated to the original Member States of the Community; the second tranche of 230 000 u.a. will form a Community reserve. The Member States which have not received an initial allocation may, if the need arises, draw on this reserve.

2.1.11. On 25 May,<sup>4</sup> the Council adopted a regulation opening, allocating and providing for the administration of a Community tariff quota for wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, falling within heading No 22.05 of the Common Customs Tariff, originating entirely in Greece.<sup>5</sup>

<sup>1</sup> Point 2.2.57.

<sup>2</sup> Point 2.2.31.

<sup>3</sup> OJ L 142 of 9.6.1977.

<sup>4</sup> OJ L 131 of 26.5.1977.

<sup>5</sup> Point 2.2.35.

An initial tranche of 281 000 hectolitres is allocated among the Member States, and a further 3 220 hectolitres is kept as a reserve. This quota is valid until 31 December 1977.

2.1.12. On 17 May,<sup>1</sup> the Council adopted a regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp, originating in Turkey. This quota is opened as from 1 July 1977 until 30 June 1978 for a volume of 90 tonnes. An initial tranche of 35 tonnes will be allocated among the Member States, the remainder forming the Community reserve.

2.1.13. On the same day, the Council decided<sup>1</sup> to open a quota of 25 000 tonnes at a duty of 2.5% for fresh or dried hazelnuts, shelled or otherwise, originating in Turkey. This Regulation replaces the Regulation of 9 December 1976,<sup>2</sup> which provided for a quota of 21 700 tonnes of the same products.

#### *Community supervision of imports*

2.1.14. In order to fulfil the Community obligations towards the Mashrek countries (Egypt, Jordan, Lebanon and Syria) the Council adopted on 17 May a Regulation establishing ceilings and Community supervision for 1977 for imports of certain industrial products originating in these countries.<sup>3</sup>

#### **Customs valuation and charges equivalent to customs duties**

2.1.15. On 17 May, the Commission adopted two regulations concerning the enlarged customs territory to be taken into consideration for establishing the value of goods for customs purposes.

The first<sup>4</sup> specifies, as regards the transport costs to be incorporated into the value of goods for customs purposes, the place of introduction to be

taken into consideration when goods are introduced into the customs territory of the Community, and then carried by sea to a destination in another part of that territory after passing through part of the customs territory of the Community. The provisions adopted are similar to those already taken as regards passage through the territory of Austria, Switzerland or the German Democratic Republic.<sup>5</sup>

The second regulation<sup>6</sup> determines, in percentage form, the air transport costs to be included in the value for customs purposes by standardizing the provisions at present applicable in each of the customs territories concerned and henceforward including, for all the Community, the transport costs relative to flying over the German Democratic Republic. Changes in the air routes serving the Community have also been taken into account.

These two Regulations will enter into force on 1 July.

#### **Harmonization of customs legislation**

2.1.16. On 27 May<sup>7</sup> the Commission transmitted to the Council a proposal for a Regulation laying down conditions for the post clearance collection of import duties or export duties which have been underpaid on goods entered for a customs procedure involving the obligation to pay such duties.

<sup>1</sup> OJ L 142 of 9.6.1977.

<sup>2</sup> OJ L 350 of 20.12.1976 and Bull. EC 12-1976, point 2103.

<sup>3</sup> OJ L 146 of 13.6.1977.

<sup>4</sup> OJ L 124 of 18.5.1977.

<sup>5</sup> OJ L 151 of 12.6.1975 and Bull. EC 6-1975, point 2107.

<sup>6</sup> OJ L 127 of 23.5.1977.

<sup>7</sup> OJ C 138 of 11.6.1972.

## Customs procedures for the movement of goods

### *Transit*

2.1.17. On 17 May<sup>1</sup> the Council adopted a Regulation concluding the Agreement between the EEC, Austria and Switzerland on extending the scope of the regulation on Community transit. The purpose of this Agreement is to reduce to a minimum the formalities connected with transport between two points situated in the Community and using both Community territory and that of Austria and Switzerland.

The Agreement specifies that the provisions of the bilateral agreements concluded on 23 and 30 November 1972 by the European Economic Community with Switzerland and Austria on the application of the Regulations relating to Community transit<sup>2</sup> should be applicable in such cases. Since each of the two Agreements is strictly bilateral, no provision was made with regard to the transport referred to above. In addition, the Agreement lays down that the Regulation relative to Community transit may be applicable to any other transport of goods using both Austrian and Swiss territory.

Bearing in mind that the Agreement must be ratified by the partner countries, it is unlikely to enter into force before the beginning of next year.

## Competition

### Restrictive practices, mergers and dominant positions: individual cases

#### *National Carbonising Company and National Coal Board*

2.1.18. The National Carbonising Company Ltd (NCC), Nottinghamshire, has withdrawn the ac-

tion for default against the Commission which it brought on 16 October 1975<sup>3</sup> under Article 35 of the ECSC Treaty. NCC accused the Commission of not applying Article 66(7) of the ECSC Treaty in relation to the National Coal Board's pricing policy. Article 66(7) requires the Commission to take action whenever a dominant firm abuses its dominance for purposes incompatible with the objectives of the Treaty.

NCC complained that the NCB was exploiting its dominance on the markets for coking coal and coke in the United Kingdom by selling its output at such prices that NCC, an independent producer buying coal from the NCB for processing into coke, could no longer make a profit and survive in business.

Although this case did not come to judgment in the Court of Justice it nevertheless gave the Commission an opportunity to clarify its policy on the obligations of dominant firms.

On 29 October 1975,<sup>4</sup> working from the Order given by the President of the Court of Justice on 22 October 1975,<sup>3</sup> the Commission issued a decision adopting interim measures in favour of NCC.

In its decision the Commission stated that 'an undertaking which is in a dominant position as regards the production of a raw material (in this case coking coal) and therefore able to control its price to independent manufacturers of derivatives (in this case coke) and which itself produces the same derivatives in competition with these manufacturers, may abuse its dominant position if it acts in such a way as to eliminate competition from these manufacturers in the market for the derivatives'.

This was based on the judgment given by the Court of Justice in Joined Cases 6 and 7/73 *Is-*

<sup>1</sup> OJ L 142 of 9.6.1977.

<sup>2</sup> OJ L 294 of 29.12.1972.

<sup>3</sup> Bull. EC 10-1975, points 2105, 2435 and 2449.

<sup>4</sup> OJ L 35 of 10.2.1976.

*tituto Chemioterapico Italiano and Commercial Solvents Corporation v Commission*.<sup>1</sup> The Commission deduced that a dominant firm 'may have an obligation to arrange its prices so as to allow a reasonably efficient manufacturer of the derivatives a margin sufficient to enable it to survive in the long term'.

However, the Commission considered that the fundamental question was whether NCB conduct in relation to household coke, this being the subject of NCC's complaint, might eliminate a coke producer that produced primarily industrial coke or, in other words, whether this conduct itself was such as to affect competition. The Commission felt that account had to be taken of all the facts in assessing the effects on independent coke producers of NCB's prices for household coke. Thus it would have been unjust to ignore the fact that not one coke producer produced household coke only. The Commission did not sub-divide the coke market into household coke market and an industrial coke market, holding that there was a single product for two different uses. It considered that NCB's conduct was not in itself of such a nature as to eliminate a coke producer providing the producer, by means of long-term contracts or other arrangements, could sell industrial coke at a profitable price.

The Commission therefore took no action on NCC's complaint, with the exception of the interim measures already mentioned and of certain other measures not directly relevant to the main question.

**State aids**

*Regional aids*

**Netherlands**

2.1.19. On 18 and 24 May<sup>2</sup> the Commission decided to initiate the procedure of Article 93(2)

of the EEC Treaty in respect of two Dutch schemes of aids—the existing regional aid scheme (Investeringspremieregeling—IPR) and the Investment Account Bill (Wet Investeringsrekening—WIR). It has informed the governments of the Netherlands and of the other Member States of problems arising as to the compatibility of these two schemes with the common market.

*The Investeringspremieregeling*

2.1.20. Until 1975 an investment premium of 31% was given in the provinces of Groningen, Friesland, Drenthe, Overijssel (North) and Limburg (South) under the Investment Premium Regulations.

In May and September 1975 the Dutch Government decided to extend the IPR scheme to a series of development centres (Almelo, Hengelo, Enschede, Zwolle, Kampen, Doetichem, Nijmegen, Den Bosch, Helmond, Cuyk, Oss, Uden, Tilburg, Bergen op Zoom, Venray, Goes, Vlissingen-Oost and Terneuzen) and to the Twente area.

The premium is paid to industrial and services enterprises, at a total cost of Fl 124.9 million (39.5 million EUA) in 1976 and Fl 94.3 million (28.1 million EUA) in 1974.

Having considered the scheme the Commission concluded that its extension to eighteen development centres and one other area was acceptable only as regards three of those centres (Goes, Vlissingen-Oost and Terneuzen), in the Zeeland Province, in view of the degree of socio-economic development there.

*The Wet Investeringsrekening*

2.1.21. The Investment Account Bill aims to stimulate and orientate investments according to

<sup>1</sup> Bull. EC 3-1974, point 2443.  
<sup>2</sup> OJ C 129 of 2.6.1977.

certain socio-economic criteria. It makes provision for six different types of investment premium:

- (i) a basic premium (11% of building costs and 7% of plant and machinery costs), initially granted through the country, but subsequently varying in accordance with certain limits depending on its job creation capacity;
- (ii) a general regional premium of 12% on building investments and 6% on outside plant investments. The premium would be granted in a part of the country to be determined by government regulation (originally all of the Netherlands except the Randstad);
- (iii) a special regional premium of 20% on building investments and 10% on outside plant investments. This would be granted in selected districts on the basis of socio-economic criteria (such as acute employment difficulties);
- (iv) a regional development premium of 20% of building investments and 10% on fixed open air investments; this would be granted in certain districts;
- (v) a supplementary premium granted with the basic premium throughout the country to the first Fl 200 000 of investment costs but not exceeding 2% of the total;
- (vi) a general premium for investments worth more than Fl 15 million, with no geographical restriction. This would be in the form of a fixed amount per job created, but the total payable would not exceed 4% of the total cost.

The five latter premiums may be granted in addition to the first provided that those five do not in aggregate amount to more than 50% of the cost of fixed investments.

The cost to the budget of the WIR scheme up to 1980 inclusive is estimated at Fl 13 500 million (4680 million EUA).

When initiating the procedure of Article 93(2) of the EEC Treaty, the Commission expressed concern at the geographical coverage of certain of the

premiums. Furthermore, the premiums would be available for all investments, whether new or replacement; they would thus constitute operating aids to which the Commission has always been hostile.

### *Environmental aids*

#### **Belgium**

2.1.22. In March the Commission adopted a decision<sup>1</sup> requiring the Belgian Government to reduce the aid which it was planning to give in forms of an interest relief grant on certain investments to be made by a petroleum refining company that was extending its capacity. The Commission decided that the aid was acceptable only in relation to that part of the investment which was for anti-pollution purposes and which strictly concerned existing refining capacity.

The Belgian Government has informed the Commission that it will take the necessary measures to conform with the Commission's decision.

## **Financial institutions and taxation**

### **Taxation**

#### *Indirect taxes*

#### **Turnover taxes**

#### *Adoption by the Council of the sixth VAT Directive*

2.1.23. On 17 May,<sup>2</sup> the Council formally adopted the sixth Directive on VAT, the text of

<sup>1</sup> OJ L 80 of 29.3.1977; Bull. EC 3-1977, point 2.1.38.

<sup>2</sup> OJ L 145 of 13.5.1977 and points 1.3.1 to 1.3.4.

which it had already approved, as a 'joint position', on 29 March.<sup>1</sup>

\*

2.1.24. On 12 May, Parliament delivered its Opinion<sup>2</sup> on a Commission proposal to the Council for a directive on the harmonization of provisions laid down by law, regulation or administrative action relating to the rules governing turnover tax and excise duty applicable in international travel.

## Employment and social policy

### Employment

2.1.25. The three outstanding events in May concerning employment were the adoption by the Commission of the working paper which is its contribution to the tripartite conference planned for 27 June, the meeting of the Standing Committee on Employment and the publication of statistics showing a reduction of over 100 000 in the number of unemployed in the Community according to the latest figures (April 1977).

#### Preparation for the tripartite conference

2.1.26. On 24 May the Commission sent to the Council a paper entitled 'Growth, stability and employment: stocktaking and prospects', which it had adopted a few days earlier. This paper is to serve as a basis for the work of the tripartite conference which will be held on 27 June in Luxembourg and for preliminary contacts between the two sides of industry and the representatives of the Member States which will take place before that. The last tripartite conference was held on 24 June 1976 in Luxembourg.<sup>3</sup> The coming conference, which the European Council decided to call when it met in Rome on 25 and 26 March 1977,<sup>4</sup>

will have the task of reporting on the progress made since June 1976 and assessing the future prospects.

In the document which it adopted and which constitutes its contribution to the conference on 27 June, the Commission states that some progress has been made since spring 1976, but not a lot and rather less than was hoped then.

As regards the policies to be followed in order to deal with the situation the Commission stresses that in the fight against unemployment, the emphasis should be put on the restoration of healthy economic growth, but, in the meantime, various measures to stimulate employment should be considered and the 'classical' methods of aiding employment must be continued and strengthened if necessary. These include:

improvement of job placement services and vocational guidance;

improvement of the transition from school to work;

improvement of vocational training facilities and encouragement of retraining;

promotion of aids to support geographical and occupational mobility.

In the conclusions, the Commission emphasizes that above all, governments and the two sides of industry must work to create a new environment in which all parties are confident that an acceptance of change would bring benefits for all. The Community, for its part, will work for the maintenance of coherence in its internal and external policies particularly as concerns the effects on employment, and will pursue its efforts to relate Community actions to the most pressing needs.

<sup>1</sup> Bull. EC 3-1977, point 2.1.39.

<sup>2</sup> Point 2.3.20.

<sup>3</sup> Bull. EC 6-1976, points 1101 to 1105.

<sup>4</sup> Bull. EC 3-1977, points 2.1.1 and 2.1.42.

## Standing Committee on Employment

2.1.27. The Standing Committee on Employment met in Brussels on 5 May to discuss *employment prospects* until 1980, the revision of the European Social Fund and the Commission communication on the coordination of the Community's financial instruments.

As regards the employment situation the Committee dealt in particular with two types of measures to combat unemployment—job distribution and employment premiums—but unanimous agreement could not be reached at this stage in the discussions. The employment of young people was a central topic in the Committee's debate and the need for measures in this field was emphasized.

The Chairman drew the conclusions from the exchange of views and announced his intention to report on them to the next tripartite conference. He considered that the Committee's work would be of assistance to the Commission in the task which it has to undertake in this field and would help governments and workers' and employers' associations together to acquire a fuller insight into the possibilities and limitations of the many different means of tackling the problem of the labour market.

The Committee congratulated the Commission on having presented its proposals for the review of the rules concerning the tasks and operation of the *Social Fund* in good time and a useful exchange of views was held on ways of increasing the effectiveness of the Fund before the Council takes a final decision.

The Committee also noted a Commission Communication on the *coordination of the Community's financial instruments* drafted with a view to drawing up an overall policy to cover all the instruments for providing structural assistance.

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2.1.28. At its meeting on 25 and 26 May the *Economic and Social Committee*<sup>1</sup> approved a

study drawn up by its staff on the employment situation and prospects in agriculture.

## Vocational training

2.1.29. The *Advisory Committee for Vocational Training* held its second annual meeting on 23 and 24 May in Brussels. The main items on the agenda were the new guidelines for setting up a common vocational training policy and the results of the work carried out up to now on aligning training levels. The Committee also held an initial exchange of views on the question of establishing personal training records.

## European Social Fund

### ECSC retraining measures

2.1.30. Acting under Article 56(2)(b) of the ECSC Treaty, the Commission decided in May to contribute towards expenditure on retraining workers affected by partial or definitive closures of undertakings in the Community coal and steel industries.

In *Germany* two payments were made: one of 3 317 500 EUA for 2 406 workers affected by the closure of a coalmine, the other of 91 250 EUA for 345 workers affected by the closure of a steel works. Three payments made to assist workers affected by the closure of three small coalmines were increased by 3 000 EUA.

In *Belgium* two payments totalling 1 016 750 EUA were made to assist 1 452 workers affected by the closure of steel plants.

In the *United Kingdom* three payments totalling 1 401 500 EUA were made to assist 2 033 workers affected by the closure of steel plants.

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<sup>1</sup> Point 2.3.75.



2.1.31. On 12 May *Parliament*<sup>1</sup> delivered its Opinion on the Commission's communication to the Council on the review of the rules concerning the tasks and operation of the European Social Fund.

## Living and working conditions

### Housing

2.1.32. Under the *sixth and seventh programmes* of financial aid for low-cost housing for workers in industries covered by the ECSC Treaty, the Commission has decided to grant a loan of some FB 40 million to *Belgium*.

### Industrial relations

2.1.33. The Joint Committee for the Harmonization of Working Conditions in the *Iron and Steel Industry* met in Luxembourg on 4 May. This meeting was given over to a broad exchange of views on the crisis in the iron and steel industry, on its social repercussions and on the measures to be taken to remedy it.

2.1.34. A Community Safety Week in *Agriculture* was organized simultaneously in the Member States from 2 to 8 May. The aim of this campaign, which was organized for the first time in 1974 on the Commission's initiative and in close cooperation between the governments of the Member States and the two sides of industry, is to back up measures already taken by individual countries relating to the safety and health of workers in agriculture. The theme of the 1977 information campaign was the European Community for an accident-free agricultural sector.

### Health and safety

2.1.35. On 25 May the Commission decided to grant financial aid of 1 756 875 EUA to fifteen

research projects relating to its third programme on *chronic respiratory diseases*,<sup>2</sup> and aid of 952 555 EUA to eight research projects coming under its third programme on *ergonomics and readaptation*.<sup>3</sup> These two programmes are part of ECSC research work on industrial medicine and safety.

2.1.36. The Commission has invited representatives of the trade union organizations of the nine Member States to an initial consultation on the practical problems of *radiation protection*.

The talks covered the Commission proposal for improving the radiation protection of patients and the draft of a practical guide to help approved doctors when they have to take a decision on suitability for work involving exposure to ionizing radiation.

Progress made in recent years in the Member States as regards legislation on radiation protection was mentioned. It was emphasized that the Member States' regulations comply with the Euratom basic standards published in 1959 and partially revised in 1962 and 1966. Member States still have twelve months to adapt their national legislation to the provisions of the revised standards published in a Directive on 1 June 1976.

The Commission representatives also reported on the progress made on the subject of individual dosimetry; they pointed out that scientific research and comparative programmes were continuing to perfect techniques.

It was unanimously agreed to continue this dialogue of mutual consultation, which provides an important fund of specialized information at a time when nuclear problems are a topical matter.

<sup>1</sup> Point 2.1.14.

<sup>2</sup> Bull. EC 12-1976, point 2224.

<sup>3</sup> Bull. EC 7/8-1976, point 2224.

## Regional policy

### Guidelines proposed by the Commission

2.1.37. On 1 June, the Commission approved an important communication to the Council concerning Community regional policy guidelines.<sup>1</sup> This communication was accompanied by two proposals: one on the renewal of the European Regional Development Fund (ERDF), the other—a new proposal—on the granting of interest subsidies through the Fund.

### Financing operations

#### *European Regional Development Fund*

#### Second allocation for 1977: 91.20 million u.a.

2.1.38. On 29 April, the Commission approved the second allocation of grants for 1977 from the European Regional Development Fund, totalling 91.20 million u.a. The aid has been allocated to 490 investment projects costing a total of 802.81 million u.a. In accordance with the Regulation of 18 March 1975<sup>2</sup> establishing the ERDF, the

Table 1 — *Grants from the ERDF (second 1977 allocation)*

Member State	Number of grant decisions	Number of investment projects	Investments assisted (million u.a.)	Assistance granted (million u.a.)
Belgium	4	43	46.94	6.76
Denmark	5	29	12.02	3.36
Germany	36	128	277.25	12.73
Ireland	5	30	79.61	14.63
Italy	4	64	123.52	21.42
United Kingdom	38	196	263.47	32.30
Total	92	490	802.81	91.20

Fund Committee had been consulted. The first allocation for 1977 was approved by the Commission in January.<sup>3</sup>

Table 1 gives a breakdown of the amounts granted.

The 91.20 million u.a. break down as follows:

(a) 43.42 million u.a. to help finance 331 *infrastructure* projects required to develop industrial and tourist activities, comprising:

(i) 39.35 million u.a. to help finance 327 projects costing less than 10 million u.a. each;

(ii) 4.07 million u.a. to help finance 4 infrastructure investment projects costing less than 10 million u.a. each in the areas referred to in the Directive on mountain and hill farming and farming in certain less-favoured areas.

The infrastructure investments assisted from the Fund involve a total of 248.98 million u.a.

(b) 47.78 million u.a. to help finance 159 projects relating to *industrial, artisan and service activities*, comprising:

(i) 18.86 million u.a. to help finance 10 projects costing more than 10 million u.a. each;

(ii) 28.92 million u.a. to help finance 149 projects costing less than 10 million u.a. each.

The industrial and services investments assisted from the Fund involve a total of 553.83 million u.a.

### *Conversion*

#### Financing new activities

2.1.39. In May a conversion loan of 220 000 u.a. (£136 000) was paid to Natural Gas Tubes Ltd in the United Kingdom for extension of a welded steel tubes works at Tafarnanbach in southern

<sup>1</sup> Points 1.1.1 to 1.1.9.

<sup>2</sup> OJ L 73 of 21.3.1975.

<sup>3</sup> Bull. EC 1-1977, point 2.1.32.

Wales. The Council gave its assent under Article 56(2) of the EEC Treaty on 4 October 1976<sup>1</sup> for the Commission to grant a loan to facilitate the creation of new activities so as to absorb local unemployment.

The new loan is in addition to that paid by the Commission to the same company in June 1976<sup>2</sup> for the construction of its works, the original loan being 1.64 million u.a. (£950 000); the Council's assent to this was given on 6 April 1976.<sup>3</sup> The two loans given by the Commission to Natural Gas Tubes Ltd for its tubes works at Tafarnbach thus total 1.86 million u.a. (£1 086 000).

## Environment and consumer protection

### Environment

#### Formal adoption of the second action programme

2.1.40. On 17 May<sup>4</sup> the Council and the representatives of the Governments of the Member States formally adopted the Resolution on the continuation and implementation of a European Community action programme on the environment which they had already approved on 9 December 1976.<sup>5</sup>

This is the second environment programme—intended to cover the period 1977-81—the proposals for which were presented by the Commission on 24 March 1976.<sup>6</sup> It follows on from the first action programme on the environment adopted on 22 November 1973.<sup>7</sup>

#### Cooperation with Japan on the environment

2.1.41. The Commission and Japan have agreed to initiate cooperation following negotiations con-

ducted with the Japanese Government. In an exchange of letters, the contents of which were approved by the Commission on 27 May, the two parties undertook to encourage the exchange of information on subjects of joint interest and organize *ad hoc* meetings between civil servants for this purpose. The cooperation procedures contemplated in this exchange of letters<sup>8</sup> are similar to those already agreed upon with the United States in June 1974, with Canada in November 1975<sup>9</sup> and with Switzerland in December 1975.<sup>10</sup>

#### Measures to be taken against the pollution of the sea by hydrocarbons

2.1.42. In April the Commission considered what lessons could be learned from the accident at the Bravo platform in the Norwegian Ekofisk field and instructed Mr Natali, Vice-President, to make a statement on this subject to the Council;<sup>11</sup> it approved on 4 May the guidelines for the measures to be taken in this sector at Community level. The following guidelines have been drawn up:

(i) Establishment of a data bank on means of action available in the event of accidental discharges of hydrocarbons. The data could be obtained by periodic surveys in the Member States. They would be supplied forthwith in the event of an accident, in the form required by the users. They would detail the products and equipment available for chemical and mechanical treatment of hydrocarbons out at sea and offshore, and the skilled personnel available to handle them.

<sup>1</sup> OJ C 240 of 13.10.1976 and Bull. EC 10-1976, point 2209.

<sup>2</sup> Bull. EC 6-1976, point 2211.

<sup>3</sup> OJ C 91 of 22.4.1976 and Bull. EC 4-1976, point 2211.

