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# BULLETIN OF THE EUROPEAN COMMUNITIES

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

Commission of the European Communities  
Secretariat-General  
Brussels

No 2  
1977

10<sup>th</sup> year

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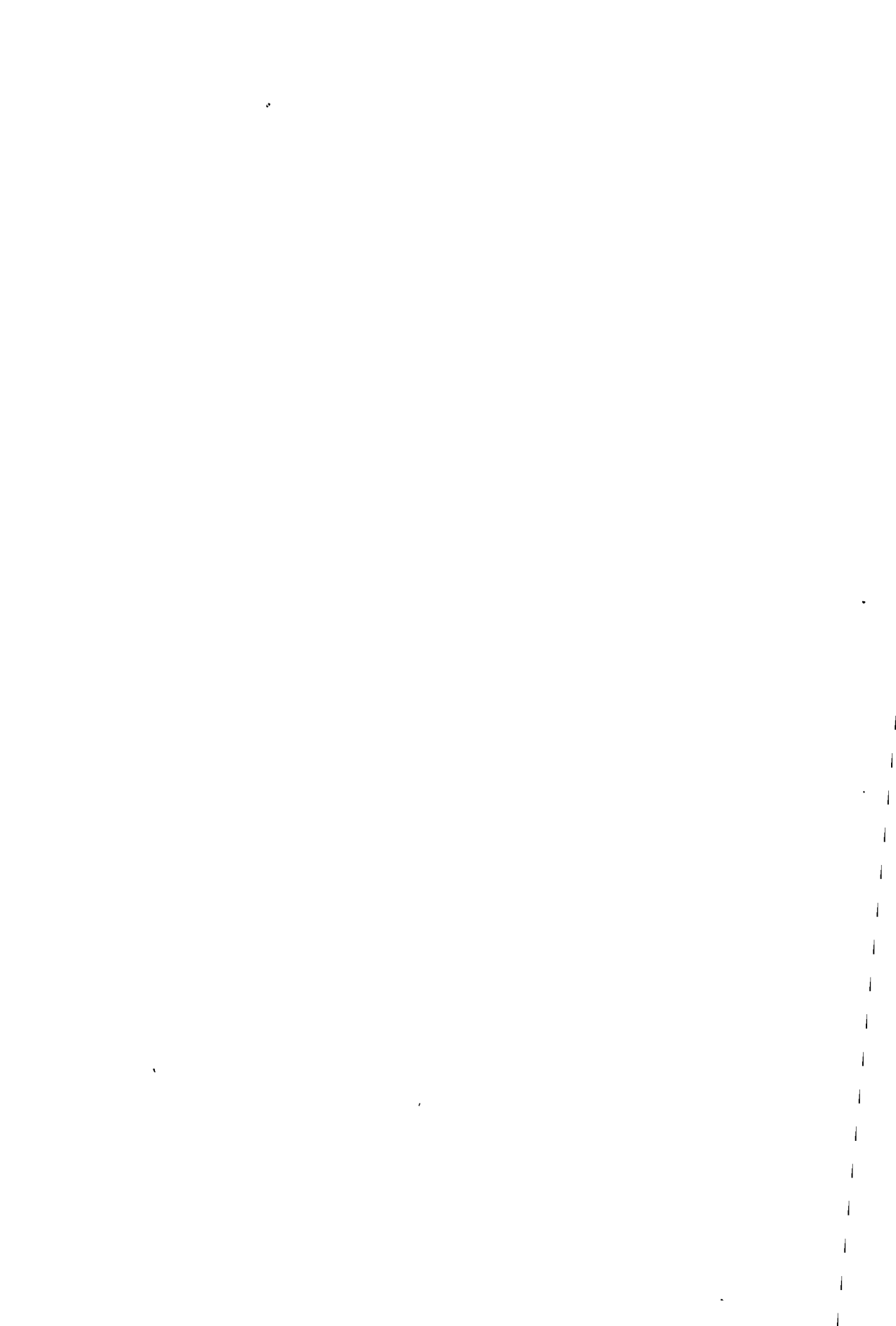
## Anthony Crosland

Mr Anthony Crosland, Foreign Secretary and President of the Council died in Oxford on 19 February. He had suffered a stroke six days earlier. Mr Crosland was fifty-eight.

In a telegram to the Prime Minister, the President of the Commission, Mr Jenkins, said: 'His personal commitment, and that of the Government of the United Kingdom, to carry forward during his Presidency, the work of the Community and the hopes it represents for Europe, was clearly manifest. The Community has suffered a major loss.'

Mr Crosland first entered the House of Commons in 1950. After holding several Ministerial posts from 1974, he was appointed Foreign Secretary in April 1976.

After becoming President of the Council in January—the first time the United Kingdom had held this office—Mr Crosland addressed Parliament on 12 January, setting out with broad vision the tasks facing the Community in the years ahead.







**PART ONE**

**SPECIAL FEATURES**

# 1. The Commission programme for 1977

Commission programme for 1977

## Address by Mr Roy Jenkins, President of the Commission

*1.1.1.* On 8 February, President Jenkins presented the Commission's programme to Parliament. Below are some extracts from his address:

*1.1.2.* 'The concept of a 'programme' for the Commission is not an easy one. To lay down a programme is to ask to be judged by one's success in carrying it out. For a government which has adequate legislative command that is a fair test. But the Commission is not a government. And this Parliament is not yet a legislature. The Commission proposes, as has often been said, but the Council disposes. Sometimes, as after the Paris Summit four years ago and at the beginning of the life of the previous Commission, it looked as though a broad but encouraging mandate for action had been given, and the programme almost wrote itself. The encouragement proved largely illusory, as we know to our cost, but for a time it was easily possible to combine adventurousness with apparent realism.

That is not the position today. It certainly does not follow from this that we should abandon adventurousness. But it does mean that we must distinguish in our minds between those things we can do, and those which we would like to do...

To some substantial extent, also, what we can do overlaps with what we have to do. Looking back on the work of the Commission over the past month... I am struck by the extent to which we have necessarily been concerned with on-going business. We have not allowed ourselves to be submerged by this, and we have indeed held several special sessions at which we have devoted ourselves exclusively to longer-term issues. But much of our ordinary meetings has been taken up with questions of internal organization, with fish, with agricultural prices, with the renewal of the Regional and Social Funds, and with enlargement, with particular reference to Portugal.

This is not only inevitable but indeed desirable. There would be something seriously wrong if the Commission, after two decades of life, were primarily thrashing around in the abstract and not dealing with items of practical business and decision. The reputation of governments, as we all know from our practical political experience, is often made or lost by how they handle issues which are the product of circumstances, foreseen or unforeseen, rather than by their pre-office commitments. So to some extent must be the case with the Commission...'

## Agriculture and food policy

*1.1.3.* '... The most urgent task now facing the Community is to put forward our proposals for next year's farm prices... The common agricultural policy is, as it always has been, one of the cornerstones of the Community. It is an outward and visible sign of the political will for integration... It has helped consumers to enjoy secure supplies, and producers, stable markets... But we must realize that the policy is threatened as never before. The fundamental questions are clear. How can we assure stable markets and fair incomes for producers, and at the same time guarantee supplies at reasonable prices to consumers? Should we plan, in the different and more difficult employment circumstances of today, for a continued movement of labour from the land, or should we for social and environmental reasons seek to encourage and sustain farming activity, if necessary on a part-time basis? How do we resolve the regional differences, the structural difficulties and the disparities of income? How is European agriculture to fit into the future world system, subject as it is to climatic change, population increase and demands for higher living standards? These questions cannot be answered merely by managing the existing mechanisms of the common agricultural policy. We need to look closely at its long-term objectives. This will provide one of our most important priorities in the year ahead...

In the fisheries sector, the Community has to build a policy suited to the new division of the world's seas. The extension of limits from 12 to 200 miles brings within our authority a vast expanse of waters. But at the same time the extension of limits by other countries poses problems for our deep-sea fleets; and there is also the regulation of fishing by third countries in Community waters. Out of these diverse elements, we have to create a policy satisfactory to all, which truly meets the common interest. Only in this way can the sea's resources be equitably managed and garnered, thus ensuring the conservation of fish stocks and a fair division of the harvest...'

## Economic union

1.1.4. 'Few would now dispute that the road towards economic union is longer and harder than it seemed likely to be in the early seventies. But to abandon the goal merely because the road towards it is difficult would be an abdication of responsibility...

We face here three formidable, and interlocking, obstacles to advance. The first is the stubborn persistence of high *unemployment*. Second are the high, though varying, *rates of inflation* throughout the Community. The third is the widening *gap* between the economic performances and real standards of living of our Member States. These three obstacles reinforce each other. The weakest economies have the highest rates of inflation, and therefore the weakest currencies; currency depreciation adds fuel to inflation... If we are to move forward, we must move to overcome all three obstacles together. That will provide the central theme of our economic policies in the period ahead.

We must pursue it first through the further development of the existing system of national policy coordination. This means working with the Member States in the Council and in the official Committee system. It also means working with

the social partners organized across our Member States, and of course with Parliament as well...

Together with the Council, we have to forge practical links between the predominantly national economic policies of individual countries; to provide soundly-based technical solutions to Europe's economic problems; and to underpin these solutions by consensus not only between Governments but between the interest groups concerned.

The work of analysis and coordination is only a beginning. It must be supported by the selective intervention of the Community in the European economy as a whole. One of the first steps the new Commission took was to reorganize its portfolios so as to assure a proper policy coordination and budgetary control of our existing funds. The present tools are of two kinds. First, there are the structural instruments, Regional and Social Funds and the European Investment Bank. Second, there are loans to assist in balance-of-payments financing. Proposals will soon be made to renew the Regional and Social Funds. But these funds provide only small openings into two of our fundamental policy priorities...

Further initiatives are therefore needed as well. In the first place, the Commission undertakes to devise a general policy to concentrate its present and future financial resources on the central problem of economic divergence. But that is not, in itself, enough. On the one hand, the existing funds are extremely small—both absolutely, and in comparison with the sums spent by the Member States on similar purposes. For example, the Community's Regional and Social Funds are operating at rates of around one-sixth to one-tenth of national expenditure in the same field. The Funds are also restricted by narrow and rigid criteria. On the other hand we have a Community loan mechanism which has proved itself useful in the past, but which has been designed to deal essentially with balance of payments problems.

I believe that between these two kinds of financial activity there is a gap which must be filled

if the Community is to be of genuine help to its weaker economies...

It may be said that the gap between our Member States is so wide that no conceivable Community intervention could narrow it significantly: that resources devoted to narrowing it would disappear into a bottomless pit. I reject that view as a counsel of despair. The gap between the Member States is certainly wide, but so are the gaps between the richest and poorest regions of many of the Member States themselves. On recently available figures, the income per head of Schleswig-Holstein, the poorest of the German Länder, is 55 % of the income per head of Hamburg. In the United Kingdom, Northern Ireland's income per head is 62 % of that of the south-eastern region. In France, that of the Midi/Pyrénées is 58 % of that of Paris. In Italy, Calabria's is 41 % of that of Lombardy... All enlightened modern States—certainly all the Member States of the Community—redistribute income from their richer regions to their poorer ones; none accepts the argument that because regional imbalances are hard to overcome, no attempt should be made to do so. What the Member States do within their national frontiers, we should seek to do in the Community as a whole'

### Industrial policy

1.1.5. '... Europe's industry is the principal creator of wealth; and the role of the Community is to create conditions in which manufacturing industry and commerce can prosper. The freeing of trade within Europe's internal market has contributed to economic expansion over the last two decades. We must pursue the practical work of removing barriers to trade through harmonizing company law, competition law, and taxes...

But we must not lose sight of the practical objectives of our programme. We should not indulge in a bureaucratic game of harmonization for harmonization's sake. Unless we can be sure that our proposals will lead to more trade, and

better conditions for producers or consumers, there is no point in making them.

As well as setting the overall framework for industrial integration the Community has to take action in individual sectors such as steel and shipbuilding where Europe's vital interests are at stake...

Here we have a double responsibility. We have a duty to cooperate in a sensible international division of labour. We must respect the needs of producer countries with far less sophisticated resources than our own. But we should not impose excessive and sudden strains upon our own industries, and we have a right to ask for cooperation and equality of effort from other industrial countries of the world...'

### Energy policy

1.1.6. '... At a time of expensive energy the Community must face up to the need for conservation and increased self-sufficiency. This requires the development of new energy sources, where risks can be great and investment costs high; the JET thermo-nuclear fusion project which the Commission is now impatient to see agreed provides perhaps the best example... At the same time, we should give a lead in developing a Community strategy for handling the fission nuclear energy problems, in particular in emphasizing our concern for nuclear safety. In the nuclear field choices have to be made, involving a balance of economic, environmental, technological and strategic considerations...'