<sup>4</sup> OJ C 139 of 13.6.1977.

<sup>5</sup> Bull. EC 12-1976, point 2227.

<sup>6</sup> OJ C 115 of 24.5.1976.

<sup>7</sup> OJ C 112 of 20.12.1973.

<sup>8</sup> Signed in Brussels on 1 June 1977.

<sup>9</sup> Bull. EC 11-1975, point 2223.

<sup>10</sup> Bull. EC 12-1975, point 2231.

<sup>11</sup> Bull. EC 4-1977, point 2.1.48.

(ii) Development of a research programme on techniques for the sweeping and dispersal of hydrocarbons at sea.

(iii) Setting-up of an expert working party on the causes, circumstances and effects of recent accidents resulting in major discharges of hydrocarbons at sea, and remedial and preventive measures. The working party would evaluate the data assembled by the Member States and keep abreast of research in this field. It would study the feasibility of a Community system of assessment and authorization of dispersants and appropriate technological arrangements for preventing and containing accidental hydrocarbon discharges. It would prepare the establishment of Community positions on securing the effective implementation of the relevant international conventions.

(iv) Effective implementation of the international conventions on this kind of pollution, in particular the Bonn Agreement of 9 June 1969 on cooperation in dealing with pollution of the North Sea by oil.

Also, as soon as fuller particulars are available as to the ecological and economic implications of the Ekofisk blowout, consideration will have to be given to the means of action to be deployed, if necessary, on the social side.

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2.1.43. On 13 May *Parliament*<sup>1</sup> delivered its Opinion on the Commission's proposal to the Council<sup>2</sup> concerning the quality requirements for water to protect shellfish against pollution ('shellfish breeding waters'). At its meeting of 25 and 26 May the *Economic and Social Committee*<sup>3</sup> delivered an Opinion on a Commission proposal to the Council for a directive on bird protection.

## Consumer protection

### Promotion of consumer interests

2.1.44. In April the Commission several times discussed the promotion—and no longer merely

the protection—of consumer interests.<sup>4</sup> At the beginning of the month the Commission agreed in principle to hold a conference on the promotion of consumer interests, though the themes, aims, participants and organization have still to be fixed. In the light of the conclusions of this high-level conference the Commission will examine the implications of the development of such a policy on all the large-scale operations it undertakes.

### Marking and display of the prices of foodstuffs

2.1.45. On 26 May the Commission sent to the Council a proposal for a Directive on consumer protection in the marking and display of the prices of foodstuffs, in accordance with the preliminary programme of the European Economic Community for a consumer protection and information policy adopted on 14 April 1975.<sup>5</sup>

By enabling the consumer to make comparisons at the point of sale, unit pricing should increase market transparency and intensify competition. The proposal covers the marking and display of the selling price and the unit price of foodstuffs intended for the final consumer and the advertising of foodstuffs. Exceptions are permitted for various types of foodstuff sold singly or prepackaged.

To allow for any effects the obligation to mark and display unit prices might have on retail prices, the proposal for a Directive provides for flexible forms of price-marking, in particular by means of signs, posters and wall display.

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<sup>1</sup> Point 2.3.18.

<sup>2</sup> Bull. EC 10-1976, point 2220.

<sup>3</sup> Point 2.3.73.

<sup>4</sup> Bull. EC 4-1977, point 2.3.44.

<sup>5</sup> OJ C 92 of 25.4.1975.

2.1.46. At its plenary session of 25 and 26 May the *Economic and Social Committee*<sup>1</sup> gave its Opinion on the state of progress of the Community action programme on consumer protection and information.

## Agriculture and fisheries

### Reform of the common organization of the market in hops

2.1.47. On 17 May<sup>2</sup> the Council adopted a Regulation amending the common organization of the market in hops.

On 18 February 1976,<sup>3</sup> the Commission presented to the Council a proposal amending the basic Council Regulation of 26 July 1971<sup>4</sup> on the common organization of the market in this sector. On 21 September 1976, the Commission amended its proposal to take into account the new guidelines adopted by the Council in its Resolution of 20 July 1976<sup>5</sup> and designed to stabilize the market. Parliament and the Economic and Social Committee gave their Opinions on the adjustment of the basic Regulation at the end of 1976 and the discussions in the Council ended with an agreement last April.

In view of the imbalance which has affected the world and Community markets in hops since 1973, and in order to achieve a stable situation which will ensure a fair return to the grower, the Council has decided:

- (i) to promote quality at Community level by introducing a certification procedure for hops and hop products as a condition of marketing;
- (ii) to rationalize the method of calculating growers' earnings on the basis of areas in full production;
- (iii) to make it possible to grant aid per hectare, not for each variety but for groups of homogeneous varieties, depending on their final use and in-

trinsic characteristics, so that production is directed along more appropriate lines;

(iv) to increase the powers and responsibilities of growers' associations in matters relating to production and supply management; with this in mind the Regulation provides that, in EEC regions where recognized producer groups are in a position to organize supply rationally, Community aid per hectare will be granted only to such groups; to be recognized, such groups must market the entire production of their members or supervise the marketing;

(v) to make it possible, in case of a structural surplus, to take restrictive measures as regards the granting of aid per hectare;

(vi) to make it possible for the Council, in cases where there is likely to be a surplus, to take appropriate measures on a proposal from the Commission;

(vii) to freeze any extension of the Community area under hops for a two-year period;

(viii) to continue granting aid for varietal conversion for a further two years, provided that the restructured area is reduced by at least 40%, given the need to reduce the present areas under hops in the *Community*.

### Producer groups and unions

2.1.48. On 31 May,<sup>6</sup> the Commission presented to the Council a new proposal for a Regulation concerning agricultural producer groups and unions of such groups.

This proposal replaces that presented in February 1967 and amended in 1970 and 1971;<sup>7</sup> it takes account of the substantial differences in the supply of agricultural products in the Community: in

<sup>1</sup> Point 2.3.72.

<sup>2</sup> OJ L 137 of 3.6.1977.

<sup>3</sup> OJ C 51 of 5.3.1976 and Bull. EC 6-1976, point 2240.

<sup>4</sup> OJ L 175 of 4.8.1971.

<sup>5</sup> Bull. EC 7/8-1976, point 2250.

<sup>6</sup> OJ C 145 of 22.6.1977.

<sup>7</sup> OJ C 52 of 27.5.1971 and Bull. EC 7-1971, First Part, Chapter IV.

some regions there is scarcely any need for improvement, whereas in others it is essential. Consequently, the Commission is now proposing that the measure should apply only to the latter regions.

### Fixing of agricultural prices for 1977/78

2.1.49. On 17 May,<sup>1</sup> the Council formally adopted the regulations concerning prices for the next marketing year, that is, prices and aid measures, changes in the common organizations of the market and various related measures. The Commission has adopted a number of implementing regulations.

### Measures connected with the monetary situation

2.1.50. On the basis of a Commission proposal dated 13 May concerning the price level to be taken into consideration when calculating monetary compensatory amounts, the Council on 17 May held an initial exchange of views on certain factors which might lessen the distortions of competition arising from the particularly high level of monetary compensatory amounts in some sectors.

In this discussion, the Council also touched on some wider aspects of agri-monetary problems and noted the Commission's intention of making certain adjustments, before 1 October 1977, to its proposal (presented in November 1976<sup>2</sup>) for a Regulation on the gradual reduction of monetary compensatory amounts.

2.1.51. The Commission postponed the application<sup>3</sup> of the new monetary compensatory amounts to certain products not listed in Annex II, to 4 July, instead of 23 May, and laid down transitional measures<sup>4</sup> to prevent speculative movements (and hence deflections of trade), which might result from transactions carried out to take advantage of the new amounts.

### Common organization of markets

2.1.52. In May, the Council adopted decisions and held discussions on the sugar, wine and beef and veal sectors. The Commission adopted regulations on milk products.

2.1.53. After noting the Commission's report concerning negotiations with the African, Caribbean and Pacific States on guaranteed prices for *sugar*<sup>5</sup> for 1977/78 (1 July 1977 to 30 June 1978), on 17 May the Council endorsed the outcome of the negotiations carried out from 28 April to 13 May.

2.1.54. As regards *wine* the Council Regulation of 17 May<sup>6</sup> enables the grubbing of vines to continue until 15 June 1977<sup>7</sup> and maintains the conversion premiums for the 1977/78 and 1978/79 wine-growing years at the same level as for the present year, that is, without the proposed reductions of 100 and 200 u.a. per hectare.

2.1.55. In the *milk and milk products* sector, the Commission laid down the rules<sup>8</sup> for the transfer of the second instalment of butter to the Italian intervention agency pursuant to the Council Regulation of 5 October 1976;<sup>9</sup> 5 000 tonnes of butter will be transferred from the French and Luxembourg agencies.

On 25 May<sup>10</sup> the Commission adopted, as part of the implementing regulations on prices and related measures for the 1977/78 marketing year, rules to govern special aid (5.50 u.a./100 kg) for

<sup>1</sup> OJ L 125 of 19.5.1977, L 129 of 25.5.1977, L 131 of 26.5.1977, L 134 of 28.5.1977, L 136 of 2.6.1977 and L 137 of 3.6.1977.

<sup>2</sup> Bull. EC 11-1976, point 2239.

<sup>3</sup> OJ L 125 of 19.5.1977 and Bull. EC 4-1977, point 2.1.61.

<sup>4</sup> OJ L 134 of 28.5.1977.

<sup>5</sup> Point 2.2.46.

<sup>6</sup> OJ L 128 of 24.5.1977.

<sup>7</sup> Bull. EC 10-1976, point 2238.

<sup>8</sup> OJ L 121 of 14.5.1977.

<sup>9</sup> OJ L 279 of 9.10.1976, Bull. EC 10-1976, point 2236 and Bull. EC 1-1977, point 2.1.43.

<sup>10</sup> OJ L 106 of 29.4.1977 and L 131 of 26.5.1977.

skimmed milk to be used as feed for animals other than young calves.

2.1.56. On 17 May,<sup>1</sup> the Council adopted a Regulation defining how products purchased by an intervention agency in a Member State could be stored and disposed of outside its territory.

The Regulation provides that:

(i) Community authorization arrangements will be introduced for storage in a Member State other than that in which intervention took place and, as an exception, for storage in non-member countries, after consultation with the Member States on the storage space available in the Community;

(ii) when the products are being transported, no customs duties will be collected and no other amounts levied or granted under the common agricultural policy;

(iii) measures will be taken to ensure that the products are disposed of at the prices and subject to the conditions obtaining in the place of storage.

This Regulation, in particular the last point, will be first applied in the beef and veal sector.

## Fisheries<sup>2</sup>

2.1.57. On 16 May the Commission presented to the Council a Communication on the future fisheries policy for the purpose of advancing discussions in the Council on still unsettled problems of major concern.

In preparing this Communication, which follows on from its proposals of September 1976,<sup>3</sup> the Commission took into account discussions that had taken place meantime on the internal aspects of the Community fisheries policy, in particular the *ad hoc* measures to deal with certain urgent problems, and the negotiations with non-member countries.

2.1.58. Following the *unilateral measures* adopted by the *Irish Government* on 15 February<sup>4</sup> and put into effect on 10 April, the Commission decided on 2 May, to initiate against Ireland the infringement procedure of Article 169 of the EEC Treaty. The Commission considers these measures—ban on fishing by vessels of over 33 m or 1 100 hp within a zone of about 50 miles around Ireland—are discriminatory and in breach of the Treaty.

On 22 May, the Court of Justice<sup>5</sup> deferred for one month its decision on the Commission's request that Ireland's unilateral measures should be suspended, so that an alternative to these measures could be found.

2.1.59. On 17 May,<sup>1</sup> the Council decided to continue<sup>6</sup> the ban on *herring* fishing in the *North Sea* for the month of June, with the exception of a special 1 500 tonne quota for the Netherlands. The ban on herring fishing would also apply during June to waters off the west coast of Scotland.

## Structural policy

2.1.60. Acting on the Commission proposal presented on 28 March last,<sup>7</sup> the Council extended<sup>8</sup> until 31 December 1977 the period during which transitional investment aid may be granted towards certain holdings under the Council Directive of 17 April 1972<sup>9</sup> on the modernization of farms. Pursuant to the latter Directive, in May the Commission also issued an

<sup>1</sup> OJ L 128 of 24.5.1977.

<sup>2</sup> External aspects of fisheries are dealt with under 'Other countries'.

<sup>3</sup> Bull. EC 9-1976, points 1201 to 1210.

<sup>4</sup> Bull. EC 2-1977, point 1.2.10.

<sup>5</sup> OJ C 142 of 16.6.1977.

<sup>6</sup> Bull. EC 4-1977, point 2.1.66.

<sup>7</sup> Bull. EC 3-1977, point 2.1.76.

<sup>8</sup> OJ L 145 of 13.6.1977.

<sup>9</sup> OJ L 96 of 23.4.1972.

opinion on the implementing provisions notified by Denmark.

### Conditions of competition

2.1.61. In the action brought by the Commission against the United Kingdom Government on the matter of subsidies to pigmeat producers,<sup>1</sup> before giving judgment on the substance of the case, the Court of Justice<sup>2</sup> ordered on 21 May that the United Kingdom should immediately cease to grant the subsidy in question. On 24 May the United Kingdom stated that it would terminate the aid scheme on 11 June.

2.1.62. On 17 May,<sup>3</sup> the Commission initiated the examination procedure under Article 93(2) of the EEC Treaty regarding the French Minister of Agriculture's Decision of 6 December 1976 on the grant of loans to the equalization funds responsible for regulating the *pigmeat* market.

In taking this decision, the Council took account of the fact that France operates a permanent system of support through the equalization funds. This is regarded as incompatible with the common market.

Further, noting that the French decision had not been communicated in good time pursuant to Article 93(3) of the Treaty, the Commission initiated against the French Government the procedure of Article 169 of the EEC Treaty.

2.1.63. On 25 May, the Commission proposed to the Member States, under Article 93(1) of the EEC Treaty, that national investment aid for the processing and marketing of *milk* and *milk products* should be suspended and limited. The Commission considers that, given the present critical market situation in this sector, such aid is likely to distort competition in the common market by favouring and encouraging recipient enterprises to the detriment of those that do not receive aid.

It is proposed that all investment aid for the production and marketing of butter and milk powder, including the pre-processing of milk in dairies, be suspended. An exception is made in the case of enterprises producing less than 50 tonnes of butter per year, provided that any capacity created does not exceed the capacity eliminated. For the other milk products, the Commission proposes that all investment aid with the effect of increasing milk utilization capacity should be suspended. Where aid has not been suspended, the Commission proposes that provisionally the rates and other conditions for the granting of aid be maintained, subject to eventual harmonization of all aid in the stock-farming sector.

This proposal gives specific form to one of the measures in the action programme to stabilize the milk market.<sup>4</sup>

### Harmonization of legislation

2.1.64. The swine fever situation in the Netherlands having improved, the Commission was able to take a Decision on 11 May<sup>5</sup> relaxing further the measures relating to live pigs and completely lifting all restrictions on exports of fresh pigmeat. As no new cases were reported during May, all restrictive measures were lifted by the end of the month.

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2.1.65. At its part-session from 9 to 13 May, *Parliament*<sup>6</sup> delivered its Opinion on two proposals for directives, one concerning the modernization of agricultural exports and the other concerning the supervision by Member States of

<sup>1</sup> Bull. EC 1-1977, point 2.1.47 and 2-1977, point 2.1.46.

<sup>2</sup> OJ C 142 of 16.6.1977 and point 2.3.71.

<sup>3</sup> OJ C 129 of 2.6.1977.

<sup>4</sup> Supplement 10/76 — Bull. EC; Bull. EC 7/8-1976, point 2240 and 4-1977, point 2.1.56.

<sup>5</sup> OJ L 123 of 11.5.1977 and Bull. EC 4-1977, point 2.1.71.

<sup>6</sup> Points 2.3.16, 2.3.17 and 2.3.31.



operations included in the EAGGF financing system. A resolution was also adopted on the campaign against fraud and irregularities under the common agricultural policy. At its meeting on 25 and 26 May, the *Economic and Social Committee*<sup>1</sup> adopted a study prepared by its staff on the employment situation and prospects in the agricultural sector.

## Transport policy

### Organization of the markets

2.1.66. On 6 May,<sup>2</sup> The Commission decided to send recommendations to the Governments of four Member States—France, Germany, Luxembourg and the Netherlands—on their proposed measures for implementing the two Council Directives of 12 November 1974,<sup>3</sup> on *admission to the occupations of road haulage operator and road passenger transport operator* in national and international transport operations. The German Government proposal relates to road passenger transport operators, that of the Dutch Government to road haulage operators, and the French and Luxembourg proposals cover both.

In these four recommendations, the Commission regrets that the Governments concerned did not inform it of the proposed implementation measures in good time. As to the substance of each of these proposals, it notes that not one of them is in full conformity with the provisions of the Community Directives. The Commission therefore expresses reservations on the various proposals, as to the interpretation of certain concepts in the two Directives; the methods of applying the three criteria for admission to these occupations (good repute, appropriate financial standing and professional competence), the provisions regarding the transitional period and those regarding the withdrawal of authorizations and channels of appeal.

## Harmonization of structures

2.1.67. On 16 May, the Commission presented to the Council its fifth report on the implementation in the Member States in 1974 of the Regulation on the harmonization of certain social provisions relating to road transport.

The information supplied by Member States for this report is not sufficiently detailed to allow the Commission to draw any concrete conclusions. Nevertheless, the report notes that too few inspections were made in some Member States and that in others, where the Regulation was being applied for the first time, the necessary implementing measures had still not been taken.

2.1.68. On 3 May, the Commission published an Opinion on the Provisions which, in the view of the Italian Government, would serve to implement the Council Decision of 20 May 1975<sup>4</sup> on the improvement of the situation of railway undertakings and the harmonization of rules governing financial relations between such undertakings and States.

The Commission found that the existing provisions were not sufficient to meet the obligations deriving from the Decision of May 1975; it sent the Italian Government several observations on the matter and asked it to draw up suitable measures as soon as possible.

## Infrastructures

2.1.69. The group of government experts instructed to work out common technical requirements for inland waterway vessels met on 16 May. It approved the final list of maritime shipping lanes in accordance with Article 3 of the

<sup>1</sup> Point 2.3.75.

<sup>2</sup> OJ L 123 of 17.5.1977.

<sup>3</sup> OJ L 308 of 19.11.1974.

<sup>4</sup> OJ L 152 of 12.6.1975.

Council Directive of 20 January 1976<sup>1</sup> on reciprocal recognition of navigability licences for inland waterway vessels.

2.1.70. The committee coordinating the forward study on goods transport requirements<sup>2</sup> in the Community (and Spain) met on 4 May. The committee examined all the data assembled on the flows of goods traffic and on the preliminary stages of the preparation of alternative assumptions and strategies for 1985-2000. The Commission's proposals were accepted and the committee will hold bilateral meetings with each Member State over the next few months to agree on detailed forecasts.

### Advisory Committee on Transport

2.1.71. At its plenary meeting on 5 and 6 May in Brussels, the Advisory Committee on Transport adopted an Opinion on the implementation of a structural policy for the carriage of goods by road. The Committee also discussed the second series of measures to be put before the Council by the Commission as a continuation of Community action to implement the operation of the markets in the carriage of goods between Member States.

## Energy policy

### Preparation and implementation of a Community energy policy

2.1.72. In May, the Commission adopted several energy policy proposals which are to be discussed for the first time at the Energy Council in June.

### Development and protection of energy investment

2.1.73. On 26 May, the Commission adopted a Communication on the development and the protection of energy investment in the Community.

To attain its objective of reducing its dependence on imported energy, the Community will have to make a capital outlay of some 260 000 million EUA by 1985.

If such a high level of investment is to be achieved, the Commission thinks that the existing support granted by the Community's institutions for energy investment should be stepped up. At present this represents 2% to 3% of the total requirements for finance for energy investment forecast by the Member States for the period 1976-85.

Community support for energy investment could be strengthened in three ways:

*Additional lending and loan guarantees* — By borrowing on the international capital market for re-lending, the Community's institutions could make more loan finance available for investment on attractive terms. The Commission considers that a system of loans and loan guarantees included in the general budget (EEC and Euratom) could be a way of supplementing and encouraging what is already being done under EIB or ECSC auspices.

*Risk sharing in appropriate cases* — Up until now the risk of loss to Community institutions on loans in the energy sector has been minimal because they have been covered by guarantees given by Member States' governments or by first class security. But in future, energy investment could involve an element of risk for the investor. In order to limit such risk a Community guarantee

<sup>1</sup> OJ L 21 of 29.1.1976; Bull. EC 12-1975, point 2283 and 1-1976, point 2249.

<sup>2</sup> Bull. EC 6-1975, point 2290, 12-1975, point 2290, 1-1976, point 2251 and 12-1976, point 2289.

secured on the Community budget could permit the lender (EIB, ECSC or private sector bank) to accept less rigorous guarantees than are required at present.

*The role of an energy pricing policy* — Progress towards an energy pricing policy for the Community would provide an element of stability, thereby reducing uncertainties for investors. Long-term contracts could also help to reduce these risks in cases where it is possible to agree that, over a given number of years, a specified minimum quantity of fuel will be made available, and will be bought, at a minimum purchase price. The Commission feels it should be possible to fix a guaranteed minimum purchase price, which would be below expected world market prices but sufficiently high to give security to the investor. To create a more attractive guarantee for this type of long-term contract, which undertakings would enter into freely, the Commission proposes that the following principles be adopted:

- The Council should recognize that the adoption of a minimum safeguard price for oil would limit possible losses and facilitate long-term contracts;
- Member States able to export energy should give a clear idea of the volumes and types of energy they could envisage providing on a long-term basis;
- The exporting Member States should undertake to produce for delivery during the contract period at least the contracted minimum volume;
- The Community should support such long-term contracts by offering loans and loan guarantees with an element of risk-sharing and by making loan finance available on preferential terms.

The Commission feels that these proposals should be directed in the immediate future to the following three sectors: nuclear power, energy transportation and energy saving. The Council is invited to agree that total Community support for the energy sector should be increased in an orderly and progressive fashion in accordance with its proposals.

## Energy saving

### *Rational use of energy*

2.1.74. On 27 May, the Commission sent to the Council a further set of proposals for firm action on energy saving in an attempt to reduce energy consumption by 15% compared with the pre-crisis forecasts.

They are:

- A proposal for a Council Directive on the performance, maintenance and regulation of heat-generating plant and the insulation of the distribution system in new buildings;
- A draft Council Recommendation on the regulating of space heating, the production of domestic hot water and the metering of heat in new buildings;
- A draft Council Recommendation on the rational utilization of energy in industrial undertakings;
- A draft Council Recommendation on the creation in the Member States of advisory bodies on combined heat and power production in the industrial sector and for district heating.

### *Financial aids to certain projects*

2.1.75. On 31 May, the Commission sent to the Council a proposal for a Regulation on the granting of financial aids to *demonstration projects* in the field of energy saving.<sup>1</sup>

This new proposal flows from the Commission's Communication to the Council of 25 February 1977 on an intensification of the Community's programme for energy saving.<sup>2</sup>

The demonstration projects are intended to reduce uncertainty about the commercial and economic viability of energy-saving techniques and to promote marketability; they form a natural

<sup>1</sup> OJ C 138 of 11.6.1977.

<sup>2</sup> Bull. EC 2-1977, points 1.5.1 to 1.5.3.

complement to research and development programmes in this field. The Commission proposes to provide financial assistance, to be covered by the general budget. The Community would thus be able each year to support a minority share of the costs of schemes for district heating and the combined production of heat and power in industry, and a number of industrial projects.

This Community scheme is designed to complement and not replace financial assistance by the Member States. It must be managed in close conjunction with national and Community research and development programmes.

2.1.76. On the same day,<sup>1</sup> the Commission also sent to the Council a proposal for a Regulation on the granting of financial support for *projects to exploit* alternative energy sources.

This proposal is part of the overall scheme to reduce the Community's dependence on imported energy by developing the resources available on its own territory. This endeavour requires specific action by the Community, particularly in the case of the application on an industrial or semi-industrial scale of new technologies and processes which are scientifically sound but whose technical and economic viability has not yet been demonstrated.

Community financial involvement provides a means of:

- (a) encouraging and expediting projects entailing financial, technical and/or technological risks;
- (b) promoting swifter dissemination of tested techniques.