### Tackling unemployment

1.1.7. '... The broad decisions which determine total demand are matters for the Member States. We should do all in our power to persuade them to coordinate their policies so as to achieve a balanced economic recovery which does not feed inflation throughout the Community. We should

not assume a responsibility for demand management which we cannot fulfil...

Full employment cannot be achieved now simply by stimulating demand, and an unacceptably high level of unemployment may well persist, at any rate in the more vulnerable areas and among the more vulnerable groups of workers, even when economic recovery is running strongly. Here we shall try to promote coordinated labour market policies throughout the Community, working closely with the Member Governments and also with both sides of industry...'

### The citizen and the Community

*1.1.8.* '... In our concern with the great issues of economic and industrial policy, we must never forget the need to carry the people of Europe with us. If they fail to see the need for common solutions to common problems, then common solutions will not, in the end, be adopted. If they fail to recognize that the general interest of the Community can transcend the particular interests of the Member States, then the general interests of the Community will not prevail. But a sense of common European identity cannot be fostered just by exhortation. We must make the Community a practical reality in terms of everyday life...

In the coming year, the Commission will either be preparing new proposals or pursuing proposals already made to combat water pollution and protect aquatic life, to see that international conventions against the pollution of the Rhine and the Mediterranean are put into effect, to improve safety standards in nuclear power stations, to protect consumers against misleading advertising, to eliminate unjustified restrictions on the right of migrant workers to receive social security benefits, to safeguard the interests of employees whose firms go bankrupt, to provide vocational training for young workers threatened by unemployment, to make it easier for professional people to exercise their skills in Community countries other than their own, to secure minimum

housing standards for handicapped workers and to encourage worker participation in industry...

We have a duty to ensure that the Community lives up to the ideals on which our civilization is based—to protect the environment against the dangers of unregulated industrial growth, to protect the weak against exploitation, to safeguard individual freedom and to enhance opportunity. But our resources are limited and where our Member States can act alone effectively and consistently we should not attempt to duplicate that work...'

### Relations between the Commission and Parliament

*1.1.9.* '... It is too soon to tell exactly what the role of a directly-elected Parliament will be, or precisely what effect direct elections will have on its relationship with the other institutions of the Community. But two things are clear. The first is that, as the Community develops and the Community budget increases in size, the need for direct democratic accountability becomes steadily more pressing...

Second, it is clear that direct elections will in themselves help to foster a sense of common identity among the electors. The Members returned in these elections will come here as Europeans. They will seek to promote the interests of their constituents at a European, rather than at a national level... This Commission intends to treat the present Parliament as it will treat the directly elected one; and that, in particular, we shall send no proposal to the Council without seriously and systematically considering whether it is likely to receive the support of a majority here. I repeat that promise now. We must strengthen and deepen the traditional partnership between Parliament and Commission.

Our concern with direct elections does not end there. The authority of a Parliament derives first from the fact that it is elected. But it also depends in part on the proportion of the electorate

which takes part in the election, and on the extent to which the electorate is able to comprehend and judge the issues on which the election is fought. The nature of the election campaign and the character of the issues which will be debated in it will, of course, be mainly determined by the political parties and candidates concerned. The Commission as such cannot be engaged in the electoral battle. But I believe that we have a role to play in helping to ensure that the voters who will determine the outcome can judge the issues for themselves.

In less than two years time, I hope substantially less, an electorate of 180 million will be called upon to determine the composition of this House. If the voters are to make an informed decision in the polling booths they must know how the Community works, what questions have to be decided at a European level and why, and what are the different proposals being put forward. We have two clear objectives: to ensure that each voter is aware of the ways in which his own life is affected by decisions taken at Community level and of the way in which he can affect the tendency of those decisions by casting his vote and, at the same time, to ensure that we are aware of the attitudes and aspirations of the voters whose interests we seek to serve.'

## Enlargement

*1.1.10.* 'As a Community we can indeed take pride in the fact there are applicants at our door: it is a sign that we are a rallying point both for democracy and for economic advance. But the prospect of enlargement also presents us with both responsibility and difficulty. We are rightly committed to do everything within our power to give support to the new and therefore frailer democracies of Europe. But we cannot surge forward to enlargement aware only of that commitment and its popular support. Such a growth requires conscious adaptation and adjustment. It requires frankness on both sides of the negotiating table. Our talks with applicant countries have

to be carefully planned to face overtly the major problems which enlargement will present both for the Community and for applicant countries. We must examine closely the impact of enlargement on the institutions originally designed for six nations and then made to accommodate nine. The relative political and economic cohesiveness of the Nine is one reason why other countries wish to join. There would be no sense, either for them or for us, in allowing it to be weakened in the process. That indeed would be self-defeating. The Community must therefore strengthen itself in order to support further enlargement...

It is therefore our determination that the Community takes an overall approach to the question of enlargement. We must appraise what the balance and solidity of the whole edifice will be in the eighties. This should be well understood by our partners in the future negotiations. By placing our future talks on grounds of both realism and perspective we shall be more likely to make a genuine and effective contribution to European unity. The Commission will be sympathetic to enlargement but it will insist that the problems involved in it be faced and not glossed over.'

## External relations

*1.1.11.* '... The Community must endeavour to speak with one voice to the world...

In particular, we must be determined to continue to promote constructive cooperation between industrialized countries. We remain committed to the free flow of world trade and to the need for a more than ever determined resistance to the snares of protectionism. The Commission will continue to assist Governments in this task and it will play its own part in the major forthcoming multilateral trade negotiations and also in the various forums of the United Nations and other international organizations.

The impact of these discussions and negotiations will not only be felt in the industrialized coun-

tries but will vitally affect trade policies towards the third world. In this area we must continue to develop the policies initiated by the Lomé Convention and other development aid schemes. The Commission will certainly take the necessary steps to ensure that the Convention is respected and to prepare for the negotiations of what has already been described as Lomé II. We shall continue our efforts to refine and improve the system of generalized preferences and seek to perfect its role as a means of channelling assistance to those countries in greatest need. We plan to develop the Community's food aid scheme...

The Community embodies in its constitution and history the unrivalled traditions of Western European democracy, of freedom for the individual within the rule of law, spanning a lively diversity of cultures. For large parts of the world, therefore, the Community serves as a model of successful democratic cooperation.'

## Parliamentary reactions

### Socialist Group

1.1.12. On behalf of the Group, Mr Fellermaier said: 'In my view this speech marked a memorable moment. On the one hand it was the statement by a new Commission under a new President, and on the other hand it involved the last Commission to have to present its programme to a Parliament not elected directly.

In his speech President Jenkins spoke of the traditional partnership between Parliament and Commission, a partnership which must be strengthened and deepened... We were pleased to hear Mr Jenkins renewing the promise that this Commission intends to treat the present Parliament as it will treat the directly elected one... The European Community needs a successful three-way relationship in which the Council, Commission and Parliament can effectively carry out the tasks allotted to them by the Treaties.

During this Commission's period of office, the relationship between the Community institutions will undergo a fundamental qualitative change. I refer to the elections planned for 1978. The Commission will not—nor can it—involve itself in the forthcoming election campaign. But, President Jenkins, one of the issues to concern the voters will be policy and the effects of this policy. Therefore the activity of this Commission will be one of the things to be judged on the testing ground of direct elections... But it will also require the Commission to emerge from the anonymity of its technocratic machinery. It must prove that it really is a responsible, politically conscious institution of a democratic Community...

*Industry*, full employment and the fall in the standard of living in Europe are three central points... This European Parliament will ultimately be the only institution which, with its appeal to the parliaments in the Member States and to the Heads of State and Government, constantly draws attention to the fact that the fight against unemployment, our monetary system and the fall in the standard of living are all questions which do not stop at national frontiers, but which can now only be solved at a supranational level...

In regard to *agricultural* policy the Commission should no longer fall into the trap of believing that the key to success is to be sought only in a constant fluctuation of prices and monetary compensatory amounts. The common agricultural policy, once the mainstay and cornerstone of the Community, now swallows up more than two-thirds of the total budget of the European Communities.

But these sums are not being spent on structural improvements... They are serving mainly to get rid of permanent surpluses... We expect the new Commission to come forward with bold proposals for the future course of the agricultural policy. As long as two-thirds of the EEC budget funds are spent on measures in the agricultural sector, I am afraid that, as we have seen, all the Commission's economic and social objectives continue to

be somewhat unconvincing. As a result of the ever-increasing complexity of the system of monetary compensatory amounts and of the jungle of constantly changing regulations, which give rise to yards of telex messages to national customs administrations, the common agricultural policy is in fact becoming, let us be honest, more and more of an illusion... The consolidation and the possible enlargement of the Community are closely interrelated. Only a healthy Community capable of dealing with its own internal problems can claim and exercise world-wide responsibility...

For years we stipulated as a condition for opening accession negotiations that democratic structures should be restored in Greece and on the Iberian Peninsula. It would now be politically irresponsible not to give our vigorous support to the process of democratic development which has been launched in these countries... Even if economic and social problems arising from this further complicate matters, they still cannot outweigh the affirmation by would-be Member States of the value of democracy and the idea of a free, socially-oriented and united Europe...

Mr Jenkins, you have given proof of your realism by refraining for the first time from speaking about great plans. We think it is better to have a policy of small but sure steps than to have great plans under which the ice ultimately cracks, as we have experienced in the Community all too often in the past.'

### Christian-Democrat Group

1.1.13. On behalf of the Christian Democrats, Mr Bertrand said: 'We much regret that (... in respect of the *agricultural* policy...) you left a number of questions in the air to which we had expected you to put forward definite views... It is therefore difficult for us to work out exactly what your intentions are as regards the agricultural policy...

You said that the fundamental problems are clear. You ask how we can ensure stable markets and fairer incomes for the producers while at the same time guaranteeing adequate supplies at reasonable prices to consumers. You put this question, but you do not yet know the answer. You go on and ask whether we should plan, in the different and more difficult employment circumstances of today, for a continued movement of labour from the land, or whether we should for social and environmental reasons seek to encourage and sustain farming activity, if necessary on a part-time basis. You ask how we are to resolve the regional differences, the structural differences, the disparities of income. And you continue asking questions in a similar vein. We do not, however, expect the Commission to put questions to Parliament. We expect the Commission to propose solutions...

You said in the same chapter that monetary fluctuations have unsettled the market. We all realize this, but what do you suggest we should do about it? Do you intend to continue with compensatory amounts or to abolish them? Or are you looking for another solution? We would have liked to hear the Commission's views on this matter. You also mentioned the stagnation in economic integration and said that further progress towards *economic union* is vital for the continued viability of the Community...

You speak about the urgent necessity for the resumption of the Tripartite Conference, and we agree that continued concertation between the social partners is of vital importance for the implementation of a policy. However, I should like to ask on behalf of my Group what possibilities are open to the Commission to promote reasonable agreements between the social partners...

I must say that your thinking is at variance with the real significance of the Commission in accordance with the Treaty. The Council does not dispose; it can dispose only if the Commission proposes. Otherwise it cannot. This is why it is so extremely important that you have declared to us



once more today that you are firmly decided to make full use once again of the right of initiative which the Commission enjoys by virtue of the Treaty. We hope that you will also say that in making use of your right of initiative and your right to make proposals you will work together with the Parliament with a view to ensuring that the Council, which is in a chaotic state, acts once again in a Community manner...

We agree with Mr Jenkins views on the *enlargement* of the Community and welcome the Commission's cautious attitude to this matter and to the applications for accession we expect to receive from two countries in the Mediterranean area. Mr Jenkins said that we must above all attempt to take an overall approach to the problem of the enlargement of the Community.

We go along with this. It is absolutely essential that we first of all strengthen the internal institutional infrastructure of the Community, with a view to guaranteeing the Community's viability. There must be no question of the new Member States winning a Pyrrhic victory because the Community was not equal to the task when it decided to accept their applications for accession. We all know that there is no likelihood of the decision-making mechanism, which has ceased to function with the Nine, functioning more efficiently tomorrow with thirteen Member States. If the Council now decides in favour of a system of majority decisions, thereby abandoning the present principle of unanimity, we will develop in the direction of a free trade zone...

However, we should like to ask you which countries will, in your view, form part of the Europe of the future? It would be interesting to hear the Commission's views on this matter as, in my view, it would be very dangerous if we simply waited for applications from candidates without having an overall view of what the united Europe of the future might consist of...