This Commission proposal relates to all alternative sources, but places particular emphasis on projects for the working of geothermal fields and on coal liquefaction.

#### *Modernization of existing buildings*

2.1.77. On 31 May,<sup>1</sup> the Commission sent to the Council a Communication regarding energy sav-

ings from the modernization of existing buildings in the Community.

This paper contains a proposal for a Directive which would require the Member States to adopt appropriate national programmes, with special emphasis on better insulation of walls and roofs, double glazing, the improvement of heating systems, and the fitting of thermostats and heat meters. It would be up to the Member States to make all the necessary arrangements to finance and encourage these measures, which would have a substantial labour content and could result in the creation of some 700 000 jobs. In addition, the Member States would have to inform the Commission periodically of the progress made in carrying out their programmes.

#### **Energy Committee**

2.1.78. The energy Committee met on 16 May with the Member of the Commission for energy. Mr Brunner, in the Chair. A French proposal on the ceiling for oil imports was discussed, and it was decided that this came under the more general heading of energy saving. The Committee also examined two Commission papers, one on alternative energy sources, the other on coal liquefaction and gasification and geothermal power. The Committee also examined the problems of managing mandatory oil stocks. It chose 4 July for its first meeting devoted specifically to energy-saving policy.

#### **Sectoral problems**

##### **Hydrocarbons**

2.1.79. On 6 May, the Commission sent to the Council two proposals for Directives concerning the Member States' obligation to maintain stocks

<sup>1</sup> OJ C 138 of 11.6.1977.

of crude oil and petroleum products corresponding to 90 days' average daily consumption.

The first Directive is based on the finding that, despite agreements on the establishment of stocks in the territory of other Member States, additional measures are needed in order to make the most of the existing facilities.

The Commission's proposal specifies that firms wishing to make storage facilities available to firms in other Member States must ask permission from the competent national authorities. Firms in another Member State wishing to make use of these facilities in order to satisfy their storage obligation need not apply for permission for quantities of crude oil and petroleum products up to 20% of the stock level which they are obliged to maintain. Permission will be required above this limit.

The second Directive concerns the financing of these storage facilities, which are now a considerable financial burden, particularly for small- and medium-sized firms. In order to take some of the load off their shoulders, the Commission proposes that the Member States authorize firms to set up *storage organizations* to perform part of the work arising from the obligation. These non-profit-making organizations will be financed through fees and granted legal personality and financial autonomy. The fees and the method of calculating them will first have to be approved by the Member States.

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## Coal

2.1.80. At its sitting on 10 May, the *European Parliament*<sup>1</sup> delivered its opinion on a Commission proposal on Community financial measures to promote the use of coal for electricity generation.

## Nuclear energy

### *Supply Agency: 1976 Report*

2.1.81. In its Annual Report for 1976, which was published recently, the Euratom Supply Agency emphasizes that intervention or decisions by the governments or administrations of certain countries have delays which have sometimes produced bottlenecks because of their effect on delivery times.

For example, US-ERDA deliveries to the Community were gravely disturbed during the year, causing substantial delays in deliveries. Often, customers in the Community were unable to take delivery of the enriched uranium at the agreed date because the export licence was not granted in time. It will be necessary to wait for the new Administration to define a policy on exports of highly-enriched uranium.<sup>2</sup>

## Research and development, science and education

### International situation in the nuclear field

2.1.82. On 16 May the Commission sent the Council a Communication reviewing the problems to be faced by the Community in forthcoming international nuclear discussions arising from new United States initiatives.

In view of the importance of nuclear energy to the Community the Commission feels that the Community itself and the Member States must be fully prepared for the international talks and should work out common or at least coordinated positions on the various issues.

<sup>1</sup> Point 2.3.9.

<sup>2</sup> This has in fact happened, meanwhile, since the United States has decided to resume its deliveries of highly-enriched uranium to the Community: point 2.2.55.

The Commission will therefore be submitting more detailed proposals or communications on issues that are likely to be of particular interest for the Community.

### **Scientific and Technical Research Committee (CREST)**

2.1.83. Meeting on 2 and 3 May, CREST held a detailed discussion on a draft proposal from the Commission for a multiannual research programme in the field of raw materials.

The medium- and long-term aim of the programme is to ease the problems concerning the Community's supplies of basic raw materials by increasing its own production potential and promoting new technologies for prospection, the processing of low-grade, complex ores and the exploitation of deep mines.

After stressing the scientific and technical value of a programme of this kind for the development of an overall Community policy on raw materials, CREST recommended that the Commission present proposals to the Council as soon as possible.

The Committee then moved on to a preliminary examination of the second plan of action envisaged by the Commission in the field of scientific and technical information and documentation. Although it recognized the scientific and technical merits of these proposals and the urgent need to make the Euronet network operational, CREST nevertheless felt that some aspects of the plan of action ought to be clarified, notably regarding possible duplication between the various data bases, questions of machine translation and management of the actual programme.

Lastly, CREST held a wide-ranging discussion on the conclusions that can be drawn from the first phase (1974-76) in the development of the common research and development policy. Some delegations laid special emphasis on the need for clear definition of the objectives of this policy and the importance of a sectoral approach to

scientific and technical questions, this being considered more pragmatic than a global view.

It recommended that the Commission take account of past experience acquired and results when drawing up policy guidelines for the second phase (1977-1980).

This discussion is to be continued in July on the basis of a paper on this topic which the Commission will shortly put before the Council.

### **Technological problems of nuclear safety**

2.1.84. On 21 May, the Commission approved a report—to be sent to the Council and Parliament—on its activities in connection with technological problems of nuclear safety during the period July 1975-December 1976.

The report deals with the progress of the work and the conclusions reached by existing Community working parties concerned with the harmonization of safety regulations, codes, criteria and standards and the coordination of safety research programmes. These activities relate to light-water reactors, fast breeder reactors and fuel cycle installations. The document also touches on the work in progress on the disposal of radioactive waste from the plutonium recycling process and the transport of radioactive materials.

The report was prepared in accordance with the Resolution on the technological problems of nuclear safety approved by the Council on 22 July 1975.<sup>1</sup>

### **Storage of radioactive waste in geological formations**

2.1.85. In association with the OECD Nuclear Energy Agency (NEA), the Commission organized a meeting at Ispra on 23-27 May 1977 which was attended by some fifty specialists in the

<sup>1</sup> OJ C 185 of 14.8.1975 and Bull. EC 7/8-1975, point 2262

analysis of risks and the design of models representing the transfer to the biosphere of radioactive waste stored in geological formations. The Commission's work in this area takes the form of direct and indirect action projects carried out in the context of Community programmes for the management and storage of radioactive waste. The Joint Research Centre (JRC) devotes a considerable amount of work to questions of risk analysis.

The meeting afforded an opportunity to review the progress of studies being carried out in the various laboratories engaged in this research, and to compare the methods employed. A consensus was obtained in favour of encouraging contacts between the laboratories and facilitating their access to basic experimental data. Consideration was given to the establishment of an information exchange system and the principle of holding periodical meetings. The talks also clarified the aims to be achieved in the evaluation of risks and the preparation of theoretical models simulating the mechanisms involved.

#### Advisory Committees on Programme Management (ACPMs)

2.1.86. The ACPM responsible for the direct action project on *reference standards and substances* and the indirect action project on *reference materials and methods (Community Bureau of References)* met in Brussels on 2 and 3 May.

After considering a report on the progress of the research undertaken in connection with the indirect action projects, the Committee approved the certification of the first ten CBR reference materials, namely four samples of coke, three of zinc ore concentrates and two of lead, and one sample of copper. These certified reference materials can now be used for checking and calibrating the methods and instruments used in the Community for purposes of chemical analysis.

The Committee also approved the inclusion of ten new projects in four research sectors of the

indirect action programme; these relate to ferrous, non-ferrous and inorganic materials, and to physical and technological properties.

## Scientific and technical information and information management

### European Congress on Information Systems and Networks

2.1.87. From 3 to 6 May, the Commission held the Third Congress on Information Systems and Networks in Luxembourg, the theme being 'Overcoming the language barrier'.

During the four days of the Congress, nearly forty internationally renowned specialists from Community countries and elsewhere (including the United States, Canada, the Soviet Union and Yugoslavia) gave comprehensive accounts of the present state of development of the various tools and methods designed to overcome the problems of multilingualism or presented papers on recent achievements in this field. Nearly 600 people attended the Congress. Supporting events included an exhibition of dictionaries and works on multilingualism, and a permanent demonstration of the operation of terminology data banks and automatic translation systems, for which purpose computer terminals were specially installed in the Congress building and connected to central units located, in some cases, several hundred kilometers away.

After an interruption of some ten years, research on automatic translation has now been resumed, since technological progress has permitted the development of very large central computer memories. The prospects are now highly promising.

The Congress thus prompted experts, information users, and politicians to take a closer look at the possible new ways of solving the difficult and costly problems of multilingualism.

## 2. External relations

### Enlargement

#### Accession negotiations : Greece

2.2.1. The fifth session of the accession negotiations between Greece and the Community at deputy (Ambassador) level took place in Brussels on 4 May. The Community delegation made a statement concerning the problems of Greece's accession to the ECSC. The Greek Delegation stated its position on social affairs (free movement of workers, social security, Social Fund).

2.2.2. During May the Commission and the Greek delegation also continued their examination of Community secondary legislation. The points covered were the harmonization of legislation on dangerous substances, solvents, detergents, textiles and fertilizers, the abolition of checks on the green card, the Community Patent Convention and public contracts, and the agricultural sector, fresh and processed fruit and vegetables, live plants and floricultural products.

2.2.3. Mr Natali, Commission Vice-President with responsibility for enlargement, paid an official visit to Greece from 12 to 18 May. He was received in Athens by the Prime Minister, Mr Karamanlis, and had talks with Mr Papaligouras, Minister for Coordination (in charge of the accession negotiations), and with other personalities. The main subject for discussion was the current accession negotiations. Mr Natali then went to Mitilini to represent the Commission at the meeting of the EEC-Greece Joint Parliamentary Committee.<sup>1</sup>

### Political cooperation

#### Conference on Security and Cooperation in Europe

2.2.4. At its 11 May sitting Parliament passed a Resolution<sup>2</sup> on the preparatory meeting re-

ferred to in the Final Act of the Helsinki Conference on Security and Cooperation in Europe (CSCE)<sup>3</sup> to be held in Belgrade on 15 June.

### Multilateral approaches

#### Conference on International Economic Cooperation

##### End of the Conference

2.2.5. The Conference on International Economic Cooperation (CIEC) ended in Paris with a meeting at Ministerial level lasting from 30 May till 2 June.<sup>4</sup> To round off its work, the Conference adopted a report stating, in the main, the points on which the participants agreed or disagreed.

#### Implementation of the UNCTAD IV programme

##### Preparatory meetings under the integrated programme for commodities

##### *Copper*

2.2.6. From 16 to 20 May the second preparatory meeting on the possible negotiation of an international copper agreement—along the lines of the Resolution on the integrated programme adopted by UNCTAD in Nairobi in May 1976—took place in Geneva, with 48 countries participating; the Community was represented.

At the meeting, Peru, backed by eleven delegations, requested that a negotiating conference be

<sup>1</sup> Point 2.2.34.

<sup>2</sup> Point 2.3.22.

<sup>3</sup> Bull. EC 7/8-1975, points 1201 to 1204.

<sup>4</sup> Points 1.2.1 to 1.2.12.



held during the second half of 1978 to conclude an international copper agreement: a draft agreement would have to be drawn up in the meantime by a group of experts. The copper consuming and importing countries—notably the Community, Japan and the United States—felt that the time was by no means ripe for considering such a possibility.

In the end, the Peruvian proposal was rejected by the preparatory meeting which underscored the need for more thorough preliminary studies to identify the possible economic provisions of an international agreement. The UNCTAD Secretariat was requested to prepare, in collaboration with experts, a study on the possibility, cost, advantages and financial effects of several formulas: an agreement based solely on the existence of a buffer stock, an agreement based on supply measures, or a combination of these two solutions. The Community suggested, as it had already done, that there should be exchanges of information between producers and consumers and that possibly a consultative body should be set up for producers and consumers. The need to consider this idea was included in the recommendations adopted by the preparatory meeting. No further meeting is planned before January 1978.

### *Tropical wood*

2.2.7. The preparatory meeting on tropical wood, held in Geneva from 23 to 27 May, did not produce any practical results. There were a number of reasons for this, the main one being that tropical wood is not one of the commodities that has been in the forefront of international discussion.

The representatives of the producing countries and of the consumer countries alike emphasized the fact that not enough information was available on market structure and trends, the produc-

tion potential of the tropical forest, prices and marketing problems.

The producing countries also stressed the difficulties they encountered in a number of fields: local processing of tropical wood, access to the market, high freight charges, and so on. As far as the consumer countries were concerned, especially the United States, the most important thing was the need to become better acquainted with the market and its problems before proposing a practical international action programme. The statement made at the meeting by the Community representative was a reflection of the views of most of the consumer countries.

At the end of the meeting the participants adopted a work programme based on a text prepared by the producing countries. The next session at government expert level is planned for November.

## **Law of the Sea**

### **Sixth session of the Conference**

2.2.8. The sixth session of the third United Nations Conference on the Law of the Sea opened in New York on 23 May. It will continue until mid-July.

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2.2.9. On 13 May *Parliament*<sup>1</sup> adopted a Resolution on the Conference on the Law of the Sea as it affects the European Community.

<sup>1</sup> Point 2.3.25.

## Development

### Development cooperation policy

#### Cooperation with non-governmental organizations

2.2.10. By the end of May, of the 58 projects submitted since the beginning of the year by 24 non-governmental organizations (NGOs) specializing in development aid, 31, involving a total of 1 067 222 u.a., had been approved under the Commission's cofinancing programme.

2.2.11. The second meeting between the *NGO Liaison Committee*<sup>1</sup> and Commission staff took place on 5 May. The items discussed included cofinancing, the role of the NGOs in the Community's food aid programme and the preparation of a seminar on ways and means of making the public aware of general development issues.

#### Food aid and emergency aid

##### Skimmed-milk powder and butteroil programme for 1977: Commission proposals

2.2.12. On 6 May, the Commission presented to the Council a Communication<sup>2</sup> on the skimmed-milk powder and butteroil *food aid programmes* for 1977.

These programmes involve:

- (i) 45 000 tonnes of butteroil;
- (ii) 105 000 tonnes of skimmed-milk powder;
- (iii) direct aid of 49 310 tonnes of skimmed-milk powder and 19 990 tonnes of butteroil; the poorest countries and those facing special difficulties will receive the bulk of this aid;
- (iv) indirect aid, i.e. aid channelled through international organizations, of 41 000 tonnes of

skimmed-milk powder and 22 000 tonnes of butteroil.

A reserve of 14 690 tonnes of skimmed-milk powder and 3 010 tonnes of butteroil will be constituted for emergencies.

This Communication is a follow-up to the cereals food aid programme proposed in October 1976<sup>3</sup> and adopted by the Council on 8 February 1977.<sup>4</sup>

#### Emergency measures

2.2.13. On 3 May, the Commission approved emergency food aid measures involving 5 000 tonnes of cereals for the Democratic Republic of *Madagascar*. These measures will cost around 600 000 u.a.

#### Food aid

2.2.14. On 26 May, the Commission presented to the Council a food aid programme for *Chile*—through the Catholic Relief Service (CRS)—involving 3 000 tonnes of skimmed-milk powder and 2 000 tonnes of butteroil. This operation will cost around 3.41 million u.a.

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2.2.15. At its meeting of 25 and 26 May, the *Economic and Social Committee* adopted a study drawn up by its staff on the Community's policy on relations between industrialized and developing countries.

<sup>1</sup> Bull. EC 2-1977, point 2.2.13.

<sup>2</sup> OJ C 123 of 25.5.1977.

<sup>3</sup> Bull. EC 10-1976, point 2315.

<sup>4</sup> Bull. EC 2-1977, point 2.2.14.

## Commodities and world agreements

### Sugar

2.2.16. The Conference for the *negotiation of a new international sugar agreement*, which opened in Geneva under the auspices of UNCTAD on 18 April,<sup>1</sup> adjourned on 27 May without any final decision being taken as to the form or content of the agreement.

It was agreed that in July the Chairman of the Conference, the Executive Director of the International Sugar Council, would call a meeting in London to consult the representatives of the main countries concerned and decide whether a second session of the Conference should be convened before the end of the year.

There was a broad consensus among countries as diverse as Cuba, Brazil, Australia and the United States and the EEC in favour of an international commodity agreement to encourage the stabilization of prices on the world market around the middle of the price bracket negotiated in the agreement.

There were differences of opinion on the methods of stabilizing prices, for the United States and the Community insisted on the need to build up substantial stocks in accordance with suitable arrangements whereas the other countries preferred to do no more than establish export quotas.

While the positions of the United States and the Community are very similar as regards the concept of a commodity agreement, the price bracket and the volume of stocks, they differ on other points: the United States recommends the use of export quotas to defend the minimum price (export quotas are not covered by the Community's negotiating mandate) and advocates the creation

of a special fund under the agreement to finance stocks (the Community could not go beyond a declaration relating to the need for consideration of the specific interests of the exporting developing countries).

The United States and the Community will have spent the six weeks of the Conference pressing upon their partners the need for the sort of international agreement which is truly capable of helping to stabilize prices. This implies participation in the storage costs borne by importing countries such as Canada and Japan, whereas the exporting and the importing countries went no further than the concession made in the short-lived agreement of 1968, which was based on export quotas, even though the allocation and operation of quotas create difficulties chiefly in those countries promoting them.

The Community has had to admit that it has no hope of imposing an agreement on its partners based exclusively on a price and stock mechanism.

In any case the exporting developing countries are interested in the idea of stocks only if they can obtain financial facilities to lighten the burden of constituting and maintaining them.

The Commission—which is acting for the Community in these negotiations—will assess the outcome of this initial session in the light of the brief given by the Council and will then make the requisite proposals concerning subsequent stages.

<sup>1</sup> Bull. EC 4-1977, point 2.2.22.

## Commercial policy

### Formulating and implementing the common commercial policy

#### Import arrangements

##### *Relaxation of restrictions*

2.2.17. Under the Council Decision of 27 March 1975 on unilateral import arrangements in respect of State-trading countries<sup>1</sup> the Commission took the following decisions in May to relax existing import restrictions:

*Italy and Romania:* Opening of an exceptional quota for tractor engines;<sup>2</sup>

*Italy and Hungary:* Opening of an exceptional supplementary quota for imports of photographic paper;<sup>2</sup>

*Italy and North Korea:* Opening of an exceptional quota for electrolytic zinc.<sup>2</sup>

##### *Safeguard measures*

2.2.18. On 3 May the Council adopted a Regulation<sup>3</sup> extending for three months the provisional *anti-dumping duty* which, on 4 February,<sup>4</sup> the Commission imposed on *ball bearings*, tapered roller bearings and parts thereof, originating in *Japan*. The Commission had presented a proposal for this Regulation on 6 April<sup>5</sup> so as to have more time to examine the facts of the case.

2.2.19. On 27 May the Commission decided to subject to authorization imports into Germany of certain *yarn and twine* of hemp, of flax and of ramie originating in *Yugoslavia*.<sup>6</sup> No more than 80 tonnes may be imported between the beginning of June and the end of December 1977. Imports have increased sharply in the last few years and the products are offered for sale at prices 17 to

21% lower than those charged by Community producers; this has resulted in market disruption, to which the Commission has therefore reacted with these quotas.

### Specific measures of commercial policy

#### Textiles

##### *Thailand*

2.2.20. The sharp increase in imports into the Benelux countries of *jute yarn* from Thailand and the resulting substantial injury to Benelux producers were the subject of consultations between the Community and Thailand, in accordance with the agreement concluded by exchange of letters when Community generalized tariff preferences became applicable to Thailand's exports of jute products.

Since no satisfactory solution was found, the Commission adopted safeguard measures<sup>7</sup> limiting imports of Thai jute yarn into the Benelux countries to 4 030 tonnes for 1977. But these are only interim measures, and there will be further consultations between the two parties.

##### *Macao*

2.2.21. Under the Agreement between Macao and the Community on trade in textile products,<sup>8</sup> consultations were held on the trend of imports into the Community, particularly the

<sup>1</sup> OJ L 99 of 21.4.1975.

<sup>2</sup> OJ C 137 of 10.6.1977.

<sup>3</sup> OJ L 112 of 4.5.1977.

<sup>4</sup> OJ L 34 of 5.2.1977 and Bull. EC 2-1977, point 2.2.20.

<sup>5</sup> Bull. EC 4-1977, point 2.2.30.

<sup>6</sup> OJ L 135 of 1.6.1977.

<sup>7</sup> OJ L 115 of 6.5.1977.

<sup>8</sup> Bull. EC 9-1975, point 2304 and 1-1977, point 2.2.22.

United Kingdom, of *certain articles of clothing* originating in Macao.

During these consultations it was agreed that imports of these products should be reduced. The Macao authorities expressed their willingness to introduce voluntary restraint for exports of the relevant products (men's jackets and blazers and women's blouses and shirt-blouses) into the United Kingdom. On 31 May the Commission adopted a Regulation<sup>1</sup> implementing the agreed measures.

#### *Korea*

2.2.22. On 25 May the Commission adopted a Regulation on the *administration of quantitative limits* on imports of certain textile products originating in the Republic of Korea;<sup>2</sup> the Regulation allocates among the Member States the Community quantitative limits set under the Agreement between the Community and Korea on trade in textile products.<sup>3</sup>

#### *Hungary*

2.2.23. On 31 May the Commission decided to recommend the Council to authorize it to open negotiations with Hungary for the conclusion of an Agreement on trade in textile products. Hungary is a party to the Multifibre Arrangement and the negotiations would be held on the basis of that Arrangement, particularly Article 4.

A similar Recommendation has been made for the opening of negotiations with Poland.<sup>4</sup> An Agreement with Romania on trade in textile products<sup>5</sup> has been in force since November 1976.

## International organizations

### United Nations

#### Economic Commission for Latin America

2.2.24. The Community was present as an observer at the meeting held by the United Nations Economic Commission for Latin America in Ciudad de Guatemala from 25 April to 5 May.

The main item on the agenda was the regional evaluation of the international development strategy and the establishment of the new international economic order. The Latin-American countries had already worked together on preparation for this evaluation and for the resulting programme of action at a meeting of high-level government experts held in San Domingo in March. The 'Guatemala Evaluation' will be transmitted to the United Nations Economic and Social Council.

The developed countries in ECLA nevertheless took part in the elaboration of resolutions, eight of which were adopted unanimously. One resolution concerns the value for Latin America and for the European Communities of strengthening mutual relations through a more effective dialogue at a higher level.

Mr Enrique Inglesias, Executive Secretary of ECLA, would like to see ECLA promoting closer relations between Latin American countries and a group of developed countries including the European Community.

<sup>1</sup> OJ L 137 of 3.6.1977.

<sup>2</sup> OJ L 131 of 26.5.1977.

<sup>3</sup> Bull. EC 11-1975, point 2309 and 12-1976, point 2313.

<sup>4</sup> Bull. EC 12-1976, point 2315.

<sup>5</sup> Bull. EC 11-1976, point 2309.

## **United Nations Conference on Trade and Development**

### **Committee on Economic Cooperation among Developing Countries**

2.2.25. The new Committee on Economic Cooperation among developing Countries, which was set up in accordance with two of the resolutions adopted by UNCTAD in Nairobi in May 1976,<sup>1</sup> met in Geneva from 2 to 6 May.

The main achievement of this meeting was to establish a programme of studies on economic cooperation among developing countries to be implemented by UNCTAD. These studies will cover a wide range of subjects, in particular the establishment of trade preferences among developing countries or groups of developing countries, including the possible setting-up of an overall system of preferences among developing countries. The next meeting of the Committee will take place in autumn 1978.

## **Food and Agricultural Organization**

### **Committee on Commodity Problems**

2.2.26. The Community participated in the annual session of the FAO Committee on Commodity Problems, held in Rome from 2 to 6 May.

The Committee examined the world market situation for a number of products. The discussions—on beef and veal and oleaginous products in particular—were sometimes lively and the Community representative intervened to clear up some misunderstandings. In a document distributed at the opening of the meeting the developing countries stated their common opinion on the various items on the agenda, an unusual action at such a meeting since the FAO is primarily a technical body.

## **World Food Council**

2.2.27. A meeting to prepare for the second session of the World Food Council—which is to take place from 20 to 24 June in Manila—was held from 9 to 14 May in Rome with the Community taking part.

Documents prepared by the Secretariat of the World Council and dealing with various subjects—trade in food products, food aid, nutrition, etc.—were discussed in detail. These documents contained some draft resolutions to be submitted to the Council. The Group of 77 had also prepared its own draft resolutions. With all these alternative versions before them the participants in the end were unable to reach agreement on the formulation of the resolutions to be presented to the Council.

### **Committee on Food Aid Policies and Programmes**

2.2.28. The Community also took part in a meeting of the Committee on Food Aid Policies and Programmes which was held in Rome from 16 to 27 May. In order to enable a minimum objective to be laid down for food aid in the form of both cereals and other products, the Committee asked the Secretariat to prepare, in consultation with recipient countries and with United Nations specialized agencies, a systematic method for estimating food requirements.

## **General Agreement on Tariffs and Trade**

### **GATT Council**

2.2.29. At the GATT Council of Representatives meeting held on 23 May, the Japanese representative—supported, among others, by the

<sup>1</sup> Bull. EC 5-1976, points 1201 to 1211.

Community representative—reported on the serious concern in his country over the New York Customs Court's decision in the action brought against the US Treasury Department by Zenith Corporation; since this decision appeared to contradict the rules and practices of international trade.

In its ruling the New York Customs Court took the view that exemption or repayment upon export of taxes on certain electronic products regarded as indirect within the meaning of the Japanese Commodity Tax Law constituted the granting of a 'net bounty or grant' under US law on countervailing duties. The decision of the Court is, however, in contradiction with the provisions of Articles VI(4) and XVI of the General Agreement and may have a major and serious impact on international trade, given that the United States itself and all its trade partners apply indirect taxes of the same kind as those which the Customs Court considered as being liable for application of countervailing duties. If this measure were not revoked promptly, there was a risk that it might be rapidly extended to other products, thus threatening by degrees all international trade.

The Council therefore set up a working party to examine the compatibility of the US decision with the relevant provisions of the General Agreement; this group should begin its work in the very near future.

At the same meeting the four reports by the panels set up to assess the US DISC tax arrangements and certain tax practices in Belgium, France and the Netherlands were referred to the Council for the third time. Once again the EEC spokesman stressed that the four cases should each be dealt with separately and he remarked in this connection that the panel's opinion on the DISC system was tantamount to unequivocal condemnation. This point of view was supported by a number of other delegations (Canada, Japan, Switzerland), which pressed for the DISC system to be brought to an end soon. However, in the light of the differences of opinion which still exist

the Chairman of the GATT Council referred examination of the four cases to a later meeting.

## Organization for Economic Cooperation and Development

### Executive Committee

2.2.30. The Commission participated in the special session of the Executive Committee of the OECD which was held in Paris on 10 May. At the meeting the Committee, in the wake of the Downing Street Summit<sup>1</sup> and before the CIEC Ministerial Conference,<sup>2</sup> took stock of the state of economic relations between the member countries of OECD in the light of the medium term strategy adopted in 1976<sup>3</sup> and the trend and future prospects of relations with the developing countries.

Noting the interdependence of economies and economic policies, the Committee saw the conclusions of the London meeting as confirmation of the approach followed by the medium-term strategy. In this context the Committee gave its attention to the uncertainties regarding the financing of balance of payments disequilibria. With regard to trade matters it found that there was a fairly wide convergence of views in favour of renewing the 1974 Trade Pledge<sup>4</sup> for a further year; the Community for its part wanted the Trade Pledge to be renewed without any textual changes.

In spite of the difficulties still existing in the CIEC negotiations the feeling prevailed that this Conference could end successfully, for the industrialized countries had expressed their political determination to see that it ended well, since the success of the Conference—which would be reflected by an improvement in North-South rela-

<sup>1</sup> Points 1.6.1 to 1.6.14.

<sup>2</sup> Points 1.2.1 to 1.2.12.

<sup>3</sup> Bull. EC 6-1976, point 2325.

<sup>4</sup> Bull. EC 5-1974, point 2307.

tions—was in the interests of both parties. It also considered that an in-depth appraisal of the future of those relations and their place in the international economic context might be begun after the CIEC when the member countries of the OECD should endeavour to define an overall view of their objectives.

### Working Party on Shipbuilding

2.2.31. The OECD Working Party on Shipbuilding met again in Paris on 3 and 4 May. The Community representative gave an account of the support measures which certain Member States were considering taking to cope with the difficulties currently facing their shipyards.<sup>1</sup>

## Council of Europe

### European Conference of Local and Regional Authorities

2.2.32. The European Conference of Local and Regional Authorities in Europe met in plenary session from 24 to 26 May.

In an address delivered at the opening meeting Mr Giolitti, the member of the Commission with special responsibility for regional policy and the coordination of the Community's financial instruments, reviewed the activities of the European Regional Development Fund since 1975: a 945 million u.a. contribution had been made to the financing of some 3 300 projects, which enabled 60 000 jobs to be created or maintained in 1975 and 55 000 in 1976. He stressed that the ERDF, although a vital instrument, was not, however, enough to correct the Community's imbalances.

Mr Giolitti then sketched the broad outline of Community regional policy which the Commission intended to propose to the Council.<sup>2</sup> He concluded by emphasizing that the regional policy was one of the pillars of the European con-

struction. If what people wanted was a Community of free and equal peoples and not merely a market controlled by summit-level diplomatic agreements, the Community must be built on solid and balanced foundations.

## Mediterranean countries

### Greece

2.2.33. The EEC-Greece Association Council met in Brussels on 4 May. It studied the draft annual report which the Association Council has to submit to the Joint Parliamentary Committee.<sup>3</sup>

2.2.34. The EEC-Greece Joint Parliamentary Committee met in Mitilini from 16 to 18 May, Mr Papaligouras, the Greek Minister for Coordination and President of the Association Council, Mr Tomlinson, the UK Under-Secretary of State, Foreign and Commonwealth Office and President of the Council of the Communities, and Mr Natali, Vice-President of the Commission, also attended this meeting.

The Joint Committee's discussions centred on the development of the EEC-Greece Association and in particular on matters relating to the harmonization of agricultural policies and the rapid implementation of the second Financial Protocol. Among the other topics discussed were questions relating to Greece's accession negotiations and, more generally, the possible enlargement of the Community to include other countries. Lastly, the Committee examined the international political situation and in particular in the eastern Mediterranean region.

After these discussions, the Parliamentary Committee adopted recommendations—on the

<sup>1</sup> Point 2.1.9.

<sup>2</sup> Points 1.1.1 to 1.1.9.

<sup>3</sup> Point 2.2.34.



themes of association and accession—which it sent to the Association Council and the other competent bodies.

2.2.35. On 25 May, the Council of the Communities adopted a regulation<sup>1</sup> laying down arrangements to apply to imports of Greek wine into the Community as from 29 April 1977.<sup>2</sup> A Community quota of 284 220 hectolitres was opened until 31 December 1977, with a tariff reduction of 85%.

### Turkey

2.2.36. The third Financial Protocol with Turkey, concluded on 3 February 1977,<sup>3</sup> was signed in Brussels on 12 May. It provides for 310 million EUA to be committed by 31 October 1981, 220 million EUA from budgetary appropriations and 90 million EUA in EIB loans; it will enter into force as soon as the Member States of the Community and Turkey have deposited their instruments of ratification.

### Cyprus

2.2.37. On 16 and 27 May, negotiations took place in Brussels between the Community and Cyprus in order to define the trade relations between the two parties beyond 1 July 1977.

The aim of these negotiations is to conclude an Additional Protocol extending the first stage of the Association Agreement, which expires on 30 June, and to set up economic and financial co-operation.

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### Israel

2.2.38. At its sitting on 12 May, *Parliament*<sup>4</sup> delivered its opinion on a Commission proposal to the Council for the Conclusion of an Additional Protocol to the Agreement between the

Community and Israel and the Protocol relating to Financial cooperation.

### Mashrek

2.2.39. On 17 May, the Council adopted three regulations<sup>5</sup> officially concluding the interim agreements with Egypt, Jordan and Syria, signed in Brussels on 18 January 1977.<sup>6</sup>

\*

2.2.40. At its sitting on 13 May, *Parliament*<sup>7</sup> delivered its opinion on the conclusion of cooperation agreements between the European Community and Egypt, Jordan and Syria.

### Lebanon

2.2.41. The cooperation agreement between the Community and Lebanon<sup>8</sup> was signed in Brussels on 3 May.<sup>9</sup> An interim agreement for the advanced implementation of the trade provisions was also signed.<sup>10</sup> This will enter into force on 1 July.

### Spain

2.2.42. Negotiations between the Community and Spain, with a view to adapting the Trade Agreement of 1970, took place in Brussels on 6 and 27 May. They will continue during June.

<sup>1</sup> OJ L 131 of 26.5.1977.

<sup>2</sup> Bull. EC 4-1977, point 2.2.54.

<sup>3</sup> Bull. EC 2-1977, point 2.2.33.

<sup>4</sup> Point 2.3.26.

<sup>5</sup> OJ L 126 of 23.5.1977.

<sup>6</sup> Bull. EC 1-1977, points 1.3.1 to 1.3.9.

<sup>7</sup> Point 2.3.27.

<sup>8</sup> Bull. EC 3-1977, point 2.2.45.

<sup>9</sup> Points 1.5.1 to 1.5.4.

<sup>10</sup> OJ L 133 of 27.5.1977.

## Yugoslavia

2.2.43. The new EEC-Yugoslavia Subcommittee, created by the Joint Committee on 29 March 1977,<sup>1</sup> met for the first time on 26 May in Brussels. There was an exchange of views on economic and monetary problems, which enabled both sides to describe their balance of payments situation, their medium-term economic policy programme and for Yugoslavia to describe the difficulties it encounters in gaining access to the capital markets.

In accordance with the task assigned to it, the Joint Subcommittee also tried to identify the priority sectors for developing and strengthening cooperation in the fields of transport, environment and tourism.

## ACP States and the OCT

### Lomé Convention

#### Visit of the President of the Ivory Coast to the Commission

2.2.44. Mr Houphouët-Boigny, the President of the Ivory Coast, paid an official visit to the Commission on 6 May. He attended a working meeting of the Commission and took the opportunity to underline the need to find a solution to the debt problem of the developing countries and to establish stable and profitable prices for cocoa.

The Commission and the President of the Ivory Coast found that they shared much the same views on these two questions and on the other subjects dealt with during the conversations.

#### Export earnings from commodities

##### *Stabex*

2.2.45. On 16 May, the first batch of transfer agreements for 1976, under the scheme for the

stabilization of export earnings (Stabex) set up under the Lomé Convention were signed. The Commission took its decisions on these agreements on 4 April.<sup>2</sup> A number of changes were made following the decisions of the EEC-ACP Council in Fiji;<sup>3</sup> finally the first batch contains nine transfers (instead of eleven) involving seven countries (instead of nine) and eight products.

##### *Sugar*

2.2.46. Negotiations on the guaranteed price for ACP sugar, which began on 28 April<sup>4</sup> ended on 13 May.

The compromise, which will be adopted by the usual procedure of an exchange of letters between the Community and the ACP States concerned, is as follows:

(i) For the period from 1 May 1977 to 30 June 1978, the guaranteed prices referred to in Article 5(4) of the Protocol on sugar annexed to the Lomé Convention have been fixed as follows: for unrefined sugar, 27.25 EUA per 100 kg and for white sugar, 33.83 EUA per 100 kg.

These prices are for unpacked sugar, cif European ports in the Community, of the quality defined by Community regulations.

(ii) In view of the changes in the definition of the Community's intervention prices and other important factors, the Community hopes that the guaranteed price for unrefined ACP sugar and the adoption of the proposed special arrangements for self-balancing of contributions and refunding of storage costs for preferential sugar will enable the ACP States to obtain a price of not less than 28.20 u.a. per 100 kg on the Community market during the 1977/78 delivery period.

<sup>1</sup> Bull. EC 3-1977, point 2.2.48.

<sup>2</sup> Bull. EC 4-1977, point 2.2.62.

<sup>3</sup> Bull. EC 4-1977, point 2.2.61.

<sup>4</sup> Bull. EC 4-1977, point 2.2.63.

(iii) The Community hopes that the guaranteed price for ACP white sugar will result in a market price of 35.60 u.a. per 100 kg.

At its meeting of 16 and 17 May, the Council endorsed the outcome of the negotiations on the guaranteed prices for sugar for 1977/78.

### Industrial cooperation

2.2.47. The ACP-EEC Industrial Cooperation Committee, which met in Brussels on 18 May, adopted the 1977 working programme and annual budget of the Centre for Industrial Development.

### Financial and technical cooperation

2.2.48. An indicative programme of financial and technical cooperation, within the framework of the Lomé Convention, was signed in Brussels on 3 May following talks between a delegation of the Federal Republic of Nigeria, headed by Mr Aboubakar Alhadji, Secretary-General of the Federal Ministry of Trade, and a Commission delegation.

### European Development Fund

#### New financing decisions

2.2.49. Following the favourable opinion delivered by the EDF Committee, the Commission took new financing decisions in May, bringing the total commitments under the fourth EDF to 677 234 000 EUA; the new decisions concern the following projects:

*Malawi* — Nkula Falls II hydro-electric project: 8 500 000 EUA.

*Kenya* — Upper Tana reservoir scheme: 28 750 000 EUA.

*Upper Volta* — Improvement of sanitation in the town of Ouagadougou (development of the Moro-Naba backwater): 5 200 000 EUA.

*Grenada* — Extensions to St George's General Hospital: 200 000 EUA.

*Guinea-Bissau* — Development of cotton production: 6 000 000 EUA; Multiannual training programme for the period 1976-80: 980 000 EUA

*Senegal* — First annual microproject programme 1976-80: 340 000 EUA.

*Lesotho* — Basic agricultural services programme (BASP): 3 000 000 EUA.

*Malawi* — Upgrading of the Karonga-Chiweta road pavement: 2 475 000 EUA.

*Liberia* — Multiannual training programme for the period 1976-80: 1 100 000 EUA.

*Ghana* — Multiannual training programme for the period 1976-80: 2 250 000 EUA.

*Ethiopia* — Water-engineering system: 12 800 000 EUA.

*Congo* — Water supply for the towns of Nkayi and Impfondo: 3 650 000 EUA.

*Gambia* — First annual microproject programme: 370 000 EUA.

*Botswana* — Ranch management centre: 1 045 000 EUA.

*Central African Empire* — Repairing the Bangui-Damara road (65 km): 3 290 000 EUA.

*Liberia* — Construction of the Tartule-Karloke road: 4 800 000 EUA.

*Comoros* — Exceptional aid: 1 297 000 EUA.

## Other countries

### *Fisheries*<sup>1</sup>

#### Negotiations in progress

2.2.50. Negotiations between the Community and *Spain* continued in Brussels on 18 May with a view to concluding a long-term framework agreement on fisheries.

2.2.51. On 17 and 18 May a new round of consultations took place in Brussels between the Community and *Norway* as regards granting *catch quotas* to Community fishermen in Norwegian waters.

#### Interim measures

2.2.52. On 16 May,<sup>2</sup> the Council adopted a Regulation laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of five non-member countries in the 200-mile zone off the coast of the French department of Guiana. The non-member countries concerned are Brazil, Korea, the United States, Japan and Surinam.

#### Fisheries Commission

2.2.53. On 16 May, the Commission sent the Council a Communication concerning multilateral cooperation on fishing. This paper sets out the position to be taken by the Community at the meetings of the International Commission for the Northwest Atlantic Fisheries (ICNAF) from 31 May to 14 June in Ottawa, and the North-East Atlantic Fisheries Commission (NEAFC) from 6 to 12 July in London.

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2.2.54. At its 13 May sitting, *Parliament*<sup>3</sup> delivered its Opinion on a proposal from the Commission to the Council on the conclusion of an agreement between the Community and the United States concerning fishing off the coast of the United States.

#### *Industrialized countries*

##### United States

2.2.55. On 6 May, the American State Department informed the Community's Washington Delegation that exports of highly enriched uranium to the Community would be resumed. Mr Brunner, Member of the Commission responsible for Energy, expressed his satisfaction at this announcement and said that he saw this move as a good omen for the outcome of the Community's talks.

##### EFTA countries

2.2.56. Following the *Conference of Members of the Governments* of the EFTA countries held in Vienna on 13 May, Mr Haferkamp, Vice-President of the Commission with special responsibility for external relations, made a statement to the press in which he emphasized that the meeting was an important step in the efforts to overcome current world economic problems.

He also recalled that the final tariff barriers between the Community and the EFTA States would be removed on 1 July for most industrial products. After a transitional period of four and a half years, Western Europe would in practice have an internal trading area with a population of over 300 million, the successful culmination of a

<sup>1</sup> The internal aspects of fisheries are dealt with under 'Agriculture and fisheries'.

<sup>2</sup> OJ L 123 of 17.5.1977.

<sup>3</sup> Point 2.3.24.

variety of efforts that date back to the fifties and sixties.

Lastly, Mr Haferkamp remarked that the free trade agreements which the Community had concluded with each of the EFTA States after enlargement had functioned well; free trade must now be further extended and secured.

## Japan

### *Official visit by Mr Haferkamp to Japan*

2.2.57. Mr Haferkamp, Vice-President of the Commission, paid an official visit to Japan from 18 to 21 May. He was received in audience by Emperor Hirohito and had talks with the Prime Minister, Mr Fukuda, the Foreign Minister, Mr Hatoyama, and Mr Tanaka, Minister of International Trade and Industry.

In addition to the conversations with the Government, talks were held with Mr Doto, President of the Federation of Japanese Industries and with trade union leaders.

The main areas covered during this visit were the general economic situation, particularly in the Community and Japan, multilateral questions of mutual interest (North-South Dialogue and multilateral trade negotiations) and bilateral trade problems.

During his official visit, Mr Haferkamp took part in the work of the tenth round of high-level consultations between the Community and Japan.<sup>1</sup>

### *High-level consultations*

2.2.58. The tenth round of regular high-level consultations took place in Tokyo on 19 and 20 May. The consultations were opened on a ministerial level by the Japanese Foreign Minister, Mr Hatoyama, and Mr Haferkamp, Vice-President of the Commission.

Both sides agreed that close cooperation was necessary to cope with the problem of the Community's increasing trade balance deficit with Japan. The Community delegation emphasized that further rapid progress is required in removing Japanese barriers impeding Community exports to Japan. It was agreed to continue speedily the sector-by-sector examination in order to facilitate the Community's export possibilities in fields such as processed agricultural products, chemicals, pharmaceuticals, diesel engines, etc.

The previous high-level meeting took place on 15 and 16 November 1976.<sup>2</sup>

### *ECSC-Japan Contact Group*

2.2.59. In the framework of the ECSC-Japan Contact Group, delegations from the Commission and the Japanese Government met in Tokyo on 23 and 24 May.

Discussions covered the general economic situation and the special situation of the steel markets of both countries. The Community delegation explained in some detail to the Japanese authorities the programme of crisis measures which the Commission was implementing, while emphasizing in this context the special nature of imports of steel products from non-member countries. Lastly, information was exchanged on the evolution of investments in the iron and steel industry and the supply of raw materials.

## *Developing countries*

### *Asia*

#### *India*

2.2.60. At the invitation of the Indian Government, Mr Haferkamp, Vice-President of the

<sup>1</sup> Point 2.2.58.

<sup>2</sup> Bull. EC 11-1976, points 1101 to 1114.

Commission responsible for external relations, visited India from 14 to 17 May.

Mr Haferkamp was received by the Prime Minister, Mr Morarji Desai. He also had talks with Mr Atal Bihari Vajpayee, Minister of External Affairs, Mr H.M. Patel, Minister of Finance, Mr Mohan Dharia, Minister of Commerce, Mr Georges Fernandes, Minister of Communications and Mr Biju Patnaik, Minister of Steel and Mines.

The most important subject discussed was the North-South Dialogue and the conversation helped the two sides to understand each other's position and to obtain a clearer view of the conditions in which a successful outcome could be reached.

As far as bilateral relations between India and the Community were concerned, Mr Haferkamp stressed during his talks with his Indian hosts that closer bilateral cooperation should be reached in the framework of the Commercial Cooperation Agreement (which came into force on 1 April 1977) by identifying sectors where such cooperation could be established between European and Indian firms via closer contacts or joint ventures.

## Latin America

2.2.61. At the Commission's invitation, Mr Jaime Moncayo, Permanent Secretary of SELA (Latin American Economic System), visited Mr Haferkamp, Vice-President of the Commission responsible for external relations, and Mr Cheysson, Member of the Commission responsible for development policy, on 26 May. Mr Moncayo, who was accompanied by Mr Maldonado and Mr Bermudez, directors of SELA administrative units for coordination and consultation and for programmes and projects, took part with Commission staff in a working session.

This was the first official contact between the Permanent Secretariat of SELA and the Commission in order to explore the practical possibilities of cooperation on the SELA work programme. In this context, a study will also be made of new forms of cooperation between the Community and SELA in its capacity as a coordinating body grouping together all the Latin-American countries.

Commission and Permanent Secretariat representatives will meet to examine jointly the possibilities of the Community cooperating in the execution of the first specific regional projects finalized by SELA under its work programme. These projects relate in particular to the food and agriculture, fertilizer and craft sectors.

At the same time, with the aim of improving the overall dialogue between the EEC and Latin America, contacts between the Commission and the Permanent Secretariat of SELA will be geared to seeking proposals for each of the two parties to submit to their respective Councils.

In this connection, the Commission mentioned the Community's policy of cooperation with non-associated developing countries, one of the guiding principles of which is to support efforts at regional integration.

## State-trading countries

### Romania

2.2.62. On 3 May, the Council agreed that humanitarian *aid* amounting to 100 000 u.a. should be granted to the victims of the earthquake which occurred in Romania on 4 March.

# 3. Institutional and political matters

European policy

## Institutional developments — European policy

### Informal meeting of Foreign Ministers

2.3.1. The Foreign Ministers of the Nine held an informal meeting at Leeds Castle on 21 and 22 May. Mr Roy Jenkins, President of the Commission, attended. The meeting was chaired by Dr David Owen, President of the Council. The main theme was the complex of problems raised by the prospect of further enlargement of the Community, and notably the functioning of its institutions.

The position of the Commission remains:

- (i) Political acceptance of the likelihood that new members will be joining;
- (ii) Recognition of the existence of real and serious problems, which must be examined but which need not prevent enlargement;
- (iii) Allowance for the different situations of the applicant countries.

With Greece, negotiations are already under way. They must be continued in good faith with the firm objective of reaching a successful conclusion. As regards Portugal, the Commission must give its Opinion by the end of the year. Spain has not made an application for membership but may do so. While making allowance for the different situations of the applicant countries the Community must clearly consider the effects of enlargement as a whole.

### Meeting of the Ministers of the Interior

2.3.2. The Ministers of the Interior of the nine Member States held an informal meeting in London on 31 May. The main item of discussion was the fight against terrorism.

The following press release was issued after the meeting:

At their meeting in Luxembourg in June 1976 Ministers of the Interior, and Ministers of Justice having similar responsibilities, of the Member States of the European Community agreed on a programme of work to be carried out by officials to strengthen cooperation on matters arising in the field of their responsibilities, in particular with regard to law and order. Ministers held a second meeting in London on 31 May in order to review progress and commission further work. Ministers noted with satisfaction that existing cooperation between Member States had been greatly strengthened through the activities of the working groups of experts that had been set up to implement the programme agreed at Luxembourg. They endorsed proposals by officials for developing practical and effective measures to cope with problems which transcend national boundaries, taking due account of the activities of other international bodies.

The Ministers reached the following conclusions on the areas under consideration by Officials:

1. The Ministers reaffirmed that terrorism is a crime, from whatever motive it is practised, and should be treated as such: but they recognized that it posed special problems for law enforcement and security agencies. They welcomed arrangements proposed to strengthen and develop the exchange of information about terrorist activities and techniques for handling major terrorist incidents. The Ministers stressed the importance of the closest possible cooperation between the relevant agencies in each country in the exchange of information about activities of terrorist and subversive groups. The Ministers agreed that in the event of an imminent threat of terrorist action, the authorities in the countries concerned should take immediate cooperative action as necessary.