I had expected Mr Jenkins to tell us what the Commission was intending to do with a view to the complete establishment of own resources as

of 1 January 1978 and the complete harmonization of VAT, on which the Council has made a decision principle, which is still to be implemented. What does the Commission intend to do to establish a definitive unit of account to form the basis of all trade transactions, in the light of the fluctuating exchange rates? And what is the situation as regards budgeting? These are all necessary if the own resources system is to be established in a responsible fashion. These are extremely important problems which directly involve the competences of Parliament...

Finally, the Commission omitted to mention *political cooperation* and the efforts it intends to make to achieve further progress on the road towards a European Union. Nor did he say anything about the possible application of certain proposals contained in the Tindemans Report...'

### Liberal and Democratic Group

1.1.14. Mr Berkhouwer took the following view:

'... Fortunately, everyone in our Community, with or without work, is assured of the necessities of life. There does, however, seem to be a paradoxical situation in our Community. On the one hand we have 5.4 million *unemployed* in our Community, and on the other hand there are a total of more than 10 million foreign workers, if their wives and children are included... We can thus safely assume that the number of people that we class as foreign workers is larger than the number of unemployed.

Here and there, unfortunately, people are trying to combat the present unemployment by taking refuge in the remedies they thought they could apply in the thirties, i.e. isolationism, protectionism and so on...

Regarding *summits*, let me equate myself with the ordinary European, who does not understand anything about these conferences. It is as if the word 'summit' were a sort of drug. There has now been another bilateral summit conference

between Bonn and Paris. What do we want all these European summit conferences for?...

On the question of *enlargement*, the Commission's statement was rather lukewarm... I think that we have already committed ourselves quite a long way with one of the applicants, and in that case we can surely go a bit beyond an overall approach. I am referring to Greece. Of course, the question must be seen in a broad context, but with Greece we have already made a start. We put the association agreement with Greece on ice. We told our friends: 'You must do this, you must do that.' And they did it, they restored democracy and are now knocking at our doors. Are we not duty bound to open these doors? For my part I am prepared to open the doors as quickly and as widely as possible...

Mr Jenkins and his colleagues must do something about (the *European passport*)... The real point is that the 200 million or more people who will shortly be going on holiday once again and travelling through the Community should see some sign of the Community... The snake in the tunnel and all that gobbledygook, what does it mean to the man in the street? He doesn't know the first thing about it. He has perhaps heard about a tunnel under the Channel. The man wants to have something tangible...

### Group of European Progressive Democrats

#### 1.1.15. Statement by Mr Lenihan

'... Public opinion at the present time, particularly in the new Member States, is not very enamoured, to put it mildly, of the Community and its institutions.

One of the reasons for this is, I fear, the apparent and actual lack of *decision-making* at the European Council and summit meetings and the lack of decision-making by the Council of Ministers.

This is the single biggest factor in eroding confidence in the Community and the Community's institutions. I feel that it is a major task both for

the Commission and the Council of Ministers to ensure that the procedures between the Commission and Parliament, and within the Council of Ministers, and between the Council of Ministers and Parliament, and between the Council of Ministers and the Commission are streamlined, and practical steps are introduced to ensure that before major meetings of the European Council or major summit meetings, some preparation is undertaken so that decisions can emerge from these meetings. Having these meetings for the sake of having them is a futile exercise that brings the Community into disrepute and brings discredit to its institutions.

The main political areas in which the Community has signally failed so far to reach a common approach are those of foreign policy and energy. These two areas are, I know, highly sensitive, they are of very real national interest, but at the same time they are two areas where failure so far has been very obvious to the ordinary citizen... The Commission can do some prodding in an endeavour to ensure a common approach to foreign policy and to energy... Unless this is done, talk about the *enlargement* of the Community is largely nebulous, because even though I welcome the addition of the three countries concerned, Spain, Portugal and Greece and, indeed, Turkey in due course, I feel we should not embark on actively encouraging them to full membership until we have our own house in order in regard to the decision-making process, and until we have a common foreign policy and a common energy policy.

I would like to welcome the initiative taken by the President of the Commission... to coordinate various funds in this area that are concerned with the transfer of resources—the direct grant allocations under the Regional and Social Funds, the loan funds available from the European Investment Bank...

The *common agricultural policy* is basically a social fund as well, and must be viewed in that light. I deplore any attempts to set up a consumer-versus-producer attitude within the Community.

This is class politics. We do not want class politics within the Community.

Fundamentally, the common agricultural policy is another social policy involving transfer of resources to the rural population. It is a type of social policy like the Social Fund itself, like the Regional Fund, and like any loans made available towards infrastructural developments from the European Investment Bank. ... We can only work towards achieving a certain amount of economic harmonization and work towards economic and monetary union when we get out economies moving forward at the same rate. The first step, of course, is to stimulate the economies: the second step must be substantial and massive transfer of resources, to ensure a balanced economic development throughout the Community as a whole...'

### European Conservative Group

1.1.16. Sir Peter Kirk said '... the European Council is also usurping the rights of the Commission, because the power of initiative now seems to have passed to the European Council at their quarterly meetings... and this is a highly dangerous development and something with which the Commission and this Parliament must concern themselves. I hope therefore that before the next European Council takes place at the end of March, the Commission will have clarified their own thinking about the best way in which this body can be used... Another matter on which I think we would have welcomed... the views of the President of the Commission is the role that the Commission should be playing in the field of political cooperation... Political cooperation is one of the more successful of the present activities of the Community. It is certainly one of the most important and it is not one, I feel, that should be totally divorced from the other economic and social activities which the Community engages in... I do not think anyone, certainly nobody from one of the three newer States of the Community, can possibly have any objection, any

fundamental objection to the *enlargement* of the Community to include any State which fulfils the necessary criteria laid down in the Treaty and in particular which is a European State with a democratic form of government. But that must be our starting point and we cannot accept any other. Equally, however, it is quite plain—and here I think a new Member can speak quite frankly about it—that we have only just recovered, if we have recovered yet, from the last time the Community was enlarged four years ago. That was then a major upheaval and there is not the slightest doubt that any enlargement to incorporate one, two, three or four countries is going to produce another upheaval of that kind just at the moment when we are beginning to settle down again. So I think it is quite right that there should be a note of caution in the President's speech, but if I may say so, it was rather vague caution.

(On *agricultural policy*) it is in the field of structures that we hope for much from the new Commission and the new Commissioner. In this connection, would the President say whether he has any comment to make on the recent article by Professor Marsh, of Reading University, in the *New Federalist*, proposing temporary solutions for the existing CAP? His proposal for a kind of two-tier agricultural policy, it seemed to me, did not in any way breach the Treaty, but might lead to very considerable alleviation of the problems of nearly all the countries of the Community...

I end with a reference to *direct elections*. The President has quite rightly underlined the historic nature of the event which we hope will take place in the spring of next year. But he also said—rather to my surprise—that the Commission would not be engaged in the electoral battle. I hope they will. They are going to be needed in the electoral battle on every conceivable side, just as the Commission was engaged—quite rightly, in my opinion—in the referendum campaign in my own country two years ago. After all, if they are going to hold themselves aloof from the electoral battle, then we, or those of us who are

candidates, and I don't know how many Members of this Parliament will be, are going to find ourselves deprived of quite a lot of the necessary debating skills and ammunition which we shall need to convince the peoples of Europe of the necessity to vote in this election...'

### Communist and Allies Group

1.1.17. On behalf of the Group, Mr Sandri declared:

'... *The agricultural policy* may become dislodged despite the fact that 70-80% of Community resources go to agriculture. The divergence between the massive use of resources and the disappointing performance of the common agricultural policy has revealed, through the present crisis, the first contradiction of the Community... The Commission simply must study the choices which have to be made by the Community in the agricultural sector: whether to continue to implement measures to promote the movement of labour from the land or provide support at the various levels involved—environmental, social and agricultural. This is a far-reaching question and oversimplifications will not do. Our answer would without a shadow of doubt be that we must strengthen the agricultural sector and there must therefore be drastic structural reform...

There is no doubt that coordination of the Funds could improve the implementation of the *regional policy*. We hope so, and wish the Commissioner in charge of this coordination every success. Nevertheless, the problems of the regions whose relative poverty is increasing go beyond the framework of day-to-day business and point to the pressing need for new approaches at both national and Community levels. These regions are the most exposed to, and the most unprotected against, the events which are currently shaking up the entire world economy and we think it is precisely from these regions that the Community's agricultural and industrial reorganization should be launched, implementing, or at least introducing, mechanisms which are fundamentally

different from those which have failed, as the crisis has shown...

Obviously, the Community is historically, economically and culturally part of the *West*. But the fact of belonging to the West should not be used as a pretext to ignore the disturbing developments taking place in this part of the world. I would like to ask the Commission for instance, whether the current dispute with Japan is a skirmish, a rearguard action attributable to the current crisis or whether, on the contrary, it is not the first clap of thunder heralding a storm, and the beginning, perhaps not of a trade war, but of very serious tensions within the Western world. We therefore agree with the President of the Commission as to the need for cooperation between Europe and the United States; but we do not believe that our cooperation as an equal and not an inferior partner will emerge as a natural and spontaneous consequence of the so-called Atlantic community or alliance...

We must present a united front at the Western economic summit, but what will Europe's attitude be at that summit? We believe that our prime concern should be the Third World...

When we speak of autonomy we do not mean isolationism, but the contribution which our Community can make towards achieving a multipolarity in the world which will melt the ice of the cold war and facilitate a fresh debate at world level, in which the European Community can serve as a pivot and promoter of peaceful coexistence. This, we feel, should be the basic strategy underlying the Community's programme...

I would like to conclude with a remark on the *enlargement of our Community*. The accessions of Greece, Portugal and, in the not too distant future, Spain, may well weaken its structures. They will undoubtedly create serious problems. But let me ask you this: will democracy in Europe be weaker or stronger as a result of the Community opening its doors to these three countries? This is the key question from which we must proceed...'

## President Jenkins replies

1.1.18. After the various speeches, the President made the following comments:

'... I certainly look to this Parliament not merely to support, criticize, provoke and encourage, but also to give us the ideas which we occasionally, like any human body, lack.

Now, I turn first to the point of relations with this Parliament... I have said, and I stick very firmly to this view, that there is and should be a natural partnership between Parliament and Commission. I do not mean that I think that Parliament should in any way be the subservient body of the Commission... I believe that there is room in our partnership for occasional argument, for bickering, maybe it may even come to quarrelling—though I hope very much that that can be reduced to a minimum. There is no need for us to pull our punches in dealing with each other. What I mean is that in a more fundamental sense there is a community of interests between us. Of course the Council is a very important part of the triangle of Europe. No one will deny that for a moment. But I believe that, if anything, as the Council represents the national governments whereas we represent the European interest as a whole, there is greater natural affinity of interests between Parliament and Commission than even between Commission and Council, between Parliament and Council. And that is, and will remain, my view. I hope and believe that we can work on that basis...

The Commission certainly puts great weight on the importance of *political cooperation*. The nine Member States will, I hope, continue to work increasingly as a Community and the Commission will work with them. But our role in the activities founded upon the Treaty is necessarily at the moment more central than our role in political cooperation. That other role—political cooperation—we will carry out forcefully and, where we can, we shall reinforce it. My colleagues concerned and I were of course present at

the recent London political cooperation meeting, and the Commission involvement here is an accepted fact and one from which we intend to go forward...

(On *enlargement*), I wish to make it clear... that in the course of my speech I, in no way, wished to underplay the important political issue here involved, the importance of our giving political sustenance to nascent democracies in Europe, indeed the political imperative of our returning a satisfactory answer to these countries. I wish also to make it clear that the Greek issue I regard as settled, so far as the decision of the Council is concerned, and that the Commission is fully committed to the negotiations leading to Greek membership; and that, when I talk about looking at the position with an overall approach, I mean that we should do that rather from here forward, and not that we should try and catch back in any way so far as the Greek position is concerned. That would not be reasonable at the present time.

I also believe that, so far as Portugal is concerned, it is essential... that we have regard to Portugal's legitimate requirement for political sustenance from the democratic community of Europe. And if we are unable to give that, it would be a very considerable criticism of us. But I do not think it is unreasonable, and indeed I think it is the merest common sense, to say that in trying to arrive at a solution—a politically satisfactory solution—for Portugal, we must also look at it in a slightly longer perspective and say there will be probably other countries—there will probably be Spain, there will probably be others—and let us act in such a way that we shall be able in the future to pursue a consistent policy in relation to other countries which may make their application for membership. Nor do I believe that we should overlook the economic difficulties. We must have regard to them, not in order to erect them as excuses for turning down the Portuguese or some other nation, but in order to ensure that we move towards an enlargement on a basis

which is helpful economically as well as political-ly to the countries which come as new members. I do not believe that we would be serving our own interests, or those of these countries, if we ignored these difficulties...

Now there was a good deal of discussion throughout the day about questions of *regional policy* generally, and I attach, as I have said, very great importance to the fact that regional policy should move towards a more complete and defined framework. And that is why I underlined in my speech that regional policy cannot be seen as only the Regional Fund, but that it should be seen as the geographical dimension of our economic policy as a whole. And that is why we in the Commission attach the greatest importance to the re-examination of the Regional Development Fund... And that is why too, in the reorganization of Commission portfolios, we have given emphasis to the coordination of different funds...

I have no intention of being timid in defending the prerogatives of the Commission, or using to the full that power of initiative. I have not come here to preside over a supine Commission and I believe, with my colleagues, that we have a great opportunity which, if properly used, can be of immense value to Europe as a whole. I do not, however, judge courage as presenting ill-prepared proposals, or counting the number of times you can knock your head against a wall, or the number of times that you can score up defeats. I do not believe that the Commission should compromise before it puts forward its proposals. I certainly do not believe that it should be afraid of the Council, but I believe that it should always put forward proposals which are carefully prepared, which are in accordance with the needs of the times and which have a sufficient authority, a sufficient permanent persuasiveness about them. It will then be difficult for the Council to turn them down. And if the Council does turn them down, that does not just mean that they are cast aside into the dustbin and nobody remembers them anymore. But because they have

a continuing relevance and the authority of good preparation behind them, we can go on presenting them until, with your support and that of European public opinion, we can persuade the governments of Europe that it is in their interests and the interests of Europe as a whole to accept them.'

## 2. Fisheries: new developments

1.2.1. There were new developments in February relating both to the external aspects and to internal measures under the fisheries policy. They were the direct result of the decision taken by the nine Member States of the Community to extend their fishing limits in the North Sea and the Atlantic to 200 miles from 1 January 1977.

1.2.2. On the *external* front, the decision taken by the Member States of the Community meant that from that date, for vessels of non-member countries to fish within these limits, agreements would have to be concluded between the Community and the countries concerned. At the same time appropriate agreements should be concluded on the right of the Community fishermen to fish in the waters of non-member countries and on the maintenance of existing rights. Negotiations therefore had to begin with a number of non-member countries directly concerned; in fact since November 1976 discussions have been continuing without interruption and they led in February to the conclusion of agreements or to the opening of negotiations with several countries: in particular the United States, the USSR, Poland etc. while other states such as Japan also requested the opening of negotiations with the Community.

At the same time the Community laid down strict limits for the catches which the various non-member countries may make in Community waters. The Council adopted a regulation in January fixing the catch limits for the USSR, the German Democratic Republic and Poland, and a further one in February fixing the limits for vessels flying the flags of Spain, Finland, Portugal, Sweden, Canada and the United States.

1.2.3. On the *internal* aspects, after agreeing in January simply to a one-month standstill, in February the Council finally adopted—after two meetings, and not without some difficulty—a number of measures on the conservation and management of fishery resources.

### External aspects

#### Catch limits

1.2.4. On 8 February the Council agreed to a regulation laying down the quotas for authorized catches by fishing vessels of a number of non-member countries. This regulation, which was formally adopted on 24 February,<sup>1</sup> stated that these measures were taken pending the conclusion of fishing agreements at present being negotiated with the countries referred to: Spain, Finland, Portugal, Sweden, Canada and the United States.

The catches which the fishing vessels of the first four countries are authorized to make from 1 January to 31 March 1977 in the 200-nautical mile fishing zones of the Member States situated off the North Sea and Atlantic coasts are strictly limited, and the areas where such catches may be made clearly demarcated.

As regards Canada the total catches authorized for fishing vessels from this country are equal for the first quarter of 1977 to the quantity for which quotas for 1977 were fixed by the International Commission for North-West Atlantic Fisheries (ICNAF) and for that part of the zones which lie off the St. Pierre and Miquelon Islands to the catch possibilities provided for in the 1972 Agreement between France and Canada.

United States vessels are authorized to make catches for the same species as were caught in 1975 with the same monthly spread as in 1975, subject to the fixing of any maximum authorized catches and any catch quotas for these species.

#### Negotiations

##### *Agreement with the United States*

1.2.5. At the end of the negotiations which began in November 1976, on Tuesday 15 February

<sup>1</sup> OJ L 53 of 25.2.1977.

the United States and the European Community signed an agreement in Washington concerning the fishing activities of Member States of the Community off the coast of the United States.

This was the first agreement between the Community as such and the United States since the agreements concluded between Euratom and the USA, and the first bilateral agreement on fisheries signed by the Community with a non-member country. The agreement sets out the arrangements between the parties which will govern fishing by vessels of Member States of the Community within the United States fishery conservation zone beginning on 1 March 1977. The agreement will come into force after the completion of internal procedures by the two parties. Both delegations expressed satisfaction with the new agreement and the hope that it would strengthen cooperation between the European Community and the United States.

## USSR

1.2.6 The following communiqué was published at the end of the first round of negotiations between the Community and the USSR:

'On 16, 17 and 18 February, a delegation of the USSR, led by the Minister for the Fisheries Industry, Mr Ichkov, and a delegation of the European Economic Community, headed by Dr David Owen, M.P., on behalf of the Presidency of the Council, with Mr Finn Olav Gundelach, Vice-President of the Commission, began negotiations with a view to concluding a long-term framework agreement on fisheries.

This first round of negotiations resulted in a wide measure of agreement on the general principles, derived essentially from the emerging consensus on this subject at the Third United Nations Conference on the Law of the Sea, which would be appropriate to a long-term framework agreement on fisheries between the parties.

The delegations, therefore, agreed that the next step is to work out the terms of such an agreement and this task has begun with an exchange of more precise views on elements for an agreement. It was agreed that negotiations would continue, following a period of reflection on both sides, in Brussels on 28 February.

Both delegations expressed satisfaction with the manner and the atmosphere in which this round of negotiations had been conducted.'

At a press conference on 18 February, President Jenkins stressed that the opening of negotiations with the USSR was encouraging and a significant step in relations between the Soviet Union and the Community. He also stated that the Soviet Union knew that the Commission was responsible for presenting the Community position.

## Poland

1.2.7. The following joint communiqué was issued at the end of the first round of negotiations between Poland and the Community: 'On 23 and 24 February a delegation of the Polish People's Republic, led by the Minister of Foreign Trade and Maritime Economy, Mr J. Olszowski, and a delegation of the European Economic Community, headed by Mr J. Tomlinson, on behalf of the Presidency of the Council, and Mr E. Gallagher, on behalf of the Commission, began negotiations with a view to concluding a long-term framework agreement on fisheries.'

'... This first round of negotiations, after a wide-ranging exchange of views on the general principles of international relations concerning fishing problems, clarified a certain number of basic elements which could serve as a basis for further discussions between the two parties for a long-term framework agreement, based on the emerging consensus on this subject at the Third United Nations Conference on the Law of the Sea.

As a result of these discussions, the two delegations reached a measure of agreement in principle and made progress towards a final text.



Consequently, the two delegations agreed that, following a period of reflection on both sides, negotiations would continue in Brussels on 16 March to elaborate the text of an agreement.

Both delegations expressed satisfaction with the manner and the atmosphere in which this first round of negotiations had been conducted.

#### *Japan: request for the opening of negotiations*

1.2.8. On 10 February Japan requested the opening of negotiations on fishing, following a briefing held at Japan's request on the Community's decision to prohibit fishing by vessels of non-member States from 1 January 1977 within 200 nautical miles of the North Sea and Atlantic Coasts of Member States.

The Japanese Delegation provided information on the fishing activities of Japanese vessels in these waters in the past and on Japan's active participation in international attempts to preserve the resources of the Atlantic. It therefore requested the opening of negotiations with the Community.

#### **Internal aspects**

1.2.9. The internal aspects of the measures for the conservation and management of fishery resources were also discussed by the Council at its meetings on 8 and 14/15 February.

Following the discussions it agreed to a number of measures concerning the internal aspects of fishery policy confirming the consensus of opinion which had emerged on 8 February. These measures were contained in a regulation which was formally adopted on 18 February.<sup>1</sup>

To facilitate work on the common fishery policy the Council decided to set up a high-level group to assist it in examining both short-term and longer-term measures in this sector.

In brief, the decisions incorporated in the regulation of 18 February provided for:

- (i) the immediate examination of the NEAFC recommendations on the use and transport of different mesh, with a view to the introduction of wider mesh under certain conditions;
- (ii) subsequent examination of restrictions on the use of seines;
- (iii) a ban on the direct fishing of herring stocks in the North Sea (with the exception of unavoidable and limited by-catches) from 28 February to 30 April 1977;
- (iv) a ban on the direct fishing of herring stocks in the Celtic Sea from 1 March to 31 December 1977;
- (v) subsequent examination of the herring stocks situation in the Irish Sea and in the waters close to the north-west and south-west coasts of Ireland.

The specific measures agreed concern:

- (i) a reduction of by-catches to 20% as from 1 April 1977, and a further examination of this issue in the light of scientific advice and on the basis of Commission proposals before the end of May 1977;
- (ii) fixing the limits of the zone in the North Sea within which fishing for Norway pout is to be banned at longitude 0°-4° W and latitude 56°-60° N as from 21 February until the end of March 1977; a further decision on action applicable as from 1 August 1977 is to be taken in the light of scientific advice and on the basis of a Commission proposal.

The Council also agreed to prohibit the use of vessels which carry out processing operations additional to those of salting, boiling of shrimps, filleting, freezing, reducing offal and reducing unavoidable by-catches subject to the authorized maximum.

The Council instructed the Commission to continue its study of transshipment in order to en-

<sup>1</sup> OJ L 48 of 19.2.1977.

### 3. Agricultural price proposals for 1977/78

#### Fisheries

able it to reconsider the matter at a forthcoming meeting.

1.2.10. On 15 February the *Irish Government* announced its intention of prohibiting—from 1 March until the end of the year—all vessels over 110 ft long or 1 100 horsepower from entering a protected area representing a quarter of all the Community waters.

Determined to prevent any discriminatory measure, the Commission stated that it would consider whether these national measures were legal or appropriate.

On 21 February, after an initial examination, it was found that the decision did not amount to a protective measure in itself and that it was discriminatory only in that it affected certain types of vessel from a number of Member States. On 22 February the Commission asked the Irish Government to defer application of these arrangements for two weeks. The Irish Government agreed on 28 February, thus giving the Commission time to find a Community-based solution to the problem.

1.3.1. An average increase of 3 % in agricultural prices for 1977/78 (the impact of which on the cost of living will not exceed 0.3 %); efforts to re-establish a single market by reducing the monetary compensatory amounts; measures to restore the balance on the milk market; strengthening of structural policy: these are the main points of the 1977/78 farm price proposals which the Commission presented to the Council on 12 February.

These proposals concern the fixing of prices and certain related measures: they also forecast the financial consequences. As in previous years the proposals were drawn up in the light of the information contained in the report on the situation of agriculture in the Community.<sup>1</sup>

The Commission had several considerations in mind when it drew up the proposals. It believed that the need to combat inflation and to reduce the persistent surpluses, in particular in the dairy sector, called for a cautious price policy, hence the moderate increases in agricultural prices which it has proposed. Furthermore, as in previous years it thinks it necessary to make a new effort to return to a single market by adjusting the 'green rates' and consequently reducing the monetary compensatory amounts.

Moreover, as regards products, it emphasizes the need to adopt a number of measures to restore the balance on the milk market; apart from a few amendments it therefore stands by the action programme on milk which it presented to the Council in July 1976;<sup>2</sup> before July 1977 it will make proposals on improving the organization of certain markets, in particular those in beef and veal, olive oil and starches. For the moment the Commission is proposing various related measures, in particular on cereals, sugar, isoglucose and fruit and vegetables.

Finally, suitable measures to strengthen structural policy, mainly in order to help the less-favoured regions, will also be drawn up before July 1977.

<sup>1</sup> Bull. EC 1-1977, points 1.2.1 to 1.2.6.

<sup>2</sup> Supplement 10/76 — Bull. EC.

## Price increases

1.3.2. The Commission points out that agricultural prices must take into account the general economic situation and the longer-term review begun in the stocktaking of the common agricultural policy of February 1975.<sup>1</sup> This means pursuing the most efficient and least costly policy and strengthening the efforts by the Community and the Member States to combat inflation, without, however, affecting agriculture's contribution towards the general economic revival.