2. Ministers agreed that representatives of Member States should continue to discuss matters of common concern in combating interna-

tional terrorism (a number of which, such as traffic in arms, were specifically identified during the course of the meeting) and to evaluate the experience gained by Member States in handling previous terrorist incidents.

3. The Ministers welcomed arrangements for establishing working groups of experts in the technical field and agreed that arrangements should be put in hand for the exchange of police personnel and for the convening of a conference of experts to consider aspects of police training.

4. They agreed on arrangements proposed for developing cooperation between Member States in the field of civil aviation security.

5. They agreed that a working group of experts should be set up to provide for the exchange of views, information and experience on all aspects of measures against fire and other related tasks.

6. They instructed senior officials to put in hand arrangements to implement these conclusions and to report back to a further meeting of Ministers.

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2.3.3. At its 11 May sitting, *Parliament* also adopted a Resolution<sup>1</sup> on the Community's information policy with particular reference to the Commission information programme in preparation for direct elections to Parliament<sup>2</sup> and a Resolution on the protection and defence of human rights.<sup>3</sup>

## Institutions and organs of the Communities

### Parliament

#### *Part-session in Strasbourg from 9 to 13 May*

2.3.4. The May sittings in Parliament<sup>4</sup> were dominated by a thorough debate on the funda-

mental problems of energy and the environment. For the first time Parliament, in an exhaustive debate, looked at the whole nexus of problems connected with the violation of human rights in both East and West. The plans for mutual and balanced force reductions (MBFR) were also debated.

The remaining items on the agenda concerned the reform of the Social Fund, the information programme for the direct elections, the economic situation in the Community, further developments in the farm price discussions, the European Export Bank, the Multifibre Arrangement, the Court of Auditors, simplifying international travel and cooperation with Israel.

Parliament paid tribute to one of its members, Hermann Spillecke (S/D) who died suddenly. Mr Spillecke, who took his seat in the House at the beginning of the year, was a member of the Committee on the Environment, Public Health and Consumer Protection, the Committee on Energy and Research and the Committee on the Rules of Procedure and Petitions.

Parliament also paid tribute to the former Minister of Economic Affairs and Federal Chancellor, Ludwig Erhard who died recently. When in office as President of the Council, he had frequently taken part in Parliament's debates. The President, Mr Colombo spoke in praise of Mr Erhard's dedicated work and the economic rise of the Federal Republic of Germany.

<sup>1</sup> Point 2.3.11.

<sup>2</sup> Bull. EC 3-1977, point 2.3.3.

<sup>3</sup> Point 2.3.10.

<sup>4</sup> This report was prepared from 'Information' published by Parliament's Secretariat.

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 133 to 6.6.1977 and the report of proceedings is contained in OJ Annex No. 217.

The political group and nationality of members are indicated in brackets by the following abbreviations: C-D = Christian Democrats, S = Socialists, L = Liberals and Democrats, C = European Conservatives, EPD = European Progressive Democrats, COM = Communists and Allies; B = Belgium, DK = Denmark, D = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.



**Energy and the environment:  
debate on the fundamentals**  
(10 May)

2.3.5. The so far unexplained disappearance of 200 tonnes of natural uranium and the accident at the North Sea oil-rig 'Bravo' served as a topical lead-in to the general debate on energy.

For the Commission, Mr Brunner explained how the uranium, placed under the control of the Euratom authorities, had disappeared *en route* between Rotterdam and Genoa in 1968. Vice-President Natali spoke about the North Sea oil disaster. The general debate revolved on five oral questions concerning the problems of energy production and the environment, uranium supplies, common energy policy and a report by the Committee on Energy and Research on financial measures to promote the use of coal for electricity generation.

2.3.6. Mr Brunner, Member of the Commission, answered a question from the Socialist Group to the effect that Euratom's control system had operated efficiently in the still unsolved case of the missing 200 tonnes of uranium. The Commission departments had been quick to notice the loss and call in the responsible security authorities of the Member States concerned, who had made further investigations. At all events, said Mr Brunner, this affair, which dated back to 1968 and 1969, should not be judged by the standards of 1977. At that time, before the Non-proliferation Treaty was concluded, uranium was not specially controlled and protected.

Meanwhile, we had learnt from experience. The transporters and intermediaries were covered by Euratom safeguards; all movements must now be notified in advance. Mr Brunner was pleased to be able to tell the House that it had been possible to stop a further delivery to one of the firms involved in the uranium scandal.

2.3.7. During the general debate, many Group spokesmen and individual speakers spoke of the risk factors of present-day energy policy.

Mr Flämig (D) summed up the viewpoint of the Socialists when he called for more economies in using energy, the development of alternative sources and acceptance of the principle 'safety before profit'. He found that the energy dilemma centred on the need to consider all possible technical implications of policy decisions, the question of conflicting expert opinion, the problem of correlating economic growth and energy supply and the task of reducing dependence on imports.

The Chairman of the Committee on Energy and Research and the spokesman for the Christian Democrat Group, Mrs Walz (D), said that it was imperative to reach an international consensus on the storage and use of nuclear fuels. It was unacceptable that within the Atlantic Community, one side should have a monopoly of supply while the other found its economic development hindered. Mr Walz also referred to the consequences for energy supply and jobs, if building was halted on nuclear power stations.

2.3.8. Mr Zeyer (C-D/D) expanded the points made concerning the plans to promote the use of coal for electricity generation. He endorsed the views of the rapporteur, Lord Bessborough (C/UK), who had spoken to the Commission's proposals on financial measures to promote the use of coal in generating electricity.<sup>1</sup>

2.3.9. In the debate, Mr Brunner and Mr Natali called on the responsible politicians to give their electorates a clear picture of the exigencies of energy policy and of how security of supply, economic growth and consequently stability in employment were all interrelated. Only by diversifying its energy supply could Europe free itself from energy dependency.

At the end of the debate, Parliament, with one abstention, unanimously adopted Lord Bessborough's report on Community financial measures to promote the use of coal for electricity generation.

<sup>1</sup> Bull. EC 12-1976, point 2283.

## Human rights (11 May)

2.3.10. Deeply concerned that force, persecution and disregard of the most fundamental human rights were more widespread than ever, Parliament expressed its solidarity with all men and women throughout the world whose freedoms were violated. The debate was prompted by the renewed outbreak and escalation of violations of human rights throughout the world. It was based on two questions (one by Mr Fellermaier for the Socialist Group, the other by Mr Bertrand for the Christian Democrats) on the protection of human rights in Europe and the world and a report from the Political Affairs Committee presented by Mr Johnston (L/UK).

The Resolution at the end of the debate, passed by a majority, called for a joint position at the preparatory meeting in Belgrade in 1977 (following on Helsinki) on the part of the Community institutions and the Member States' Foreign Ministers acting in the context of political cooperation. They should also 'obtain recognition of the link between the pursuit of a policy of *détente* and willingness to respect fundamental rights and freedoms'. Throughout the world—and particularly within the United Nations Organization and its Human Rights Commission, whose role should be strengthened—they should work for the application of more effective resources in combating all violations of human dignity and be ready to make joint representations. The House undertook, in its own external relations and interparliamentary contacts, to bear in mind the question of human rights and fundamental freedoms.

Mr Bertrand (C-D/B) spoke of the distressing reports from Amnesty International on the torture of political prisoners, the detention of political opponents without any form of court decision and the disappearance without trace of witnesses and detainees, which were daily occurrences in many countries of the World—all of this only thirty years after the Declaration of Human

Rights was signed in Paris in 1948 and during the Year of the Political Prisoner (1977). In the face of this menacing development, it was the Community's duty to help to ensure stricter respect of human rights—the common basis of European culture—both inside and outside the Community. Protection of human rights must come before the principle of non-intervention. Mr Bertrand asked the Commission, the Council and the nine Foreign Ministers to say what measures, in which international bodies and by means of what sanctions the Community was going to act.

For the Socialist Group, Mr Sieglerschmidt (D) said that we ourselves were not really a shining example by which to judge other countries. There were nevertheless qualitative differences which should be emphasized. The crusade against violations of human rights should not be misused as a political weapon. Then again there were no ready-made solutions for coming to the aid of oppressed people. The Final Act of the CSCE had become a charter for citizens' rights movements in Eastern Europe. Was it really possible, regardless of the bloc to which they belonged, to act against countries in which human rights were violated? Even the President of the United States; Mr Carter, had had to concede that security considerations might have to take precedence over the protection of human rights. But, said Mr Sieglerschmidt, he held no brief for cynical Machiavellianism; we must simply recognize our limitations.

Speaking as the rapporteur of the Political Affairs Committee, Mr Johnston (L/UK) said that the old days of the double standard, when each side had eyes only for violations of human rights in the opposite political camp, were now over. For democratic politicians, ideals were indivisible and justice must prevail for all, no matter what their political colour. He therefore called upon the Communist Group to rally behind the resolution motion supported by all the other Groups.

The Council and the Commission both supported the demands in Parliament's Resolution. Mr Haf-

erkamp, Vice-President of the Commission declared that they were all united in their concern over the violations of human rights in the world, in condemning them and in believing that there was no panacea. Lofty declarations and resolutions were of no further help. Human rights demanded concrete action wherever possible, and the more the Nine could appear and act together the more successful they would be. One concrete possibility open to the Community could be to make its agreements conditional upon partner countries being signatories to the United Nations Declaration of Human Rights. The Community could provide a general human rights clause for future agreements. Autonomous measures, like food aid or financial assistance, which were not bound by agreements, could be made to depend on the protection of human rights.

Mr Tomlinson, President of the Council and the Chairman of the Foreign Ministers' Conference on political cooperation, recalled that, in 1973 the Community had recognized the protection of human rights as a basic feature of the European identity. Action to safeguard human rights must nevertheless be carefully measured to protect the interests of those concerned. Discreet pressure through diplomatic channels was often the most successful way. The aim of the Nine was to create an international climate of opinion in which violations of human rights were no longer tolerated. Mr Tomlinson regretted that the appointment of a high commissioner for human rights had not gained the approval of a majority in the UN.

Mr Ajello (S/I) held that *détente* and protection of human rights were not incompatible. He firmly believed that the Federal Republic's *détente* policy under Mr Brandt had made Helsinki and the whole debate on human rights possible.

The Berlin Christian-Democrat member, Mr Kunz (D), spoke of the human problem in the now divided former capital city. Berlin was a particularly conspicuous reminder to politicians to stand up for human rights, especially the right to freedom of movement.

Before the final vote, Mr Galuzzi (I) of the Communist and Allied Group had urged that the whole process initiated at Helsinki be advanced. He described it as 'unproductive' to consider human rights out of this context. With numerous amendments, which did not secure the necessary majority, he attempted to incorporate his conceptions into the Resolution motion. Another amendment to be rejected was one tabled by the Socialists to make it clear that the 'joint representations' called for in the Resolution were not to mean action but a joint political stance.

#### **More active information campaign for the direct elections** (11 May)

2.3.11. Mr Schuijt (C-D/NL) described the Commission's information programme for the direct elections as altogether inadequate.<sup>1</sup> Considering the size of the electorate, some 180 million voters, the resources in the 1977 Community budget were meagre. In the Resolution, the House called for a comprehensive programme for the second half of 1977, and the period up to the elections in 1978, which should be presented by 31 July 1977, so that it could still be considered in the draft budget for 1978. The House approved the release of the one million u.a. entered into the 1977 budget for information purposes. A liaison group consisting of representatives of Parliament and the Commission was to coordinate the use of the appropriations.

#### **Economic affairs**

##### *London Summit* (11 May)

2.3.12. Acting for the President of the Council and UK Foreign Secretary, Dr Owen, who owing to his Nato engagements could not be in Stras-

<sup>1</sup> Bull. EC 3-1977, point 2.3.3.

bourg, the Under-Secretary of State, Mr Tomlinson, reported on the results of the London Summit.<sup>1</sup>

He summarized the seven areas of action on which the Heads of Government had agreed in their joint declaration.<sup>2</sup>

The President of the Commission, Mr Jenkins, confirmed the points made by the Council President in respect of the matters on which he had collaborated on behalf of the Community as a fully recognized participant in the summit conference. These were trade matters, the North-South Dialogue and, to some extent, the energy policy issues. He had not been allowed to join in the general economic discussion.

Mr Jenkins endorsed the message contained in the last point of the Summit declaration, namely the need to restore confidence in the continuing strength of our societies and the proven democratic principles on which they were based. No debate followed the statements of the two Presidents. Parliament's Committees will work on each of the questions brought up in London.

*Mr Ortoli on the economic situation*  
(11 May)

2.3.13. In his statement on the economic situation in the Community,<sup>3</sup> Vice-President Ortoli painted a soberly optimistic picture. He backed up his conclusions with comprehensive statistics on the rate of inflation and the numbers of unemployed. He maintained that a positive picture was emerging on three fronts: the upward price movement appeared to be easing, the balance of payments disparities were narrowing and there were initial signs of the favourable effects of the upswing in the United States.

The psychological effect of the London Summit should not be underestimated either. Mr Ortoli called for a continuation of the effort on the economic policy front, and hoped for something pos-

itive from the Tripartite Conference scheduled for June.

## Social affairs

*Reform of the Social Fund*  
(12 May)

2.3.14. On the basis of a report by Mr Adams (S/D), Parliament reviewed the tasks and working methods of the European Social Fund.<sup>4</sup>

The rapporteur pointed out that the first priority was to reduce unemployment in the Community by means of an employment policy which, in the medium term, would take into account structural change in the European economies. But the problems today could no longer be tackled with the traditional instruments of economic and social policy. The Social Fund would not succeed in making an effective contribution to employment policy unless it was expanded into a comprehensive instrument and its operations were more closely coordinated with those of the Regional Fund, the EAGGF and the European Investment Bank.

If we failed to counter the present trend, Europe would be unable in the long run to escape the decline of its economy. But the social policy was in no way to be regarded as a kind of emergency repair service, always on hand to straighten out distortions caused by Member States' inappropriate economic measures. In this sense, the Social Fund could be considered as a step, however modest, in the right direction.

Mr Lange (S/D), who spoke for the Committee on Budgets, referred to the difficulties which could arise from what he called the 'cross-border traffic' between the various Funds. Mr Kavanagh (S/IRL) and Mr Van der Gun (C-D/NL) said that the necessary resources simply must be made

<sup>1</sup> Points 1.6.1 to 1.6.14.

<sup>2</sup> Points 1.6.4 to 1.6.10.

<sup>3</sup> Point 2.1.1.

<sup>4</sup> Bull. EC 3-1977, points 1.3.1 to 1.3.6.

available for the Fund to extend its work. Like Mr Cifarelli (*L/I*) and Mrs Kellett-Bowman (*C/UK*), they wanted to see the Fund's operations more sharply focused on the neediest regions.

Mr Bouquerel (*EPD/F*) warned against assigning too many new tasks to the Social Fund, because of the additional expenditure this would entail. For Mr Pistillo (*COM/I*), the right to work was one of the fundamental rights of mankind. Mr Pisoni (*C-D/I*) pointed to the problems as more and more migrant workers returned to their homeland.

In the Resolution, which received the support of the entire House except for the Communist Group which abstained, it was stressed that if the Council departed from Parliament's Opinion, it would be necessary to initiate a conciliation procedure.

## Agriculture

### *Latest developments in farm prices* (12 May)

2.3.15. Vice-President Vredeling gave a brief account of developments on the farm price front since the last debate in the House in April. Apart from two slight changes, the Council of Ministers of Agriculture had endorsed the Commission's compromise proposal in Luxembourg on 25 and 26 April. While the Council had raised the butter subsidy for the United Kingdom to 33 u.a./100 kg until 31 March 1978, and the Irish butter subsidies had also been slightly increased, it had, however, been tacitly agreed that should the butter subsidies continue beyond that date, they must be degressive so that they could finally be phased out.

### *Combating irregularities in the beef and veal sector* (12 May)

2.3.16. The Chairman of the Committee on budgets, Mr Lange (*S/D*), deputizing for the Rap-

porteur, Mr Cointat, emphasized that in future precautions must be taken to ensure that there was no possibility at all of irregularities and frauds. Without further debate, Parliament approved a report of its Committee on Budgets on combating fraud and irregularities relating to the common agricultural policy, with reference to the third report by the Special Committee of Enquiry on beef and veal.<sup>1</sup>

The House reiterated its recommendations on combating fraud: a coordinated data-processing system for the management and control of the common agricultural policy; the payment of aid as far as possible direct to producers; more efficient allocation of management and control tasks between the Commission and national administrations; a quality control policy.

### *Modernizing farms* (12 May)

2.3.17. Parliament approved the Commission's proposal for a Directive to allow Member States to continue until 31 December to pay grants in connection with the modernization of farms.<sup>2</sup>

### *Wine, shellfish, eels* (13 May)

2.3.18. Other Opinions concerned the granting of a conversion premium in the wine sector, quality requirements for waters favourable to shellfish growth and the opening of tariff quotas for eels and for hazelnuts from Turkey.

<sup>1</sup> Bull. EC 7/8-1976, point 2479.

<sup>2</sup> Bull. EC 3-1977, point 2.1.77.

## Internal market

*Lifting Italian controls of currency in cash form as the holiday season begins*  
(12 May)

2.3.19. With the holiday season just beginning, the Committee on Economic and Monetary Affairs brought up the question of controls on currency in cash form at the Italian frontier. He asked the Commission about the results of the investigations which, in June last year, the Italian authorities had undertaken to make. Two German members, Mr Zeyer (C-D) and Mr Lange (S) pressed the Commission to get the Italian authorities to accept some practical improvements before the holiday rush started.

*Increased tax exemptions applicable in intra-Community travel*  
(12 May)

2.3.20. Parliament supported a proposal for a Directive<sup>1</sup> aimed at eliminating the difficulties resulting from the present rules governing tax exemptions for private individuals in intra-Community travel: such difficulties include the whittling-away of tax-free allowances by constantly rising prices, the effects of the monetary situation, the risk of double taxation and actual discrimination. Purchasing power should be maintained by increasing the allowances. The House also approved the replacement of the unit of account based on gold parities by the European unit of account (EUA), since this would achieve virtual parity between the exempted amounts as expressed in national currencies.

The tax-free allowances should also be adjusted annually in line with a Community index.

*Promoting indirect research in countries with low revenue from granting licences*  
(10 May)

2.3.21. The Community's mounting balance of payments deficit in the international patent and

licence market prompted the resolution motion tabled by Mrs Walz (C-D/D), Chairman of the Committee on Energy and Research. Parliament felt that the Community must take special steps to promote Community research in those areas in which substantial licence fees have to be paid to non-member countries with strong currencies. The Commission was urged to work out proposals for measures for those areas concerned with development and innovation, the promotion of which at the moment still entails substantial licence payments to non-member countries with surplus revenues from the granting of licences. The House also felt that the Community should be enabled, by means of appropriate promotion measures, to earn additional revenue from granting licences to non-member countries.

## External relations

*CSCE*  
(11 May)

2.3.22. Parliament considered the conclusions of the Helsinki conference and discussed the list of requirements to be put to the governments of the Member States and the Commission for the meeting in June to prepare for the follow-up to the CSCE. Deputizing for Mr Radoux (S/B), the Rapporteur, Mr Bertrand (C-D/B) strongly urged the Nine and the Commission to do what they could to ensure that all the ten principles in the Helsinki Final Act were respected by the signatory States. It must be constantly borne in mind that the principles of respect for human rights and of *détente* were inextricably linked. Belgrade offered an opportunity to take stock, but it must also be the starting point for a real exchange of ideas.

The Resolution was adopted unanimously.

<sup>1</sup> Bull. EC 12-1976, point 2140.

*MBFR negotiations*  
(11 May)

2.3.23. In a Resolution on the negotiations which have been running in Vienna since 1973 on the mutual reduction of forces and armaments (MBFR), Parliament noted that little progress had been made so far and that it was time constructive and positive results were achieved on the basis of reciprocity and equilibrium. Deputizing for the Rapporteur, Mr Radoux (S/B), Mr Bertrand (C-D/B) maintained that a reduction of forces and armaments in Central Europe must not be prejudicial to the security of any of the parties to the negotiations or to other European countries. Any reduction in forces must be made subject to effective international control.

*Fisheries Agreement with the United States*  
(13 May)

2.3.24. Parliament considered that the new Agreement signed on 15 February between the Community and the United States in respect of fishing off the American coasts was in no circumstances to be regarded as a model for future agreements on fishing concluded between the Community and non-member countries.<sup>1</sup> Parliament approved the Agreement proposed by the Commission but expressed 'deepest concern at the manner in which the United States Congress seeks to impose a pre-established agreement upon the Community without consideration to the Community's special interest and its contribution to the improvement of fishing resources'. The House felt that the Agreement 'should in no way prejudice the Community's position at the United Nations Law of the Sea Conference'. A multilateral treaty resulting from the Conference would automatically entail a review of bilateral agreements.

*International Conference on the Law of the Sea*  
(13 May)

2.3.25. The Third International Conference on the Law of the Sea as it affects the Community was the background of a debate on questions of marine law. The Rapporteur, Mr Bangemann (L/D) surveyed the prospects for the Conference and in particular for the next session scheduled to begin on 15 July in New York. Parliament examined the legal problems in connection with Community participation, the 200-mile economic zones, the planned International Seabed Authority, the settlement of disputes, on all of which it prepared a detailed Opinion.

Parliament repeated that it was essential for the Community and the Member States to act together on all outstanding issues with the Community as such playing an even larger part.

*Israel*  
(12 May)

2.3.26. Parliament approved the conclusion of an Additional Protocol and a Financial Protocol to the Agreement signed in May 1975 between the Community and Israel.<sup>2</sup>

As the Rapporteur, Mr Martinelli (C-D/I), indicated, the Cooperation Council established under the Additional Protocol was first and foremost to concern itself with examining investment opportunities in Israel. The House unequivocally opposed any boycott against firms having business contacts with Israel and welcomed Israel's request that the Commission establish a permanent delegation there.

<sup>1</sup> Bull. EC 2-1977, point 1.2.5.

<sup>2</sup> Bull. EC 2-1977, point 2.2.37.

*Mashrek*  
(13 May)

2.3.27. The Cooperation Agreements concluded on 18 January with Egypt, Jordan, and Syria<sup>1</sup> marked a further stage in the establishment of the Community's policy of cooperation with the southern Mediterranean countries. On a recommendation by Mr Bangemann (*L/D*), deputizing for Mr Cointat (*EPD/F*), Parliament approved these Agreements, which marked the beginning of economic, technical, financial and trade cooperation and also created an institutional framework with Cooperation Councils made up of representatives of the Community, its Member States and the partner countries. The house also welcomed the recently signed Cooperation Agreement with the Lebanon.

### Commercial policy

*Multifibre Arrangement:  
disappointing results*  
(11 May)

2.3.28. In the opinion of Mr Cousté (*EPD/F*), the Multifibre Arrangement had not come up to expectations. In a question to the Council, he complained that since it came into force, the Community market had been inundated with products from non-member countries.

Mr Tomlinson pointed out that the Community had already stated that it was in favour of the renewal of the Multifibre Arrangement, which is due to expire at the end of the year. While agreement had already been reached on most of the negotiating directives, it had not yet been possible to arrive at a common position on the problem of 'cumulative market disturbances'. But it was reasonable to expect that a solution acceptable to all Member States would soon be found.

*European Export Bank*  
(9 May)

2.3.29. Two questions dominated the debate on the Commission's proposal for a European Export Bank (EEB).<sup>2</sup> Was such a bank, modelled on the American Exim Bank, really necessary or worthwhile? Could it facilitate the harmonization still lacking in the common commercial policy, especially in the field of external trade financing and insurance or was it likelier to be one more obstacle in the way?

As the Rapporteur, Mr Nyborg (*EPD/DK*), pointed out, opinions on the need for an Export Bank differed not only among experts and business circles but also within the Parliamentary Committees, and, added Lord Brimelow (*S/UK*) later in the debate, even within the Groups. Parliament did not yet have enough information to be able to say that such a bank was necessary. The Commission should therefore substantially revise its proposal and come up with new and concrete proposals, as Mr Spicer (*C/UK*) and Mr Müller-Hermann (*C-D/D*) insisted, by 31 December 1977.