As every year, the Commission adopted the 'objective method' (average change in costs, incomes, etc., over the last three years). However, this method provides only a basis which must be corrected to take into account monetary fluctuations, general economic developments and economic and political requirements such as the single market, the reduction of surpluses and the fight against inflation. All these considerations lead the Commission to propose an average increase of 3% in agricultural prices expressed in units of account (for the increases for individual products see Table 1). The increase will take effect from the beginning of the marketing year in respect of all products, apart from dairy products, for which a 3% increase will take effect on 16 September 1977 in order to reduce the persistent surpluses and strengthen the effect of the other rationalization measures proposed.

The average 3% increase will have an effect on the cost of foodstuffs not exceeding about 1.5%; the impact on the cost of living as a whole will not exceed 0.3%. It should also be emphasized that the increases are in 'institutional' prices (intervention, etc.), which, for certain products such as wheat, barley, pigmeat and beef and veal, are lower than market prices.

## Adjustment of 'green rates'

1.3.3. The Commission proposes that new adjustments should be made in the relationship of

the national currencies to the unit of account used in the common agricultural policy. The monetary compensatory amounts with their obvious disadvantages (distortion of trade, discrimination between products, inefficient direction of resources<sup>2</sup> could therefore be reduced.

In countries whose currency has appreciated, the fixed compensatory amounts, which constitute export subsidies and import levies, could thus be reduced from 9.3% to 6.55% for Germany and from 1.4% to 1% for the Benelux countries. The variable monetary compensatory amounts, which constitute import subsidies and export levies in countries whose currency has depreciated, could be reduced by 3 points in the case of Ireland, France and Italy and by 8 points in the case of the United Kingdom (on 14 February these amounts were 9.5% for Ireland, 14.8% for France, 19.9% for Italy and 33.6% for the United Kingdom).

The adjustments in the 'green rates' would be applied at the beginning of the marketing years for the various products, with one exception; in the case of milk the new rates would be applied in the Member States with appreciated currencies when the prices were increased, i.e. 16 September 1977, and in the Member States with depreciated currencies on 1 April 1977, except in the United Kingdom where the cut would be made in two equal steps of 4 points on 1 April and 16 September 1977.

Although these adjustments will be a further step towards restoring a single market in agriculture, the Commission considers that more progress must be made in this direction on the basis of its October 1976 proposal<sup>2</sup> on the permanent adjustment of 'green rates'.

<sup>1</sup> Supplement 2/75 — Bull. EC.

<sup>2</sup> Bull. EC 10-1976, points 1101 to 1108.

Table 1 — Proposed prices and amounts

Products	Type of prices or amounts	Amounts for 1976/77 u.a./tonne	1977/78 proposals		Period of application of proposed prices
			In money terms u.a./tonne	Change (%) 1977/78 on 1976/77	
1	2	3	4	5	6
Durum wheat	Target price	218.80	223.20	2.0	1.8.77 - 31.7.78
	Single intervention price	202.00	202.00	0.0	
	Aid	0-21-50 u.a./ha	50 u.a./ha	—	
Common wheat	Target price	152.00	156.50	3.0	1.8.77 - 31.7.78
	Common single intervention price	—	119.50	3.0	
	Single intervention price for bread wheat	131.00	—	—	
	Reference price for bread wheat	—	135.00	—	
Barley	Target price	137.80	144.20	4.7	1.8.77 - 31.7.78
	Single intervention price	116.00	—	—	
	Common single intervention price	—	119.50	3.0	
Rye	Target price	149.15	153.60	3.0	1.8.77 - 31.7.78
	Single intervention price	124.00	127.70	3.0	
Maize	Target price	137.80	144.20	4.7	1.8.77 - 31.7.78
	Single intervention price	112.20	117.50	4.7	
Rice	Target price for husked rice	284.52	292.98	2.97	1.9.77 - 31.8.78
	Intervention price for Paddy rice	164.16	—	—	
	Single intervention price for Paddy rice	—	170.73	4.0	
Sugar	Minimum price for beat	24.57	25.31	3.0	1.7.77 - 30.6.78
	Target price for white sugar	348.70	361.40	3.6	
	Intervention price for white sugar	331.40	344.20	3.9	
Olive Oil	Producer target price	1 850.00	1 868.50	1	1.11.77 - 31.10.78
	Market target price	1 448.90	1 412.00	—	
	Intervention price	1 376.40	1 339.50	—	
Oilseeds	Guide price for soya beans	285.00	305.00	7.0	1.11.77 - 31.10.78
	Target price				
	• colza and rape seeds	275.70	284.00	3.0	
	• sunflower seeds	286.30	306.30	7.0	
	Basic intervention price				
	• colza and rape seeds	267.70	275.70	3.0	
	• sunflower seeds	278.00	297.50	7.0	
•	Guide price for Flax seed	290.00	313.20	8.0	

Agricultural prices

Agricultural prices

Table 1 (continued)

Products	Type of prices or amounts	Amounts for 1976/77 u.a./tonne		1977/78 proposals		Period of application of proposed prices	
				In money terms u.a./tonne			Change (%) 1977/78 on 1976/77
1	2	3		4	5	6	
Dehydrated fodder	Aid at a standard rate	9.00		9.50		—	1.4.77 - 31.3.78 Dehydrated potatoes 1.7.77 - 30.6.78
Cotton seeds	Aid at a standard rate (per ha)	103.20		104.00		—	1.8.77 - 31.7.78
Flax and hemp	Aid at a standard rate (per ha) fibre flax <sup>2</sup> hemp	188.15		191.91		—	1.8.77 - 31.7.78
		174.04		176.00		—	
Seeds	Aid (per 100 kg) • monoecious hemp • fibre flax • seeds flax • graminaceae • leguminosae	8.00		9.00		—	1.7.77 - 30.6.78
		13.00		13.00		—	
		—		10.00		—	
		10 to 31		10 to 33		—	
		4 to 25		4 to 25		—	
Table wine:	Guide price (per degree/hl or per hl depending on type)	1.96		2.02		3.0	16.12.77 - 15.12.78
		1.96		2.02		3.0	
		30.58		31.50		3.0	
		1.84		1.90		3.0	
		40.75		41.97		3.0	
		46.53		47.93		3.0	
Raw tobacco	Norm price Intervention price	3		3		1.5	1.1.77 - 31.12.77 on average
Fruit and vegetables	Basic price Buying-in price	4		4		2 to 5	1977 - 1978 <sup>4</sup>
Milk <sup>5</sup>	Target price for milk Intervention price • butter <sup>26</sup> • skimmed milk powder	162.90 167.60		167.60 172.60		3.0	1.4.77 - 31.3.78
		2 180.00 2 238.00		2 238.00 2 298.00		2.68	
		901.60 913.70		913.70 936.50		2.49	

Table 1 (continued)

Products	Type of prices or amounts	Amounts for 1976/77 u.a./tonne	1977/78 proposals		Period of application of proposed prices
			In money terms u.a./tonne	Change (%) 1977/78 on 1976/77	
1	2	3	4	5	6
	• cheese				
	– Grana Padano 30-60 days	2 089.10 2 137.90	2 137.90 2 192.40	2.55	
	– Grana Padano six months	2 506.90 2 558.40	2 558.40 2 616.00	2.25	
	– Parmigiano-Reggiano six months	2 718.10 2 769.60	2 769.60 2 827.20	2.08	
Beef and veal	Guide price for adult bovine animals (live-weight) <sup>2</sup>	1 187.40	1 223.0	3.0	1.4.77 - 2.4.78
	Guide price for calves (live-weight)	1 390.40	—	—	
Pigmeat	Basic price (pig carcasses)	1 144.80	1 190.60	4.0	1.11.77 - 31.10.78
Silkworms	Aid per box of silk seed	40.00	40.00	—	1.4.77 - 31.3.78
	Aid to recognize producer groups (per box)	15.00	13.61	—	

<sup>1</sup> Increase in the producer target price of 1% in units of accounts. Maintenance of the market target price in lire and French francs. Maintenance of the gap between market target prices and the intervention price. The amount of the aid varies from 401.1 units of account per tonne to 456.6 units of account.

<sup>2</sup> Different prices for new Member States:

	United Kingdom	Ireland
Fibre flax — aid at a standard rate	: 161.34 u.a./ha	(191.91 u.a./ha common level)
Butter — intervention price	: 1 April 1977 : 1 996.30 u.a./t	: 1 April 1977 : 2 199.20 u.a./t
	: 16 September 1977 : 2 050.20 u.a./t	: 16 September 1977 : 2 258.60 u.a./t
Adult bovine — animals-guide price	: 1 177.00 u.a./t	
	(until 31 December 1977, then common level)	

<sup>3</sup> Nineteen varieties of tobacco, the prices for which apply to the harvest of the calendar year.

<sup>4</sup> Products listed in Annex II to the Council Regulation of 18 May 1972 and periods which vary according to product:

Cauliflowers	: 1.5.1977 to 30.4.1978	Lemons	: 1.6.1977 to 31.5.1978	Apples	: 1.8.1977 to 31.5.1978
Tomatoes	: 1.6.1977 to 30.11.1977	Pears	: 1.7.1977 to 30.4.1978	Mandarins	: 16.11.1977 to 28.2.1978
Peaches	: 1.6.1977 to 30.9.1977	Table grapes	: 1.8.1977 to 31.10.1977	Sweet oranges	: 1.12.1977 to 30.4.1978

Under the Commission's proposals the financial compensation to encourage sales of Community production of citrus fruit on Community import markets is increased by 2% for oranges, mandarins and clementines and 2.5% for lemons.

<sup>5</sup> In this sector two dates of application in 1976/77, from 15.3.76 and from 16.9.76, and in 1977/78, from 1.4.77 and from 16.9.77 (price changes from 16.9.77). Calculation of increases in relationship to the second period of the previous marketing year.

<sup>6</sup> Consumer subsidy for butter in 1976/77 not exceeding 50 u.a./100 kg (of which not more than 16.5 u.a. to be financed by the EAGGF); in 1977/78 same limit with EAGGF contribution of about 25% up to 20 u.a. and of 50% between 20 and 50 u.a. with a (maximum of 20 u.a.). Maintenance of the present level of subsidies for skimmed milk powder for use as feed.

*NB.* The aid for the 1975 hop harvest ranged from 200 to 650 u.a./ha according to the variety. In the case of fishery products the prices for the various products referred to in the Council Regulation of 20 October 1970 vary. In December 1976 an average increase of 6.75% was decided in the (guide) prices for products in Annex I(A) and (C) to that Regulation, the (guide) prices for products in Annex II to that Regulation, the intervention prices and the Community producer prices for the 1977 marketing year. The intervention prices for sardines and anchovies are always 45% of the guide price.

## Related measures

1.3.4. The Commission proposals contain a number of related measures concerning various sectors.

### *Milk and milk products*

1.3.5. The most important of these measures relate to the milk and milk products market, for which a general scheme is proposed. To deal with the growing surpluses in the milk sector it is necessary—in addition to carrying out a cautious price policy—to introduce a number of wide-ranging measures as soon as possible to reestablish a balance on the market. The Commission has therefore reconsidered its 1977-80 action programme. It stands by all the proposals contained in that programme<sup>1</sup> while making some amendments to take account of the Council's discussions since July 1976.

The Commission proposes that the co-responsibility levy should be set at 2.5 % and applied from 16 September 1977 to all deliveries of milk except those in mountain areas. It repeats its proposal for a levy on vegetable and marine fats but suggests as an alternative (if no agreement can be reached in the Council) increasing Community expenditure on encouraging consumption of butter and other milk products.

As regards the prohibition on the granting of national and Community aid to increase milk production, the Commission proposes some amendments, in particular relaxing the ban on aid for modernization. The Commission also stands by its proposals relating to grants for school milk and for the eradication of brucellosis, leucosis and tuberculosis in cattle.

As regards the premiums for non-delivery of milk and the conversion of dairy herds to beef production, the Commission now envisages the possibility of not applying these premiums in Italy, where dairy herds have decreased by over 20 % during the last seven years. On the other

hand it proposes increasing the EAGGF contribution to 80 % (from the 50 % proposed initially), applying the aid measure to all milk producers, subject to a maximum output of 120 000 kg, but with greater aid going to producers whose milk output is less than 30 000 kg. The Commission also proposes increasing the financial contribution by the EAGGF to cessation-of-farming allowances for farmers aged 55-65 whose income depends primarily on milk production, and supplementing them by a variable allowance (partially financed by the EAGGF) of up to 100 u.a. per hectare of fodder area released, payable up to the time when the farmer reaches the age of 65.

Finally, the Commission will encourage dairies to conclude contracts for the supply of liquid skimmed milk to pig farmers. Dairies not willing to conclude such contracts for one year may have their entitlement to deliver milk powder to the intervention agencies restricted.

### *Other sectors*

1.3.6. As regards *cereals*, the Commission is continuing to set up the 'silo' system decided on by the Council in order to increase fluidity on the market in feed grain while maintaining a specific market for common wheat of breadmaking quality. As regards durum wheat, a special effort is proposed in order to prevent distortions of production as between durum wheat and common wheat while taking into consideration the social problems connected with this crop in southern Italy.

As regards *sugar*, the Commission proposes as principal related measures fixing the maximum quotas at 125 % of the basic quotas, abolishing the mixed price system with effect from 1 July 1978, adopting a production levy not exceeding 30 % of the intervention price and hence fixing the minimum price for beet outside the basic

<sup>1</sup> Bull. EC 10-1976, points 2229 and 2230 and 1-1977, point 2.1.43.

quotas at 70 % of the minimum price for basic quota beet. Furthermore the Commission proposes to introduce, for two years, a system of levies on the production of isoglucose, which is a substitute product for sugar, and to set up a suitable system of trade with non-member countries taking into account the existing provisions applicable to glucose and sugar.

As regards *fruit and vegetables*, the Commission proposes that the sale to the processing industries of the blood oranges withdrawn from the market should be a normal and permanent option. It is proposed to extend to fresh lemons for a further marketing year (June 1977 to end of May 1978) the system of marketing premiums applied to oranges. The lemon juice industry is to be aided according to the same principles as apply to the orange juice industry, but within certain special limits.

### Financial implications

1.3.7. The package of measures which the Commission proposes for the 1977/78 agricultural year involves additional expenditure of only 38 million u.a. for the Community budget in 1977. However, supplementary appropriations of 476 million u.a. proved necessary, primarily because, since the latest budget estimates, monetary problems have worsened and because world prices have dropped.

Since the measures proposed by the Commission will come into force only during 1977 the budget will reflect only part of their financial implications, which will amount to a total of about 250 million u.a. per year.

## 4. Financial and technical aid to non-associated developing countries

### Terms of the measures proposed by the Commission

1.4.1. In accordance with an undertaking given in October 1976, the Commission presented to the Council on 18 February a communication and a proposal for a regulation on Community technical and financial aid to non-associated developing countries. The proposal covers the objectives and scope of the aid and the rules for granting it.

Only when this proposal has been adopted will it be possible to use the appropriation of 45 million u.a. entered in the 1977 Community budget.

In its proposal, the Commission restates and develops the basic guidelines it laid down in two communications dated November 1974<sup>1</sup> and March 1975<sup>2</sup> on financial and technical aid to the non-associated developing countries. The principle of such aid had been established by the Council in a Resolution adopted at its meeting on 16 July 1974.<sup>3</sup> At the end of 1976, the Council agreed to the implementation—on an experimental basis—of 20 million u.a. for the financial year 1976.<sup>4</sup>

### Objectives, scope and implementation of aid

1.4.2. The Commission intends to take into account<sup>5</sup> seven main points as regards Community measures of financial and technical aid to non-associated developing countries.

### Sectoral allocation

1.4.3. The priority objective is to meet food requirements. This embraces action in the agricul-

<sup>1</sup> Supplement 8/74 — Bull. EC.

<sup>2</sup> Bull. EC 3-1975, point 2315.

<sup>3</sup> Bull. EC 7/8-1974, point 1222.

<sup>4</sup> Bull. EC 10-1976, point 2311 and 11-1976, point 2317.

<sup>5</sup> OJ C 54 of 4.3.1977.



tural, stock-farming and fishery sectors. In addition to measures aimed directly at increasing and improving production (investments, supply of equipment, seeds, fertilizers, etc.), it involves the setting-up and improvement of infrastructure, marketing and storage, applied research, training, technical assistance, etc.

At the same time Community aid will also be able to help promote the rural sector as a whole by extending its field to other measures such as the development of craft industries, the financing of agro-industrial projects and the improvement of the social well-being of the rural population (health, drainage etc.).

As a secondary aim, in certain specific cases action to promote regional cooperation might also be considered.

#### *Geographical allocation*

1.4.4. Aid for meeting food requirements must be granted to the least developed countries. In specific action to promote regional cooperation, account should be taken of the need to ensure a Community presence in the major regions of the developing world.

#### *End recipient*

1.4.5. As far as possible the poorest sections of the population in the developing countries concerned should receive maximum benefit from schemes to which the Community contributes.

#### *Nature of aid*

1.4.6. Community aid may either be given in isolation or be combined with other sources of external financing. As far as possible it will be co-ordinated with and complement the Member States' bilateral aid.

The bulk of the aid will have to take the form of direct action. Nevertheless, it will be possible for part of the aid to be channelled through national and regional financial bodies.

#### *Terms and conditions of aid*

1.4.7. Community aid will have to be used as far as possible for financing specific projects (project aid). In certain cases, however, in particular where the administrative and planning capacity of the recipient countries is adequate, programme aid may also be considered.

In view of the objectives, the categories of countries chosen and the sectoral guidelines proposed in this communication, the Commission considers that the only conceivable form at the present time is grant aid.

In the light of the positions expressed by the Community on other occasions, participation in tendering procedures and other procedures for the award of contracts should, in the Commission's view, be open on equal terms to all natural and legal persons of the Member States and recipient State. The possibility of other developing countries in the same region being included should also be preserved.

#### *Period of execution*

1.4.8. Execution of most of the development projects, particularly in the rural sector—which is seen as the priority objective of Community action—should be seen in a multiannual framework.

The financial arrangements which ought therefore to be applied should, in the Commission's view, be those provided for in the financial regulation submitted for Council approval on 26 May 1976,<sup>1</sup> which makes the distinction for appropri-

<sup>1</sup> Bull. EC 5-1976, point 2469.

ations of this nature between commitment appropriations and payment appropriations.

#### *Monitoring of use of funds*

1.4.9. The Commission will see to it that every financing agreement signed with the beneficiaries contains provision for the Community to monitor the use of the funds appropriately.

#### **Consultation and information procedures**

1.4.10. In the communication it sent to the Council in March 1976 on the guidelines for the use of the 20 million u.a. appropriation entered in the 1976 budget, thanks to the resolute action of the European Parliament, the Commission had already favoured a procedure for consultation with the representatives of the Member States—through a committee to be set up for this purpose—on the implementation of financial and technical aid to non-associated developing countries.

Confirming this position, the Commission proposes that this procedure should involve the following phases:

- (i) *The programme and specific guidelines* for the aid provided from the resources entered in the Community's Budget will be adopted by the Commission following exchanges of views on the intentions of the Member States and the Community as to intervention in the non-associated developing countries. This exchange of views will take place in a committee of representatives of the Member States which will need to be set up. The Commission will notify the Council and Parliament of these specific guidelines as soon as possible.
- (ii) *The financing decisions* relating to projects and programmes proper will be taken by the Commission in accordance with the budgetary procedure but with due regard for the opinion of the committee referred to above.

The committee should mainly concentrate its examination of the financing proposals on whether the projects and programmes are in keeping with the objectives of Community aid and whether they are consistent with the development plans of the countries concerned.

The Council and Parliament will, moreover, be informed by the Commission regarding the management of the financial and technical aid for non-associated developing countries. This information will be made available under the budgetary procedure.

# 5. Intensification of the Community's programme for energy saving

The Community's programme for energy saving

## The Commission's position

1.5.1. The size of the shortfall now envisaged for the production of energy from indigenous sources, and the difficulties which stand in the way of any new acceleration, especially in the nuclear energy sector, justify intensification of the Community's programme for energy saving. This view is contained in a Communication forwarded by the Commission to the Council on 25 February in preparation for the forthcoming Council on energy problems.

Failure to reduce the Community's need for imported energy, coupled with the growing requirements of the other industrialized and developing countries, will very probably result in price increases which would force the Community to make increased energy savings which would ultimately affect economic growth.

Over the past two years, the Commission departments and the groups of experts appointed by the Member States have examined the various action areas in the programme for the rational use of energy, adopted by the Council on 17 December 1974.<sup>1</sup> The Council has already adopted five recommendations.

It is nevertheless difficult to assess what energy savings have already been obtained, since the recent trend in energy consumption has been strongly influenced by cyclical variations in economic activity and by the weather. However, it is estimated that the reduction obtained in energy consumption as a result of decisions originating within the Member States themselves is small, probably no more than one-half at most of the total reduction of about 7% in energy requirements per unit of GNP (gross national product) observed between 1973 and 1976.

### Pooling of national experience

1.5.2. In view of these facts, the Commission considers that the scale of the task ahead requires

the pooling at Community level of the experience of the various Member States.

To achieve this pooling, the Commission therefore proposes that an Energy Saving Policy Committee be set up at the highest official level, within the framework of the Energy Committee, composed of members of national administrations directly responsible for the implementation of an energy conservation programme.

The functions of this Committee would be:

- (i) to pool the experience of each Member State;
- (ii) to select the best methods of saving energy;
- (iii) to coordinate national efforts and to advise the Commission on the contribution the Community can make towards promoting these efforts.

### The next steps in the Community's programme

1.5.3. Under this heading the Commission Communication lays down a number of broad guidelines that should be implemented. These would:

- (a) generate a more active public debate about the future of energy supply and demand;
- (b) reinforce the statistical and experimental basis for judging how much energy can be saved, and at what cost.
- (c) seek immediately rapid solutions in the following sectors:
  - (i) the energy requirements for space heating;
  - (ii) consumption by motor vehicles;
  - (iii) consumption by electrical appliances;
  - (iv) the reduction of losses during the production of electricity;
  - (v) savings in selected energy-intensive industries.

<sup>1</sup> Bull. EC 12-1974, point 1203 and OJ L 140 of 28.5.1976.

All this work will have to be undertaken in close contact with the industries and trade associations concerned.

The Commission also proposes that the Community should assist in the financing of selected demonstration projects, the results of which would be made available to the Member States: heat pumps, heat recovery, the combined production of heat and power, energy storage, reduction of waste in industry, low-energy houses. The Commission will shortly put forward detailed proposals of this kind.

#### **Immediate action**

*1.5.4.* On the basis of proposals already made by the groups of experts, the Commission intends to present a number of recommendations for concrete actions in time for adoption before the summer recess. They will cover:

- (i) The improvement of thermal insulation and the efficiency of heating installations in existing buildings. The programme should provide a significant number of job opportunities over the next ten years and make a major contribution to the achievement of the Community's objectives for energy conservation. The programme would be based essentially on national efforts, with the general support of the Community;
- (ii) Standards of installation and maintenance for newly-installed heating systems;
- (iii) The creation of one or more national advisory bodies for energy saving, with clearly-defined responsibilities, and the appointment of an 'energy manager' in industrial and commercial enterprises where the energy requirements and consumption justifies it.



**PART TWO**

**ACTIVITIES  
IN FEBRUARY 1977**

# 1. Building the Community

## Economic and monetary policy

### Coordination of economic policies

2.1.1. The economic problems currently facing the Community and the organization of preparatory work for forthcoming Community and international meetings<sup>1</sup> (at which these problems will be discussed) were the two main items on the agenda of the Council meeting (Economic and Financial Affairs) held in Brussels on 14 February. Mr Healey, United Kingdom Chancellor of the Exchequer, took the chair.

As was emphasized in the working paper submitted to the meeting by Mr Ortolí, Vice-President of the Commission, it is in the interests of the Community and the Member States to develop a Community programme of action which, by ensuring that national economic policies are mutually consistent and complement one another, would support the efforts made by member countries to re-establish economic equilibrium and so reduce unemployment. The same interests also demand that common positions be defined on the economic and monetary problems discussed at international level.

The mutual consistency and complementarity of national policies, which are to be achieved by strengthening Community coordination, are goals of increasing importance and growing urgency. In view of the economic outlook for 1977, it is feared that it will not be possible to achieve, this year, compatibility between actual performances for the year and the main objectives laid down in the fourth medium-term economic policy programme, agreed at the Tripartite Conference held in June 1976:<sup>2</sup> an annual average increase of 4.5% in gross domestic product in real terms, a 50% reduction in unemployment and a reduction in the annual rate of inflation to 5% by 1980.