Mr Leonardi (*COM/I*) and Mr Martinelli (*C-D/I*) both supported the idea of an Export Bank. Mr Baas (*L/NL*) pointed out that certain risks had to be taken, if we wanted a healthy export industry. But the Bank should on no account be there to finance transactions which others were not interested in.

Mr Cointat (*EPD/F*) also saw the Bank as something of an unknown quantity, since many questions especially concerning the cost to the Community were still unanswered. All the same, it would undeniably serve a useful purpose in covering exporters against exchange rate losses and other risks. Mr Dalyell (*S/UK*) contended that the operations of the EEB would definitely have to be incorporated into the Community budget. Like the Committee on Budgets, which

<sup>1</sup> Bull. EC 1-1977, point 2.2.34.

<sup>2</sup> Bull. EC 2-1976, point 2308.



was in favour of an Export Bank, he urged that its starting capital should be regarded as non-compulsory expenditure.

Mr Guldberg (L/DK) said that personally he was in favour of the EEB, even though his Committee (Economic and Monetary Affairs) was not convinced of the need for it.

For the Commission, Mr Tugendhat again pointed out that Community exporters ought to be in the same favourable situation as exporters elsewhere. This was the essence of the Commission's proposal.

The efforts towards harmonizing commercial policy would in no way be impaired, as some speakers had feared, by setting up a European Export Bank.

In view of the outstanding basic objections, Parliament unanimously urged the Commission to present concrete and comprehensive proposals by the end of the year.

## Budget

*Community budget for 1978:  
initial guidelines  
(10 May)*

2.3.30. In a Resolution, Parliament set out its views on Community budgetary and financial policy for 1978. For budgetary policy, it feels that the draft budget for 1978 should represent a real turning point in the development of the Communities. The budget should be more closely geared to the needs and aims of the Community rather than, as in the past, to the trend in GNP, national budgets, etc. Mr Shaw (C/UK), the budget rapporteur for 1978, defined the specific budget priorities for agriculture, industry and energy, social policy, regional policy and development aid, with special reference to structural policy in agriculture, special measures to support small- and medium-sized businesses, efforts to reduce energy dependence, measures to counter the divergent

development of the Member States and the transfer of technology to the developing countries.

For the Council, Mr Barnett, the President, reported on the results of the joint meeting of the Foreign and Finance Ministers, which held preliminary discussions on the budget on 5 April.<sup>1</sup> Mr Barnett assured the House that this would not affect the Commission's right of initiative or Parliament's budgetary powers. The Council's main concern for 1978 remained unemployment, especially among the young. An effort would be made to coordinate structural measures more effectively. The second talking point had been agriculture where the Council had not seen entirely eye to eye with the Commission as to the possibilities for reducing costs. They had also considered the use of budgetary funds to reduce dependence on imported energy. As Mr Barnett pointed out, the institutional issues deserved particular attention, since the 1978 budget was the first to which the rules concerning Community own resources would apply in full.

From the comments of the former budget rapporteurs, Lord Bruce (S/UK) and Mr Aigner (C/D/D), it became clear in the course of the debate that Parliament would make use of its budgetary powers to greatest effect in the final stage of the budget procedure. Mr Aigner warned against any intention the Council might have of limiting the increase in budget expenditure to 10% without any discussion of the policy aspects.

*EAGGF  
(9 May)*

2.3.31. Parliament unanimously approved the Commission's proposal for a Directive on inspections by Member States in connection with the EAGGF.<sup>2</sup>

The proposal concerns the closer participation of the Member States in the systematic monitoring

<sup>1</sup> Bull. EC 4-1977, point 2.3.79.

<sup>2</sup> OJ C 200 of 26.8.1976.

of allocation and use of EAGGF resources. It is intended, in particular, that the business documents of undertakings whose revenue or disbursements under the EAGGF exceed 100 000 u.a. a year should be examined at least once every two years.

Mr Lange (S/D) had some reservations concerning the 'flexible application' of the inspection system recommended by Mr Cointat (EPD/F). He felt that it ought to be applied stringently and systematically. Like Mr Martens (C-D/B), he was hoping for more transparency in the EAGGF. In conclusion Mr Cointat insisted that the Directive should be fully in force by 1980 instead of by 1983 as the Commission intended. The necessary staff could be trained by then.

### European Court of Auditors

(9 May)

2.3.32. In a Resolution moved by Mr Cointat (EPD/F), Parliament unanimously agreed on the principle that the Staff Regulations of Officials of the European Communities should also apply to the staff of the Court of Auditors to be established in Luxembourg. As Mr Tugendhat said, This was a further step towards establishing the Court. Now it only remained for the Presidents of Ireland and Italy to sign for the Court to become a reality. The Representatives of the Governments of the Member States decided on 5 April that the provisional seat of the Court will be Luxembourg.<sup>1</sup>

### Question Time

(10 and 11 May)

#### *VAT problems*

2.3.33. A question by Mr Seefeld (S/D) raised the problem of double payment of VAT, i.e. in both the home country and the host country, when motor vehicles were repaired abroad. The

Council President, Mr Tomlinson, replied that this problem would be covered by the provisions of the sixth VAT Directive, since Article 14(1)(f) provided exemption for such cases. The detailed rules defining the scope and procedures for applying the exemptions were still to be drawn up. The Council was awaiting proposals from the Commission.

#### *African policy and arms supplies*

2.3.34. Answering a question by Mr Hamilton (S/UK) on the Community's African policies, the Council President, Mr Tomlinson said that this matter fell within the province of political cooperation. Asked about the supply of arms to South Africa, he pointed out that the Community had repeatedly condemned apartheid. He could not go into detail in respect of the other States, but he could assure the House that Britain took its undertakings in respect of the United Nations arms embargo very seriously indeed.

#### *Preparation for direct elections*

2.3.35. Mr Leonardi (COM/I) wanted to know from the Council what progress was being made in ratifying the Convention on direct elections to the European Parliament. Mr Tomlinson explained that all the Member States were now engaged in preparing electoral legislation. At this stage, there was no reason to fear that the dates in question would not be adhered to, even though only two countries had so far completed their preparations.

#### *Association Treaty with Cyprus*

2.3.36. In reply to a question from Mr Price (S/UK), Mr Tomlinson stated that on 3 May the Council gave the Commission directives for ne-

<sup>1</sup> Bull. EC 4-1976, point 2.3.6.

negotiations with Cyprus, indicating that care should be taken to ensure that the future Agreement would in fact benefit the whole population of Cyprus. Understandably, it was not possible at this moment to reveal details, in advance of the negotiations, of what the Community would offer Cyprus. Answering a question by Mr Spicer (C/UK) about the interim arrangements in respect of the first stage of the Association Agreement with Cyprus which was due to end on 30 June, Vice-President Haferkamp of the Commission explained that should it prove impossible for the second stage to take effect on 1 July, the Commission had taken the precaution of suggesting to the Council that, in the interests of Cyprus's economy, the first phase be extended beyond 30 June.

#### *Conscientious objectors in Greece*

2.3.37. In a question to the Council, Mr Broeks (S/NL) drew attention to the problem of conscientious objectors in Greece. Here was an instance of blatant violation of human rights. Not only were conscientious objectors imprisoned, but they were still required to do military service after serving their sentence. If they refused again, they returned to prison. Some had thus spent up to ten years in prison. Since Greece's membership of the Community was conditional upon the restoration of democracy, Mr Broeks wished to know from the Council whether it intended to tell the Greek Government that such a situation would be a bar to accession.

The Council President, Mr Tomlinson, said that this question did not fall within the Council's competence, but now that it had been broached in Parliament, it would no doubt receive due consideration.

#### *Multiannual research programme*

2.3.38. Answering a question from Mr Veronesi (COM/I) as to how far the multiannual research

programme had advanced in respect of the most important raw materials, particularly metals, Mr Brunner explained that the Commission would present proposals before the summer recess.

#### *Monetary cooperation*

2.3.39. Asked by Mr Cousté (EPD/F), whether the time had come to revitalize monetary cooperation, since the monetary situation of the Nine now seemed to be stabilizing, Vice-President Haferkamp replied for the Commission that even the weakest currencies in the Community had stabilized in relation to the dollar, but that rates of inflation varied widely between the Nine. However, the Member States had decided to consult each other more extensively over their economic and financial policies, in order to secure greater economic convergence.

#### *Twenty years of the Rome Treaty*

2.3.40. Mr Leonardi (COM/I) enquired whether, twenty years after the signing of the Rome Treaties, the Commission intended to make a critical assessment of the results achieved. The President of the Commission, Mr Jenkins, said he felt that anniversaries were always a good occasion for taking stock, but that it was scarcely worth assigning three or four Community officials to do this. At all events, the Commission could provide facts and figures, and had already done so, after which everyone must make the critical analysis for himself.

#### **Council**

2.3.41. In May the Council held two meetings on foreign affairs and agriculture.

**452nd meeting — Foreign affairs**  
(Brussels, 3 May)

2.3.42. *President:* Mr Owen, United Kingdom Secretary of State for Foreign and Commonwealth Affairs.

*From the Commission:* Mr Jenkins, President, Mr Haferkamp, Mr Gundelach and Mr Natali, Vice-Presidents, Mr Cheysson, Mr Brunner, Mr Burke and Mr Davignon, Members.

*CIEC:* The Council worked out the Community position for the final phase of the Conference on International Economic Cooperation.<sup>1</sup>

*CMEA:* The Council noted the letter from the Chairman of the CMEA Executive Committee to the President of the Council. The Community will examine the CMEA message carefully and a reply will then be sent.

*Fisheries:* The Council reviewed the progress achieved in relations with various non-member countries in connection with fisheries. Further, after a brief discussion of recent incidents involving Dutch vessels fishing off the Irish coast and the current legal developments, the Council stressed the urgent need for definitive arrangements for fishing in Community waters.<sup>2</sup>

*Steel:* The Council was consulted by the Commission on the introduction of minimum prices for concrete reinforcing bars within the common market.<sup>3</sup>

*United Nations Conference on Sugar:* The Council noted a Commission report on the progress of the negotiations, and confirmed the Commission's negotiating brief.<sup>4</sup>

*Multifibre Arrangement:* The Council re-examined the problems arising from the negotiations for the renewal of the Multifibre Arrangement.

*Cyprus:* With the first stage of the EEC-Cyprus Association Agreement about to end, the Council gave the Commission a negotiating brief to determine the future trade arrangements between Cyprus and the Community and the substance of

the economic and financial cooperation to be added to the areas covered by the original Agreement.<sup>5</sup>

**453rd meeting — Agriculture**  
(Brussels, 16 and 17 May)

2.3.43. *President:* Mr Silkin, United Kingdom Minister of Agriculture, Fisheries and Food.

*From the Commission:* Mr Gundelach, Vice-President, and Mr Tugendhat, Member.

*Herring fisheries:* The Council discussed in depth problems arising in connection with herring fishing, particular the level of North Sea herring stocks and the measures necessary for their conservation and restoration.<sup>6</sup>

*ACP sugar:* After noting the Commission's report, the Council endorsed the result of the negotiations with the African, Caribbean and Pacific States on the guaranteed prices for sugar for 1977/78 (1 July 1977 to 30 June 1978).<sup>7</sup>

*Wine market:* The Council held an extensive discussion on the situation in the wine market and in particular on the recent amendments proposed by the Commission to the additional provisions for the common organization of the wine market.

*Agri-monetary questions:* On the basis of a Commission proposal regarding the price level to be taken into account in calculating monetary compensatory amounts, the Council held an initial discussion on some factors which might lessen the distortions of competition arising from the

<sup>1</sup> Points 1.2.7 to 1.2.9.

<sup>2</sup> Point 2.1.18.

<sup>3</sup> Point 2.1.6.

<sup>4</sup> Point 2.2.16.

<sup>5</sup> Point 2.2.37.

<sup>6</sup> Point 2.1.59.

<sup>7</sup> Point 2.2.46.

particularly high level of monetary compensatory amounts in some sectors.<sup>1</sup>

*Budgetary and financial aspects of farm prices:* the Council held an exchange of views with Mr Tugendhat concerning his statements on the agricultural prices.<sup>2</sup> In a speech to the European Movement in Brussels on 2 May, Mr Tugendhat had focused on the considerable extra cost entailed by the Council's Decision on the farm prices for 1977/78, as compared with the Commission's original proposal. He wondered whether the cause lay in the nature of the decision-making process in agricultural matters. Mr Tugendhat had regretted that non-farming interest had been inadequately represented when the prices were fixed. He had hoped to see not only the farmer's interests, but other major interests, especially those of the consumer and the taxpayer, considered in the decisions on the farm prices. Replying to criticisms from certain members of the Council Mr Tugendhat said that he was in no way casting doubts on the integrity of the Ministers of Agriculture and had no intention of offending anyone whatsoever. He pointed out that his remarks did not seek to question the validity of the common agricultural policy but on the contrary to defend it *vis-à-vis* all sectors of public opinion by criticizing certain facets of the decision-making process.

*Pure-bred bovines — Standing Committee on Zootechnics:* The Council agreed in principle—the Netherlands Delegation reserving its opinion—on the Directive on pure-bred breeding animals of the bovine species and on the Decision setting up a Standing Committee on Zootechnics.

*Sales on board ship:* The Council examined the last questions outstanding in connection with the proposal for a Regulation on measures to prevent abuses resulting from the sale of agricultural products on board ships.

*Storage and marketing of intervention produce:* The Council formally adopted a Regulation laying down the conditions under which procedure brought in by an intervention agency in one

Member State may be stored and marketed outside its territory.<sup>3</sup>

*Sixth VAT Directive:* The Council finally adopted the sixth Directive on a uniform assessment basis for VAT.<sup>4</sup>

*Community loan for Italy:* The Council adopted a Decision authorizing a \$500 million Community loan to be raised for Italy.<sup>5</sup>

## Commission

2.3.44. The Commission held four meetings in May. The main items on its agenda were the preliminary draft budget for 1978, renewal of the ERDF, preparation for the Tripartite Conference<sup>6</sup> and fishery problems.

*Preliminary draft budget for 1978:* The Commission devoted most of its meeting on 25 and 26 May to preparing the preliminary draft of the 1978 budget.<sup>7</sup>

*Steel:* Acting under the ECSC Treaty, the Commission adopted a decision laying down minimum prices for concrete reinforcing bars. The decision comes under the overall plan which the Commission is putting into effect for the recovery of the steel industry.

For the other steel products, voluntary undertakings on the part of the producers enabled the Commission to use less onerous and less restrictive mechanisms (voluntary production cuts, adherence to guide prices notified by the Commission).<sup>8</sup>

<sup>1</sup> Point 2.1.50.

<sup>2</sup> Bull. EC 4-1977, points 2.1.53 to 2.1.58.

<sup>3</sup> Point 2.1.56.

<sup>4</sup> Point 2.1.23.

<sup>5</sup> Point 2.1.2.

<sup>6</sup> Point 2.1.26.

<sup>7</sup> Points 1.4.1 to 1.4.7 and 2.3.81 to 2.3.83.

<sup>8</sup> Point 2.1.6.

They are supplemented by longer-term measures which should modernize and reorganize the steel industry to make it internationally competitive.

The social measures planned by the Commission should counter or contain the adverse effects of the present situation on steelworkers.

*Energy policy:* The Commission adopted a number of proposals to the Council concerning energy policy.<sup>1</sup>

*Fishing arrangements in Irish waters:* The Commission held a special meeting on 2 May as a result of the difficulties which arose in Irish waters during the previous weekend when a Dutch trawler was arrested because it did not comply with requirements unilaterally imposed by the Irish Government.

While acknowledging that Ireland herself was not to blame for the lack of agreement within the Council on conservation measures (which provoked this unilateral action), the Commission considered that the steps taken by the Irish Government (a ban on trawlers over a certain size) were in fact discriminatory and thus in breach of the Treaties.

Infringement proceedings were immediately initiated. The Commission subsequently asked the Court of Justice to decide whether the unilateral measures applied by Ireland were in breach of the Treaty.<sup>2</sup>

*Fisheries policy:* The Commission adopted a Communication to the Council on the future common fisheries policy.<sup>3</sup> This paper was intended as a progress report on work on the initial Commission proposals presented in September 1976.<sup>4</sup>

*European Regional Development Fund:* The Commission continued its deliberations on renewal of the ERDF.<sup>5</sup>

*Loan for Italy:* As authorized by the Council,<sup>6</sup> the Commission decided to contract a \$500 million loan with a syndicate of banks. The proceeds will be on-lent to Italy.<sup>7</sup>

*Food aid:* The Commission adopted its 1977 programme for Community food aid in the form of skimmed-milk powder and butteroil.<sup>8</sup>

The aid is to go either to the poorest developing countries (i.e. those with a *per capita* income of less than \$300) or to those experiencing critical food shortages or financial difficulties.

*Lomé Convention:* The Commission granted certain ACP countries assistance under Stabex for 1976.<sup>9</sup>

*Downing Street Summit:* The Community participation in the Western Economic Summit in London was, for the Commission, a big improvement on the situation at Puerto Rico and Rambouillet. A Community presence was now accepted in principle and agreed to in practice for subjects strictly within the Community's competence. The Commission would have preferred to see the decisions taken at the European Council meeting in Rome interpreted more liberally and, to its mind more closely in line with Community reality. It has made its views in the matter clear to the President of the Council and to the Member States' governments.<sup>10</sup>

### **Relations with workers' and employers' organizations**

2.3.45. Several subjects were broached during May in the prior consultations with the trade unions.

The European Trade Union Confederation (ETUC) held a meeting to prepare for the next Tripartite Conference; it also dealt with the ques

<sup>1</sup> Points 2.1.72 to 2.1.77.

<sup>2</sup> Point 2.1.58.

<sup>3</sup> Point 2.1.57.

<sup>4</sup> Bull. EC 9-1976, points 1201 to 1210.

<sup>5</sup> Points 1.1.1 to 1.1.9.

<sup>6</sup> Point 2.3.43.

<sup>7</sup> Point 2.1.2.

<sup>8</sup> Point 2.2.12.

<sup>9</sup> Point 2.2.45.

<sup>10</sup> Points 1.6.1 to 1.6.14.

tion of collective agreements and working conditions. Mr Vredeling, Vice-President of the Commission, spoke at the meeting held by ETUC's group of female union leaders to prepare its action programme.

The European Committee of Food, Tobacco and Hotel Industry Trade Unions studied the situation in the dairy sector.

In the course of consultations, ETUC informed the Commission of its position on the new guidelines which the Community is intending to give to its regional policy.

## Court of Justice<sup>1</sup>

### New cases

*Case 31/77 R* — Commission v United Kingdom

*Case 53/77 R* — United Kingdom v Commission

2.3.46. In the context of the action by the Commission<sup>2</sup> under Article 93(3) of the EEC Treaty to establish that the United Kingdom had failed to comply with the Commission Decision of 17 February 1977<sup>3</sup> concerning an aid in the pigmeat sector in the United Kingdom, and of the action by the United Kingdom under Article 173 of the EEC Treaty<sup>4</sup> to have that Decision annulled, the Commission, for the first time in the history of the Community, brought interlocutory proceedings before the Court of Justice on 12 May, requesting that interim measures be taken. It requested the Court to issue an injunction against the United Kingdom Government prohibiting it from infringing the Commission Decision until the main actions had been settled definitively.

*Case 56/77* — Agence européenne d'intérims SA (AEI), Brussels v Commission<sup>5</sup>

2.3.47. A Belgian firm specializing in supplying temporary staff brought an action before the Court of Justice on 3 May to annul the Commission Decision of 1 March 1977 whereby the latter had, without giving its reasons in writing, rejected the applicant's tender following a restricted invitation to tender for the supply of temporary staff. This action includes a claim for damages.

*Case 57/77* — Commission official v Commission<sup>5</sup>

2.3.48. A Commission official brought an action before the Court of Justice on 4 May to annul the implied Decision by the Commission dismissing his complaint of 27 September 1976 relating to his transfer.

*Case 58/77* — Ireland v French Republic<sup>5</sup>

2.3.49. After bringing before the Commission pursuant to Article 170 of the EEC Treaty an alleged infringement by France of obligations arising under that Treaty and the Act of Accession in imposing temporary restrictions on imports of sheepmeat from the new Member States and failing to reduce the duty known as 'transfer duty' on such imports, Ireland brought an action before the Court of Justice on 10 May to establish that this infringement had taken place.

This is the first time that a Member State has brought an action before the Court against another Member State alleging failure to fulfil obligations arising under the Treaty.

<sup>1</sup> For further information, see the reports published by the Court of Justice in the Official Journal and in the European Court Reports.

<sup>2</sup> Case 31/77, Bull. EC 3-1977, point 2.3.49.

<sup>3</sup> OJ L 54 of 26.2.1977.

<sup>4</sup> Case 53/77, Bull. EC 4-1977, point 2.3.54.

<sup>5</sup> OJ C 142 of 16.6.1977.

*Case 59/77 — Ets A. De Bloos SPRL, Leuze v SCA Bouyer, Tomblaine*<sup>1</sup>

2.3.50. In an action between a Belgian firm and a French undertaking relating to the unilateral breach of a sole agency agreement, in respect of which the Court of Justice had already been requested to give a preliminary ruling on the Jurisdiction *ration loci* of the court before which the action had been brought (Judgment 14/76),<sup>2</sup> this jurisdiction being governed by the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, the Mons Cour d'appel submitted a further series of questions for a preliminary ruling on substantive matters to the Court of Justice on 11 May.

The defendant undertaking had called into question a letter from the Commission dated 28 April 1969 in which the latter stated its intention of taking no action, pursuant to Regulation 67/67<sup>3</sup> on the application of Article 85(3) of the Treaty to certain categories of exclusive dealing agreements, in regard to the notification of the distribution agreement, in view of the fact that it did not provide for absolute territorial protection. The Mons Cour d'appel therefore requested the Court of Justice to give a ruling firstly on whether it was possible to contest the validity of a Commission decision using the procedure in subparagraph (b) of the first paragraph of Article 177 of the EEC Treaty, even though the party contesting its validity was precluded from doing so under Article 173 of the EEC Treaty, and secondly on whether such a decision was in accordance with Community law, and whether the declaration that Article 85(1) of the EEC Treaty was inapplicable remained effective after 31 December 1972, the final date laid down under Regulation 67/67.

*Case 60/77 — Fritz Fuss KG, Elektrotechnische Fabrik, Albstadt-Ebingen v Oberfinanzdirektion München*<sup>1</sup>

2.3.51. The Bundesfinanzhof requested the Court of Justice on 12 May to give a preliminary

ruling relating to the tariff classification in respect of electrical components which, when assembled, make up audible or visual electric warning systems.

*Case 61/77 and 61/77 R — Commission v Ireland*<sup>1</sup>

2.3.52. Following the introduction by the Irish Government of unilateral measures for the conservation of fish stocks, the Commission brought an action before the Court of Justice on 13 May to establish that, by taking these measures, Ireland has failed to fulfil its obligations under the EEC Treaty. In this case also the Commission requested that interim measures be ordered, i.e. the total or partial formal suspension of the measures in question.

*Case 62/77 — Carlsen Verlag, GmbH, Reinbek v Oberfinanzdirektion Köln*<sup>1</sup>

2.3.53. The Bundesfinanzhof requested the Court of Justice on 17 May to give a preliminary ruling on the tariff classification in respect of childrens' books.

*Case 63/77 — Firma Ludwig Poppe, Wedel bei Hamburg v Oberfinanzdirektion Köln*<sup>1</sup>

2.3.54. The Bundesfinanzhof requested the Court of Justice on 17 May to give a preliminary ruling on the tariff classification of stencils (flimsy paper and carbon paper bound together).

*Case 64/77 — Mr M. Torri, Flémalle-Grande v Office national des pensions pour travailleurs salariés, Brussels*

2.3.55. In an action relating to the calculation of a migrant worker's old age pension, the Tri-

<sup>1</sup> OJ C 142 of 16.6.1977.

<sup>2</sup> Bull. EC 10-1976, point 2460.

<sup>3</sup> OJ 57 of 25.3.1967.



bunal du travail of Liège requested the Court of Justice on 26 May to give a preliminary ruling on the interpretation of the term 'minimum benefit' used in Article 50 of Regulation 1408/71<sup>1</sup> (social security) where the laws of a State do not lay down a minimum pension of a Fixed amount because benefits are calculated on the basis of the wage earned and the length of the insurance period.

*Case 65/77 — Mr Rezanatsimba*

2.3.56. On 6 January, in Case 3/77,<sup>2</sup> the Conseil de l'Ordre des avocats du barreau de Lille asked the Court of Justice to interpret Article 62 of the Lomé Convention<sup>3</sup> as regards the freedom of a national of an ACP State to seek establishment in the territory of a Member State and exercise the profession of advocate there.

The reference was contested before the Douai Court of appeal by the Procureur Général on the ground that, as the Conseil de l'Ordre was acting in an administrative rather than a judicial capacity, it could not refer a question to the Court of Justice for a preliminary ruling. On 27 May the Court of Appeal referred the same questions to the Court of Justice.

*Case 66/77 — Mr Petrus Kuyken, Hasselt v Rijksdienst voor Arbeidsvoorziening, Brussels*

2.3.57. The Arbeidsrechtbank of Hasselt, in an action relating to the right to unemployment benefit of a Belgian student who had pursued his studies in the Netherlands and who did not therefore meet the time-limit requirements laid down in Article 124 of the Belgian Royal Decree of 20 December 1963<sup>4</sup> relating to employment and unemployment, asked the Court of Justice on 31 May whether the provisions of that Article were compatible with Community law.

*Case 67/77 — Commission official v Commission*

2.3.58. In addition to three other actions (126/75, 34/76 and 92/76)<sup>5</sup> still pending before the Court of Justice, a Commission official brought a fourth action, on this occasion to annul the implied Commission decision dismissing his complaint relating to his reappointment following leave on personal grounds.

**Judgments**

*Case 52/74 — Council official v Council*<sup>6</sup>

2.3.59. A Council official brought an action before the Court of Justice on 18 July 1974 to annul the decision by the Secretary-General of the Council revoking the applicant's appointment as a probationary official.

This case was removed from the Court register by Order of 18 May.

*Case 31/76 — Official of the European Parliament v European Parliament*<sup>6</sup>

2.3.60. An official of the European Parliament brought an action before the Court of Justice for annulment of the periodical report on the applicant for 1973/74.<sup>7</sup>

In its judgment of 12 May, the Court rejected this action on the ground that it was not well founded.

<sup>1</sup> OJ L 149 of 5.7.1971.

<sup>2</sup> Bull. EC 1-1977, point 2.3.24.

<sup>3</sup> OJ L 25 of 30.1.1976.

<sup>4</sup> *Moniteur belge* 506 of 18.1.1964.

<sup>5</sup> Bull. EC 12-1975, point 2430, 4-1976, point 2432 and 9-1976, point 2435.

<sup>6</sup> OJ C 142 of 16.6.1977.

<sup>7</sup> Bull. EC 3-1976, point 2438.

*Case 77/76* — Ditta F.lli Cucchi v SpA Avez

*Case 105/76* — SpA Interzuccheri, Milan v Ditta Rezzano e Cavassa, Sori

2.3.61. The Court of Justice was requested on 28 July 1976 by the Pretura d'Abbiategrosso<sup>1</sup> and on 28 October 1976 by the Pretura di Recco<sup>2</sup> to give a number of preliminary rulings on the 'sovraprezzo' on sugar, a tax levied by an Italian public body the revenues of which benefited exclusively the national sugar industry and sugarbeet producers. The courts wished to know, *inter alia*, whether this surcharge constituted a tax having an effect equivalent to a customs duty, and whether it infringed the second subparagraph of Article 40(3) of the EEC Treaty.

In its Judgments of 25 May, the Court held that a tax constituting part of the general system of internal taxes and levied on both national and imported products according to the same criteria constituted a tax having an effect equivalent to customs duties on imports only if it was used exclusively to finance activities specifically benefiting the taxed national product, if the product taxed and the national product benefiting from the tax were identical, and if the amounts levied on the national product were completely compensated for.

On the question of the power to adopt specific measures affecting the mechanism determining the level of prices, the Court held that, except in the case of derogations, only the Community had that power.

*Case 96/76* — BASF Aktiengesellschaft, Ludwigshafen v Commission<sup>3</sup>

2.3.62. By its Decision of 26 July 1976 relating to a procedure in application of Article 85 of the EEC Treaty (IV 28.996 — Reuter/BASF),<sup>4</sup> the Commission found that certain terms of the contract of sale of a group of undertakings concluded between Mr Reuter and BASF under which the seller undertook not to compete constituted an

infringement of the said Article. On 7 October 1976, BASF brought an action before the Court of Justice to annul the abovementioned Decision.<sup>5</sup>

In view of the fact that the applicant company had withdrawn its action, the Court, by Order of 4 May, ordered the case to be removed from the register.

*Joint Cases 99 and 100/76* — (1) NV Roomboterfabriek 'De Beste Boter', Best, and (2) Firma J. Hoche, Butterschmelzwerk, Speikern v Bundesanstalt für landwirtschaftliche Marktordnung<sup>6</sup>

2.3.63. In hearing two cases concerning the refusal of the competent German body to release the processing deposit for butter purchased at a reduced price, the Frankfurt Administrative Court asked the Court of Justice on 18 October 1976 for a ruling on whether the first purchaser, who had observed the condition laid down in Regulation (EEC) 1259/72 on the disposal of butter at a reduced price to certain Community processing undertakings<sup>7</sup> before re-selling the butter to other processing undertakings, could be refused repayment of the processing deposit on the ground that one of these processing undertakings had utilized the product in question otherwise than for the purpose prescribed.<sup>8</sup>

In its Judgment of 11 May, the Court held that the Regulation in question must be interpreted as meaning that, even where the purchaser did not himself process the products in question, the processing deposit could be released only if it were established that those products met the condi-

<sup>1</sup> Bull. EC 7/8-1976, point 2463.

<sup>2</sup> Bull. EC 10-1976, point 2454.

<sup>3</sup> OJ C 142 of 16.6.1977.

<sup>4</sup> OJ L 254 of 17.9.1976.

<sup>5</sup> Bull. EC 10-1976, point 2446.

<sup>6</sup> OJ C 129 of 2.6.1977.

<sup>7</sup> OJ L 139 of 17.6.1972.

<sup>8</sup> Bull. EC 10-1976, point 2449.

tions laid down in Article 6(1)(c) of that Regulation and that they had been processed within the period laid down in that provision.

*Case 101/76 — Koninklijke Scholten-Honig NV, Amsterdam v (1) Council and (2) Commission*<sup>1</sup>

2.3.64. On 21 October 1976, a Dutch company specializing in the manufacture of glucose from starch brought an action before the Court of Justice to annul Regulation (EEC) No 1862/76 amending Regulation (EEC) No 2742/75 on production refunds in the cereals and rice sectors<sup>2</sup> and Regulation (EEC) No 2158/76<sup>3</sup> laying down rules for the application of that Regulation with regard to production refunds for glucose with a high fructose content. The applicant relied on the fact that the basic agricultural regulations did not enable a distinction to be made between the various products derived from starch.<sup>4</sup>

In its Judgment of 5 May, the Court held that the action was not admissible. It should be noted that the decisions under which the Netherlands authorities applied the Regulations in question to the applicant were challenged by the latter before a Netherlands court.

*Case 102/76 — Mr H.O.A.G.M. Perenboom, Nijmegen v Inspecteur der Directe Belastingen, Nijmegen*<sup>1</sup>

2.3.65. In hearing a case concerning the payment of the compulsory social security contribution by a Dutch national who had lived for the whole of 1972 in the Netherlands but who had worked for part of that year in Germany, where tax and social security contributions had been deducted from his wages, the Hoge Raad der Nederlanden asked the Court of Justice on 21 October 1976 for an interpretation of Article 12 of Regulation (EEC) No 3<sup>5</sup> on social security for migrant workers and of Article 13 of Regulation (EEC) No 1408/71<sup>6</sup> on the application of social security schemes to employed persons and their families moving within the Community with re-

gard to taking wages received in Germany into account in calculating the contribution in the Netherlands.<sup>7</sup>

In its Judgment of 5 May, the Court held that both Article 12 of Regulation 3 and Article 13 of Regulation 1408/71 prohibited the State of residence from making deductions under its social security laws from wages received by a worker in consideration for work carried out in another Member State which therefore fell within the scope of the social security laws of that State.

*Case 104/76 — Mrs G. Jansen née Jansen, Bocholtz v Landesversicherungsanstalt Rheinprovinz Düsseldorf*<sup>8</sup>

2.3.66. In hearing an action concerning the reimbursement by the German social security authorities of certain pension contributions paid by a German national habitually resident in the Netherlands, the Landessozialgericht of North-Rhine-Westphalia asked the Court of Justice on 27 October 1976 for a number of preliminary rulings on the applicability of Community Regulations on social security to the right to reimbursement of old-age pension contributions.<sup>9</sup>

In its Judgment of 5 May, the Court concluded that the reimbursement of contributions was a benefit within the meaning of Regulation 3, and that that Regulation did not prohibit such reimbursement providing the conditions laid down under the applicable national law were fulfilled, simply because, following the transfer of her place of residence to another Member State, the

<sup>1</sup> OJ C 129 of 2.6.1977.  
<sup>2</sup> OJ L 206 of 31.7.1976.  
<sup>3</sup> OJ L 241 of 2.9.1976.  
<sup>4</sup> Bull. EC 10-1976, point 2450.  
<sup>5</sup> OJ 30 of 16.12.1958.  
<sup>6</sup> OJ L 149 of 5.7.1971.  
<sup>7</sup> Bull. EC 10-1976, point 2451.  
<sup>8</sup> OJ C 142 of 16.6.1977.  
<sup>9</sup> Bull. EC 10-1976, point 2453.

party concerned fell within the scope of another social insurance system.

*Case 107/76 — Hoffmann-La Roche AG, Grenzach-Wyhlen v Centrafarm Vertriebsgesellschaft pharmazeutischer Erzeugnisse GmbH, Bentheim*<sup>1</sup>

2.3.67. On 17 November 1976 the Karlsruhe Oberlandesgericht asked the Court of Justice for preliminary rulings on a number of questions arising in a case concerning an alleged infringement of trademark rights in connection with parallel sales of pharmaceutical products.

Apart from asking for an interpretation of Article 177 of the EEC Treaty as regards the obligation for a national court to refer a matter to the Court of Justice in the course of interlocutory proceedings, the German court asked whether it was compatible with Article 36 of the EEC Treaty for the proprietor of a trademark right in two Member States to rely on that right in order to prevent a parallel importer from buying his products in one State, altering the volume contained in individual packagings, and selling them in the other Member State under the same trademark, or whether this amounted to an abuse of a dominant position, contrary to Article 86 of the EEC Treaty, where the proprietor of the trademark objected to the change in packaging in order to preserve the price differential between the two countries.<sup>2</sup>

In its Judgment of 24 May, the Court restricted itself to stating that the third paragraph of Article 177 of the EEC Treaty should be interpreted as meaning that a national court was not required to submit a request for an interpretation or ruling on validity to the Court of Justice where the matter was raised in interlocutory proceedings, even if no appeal lay against the decision reached in those proceedings, providing that each of the parties could open substantive proceedings or require such proceedings to be opened, during which the matter settled temporarily under the summary proceedings could be re-examined and be submitted to the Court under Article 177.

*Case 108/76 — Klöckner-Ferromatik GmbH, Castrop-Rauxel v Oberfinanzdirektion München*

2.3.68. On 22 November 1976, the Bundesfinanzhof asked the Court of Justice for an interpretation of headings 73.21 and 84.23 of the Common Customs Tariff in connection with a case concerning a dispute as to duties payable on a machine used for pit support.<sup>3</sup>

In its Judgment of 26 May, the Court held that the term 'structure' used under heading 73.21 should not be interpreted as including an article intended to secure mine roadways and in particular so designed as to be capable itself, together with cutting devices mounted on one of its elements, of being gradually advanced by means of hydraulic cylinders and a power pack. If such machines were integral with winning machines designed to cut the earth, they fell under heading 84.23. If not, they should be classified under heading 84.59 E.

*Case 110/76 — Criminal proceedings against a person or persons unknown*<sup>1</sup>

2.3.69. On 23 November 1976, in the course of criminal proceedings against a person or persons unknown for customs fraud in connection with the importation of frozen meat into Italy, the Pretura di Cento asked the Court of Justice for a preliminary ruling on whether, in the light of Council Decision 70/243<sup>4</sup> on the replacement of financial contributions from the Member States by the Communities' own resources, the person to be regarded as having sustained loss by reason of the offence was the Community alone, or the Community jointly with the Member State which was responsible for collecting customs duties for the Community, and whether the national judge

<sup>1</sup> OJ C 142 of 16.6.1977.

<sup>2</sup> Bull. EC 11-1976, point 2442.

<sup>3</sup> Bull. EC 11-1976, point 2443.

<sup>4</sup> OJ L 94 of 28.4.1970.

had to inform the Community that proceedings were being commenced so that it could proceed for recovery of unpaid customs duties.<sup>1</sup>

In its Judgment of 5 May, the Court held that at the present stage of development of Community law, only the Member States and their institutions were entitled to bring actions before national courts for payment of Community revenues constituting the Communities' own resources.

*Case 111/76 — Officier van Justitie in het Arrondissement Haarlem v Mr B. van den Hazel, Putten*<sup>2</sup>

2.3.70. On 24 November 1976, the Amsterdam Gerechtshof asked the Court of Justice whether regulations issued by the Dutch authorities in 1974 for the purpose, *inter alia*, of establishing quotas of poultry for slaughter conflicted with Regulation 123/67<sup>3</sup> on the common organization of the market in poultrymeat and with Articles 30 to 37 of the EEC Treaty.<sup>4</sup>

In its Judgment of 18 May, the Court held that the Regulation referred to above, and in particular Articles 2 and 13 thereof, must be interpreted as meaning that measures laid down by national authorities fixing quotas on the slaughtering of able poultry were incompatible with those provisions.

*Case 122/76 — Commission v Kingdom of Belgium*<sup>2</sup>

2.3.71. On 21 December 1976,<sup>5</sup> the Commission brought an action before the Court of Justice to establish that Belgium had not complied with Directive 73/23 on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits. Since Belgium had in the meantime complied with the Directive, the case was removed from the Court register by Order of 25 May.<sup>6</sup>

*Case 17/77 — Commission officials v Commission*<sup>2</sup>

2.3.72. Five Commission officials brought an action before the Court on 31 January to annul the Commission's implied decision dismissing their complaint concerning the publication of a libellous document about them within the EEC building.<sup>7</sup>

Since the applicants had withdrawn their action in view of the fact that their complaint had been dealt with to their satisfaction, the Court by Order of 18 May, ordered the case to be removed from the register.

*Case 31/77 R — Commission v United Kingdom*<sup>2</sup>

*Case 53/77 R — United Kingdom v Commission*<sup>2</sup>

2.3.73. In these two cases<sup>8</sup> the Court, by Order of 21 May, and against the advice of its Advocate-General, upheld the Commission's application by ordering that the United Kingdom immediately cease applying the aid measure in question.

## Economic and Social Committee

### 149th plenary session

(Brussels, 25 and 26 May)

### Studies and Opinions

#### *Consumer protection and information programme*

2.3.74. In this Opinion, adopted with no votes against and five abstentions, the Committee re-

<sup>1</sup> Bull. EC 11-1976, point 2445.

<sup>2</sup> OJ C 142 of 16.6.1977.

<sup>3</sup> OJ 117 of 19.6.1967.

<sup>4</sup> Bull. EC 11-1976, point 2446.

<sup>5</sup> Bull. EC 12-1976, point 2443.

<sup>6</sup> OJ L 77 of 26.3.1973.

<sup>7</sup> Bull. EC 1-1977, point 2.3.37.

<sup>8</sup> Point 2.3.46.

viewed the implementation of the preliminary programme for a consumer protection and information policy which was approved by the Council on 14 April 1975.<sup>1</sup>

At the moment it is still too early to assess how the programme as a whole is being given concrete form in Community and national law. However, the Committee draws attention to the dynamic role played by the Commission's Environment and Consumer Protection Service.

The Committee stresses that it would be useful to try to draw some conclusions from the experience gained in implementing the first programme and to list the points which might be contained in the Community's next programme concerning consumers and consumer (and consumption) problems.

The Commission should set itself specific goals to be achieved within the next four years. Among these the Committee includes monitoring the implementation of Community legislation, promoting consumer education in schools and stepping up the Commission's efforts to publicize its activities.

The Committee points out that so far both consumer organizations and the Commission have too often adopted a piecemeal approach when dealing with consumer problems. It considers that from now on an overall approach should be adopted, based on extensive consultation, at all levels, of the parties involved.

This course of action should also lead to effective consumer participation in the working out of measures to improve living conditions and the environment, particularly as regards energy options, measures to combat wastage, product safety and the protection of natural resources.

These steps should make it possible to achieve a more even balance between the various interests involved. They should also given new impetus to the process of economic unification in the Community and make for better integration of the various economic operators (i.e. producers, work-

ers, consumers) in their economic and social environment.

The Opinion was drawn up in the presence of Mr Burke, Member of the Commission.

### *Bird protection*

2.3.75. In this Opinion, adopted with no votes against and eight abstentions, the Committee welcomes the general principles underlying the Commission's proposal to establish common rules for the protection of birds in all the Community countries. It believes the proposal to be an extremely positive step towards safeguarding the environment and concerning the common heritage represented by the birds of Europe.

The Committee does, however, draw attention to the possible clash between bird protection and economic developments—such as urbanization, industrialization, tourism and recreation, agricultural progress and rural development. The Committee hopes that the Directive will be used to bring about the necessary compromise.

### *Relations between industrialized and developing countries*

2.3.76. By a large majority (two votes against and eleven abstentions) the Committee adopted a study on the Community's policy on relations between industrialized and developing countries.

The first chapter analyses the yawning gap that exists between industrialized and developing countries. The disequilibrium between rich and poor countries is all the more unacceptable because their respective economies are interdependent (primary commodities). The rich countries recognize the need for cooperation with developing countries, with all that this implies in terms of adjustments to their own structures. The developing countries on the other hand advocat

<sup>1</sup> Bull. EC 4-1975, points 1301 to 1304.

a new international economic order, i.e. a better bargaining platform, more economic power and more industrialization.

The next chapter discusses the history of Community policy towards developing countries.

The study then looks at the various forms of aid and cooperation, stressing that particular attention needs to be paid to the critical question of indebtedness.

The next question dealt with is whether national or Community aid is preferable. The Study concludes that a Community approach is the right one it is a question of capital aid or soft loans. In other cases national mechanisms may still be preferable because of the long-standing, personal and institutional links established by individual Member States with developing countries and the first-hand knowledge they have acquired over the years.

The study mentions the important role played by multinationals in the development of developing countries. Private investments, which give these countries technologies and provide opportunities for vocational training, call for a stable legal framework in the industrial sector.

In its conclusion the study advocates an increase in public aid for development, a concentration of efforts in the rural areas, and above all on poverty, and far-reaching measures to reduce indebtedness.

The Community must continue its policies of 'stabilizing developing countries' export earnings and giving their processed products easier access to EEC markets. Aid must be more selective—something which can be done, for instance, by defining the criterion of 'poverty' more clearly. The aim must be gradually to achieve a new trade balance.

Agricultural and industrial cooperation between developing and industrialized countries needs to be intensified. In this connection importance is attached to suitable vocational training. Finally,

the study comes out in favour of more uniform Community action in tackling the gigantic problem of poverty in the developing countries.

### *Employment in agriculture*

2.3.77. With only three abstentions and no votes against, the Committee adopted a study on the employment situation and prospects in agriculture.

To begin with the study outlines the strategies and decisions which have been instrumental in framing policy in this area.

A statistical analysis is then attempted to:

- (a) ascertain whether the objectives for employment in agriculture corresponded to the actual trend between 1960 and 1974 (separate figures being given for paid workers and the self-employed);
- (b) pinpoint the positive and negative aspects of this trend with reference to specifically agricultural requirements and general requirements.

On the basis of this analysis, the next part sets out to assess whether employment in agriculture has been influenced for good or bad by the common agricultural policy, by other Community policies and activities, by the actions of the Member States and the two sides of industry, by technological advance and by other factors.

The final part of the study attempts to indicate what quantitative and qualitative changes are desirable in agricultural employment.

The Committee notes that throughout the sixties the common agricultural policy dodged the social and structural issues, and focused almost exclusively on market problems. Community social policy paid lip service to the farming industry and did next to nothing to improve the circumstances associated with the drift from the land. The Community authorities also turned a blind eye to regional policy in the sixties.

It was not until the early seventies—with the agricultural reform Directives, the hill-farming Directive and regional policy action—that the Community took the first measures which would, among other things, improve employment in agriculture. These included measures to stem the transfer of surplus labour, to abate the ageing of the agricultural labour force, to improve specialized training for those remaining on the land, to check depopulation and to promote alternative jobs in rural areas.

These measures were—and still are—dependent on financial incentives and prospects of more job opportunities outside farming, i.e. a situation in which inflation and economic stagnation or recession are neither present nor impending.

The main factors in the decline of the agricultural labour force between 1960 and 1974 have been the expansion of the non-agricultural sector and increased mechanization.

It has had negative effects in that:

- (a) the absence of a regional policy has forced farmers and farm-workers to move, often far away from their home areas;
- (b) socio-structural issues have as yet been given little weight in the common agricultural policy. This fact, coupled with the inadequacy of Community and national social policy in general, has led in many countries to a decrease in the number of young people in farming and to an increase in the number of elderly workers remaining in farming;
- (c) the movement from agriculture to the non-agricultural sector has in many cases become a mass exodus. Factors here are the less attractive living and working conditions in rural areas and the absence of an employment policy which would give people a free choice between staying in farming and taking up employment outside.

To put matters right, the Committee feels that there must be no further delay in adopting at Community level a vigorous agricultural employ-

ment policy comprising a coordinated set of measures to:

- (i) improve conditions of employment in agriculture, especially the job security and training aspects;
- (ii) bring employment levels into line with the requirements of the economic and social development of agriculture by means, for instance, of mobility within the sector;
- (iii) restore a normal mix in the work force between young and older people;
- (iv) make it easier to move from one branch of farming to another, preferably within the same area.

The policy most in keeping with the objective of full employment may therefore be that of a more gradual rundown of employment in agriculture, providing for stabilization or even consolidation of employment in some areas and in general encouraging young people to stay in the industry. This requires taking a less fatalistic view of future prospects than the Commission did in its 1975 Agricultural Report.

The Committee then outlines the tasks which should be assigned to the other Community policies in pursuit of the objective of full employment in agriculture.

The following action is needed in order to remedy this deficiency:

- (a) More comprehensive Community statistics should be compiled on the various aspects of agricultural employment.
- (b) In their work on general employment problems, the Tripartite Conference and the Standing Committee on Employment should be urged to investigate agricultural employment.
- (c) The Joint Committee on Social Problems of Agricultural Workers and the Advisory Committee on Social Questions affecting farmers should be brought into the discussion of employment in agriculture. This would give the two Committees a new lease of life—a necessity if we are to get social policy in agriculture moving once more.



(d) The European conference on the common agricultural policy which the Committee has called for should look into the problems of employment in agriculture and the future prospects.

## European Investment Bank

### Loans raised

2.3.78. The European Investment Bank has launched a \$75 million bond issue on the United States capital market.

The issue was underwritten by a syndicate of American Banks. The bonds will have a maximum life of 20 years and bear interest at 9%, payable half-yearly. They were offered for public subscription at 100%.

The bonds will be redeemed in 15 equal annual instalments of \$5 million, commencing on 15 May 1983.

The issuer is authorized to redeem in advance, either wholly or in part, bonds still in circulation as from 15 May 1989.

This is the fourth EIB bond issue to be floated on the United States domestic market.

### Loans granted

#### France

2.3.79. A loan equivalent to FF 168.5 million (30.2 million EUA) has been provided by the EIB for the improvement of the telecommunications network in the Midi-Pyrénées.

The loan has been granted for a period of 15 years at an interest rate of 9½% to the Caisse Nationale des Télécommunications, Paris, which will make the funds available to the Administration des Postes et Télécommunications (PTT).

It will help finance work in the region, costing an estimated FF 1 500 million, which will see the in-

stallation of some 100 000 new main lines and increase the capacity of automatic telephone exchanges from 402 000 to 580 000 subscriber connections. There will also be improvements to the telex service.

This new loan is the fourteenth granted by the EIB since 1967 for the development of French telecommunications and brings the total to some FF 1 695 million. With the exception of FF 170 million used for the improvement of France's international links, all the loans have been for modernization and extension of telecommunications in less developed regions.