As disparities between the member countries with regard to inflation rates and balance-of-pay-

ments trends are also persisting, every effort must therefore now be made to establish, as soon as possible, the bases for the restoration in the Community of balanced and lasting growth in all areas of the economy. Growth must be on a scale sufficient to ensure the gradual elimination of unemployment, but any aggravation of inflation must be avoided, and nothing must be allowed to jeopardize the adaptation of structures in the Community. The best way to boost growth is to strengthen overall demand, and this should be done by stepping up investment—especially in the 'surplus' countries—and by expanding exports in the 'deficit' countries, along the lines agreed by the European Council in 1976.

### Monetary Committee

2.1.2. The Monetary Committee held its 227th meeting in Brussels on 22 February, with Mr Pöhl in the chair. As part of its regular overall review, it examined first of all the economic and financial situations in the United Kingdom, Italy, Belgium, Denmark and the Federal Republic of Germany. Then, on the basis of a report drafted by its alternates, the Committee held a thorough discussion on the Dutch proposals for establishing a system of 'target zones' for exchange rates in the Community.

While endorsing the aims of and the considerations underlying the proposals presented by Mr Duisenberg,<sup>3</sup> the Committee failed to reach agreement as to the feasibility of implementing them, owing to problems still outstanding. It was therefore decided that the Chairman would make a verbal report on the Committee's work and

<sup>1</sup> Council (Economic and Financial Affairs) on 14 March; European Council on 25 and 26 March; IMF Interim Committee on 28 and 29 April; Western summit meeting early in May.

<sup>2</sup> Bull. EC 6-1976, point 1102.

<sup>3</sup> Bull. EC 7/8-1976, point 2201, 11-1976, point 2202, 1-1977, point 2.1.7.

conclusions at the Council (Economic and Financial Affairs) meeting scheduled for 14 March. Finally, the Committee discussed the preparations for the next meeting of the IMF Interim Committee and decided to examine this matter in greater detail at a later meeting.

The Working Party on Securities Markets met in Brussels on 24 February to carry out its regular examination of recent developments on the international bond markets and on the national capital markets.

### Economic Policy Committee

2.1.3. The Economic Policy Committee held two meetings in Brussels in February.

Its 40th meeting, chaired by Mr Middelhoek, was held on 9 February and was devoted to *discussions with the two sides of industry*. These were exploratory in nature, and no general agreement was reached on the main subjects tackled: inflation, the role of the public sector, balance of payments disequilibria, trends in costs, the labour market. However, the participants did decide to re-examine these problems later, in an attempt to reach conclusions which would be acceptable to a majority. It was acknowledged by all that, owing to differing traditions, experience and difficulties, it would be quite wrong to suggest that the same policies should be pursued in the different countries; what was needed was fuller coordination at Community level between the various policies being implemented.

The 41st meeting, chaired by Mr Cortesse, was held on 10 February in the reduced *short-term* composition. The Committee examined the full economic budgets for 1977 and held a preliminary discussion on the adaptation of the economic policy guidelines for 1977. Generally speaking, 1977 appeared to mark a satisfactory stage in the consolidation begun in 1976 and to show that progress was being made towards economic re-

covery in member countries. Although it was agreed that much had still to be done to re-establish a balanced and steady rate of growth, there were wide divergences of view as to ways and means of achieving these aims.

### Internal market and industrial affairs

#### 7% rise in the Community's industrial production in 1976

2.1.4. In 1976 the Community's industrial production increased by approximately 7% over 1975. According to initial estimates by the Statistical Office of the European Communities, the industrial production index (excluding the building industry) of the Nine will be 115 (1970 = 100) for the whole of 1976, which is almost as high as the average for 1974 (115.7).

Industrial production has risen more quickly in Belgium, Denmark, France and Italy than in the Community as a whole (by more than 9%), as against slightly less than 2% in the United Kingdom.

The sharpest rise has taken place in the industries manufacturing intermediate products (raw materials and semi-manufactures), where production rose by just under 10%, and in the consumer goods industries, where production rose by 9%. Production in the capital goods industries rose by only some 2.5%.

No homogeneous trend can be detected within each group of industries. The estimates, which are based on the latest available figures (in principle up to November 1976), show that, within the consumer goods industry, production in the footwear industry rose only slightly, while that in the food and clothing industries rose by about 4% and that in the car industry by 12%.

As regards the intermediate products industry, it is in the industries where production had fallen off sharply at the end of 1974 and in 1975 that the highest rises have been recorded in 1976 (e.g. chemicals: production down by 13.5 % in 1975 and up by 13 % in 1976; paper: down by 17.6 % in 1975 and up by 11 % in 1976; oil refining: down by 15.5 % in 1975 and up by 10 % in 1976; textiles: down by 8.3 % in 1975 and up by 10 % in 1976). Production has, however, continued to fall in mining and quarrying, while that of the initial metal processing industry lags far behind its 1974 level.

## Industrial structures and problems

### Steel

#### *Extension of crisis measures*

2.1.5. The difficulties in the steel industry, which on 20 December 1976 had prompted the Commission to introduce anti-crisis measures, have worsened since the beginning of the year.<sup>1</sup> Finding that the deterioration had continued during February, the Commission decided on 2 March to extend the arrangements, originally intended for the first four months of the year, until the end of June. The arrangements are based on a voluntary undertaking by individual steel firms and groups to adhere to supply targets for the internal market; about 90 % of the undertakings have agreed to this voluntary reduction.

The Commission is keeping a constant watch on the situation, in close consultation with the governments, so that it can quickly apply any measures which might be required.

2.1.6. The forward steel programme for the second quarter of 1977, approved at first reading by the Commission pending the Opinion of the ECSC Consultative Committee, mirrors the present situation and its likely trend. The aim is to

keep output and supplies of steel strictly in balance with actual demand. Table 2 shows the supply and demand forecasts for steel products in the Community.

Table 2 — *Forecast of supply and demand for steel products in the Community*

(million tonnes of crude steel)

	Quarter				
	I/74	I/76	II/76	III/76	II/77
Real Consumption	34.59	30.54	30.75	28.27	30.00
Stocks Changes	-0.26	+0.68	+2.49	+3.05	-0.80
Imports	2.06	2.78	3.43	3.30	2.50
Exports	7.09	4.38	4.69	5.78	6.00
Production	39.35	32.82	34.50	33.80	32.70

### Shipbuilding

2.1.7. There have been some changes in Japan's attitude to the difficulties faced by the shipbuilding sector; the implications still need to be examined in depth.

The proposal submitted by the Community to the OECD regarding the prevention of imbalances in the regional distribution of orders<sup>2</sup> was coolly received by the Japanese representatives. The Japanese Delegation did, however, admit at the meeting of the OECD Working Party on 8 and 9 February that there was a problem in the short term and presented its own plan for 1977 and 1978.

The new Japanese approach is threefold:

(a) greater government control would be exercised over the prices of ships resulting in the raising of the price for export orders;

<sup>1</sup> OJ C 304 of 23.12.1976 and Bull. EC 12-1976, point 2257.

<sup>2</sup> Bull. EC 12-1976, points 2261 and 2330; Bull. EC 1-1977, point 2.1.11 and 2.2.31.



(b) Japan might exert pressure on its industry to use self-restraint in exporting ships to European countries in exceptional difficulties;

(c) if these measures fail, Japan would consider a cutback in the labour employed in Japanese shipyards.

The impact of this programme cannot yet be evaluated in view of the number of uncertain factors involved. In return, Japan expects European countries to make their shipyards more competitive.

The Commission intends to propose temporary and fast-acting measures to the Council in the light of this development, since it is concerned to prevent any setbacks to the restructuring and safeguard operation it has launched to adapt the Community's shipbuilding industry to future needs.

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2.1.8. On 10 February *Parliament* adopted a Resolution on the Community's shipbuilding industry.<sup>1</sup>

### Aircraft industry

2.1.9. Noteworthy progress was made in February by the relevant Council bodies on the Resolution adopted by the Council on 4 May 1975<sup>2</sup> on this matter and the Action Programme for the European aircraft industry<sup>3</sup> presented by the Commission in October, 1975.

The Council will be called upon in March<sup>4</sup> to adopt a declaration laying down the general policy objectives implementing the procedure of concentration and consultation between the Member States on industrial policy in the aircraft industry provided for in the Resolution of 4 May 1975.

A common strategy will need to be worked out for new programmes in respect of civil transport aircraft—avoiding duplication, which weakens the

European industry's position on the world market—featuring a joint approach on any cooperation with the aircraft industry of non-Community countries.

### Footwear industry

2.1.10. On 14 February the Council formally adopted a technological research programme for the footwear sector. A proposal had been forwarded to the Council on this matter in August 1976.<sup>5</sup>

### Companies

#### Law on groups of companies

2.1.11. At its meeting on 23 and 24 February the *Economic and Social Committee* gave its Opinion<sup>6</sup> on the proposal for a directive on group accounts forwarded by the Commission to the Council on 4 May 1976.

### Criminal law

2.1.12. On 10 February *Parliament* adopted a Resolution on the relationship between Community law and criminal law. This deals with infringements by private persons in fields covered by Community law as well as the liability and protection of Community officials under criminal law; these matters were the subject of Protocols

<sup>1</sup> Point 2.3.9.

<sup>2</sup> Bull. EC 12-1974, point 2256; Bull. EC 3-1975, point 2235.

<sup>3</sup> Supplement 11/75 — Bull. EC.

<sup>4</sup> This declaration was adopted by the Council on 15 March.

<sup>5</sup> Bull. EC 7/8-1976, point 2265 and OJ C 209 of 4.9.1976.

<sup>6</sup> Point 2.3.58.

<sup>7</sup> Supplement 9/76 — Bull. EC.

<sup>8</sup> Point 2.3.6.

to the Treaties presented by the Commission to the Council in August 1976.<sup>1</sup>

## Customs union

### Common Customs Tariff

#### *Nomenclature*

2.1.13. In the interests of simplification and uniformity, the Council amended on 8 February<sup>2</sup> its Regulation of 16 January 1969 on measures to be taken for uniform application of the Nomenclature of the Common Customs Tariff.<sup>3</sup> This amendment concerns an article of the Regulation laying down the procedure to be followed for determining the conditions governing the eligibility of certain goods for a favourable tariff arrangement because of their special nature or end use.

In future, this article may without any legal ambiguity be applied to goods which are subject to tariff suspensions or quotas and to those coming under the common agricultural policy, or to products specifically referred to in international agreements concluded with non-member countries.

### Tariff economy

#### *Suspensions*

2.1.14. On 14 February<sup>4</sup> the Council adopted a Regulation totally suspending Common Customs Tariff duties on new potatoes (subheading 07.01.A II a) from 1 to 31 March 1977 and on other potatoes, non-specified (subheading 07.01.A III b) from 1 March to 15 April 1977. This measure extends the identical suspensions adopted by the Council on 23 November 1976<sup>5</sup> and intended to avoid a rise in the cost of living which might result from the shortage of potatoes in the Community.

#### *Tariff quotas*

2.1.15. On 8 February,<sup>6</sup> the Council adopted a Regulation opening, allocating and administering an autonomous duty-free Community tariff quota, for ferro-chromium containing not less than 4 % by weight of carbon falling within sub-heading ex 73.02 E I of the Common Tariff, and extending the benefit of this quota to certain imports of ferro-chromium containing a quantity of between 3 and 4 % by weight of carbon. The volume of this quota is 52 000 tonnes of which 48 460 tonnes have been allocated among the Member States and 3 540 tonnes constitute the reserve, to cover subsequent needs.

### Origin and methods of administrative cooperation

2.1.16. On 2 February,<sup>7</sup> the Commission repealed one of the articles of three regulations it adopted in December 1976<sup>8</sup> and which set up a system of cumulative origin in favour of certain regional groupings of developing Countries: the Association of South Asian Nations, the Central American Common Market, and the Andean Group.

This will make it possible for the system of cumulative origin to be used for certain cotton textiles which were previously excluded, because not all the Member States of these groupings were entitled to the generalized preferences for these products. This new arrangement is an important element in the Commission's policy of promoting the regional integration of developing countries.

<sup>1</sup> Bull. EC 7/8-1976, point 2121.

<sup>2</sup> OJ L 40 of 11.2.1977.

<sup>3</sup> OJ L 14 of 21.1.1969.

<sup>4</sup> OJ L 48 of 19.2.1977.

<sup>5</sup> OJ L 332 of 1.12.1976 and Bull. EC 11-1976, point 2106.

<sup>6</sup> OJ L 39 of 10.2.1977.

<sup>7</sup> OJ L 31 of 3.2.1977.

<sup>8</sup> OJ L 361 of 30.12.1976.

## Competition

### State aids

#### *Industry aids*

#### **Textiles and clothing industry**

##### *Approach to national aids*

2.1.17. On 1 February the Commission decided on new guidelines extending and clarifying the approach to aids to the textiles and clothing industry notified to the original Member States on 30 July 1971 and to the new Member States on 19 December 1973. The aim is to reflect the needs and situation of the industry with regard to competition within the Community and the grant of public assistance.