## Kenya

2.3.80. Under the terms of the Lomé Convention, the Bank has provided a loan of 3 million EUA (equivalent to about 28 million Kenya shillings) to help to finance expansion of a cement works near Nairobi.

The loan has been made to the East African Portland Cement Company Ltd (EAPC) for a term of eight years at an interest rate of 5¼%, after deduction of a 3% interest subsidy from the resources of the European Development Fund as provided in the Convention.

Production capacity of the company's works at Athi River is to be stepped up by 50% from 250 000 to 375 000 tonnes per year.

EAPC shares are quoted on the Nairobi stock exchange; the Kenya Government holds over 50%, the Kenya public about 20% and the remainder is held by the British group Associated Portland Cement Manufacturers and a Swiss concern, Cementia Holding AG.

Apart from helping Kenya's balance of payments, another benefit of the project will be the 100 new jobs to be created.

This is the EIB's second operation in Kenya.<sup>1</sup>

<sup>1</sup> Bull. EC 10-1976, point 2481.

## Financing Community activities

### General budget

#### Preliminary draft budget for 1978

2.3.81. On 26 May the Commission adopted the preliminary draft budget for 1978;<sup>1</sup> this will be transmitted to the Council on 15 June and forms the first stage of budgetary procedure.

The appropriations for commitment proposed by the Commission total 12 495 million EUA, 21.85% up on the 1977 budget which totalled 10 255 million EUA (including the proposed supplementary budget).

The preliminary draft budget contains important innovations. For the first time it has been drawn up in the new 'basket' *European unit of account* and includes *VAT as an own resource*.

#### Expenditure

2.3.82. In view of the restrictions on public expenditure in the Member States, the Commission has tried to limit the overall increase as far as possible, although some unavoidable expenditure—in particular the considerable volume of expenditure by the EAGGF Guarantee Section—has had to be substantially increased. The Commission has included only those priority measures which it considers can be implemented more effectively and more cheaply at Community level; but it does propose considerable increases in expenditure on balanced Community measures to resolve the current economic problems. Sizeable increases are planned in the appropriations for payment for the *Social Fund*, for payments and commitments for the *Regional Fund* (the first time that this Fund's appropriations have been increased) and for payments on *industrial measures* encouraging structural conversion. Expend-

iture to achieve greater independence in the energy sector must also be increased substantially. These priorities are in keeping with the proposals put forward by the Commission in March in its communication on the guidelines for the 1978 budget;<sup>2</sup> these proposals were on the whole approved by the joint Council in April<sup>3</sup> and by Parliament in May.<sup>4</sup>

#### Revenue

2.3.83. The presentation of the statement of revenue differs from that used in the past, because a forecast of VAT resources has been included, and because the relative shares system for the six original Member States has ceased to apply.

Inclusion of the new VAT resources raises a number of transition problems, in particular as regards the calculation of the rate.<sup>5</sup> It involves a loss of revenue of around 20% in 1978. To obtain the same revenue, the VAT rate has to be increased proportionally. The Commission's proposals thus requested a VAT rate of 0.77% for 1978 (had it not been a year of transition, the rate would have been 0.61%).

#### Technical innovations in the presentation of the preliminary draft budget for 1978

2.3.84. Briefly, the innovations are as follows:

(i) A new section has been added to the general structure of the budget for the Court of Auditors;

<sup>1</sup> Points 1.4.1 to 1.4.7.

<sup>2</sup> Bull. EC 3-1977, point 2.3.94.

<sup>3</sup> Bull. EC 4-1977, point 2.3.79.

<sup>4</sup> Point 2.3.30.

<sup>5</sup> There is a time lag in calculating VAT in all the Member States. Calculations in early 1978 will thus relate to periods including some months in 1977 and calculations in 1979 will cover the final months of 1978. Whereas it will be possible in 1979 for the Community to receive its share of VAT revenue collected in 1979 but relating to 1978, it will not however be possible to do the same for revenue collected in 1978 but relating to 1977 (a year in which the Community still does not receive its share of VAT revenue).

the appropriations for the Audit Board and the ECSC auditor have disappeared;

(ii) In Volume 4 (statement of expenditure by the Commission):

- some changes of nomenclature have proved necessary, in particular for new operations;
- the research appropriations—now incorporated in Chapter 33 of Volume 4—are presented in a new way in accordance with the provisions of the Financial Regulation now being revised. This presentation leads to the disappearance of the old Volume 5 on research and investment appropriations;
- the appropriations for the Publications Office

form an Annex in accordance with the provisions of the Financial Regulation now being revised;

- the distinction between appropriations for commitment and appropriations for payment has been extended to a number of other headings—in particular new operations—where this has proved necessary;

- the appropriations for Food Aid 'refunds' are included in Chapter 92 (Food Aid) and no longer in Title 6;

(iii) Volume 7 (the general introduction) has been extended for 1978 by adding an analytical presentation of the headings contained in the statement of revenue.

Table 2 — Amending letter to the preliminary draft of supplementary and amending budget No 1-1977  
(in u.a.)

Category of appropriation	Preliminary draft supplementary and amending budget 1-1977	Modifications by amending letter	New total 1977
<b>COMMISSION</b>			
Agriculture (Chapter 31, Titles 6, 7, 8)	7 063 703 500	+ 232 200 000	7 295 903 500
Social (Chapters 30, 35, 50, 51, 52, 59)	189 597 000	—	189 597 000
Regional (Chapter 55)	400 000 000	—	400 000 000
Energy, industry, transport:			
— Chapter 33	181 642 670	— 977 686	180 664 984
— Chapters 32, 34, 36, 37, 39	53 248 800	—	53 248 800
Development cooperation (Chapters 92, 93, 94, 95, 96)	269 880 100	—	269 880 100
Miscellaneous (Title 4 — except Chapter 40)	—	—	—
Administrative appropriations (Titles 1 and 2)	407 317 840	—	407 317 840
Contingency reserve (Chapter 101)	4 000 000	—	4 000 000
Commission total	8 569 428 910	+ 231 222 314	£ 800 651 224
<b>Other institutions</b>	153 386 416	—	153 386 416
Sub-total	8 722 815 326	+ 231 222 314	8 954 037 640
<i>Repayments to the Member States of 10% of own resources</i>	608 083 925	1	1
Total	9 330 899 251	1	1

<sup>1</sup> Amounts to be adjusted when the amending budget is settled, since revenue was not re-evaluated when the amending letter was drawn up.

### Amending letter to the preliminary draft of supplementary and amending budget No 1/1977

2.3.85. On 18 May, the Commission presented an amending letter to the budgetary authority concerning supplementary and amending budget No 1/1977 which was submitted on 1 April.<sup>1</sup> The Commission had then already mentioned that, if need be, it might have to modify some of its requests.

These adjustments have proved to be necessary in Section III—Commission for the following parts:

(i) *EAGGF Guarantee Section*, following the Council Decision of 26 April concerning agricultural prices and related measures for 1977-78.<sup>2</sup>

(ii) *Establishment plan* (administrative appropriations) following replacement of Member States' financial contributions by own resources from VAT.

(iii) *Research and investment expenditure*, following the Council Decision of 29 March concerning the JRC multiannual research programme.<sup>3</sup>

The proposed adjustments are shown in Table 2.

Table 3 — *Revenue required to cover the expenditure chargeable to the financial year 1976 within the meaning of Article 17 of Regulation No 2171*

	Million u.a.	%
Own resources		
(i) customs duties	4 065.4	50.83
(ii) agricultural levies	1 035.2	12.94
(iii) sugar levies	128.4	1.61
Contributions by the Member States	2 486.0	31.08
Other contributions	8.8	0.11
Miscellaneous revenue	774.0	3.43
Total	7 997.8	100.00

Table 4 — *Expenditure authorized under the budget for the financial year 1976*

	(million u.a.)
Initial budget	7 576.86
First supplementary budget	61.03
Second supplementary and amending budget	832.72
Third amending budget	—
Total appropriations for the financial year 1976	8 470.61

Table 5 — *Utilization of appropriations*

	(million u.a.)
Appropriations committed <sup>1</sup>	8 102
Appropriations for which carry-over applications have been submitted to the budgetary authority, which has not yet taken a decision	146
Cancelled appropriations	222

<sup>1</sup> Including ERDF commitments in respect of appropriations for payment (300 million u.a.). With all the ERDF commitments and research and investment activities this amount is 8 311 million u.a.

### Revenue and expenditure account for the financial year 1976

2.3.86. As required by the Financial Regulation applicable to the general budget of the Communities, the Commission drew up on 31 May, the revenue and expenditure account and the financial balance sheet of the European Communities for the budgetary year 1976 as well as the financial analysis relating thereto. The revenue and expenditure account shows the expenditure and the revenue set out in Tables 3 and 4.

#### Own resources

2.3.87. On 16 May the Council adopted the Directive on the determination of the VAT base ac-

<sup>1</sup> Bull. EC 3-1977, point 2.3.92.

<sup>2</sup> Bull. EC 4-1977, points 2.1.53 to 2.1.58.

<sup>3</sup> Bull. EC 3-1977, point 2.1.108.

Table 6 — Expenditure chargeable to the financial year 1976 (Appropriations committed or carried forward)

	Expenditure authorized u.a.	Appropriations committed or carried forward (u.a.)	Percentage of expenditure authorized
Section I European Parliament	52 121 209	45 989 859	88.24
Section II Council	64 450 658	53 864 634	83.57
Section III Commission	8 342 854 361	8 139 154 356	97.56
Section IV Court of Justice	11 183 380	9 386 331	83.93
	8 470 609 608	8 248 395 180 <sup>1</sup>	97.38

<sup>1</sup> The difference between the amount of expenditure and revenue in the Table is due to the cancellation of appropriations carried forward from 1975 to 1976 (291.3 million u.a.) and to the surplus recorded at the end of the financial year 1976 (40.6 million u.a.).

Table 7 — Expenditure chargeable to the financial year 1976 by title of the budget, for all the institutions

Heading	Final appropriations	Appropriations committed or carried forward	% utilization
1. Expenditure on staff	302.77	280.71	92.71
2. Buildings, equipment and operating expenditure (except point 10 below)	110.39	103.44	93.70
3. Operational expenditure (except Chapter 33)	71.66	65.97	92.06
Expenditure on research and investment	AC 312.13	131.42	42.10
	AP 135.18	121.97	90.23
4. Aids, subsidies and financial contributions	38.80	37.33	96.21
5. Social Fund	442.97	439.40	99.19
European Regional Development Fund	AC 500.22	500.12	99.98
	AP 300.00	300.00	100.00
Aid to the Friuli disaster area	60.00	60.00	100.00
6/7. EAGGF Guarantee Section	5 835.27	5 718 56	98.00
8. EAGGF Guidance Section	325.00	325.00	100.00
9. Food aid and expenditure on cooperation with developing countries	320.25	272.35	85.04
Contingency amount	4.64		
	AC 812.35	631.54	77.74
Total	AP 7 946.94	7 724.73	97.20
10. Repayment to the Member States of 10% of own resources	523.67	523.67	100.00
	AC 812.35	631.54	77.74
Grand total	AP 8 470.61	8 248.40	97.38

AC = appropriations for commitment.  
AP = appropriations for payment.

ording to a uniform system in the Member States,<sup>1</sup> enabling the budget of the European Communities to be financed completely from own resources from 1 January 1978.

Apart from the former own resources—customs duties, agricultural levies and sugar levies—there will now be a certain proportion of VAT which may not exceed 1% of an assessment base calculated according to the principles contained in the Directive. The practical means of implementing this Directive will be laid down in a Council Regulation.

At its part-session from 9 to 13 May *Parliament* adopted a Resolution on combating frauds and irregularities in the common agricultural policy sector, following the third report by the Special Committee of Inquiry on beef and veal,<sup>2</sup> and a Resolution on *Parliament's* guidelines for the Community's budgetary and financial policy in 1978.<sup>3</sup>

## ECSC financial operations

### Loans raised

2.3.88. In May the Commission signed a contract in Kuwait for a \$30 million bond issue. This loan was underwritten by an international syndicate of banks.

The bonds bear interest at the nominal rate of 7 $\frac{5}{8}$ % payable annually for 7 years. They were issued to the public at 99% of their nominal value.

The bonds of this loan have been admitted to official quotation on the Luxembourg stock exchange.

### Loans granted

#### *Loans paid*

2.3.89. The Commission granted a total of 54.9 million EUA in loans during May.

This sum is distributed over the following three types of loan:

#### Industrial loans

The industrial loans (Article 54 of the ECSC Treaty) amounted to 54.5 million EUA. They were made to four undertakings to finance the following programmes:

##### *Coal industry*

Rationalization and modernization of collieries:  
Charbonnages de France, Paris (Houillères du Bassin de Lorraine, Simon Wendel, Merlebach and Sainte-Fontaine collieries).

##### *Iron and steel industry*

#### — Infrastructure project:

Northumbrian Water Authority, Newcastle-upon-Tyne (British Steel Corporation, Redcar and Tees-side Works).

#### — Rationalization of pig-iron and steel production:

Italsider SpA, Genoa (Genova-Cornigliano and Genova-Campi Works).

#### — Increase of coking capacity:

British Steel Corporation, London (Port Talbot Coking Plant).

#### — Environmental protection:

Italsider SpA, Genoa (Genova-Cornigliano Works).

<sup>1</sup> Points 1.3.1 to 1.3.4.

<sup>2</sup> Point 2.3.16.

<sup>3</sup> Point 2.3.30.

## Financing Community activities



### Redeployment loans

A redeployment loan (Article 56 of the ECSC Treaty) was granted to facilitate the creation of new activities to provide employment for redundant workers; the loan amounted to 0.2 million EUA. The recipient was:

United Kingdom: Wales.

### Loans for the construction of low-cost housing

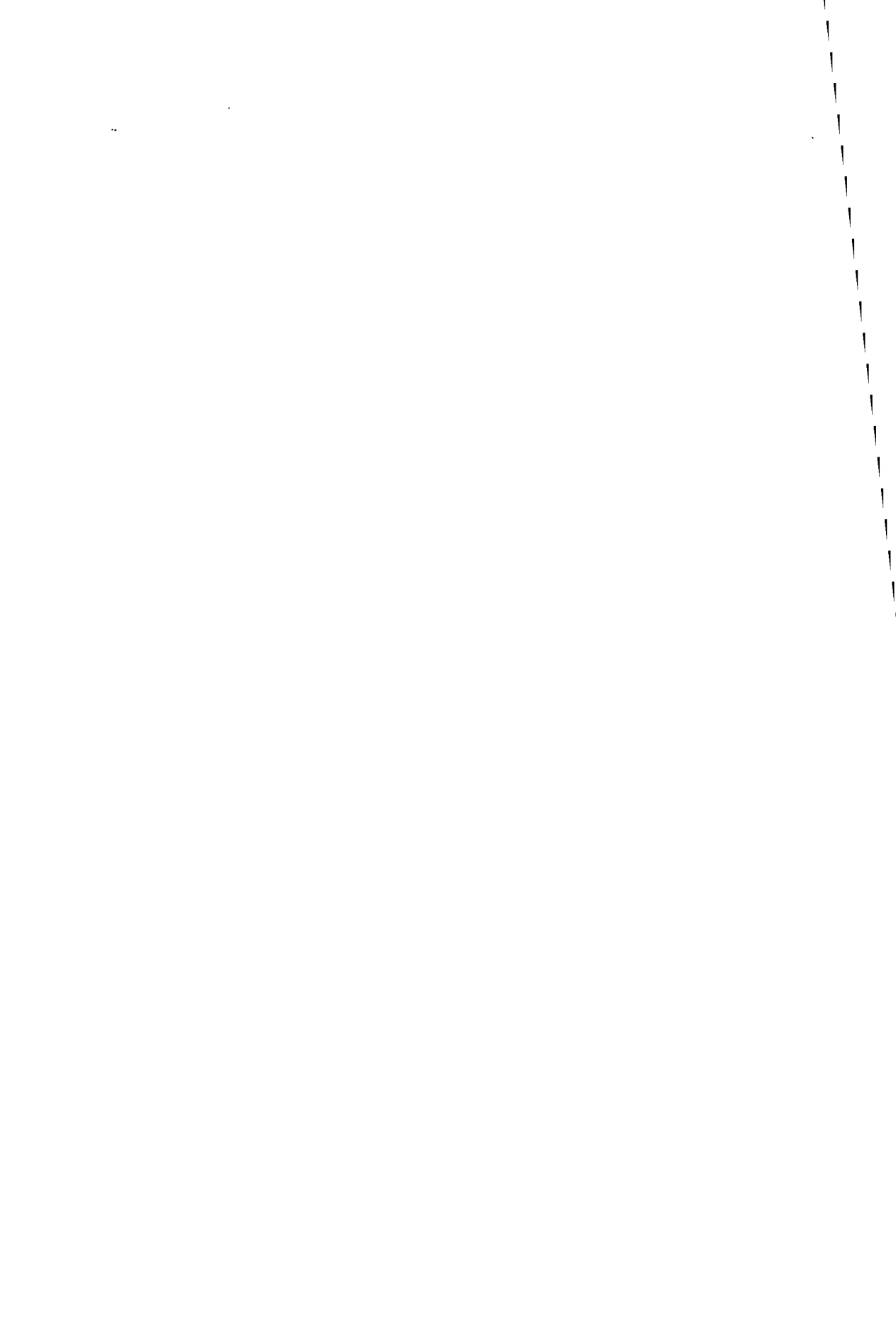
Loans for the construction of low-cost housing totalled 0.2 million EUA during the same period.

### *Loan decisions*

2.3.90. In May the Commission also took a decision on the granting of an industrial loan to the following undertaking:

#### *Iron and steel industry*

— Rationalization of pig-iron and steel production:  
Acciaierie di Piombino SA, Piombino.







**PART THREE**  
DOCUMENTATION

# Additional references in the Official Journal

**3.1.1.** This section lists the titles of legal instruments and notices of Community institutions or organs published in the Official Journal during the month under review but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

## **Bull. EC 3-1977**

### *Points 1.3.1 to 1.3.6*

Proposal for a Decision amending the Council Decision of 1 February 1971 on the reform of the European Social Fund.

Proposal for a Council Regulation amending Council Regulation (EEC) No 2396/71 of 8 November 1971 implementing the Council Decision of 1 February 1971 on the reform of the European Social Fund.

Proposal for a Regulation amending Council Regulation (EEC) No 858/72 of 24 April 1972 on certain administrative and financial procedures for the operation of the European Social Fund.

Proposal for a Council Decision amending Council Decision 72/428/EEC of 19 December 1972 on assistance from the European Social Fund for persons leaving agriculture to pursue non-agricultural activities.

Proposal for a Council Decision amending Council Decision 76/206/EEC of 9 February 1976 on intervention by the European Social Fund in favour of persons occupied in the textile and clothing industry.

Proposal for a Council Decision amending Council Decision 74/327/EEC of 27 June 1974 on action by the European Social Fund for migrant workers.

Proposal for a Council Decision amending Council Decision 74/328/EEC of 27 June 1974 on action by the European Social Fund for handicapped persons.

Proposal for a Council Decision amending Council Decision 75/459/EEC of 22 July 1975 on action by the European Social Fund for persons affected by employment difficulties.

Proposal for a Decision amending Council Decision 74/327/EEC of 27 June 1974 on action by the European Social Fund for migrant workers.

Proposal for a Decision amending the validity of Council Decision 74/328/EEC of 27 June 1974 on action by the European Social Fund for handicapped persons.

Proposal for a Decision amending Council Decision 75/459/EEC of 22 July 1975 on action by the European Social Fund for persons affected by employment difficulties.

Proposal for a Decision amending Council Decision 76/206/EEC of 9 February 1976 on intervention by the European Social Fund in favour of persons occupied in the textile and clothing industries.

OJ C 109 of 5.5.1977.

### *Point 2.3.53*

Case 35/77: Reference for a preliminary ruling made by judgment of the Arbeidsrechtbank, First Chamber, for the judicial district of Hasselt, dated 16 March 1977, in the case of Elisabeth Ermin, née Beerens v Rijksdienst voor Arbeidsvoorziening.

OJ C 113 of 11.5.1977.

Adoption of projects financed by the European Development Fund.

OJ C 115 of 12.5.1977.

### *Point 2.3.54*

Case 36/77: Reference for a preliminary ruling made by order of the Corte Suprema di Cassazione, Rome, dated 9 December 1976, in the case pending before it between Azienda di Stato per gli Interventi sul Mercato Agricolo (AIMA) and Rocco Michele Greco.

OJ C 113 of 11.5.1977.

### *Point 2.3.55*

Case 37/77: Reference for a preliminary ruling made by judgment of the Tribunal du Travail, Charleroi, Charleroi Division, Sixth Chamber, on 24 March 1977, in the case of Fernando Greco v Fonds National de Retraite des Ouvriers Mineurs.

OJ C 113 of 11.5.1977.

### *Point 2.3.56*

Judgment of the Court of 9 March 1977 in Joined Cases 41/73, 43/73 and 44/73 — interpretation: Société Anonyme

Générale Sucrière and others v Commission of the European Communities and others.

OJ C 111 of 7.5.1977.

### *Point 2.3.57*

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OJ C 113 of 11.5.1977.

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4001/S/76/12 (2)

*Von der Schule ins Berufsleben.*

Entschließung des Rates und der im Rat vereinigten Minister  
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7370  
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*Jahrbuch Energiestatistik*  
*Energy statistics yearbook*  
*Annuaire de statistiques de l'énergie*  
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*Bollettino trimestrale di statistiche dell'energia*  
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8863 (4)  
*Marchés de citrons frais et de jus de citron dans la Communauté européenne*  
Information sur l'agriculture. N° 13. Juillet 1973.  
1977. 83 p. (E.F) FB 110,-

8864 (3)  
*Pesticide residues in tobacco and tobacco products*  
Information on agriculture. July 1976. No 14.  
1977. 145 p. (E) FB 175,-

8865 (3)  
*Water content of frozen or deep-frozen poultry*  
Information on agriculture. July 1976. No 15.  
(1977). 196 p. (E) FB 175,-

8878 (3)  
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Information on agriculture. October 1976. No 22.  
(1977). 108 p. (E)

8879 (4)  
*Modalités pratiques d'application de méthodes de lutte intégrée*  
Informations sur l'agriculture. N° 24. Novembre 1976.  
(1977). 154 p. (F) FB 150,-

8881 (2)  
*Forstwirtschaftliche Probleme und deren Auswirkungen auf die Umwelt in den Mitgliedstaaten der EG*  
I. Ergebnisse und Empfehlungen.  
Mitteilungen über Landwirtschaft. Nr. 25. November 1976  
(1977) 129 p. (D) FB 150,-

8882 (3)  
*Pesticide residues in tobacco and tobacco products*  
III. — Pesticide residues found in tobacco  
— Toxicological aspects of residues in tobacco.  
Information on agriculture. No 26. November 1976.  
(1977). 118 p. (E.F) FB 250,-

8882 (4)  
*Les résidus de pesticides dans le tabac et les produits de tabac.*  
III. — Résidus de pesticides trouvés dans le tabac  
— Aspects toxicologiques des résidus dans le tabac.  
Informations sur l'agriculture. N° 26. Novembre 1976.  
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Nouvelles de la politique agricole commune. N° 1. Janvier 1977.  
1977. 7 p. (DK.D.E.F.I.NL) Gratuit

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*Il sistema delle preferenze generalizzate della Comunità europea nel settore agricolo*  
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1977. 7 p. (DK.D.E.F.I.NL) Gratuito

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1977. 7 p. (DK.D.E.F.I.NL) Gratis

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*Die voraussichtliche Entwicklung der internationalen Versorgung mit landwirtschaftlichen Erzeugnissen und ihre Folgen für die Gemeinschaft.* I. Weizen, Futtergetreide, Zucker; Gesamtzusammenfassung.  
Mitteilungen über Landwirtschaft. August 1976. Nr. 18  
(1977) 244 p. (D) FB 175,-

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 W. Drexel, I.L.L., Grenoble, France.  
 Physical sciences. EUR 5615  
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 Sciences et techniques nucléaires. EUR 5640.  
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\* *Månedlig statistik for mælk*  
*Monatliche Statistik von Milch*  
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\* *Salgspriser for landbrugsprodukter*  
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