The additional guidelines are set out in a paper sent to the Member States on 4 February, informing them of the attitude which the Commission will take when assessing measures to aid the textiles and clothing industry in the specific economic circumstances surrounding it.

In particular the Commission is seeking to prevent any increase in the surplus capacity in certain parts of the industry and to promote conversion within the industry or into other industries and the restructuring of the textiles and clothing industry.

The Commission also states that it will take account of the principles which it has adopted for the grant of Community aid from the Regional Development Fund, the Social Fund and European Investment Bank loans. The Commission's plan is to ensure the necessary consistency in assessing aids of whatever type to a particularly vulnerable industry where competition between Community countries is particularly keen and any form of public assistance would be likely to have considerable repercussions on trade.

## Employment and social policy

### Employment and vocational training

#### *Equal treatment for men and women*

2.1.18. The Commission has decided to use audiovisual techniques to attract public attention and arouse public awareness of the significance of the directives adopted by the Council on equal treatment for men and women as regards social matters (access to employment, training and promotion, working conditions and remuneration). A film entitled 'Equal Chances, Equal Opportunities', filmed 'live' in factories, on farms or at the European Centre for the Development of Vocational Training, depicts a working world in which men and women are on an equal footing by virtue of the full application of each person's acknowledged rights.

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2.1.19. The *Economic and Social Committee*,<sup>1</sup> meeting on 23 and 24 February, delivered its Opinion on the Commission's proposal to the Council for a directive concerning the fight against illegal immigration and illegal employment.

### European Social Fund

2.1.20. In February the Commission began its examination of the problems involved in the reform of the Social Fund. The Council Decision of 1 February 1971,<sup>2</sup> which substantially reshaped the Fund, provides for a review in 1977; the Council may make amendments between now and the end of the year on the basis of an Opinion from the Commission.

<sup>1</sup> Point 2.3.57.

<sup>2</sup> OJ L 28 of 4.2.1971.

In reviewing the rules governing the role and operations of the Social Fund, the Commission is mainly concerned with increasing its efficiency by streamlining administrative procedures and seeking rules which will enable the effects of projects submitted to be more accurately assessed and in particular ensure that the Fund's operations are more closely tailored to the needs of employment, especially in the present circumstances. The Commission has two priorities in mind: the last least-favoured reasons, which are suffering from structural unemployment, and industries in difficulty where Community action must be mounted.

The Commission has already had several policy debates on the subject and after consulting the Social Fund Committee it hopes to be able to present a proposal to the Council very shortly.

## Living and working conditions

### *European Foundation for the Improvement of Living and Working Conditions*

2.1.21. The four-year work programme and the 1977 programme of the European Foundation for the Improvement of Living and Working Conditions were adopted by the Administrative Board of the Foundation at the meeting in Dublin on 16 and 17 February. The 1977 programme gives priority to work in the social sphere covering the following subject areas: shift work, the relationships between the organization of work and working conditions, safety and health protection and data processing and working conditions.

### *Housing*

2.1.22. Under the first instalment of the eighth programme of financial aid to low-cost housing for workers in industries coming under the ECSC Treaty, the Commission has approved the follow-

ing loans: *Belgium*, coal industry: 11 dwellings (Bfrs 2 365 000), iron and steel industry: 30 dwellings (Bfrs 6 450 000); *France*, coal industry: 119 dwellings (FF 952 000), iron and steel industry: 212 dwellings (FF 2 114 000); *Luxembourg*, iron and steel industry: 33 dwellings (Lfrs 9 900 000) and the frontier workers' operation: 20 dwellings (FF 500 000); *Germany*, coal industry: 964 dwellings (DM 4 565 838); *Denmark*, iron and steel industry: 170 dwellings (Dk 3 064 150).

## Industrial relations

2.1.23. On 14 February<sup>1</sup> the Council formally adopted the Directive on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of business, which it had approved on 9 December 1976.<sup>2</sup>

## Social protection

### Social Security

#### *Occupational diseases*

2.1.24. The action taken by Member States pursuant to the EEC recommendations of 23 July 1962 and 20 July 1966 on compensation for occupational diseases<sup>3</sup> was discussed at a meeting with employers' and workers' representatives in Brussels on 11 February.

Satisfaction was expressed at the Commission's efforts in this area; the action taken by governments pursuant to these recommendations was considered positive, but it was regretted that the mixed system recommended had not yet been extended to all Member States.

<sup>1</sup> OJ L 61 of 5.3.1977.

<sup>2</sup> Bull. EC 12-1976, points 1307 and 2218.

<sup>3</sup> OJ 80 of 31.8.1962 and 147 of 9.8.1966.

## Health and safety

2.1.25. A group of specialists in *combating pollution in coking plants* met in Germany on 2 and 3 February. Discussions centred on the latest developments in research work being undertaken by the Bergbau-Forschung on polluting emissions from coking plants, and in particular the covering-in of batteries of coking ovens.

## Regional policy

### Financing operations

#### *European Regional Development Fund*

#### Renewal of the ERDF

2.1.26. In February, Mr Antonio Giolitti, Member of the Commission with special responsibility for regional policy and the coordination of financial instruments began a tour of the Community capital cities in preparation for the renewal of the European Regional Development Fund (ERDF).

Established by the Council on 18 March 1975<sup>1</sup>, following a Decision taken at the meeting of Heads of Government in Paris on 9 and 10 December 1974<sup>2</sup>, the Fund was put into operation for a three-year trial period which finishes at the end of 1977.

#### *Conversion*

#### Financing of new activities

2.1.27. On 8 February<sup>3</sup>, the Council gave its assent, pursuant to Article 56(2)(a) of the ECSC

Treaty, authorizing the Commission to grant the Société Saviem, France<sup>4</sup>, a conversion loan of 23.6 million units of account (about FF 130 million) to aid the construction of a factory for the production of light goods vehicles at Batilly, Meurthe-et-Moselle. The Commission had requested this assent on 23 December 1976.

## Regional Policy Committee

### Meeting of the Committee

2.1.28. The Committee held its eighth meeting in Brussels on 25 February with Mr. C. Noë in the chair. The agenda included examination of its programme of activities for 1977. With a view to the Council's forthcoming review of the Regulation establishing the European Regional Development Fund, it also agreed to draft a report for the Council and the Commission on the lessons to be drawn from the Committee's work so far.

The Committee also examined arrangements made by the Commission with the aim of ensuring proper coordination of the various financial instruments controlled by the Community and asked to be informed regularly of work carried out by the Commission in this field.

<sup>1</sup> OJ L 73 of 21.3.1975.

<sup>2</sup> Bull. EC 12-1974, point 1974, paragraphs 22 to 24.

<sup>3</sup> OJ C 41 of 18.2.1977.

<sup>4</sup> Société anonyme de véhicules industriels et d'équipements mécaniques.

## Environment and consumer protection

### Environment

#### European Foundation for the Improvement of Living and Working Conditions

2.1.29. The four-year programme and the 1977 programme of the European Foundation for the Improvement of Living and Working Conditions were adopted by the Administrative Board of the Foundation at the meeting in Dublin on 16 and 17 February.

The Board decided that in the first four years the Foundation should give priority to the following topics: shift work, physical stress, the consequences of the various methods of fixing wages and salaries, relationships between the organization of work and working conditions, the economic and social implications of working conditions, the impact of technological change on working conditions and on the environment. Where possible, there will also be an examination of the possible relationships between measures designed to improve working conditions and complementary action which could also improve living conditions.

Account will be taken of existing Community programmes, particularly in the social sector, and the programme will be subject to change depending on the resources available to the Foundation and to satisfy new requirements which may arise.

*The 1977 programme* places emphasis on an examination of shift work and the relationships between organization and methods and working conditions; safety and health protection, as well as data processing and working conditions will also be examined.

### Cooperation with Canada

2.1.30. On 11 February, a meeting took place in Brussels between Mr Blair Seaborn, Canada's Deputy Minister for the Environment and Mr Lorenzo Natali, Vice-President of the Commission with special responsibility for the environment. The Community and Canada agreed in an exchange of letters on 6 November 1975<sup>1</sup> to cooperate on environmental matters.

The two delegations reviewed all the problems connected with the protection of the environment. The discussions ranged over the following subjects: water, noise, dangerous chemicals, wastes, methods of assessing the environmental effects of a number of major projects, cartography, marine pollution, breeding effluents, protection of birds and the Washington Convention on International Trade in Endangered Species of Wild Flora and Fauna.

At the end of the meeting, which both sides considered had been very constructive, it was agreed that discussion would continue through direct contacts between Community and Canadian experts.

2.1.31. At its meeting on 23 and 24 February,<sup>2</sup> *the Economic and Social Committee* delivered Opinions on two proposals from the Commission to the Council, one concerning toxic and dangerous wastes, the other on the quality requirements for fresh water suitable for fish life.

### Consumer protection

#### Consumers' Consultative Committee

2.1.32. The Consumers' Consultative Committee, with its new members, met on 4 February. The meeting was opened by Mr Richard Burke,

<sup>1</sup> Bull. EC 11-1975, point 2223.

<sup>2</sup> Points 2.3.60 and 2.3.61.

Member of the Commission, whose responsibilities include consumer affairs. In his opening address, Mr Burke said that the Commission attached great importance to the Committee's work and that over the next few years the Commission fully intended to evolve an active consumer protection and information policy.

The Committee elected a new Chairman, Mr Eugène Dary (Committee of Family Organizations in the European Communities—COFACE), and three Vice-Chairmen, Mr Anthony Dumont (European Bureau of Consumers Unions—BEUC), Mr Giulio Spallone (European Community of Consumers Cooperatives—EURO COOP) and Mr Robert Meis (European Trade Union Confederation—ETUC). The new Steering Committee will be made up of these four officers and Mrs Benedicte Federspiel who represents the group of experts.

The new Chairman and Vice-Chairmen had their first meeting with Mr Gundelach, Vice-President of the Commission with responsibility for agricultural policy.

The Committee began discussing a draft opinion concerning a draft directive on the unit pricing of foodstuffs, and set up a working party to look into problems encountered by consumers in connection with insurance.

## Agriculture and fisheries

2.1.33. The Commission introduced to the Council meeting of agriculture ministers its proposals for the prices of certain agricultural products for 1977/78 and related measures<sup>1</sup> and also made a statement to the finance ministers on their budgetary effects. These proposals will be examined in detail at the next two Council meetings on agriculture in the light of the opinions of the European Parliament and the Economic and Social Committee.

Common measures to improve the processing and marketing of agricultural products were also adopted by the Council on 15 February. Finally, in the fisheries field the Council has laid down<sup>2</sup> certain interim measures on conservation and the management of resources ('internal aspects').

### Processing and marketing of agricultural products

2.1.34. On 15 February<sup>3</sup> new ground was broken on agricultural structures with the adoption by the Council on the basis of the Commission's proposals of 11 August 1975,<sup>4</sup> of a Regulation on common measures to improve the conditions under which agricultural products are processed and marketed.

In the past Community policy on agricultural structures has been restricted to the production stage. From now on it will be extended to intermediate activities between production and final consumption, the rationalization and development of which should not only provide more outlets for agricultural products but at the same time benefit consumers through the improvements to quality and presentation and the favourable effects on the cost of the products.

This Regulation is particularly important since it comes at a time when it seems that an increasing proportion of funds available under the Guidance Section of the EAGGF will be used for the development of existing common measures,<sup>5</sup> while the funds used at present under the Council Regulation of 5 February 1964<sup>6</sup> for individual investment projects connected with the processing and marketing of agricultural products will become

<sup>1</sup> Points 1.3.1 to 1.3.7.

<sup>2</sup> Points 1.2.1 to 1.2.10.

<sup>3</sup> OJ L 51 of 23.2.1977.

<sup>4</sup> OJ C 218 of 24.9.1975 and Bull. EC 7/8-1975, point 2254.

<sup>5</sup> These are the measures decided on by the Council to improve agricultural structures.

<sup>6</sup> OJ 34 of 27.2.1964.

increasingly limited. The new Regulation provides the possibility for such projects to be financed from the Guidance Section of the EAGGF.

2.1.35. The Council Regulation provides essentially that the financing of investment projects relating to the processing and marketing of agricultural products will gradually be limited to projects which are part of *programmes drawn up by the Member States*. Both the programmes and the projects will be examined by the Commission assisted by the Standing Committee on Agricultural Structures.

The *programmes* will concern one or more agricultural products and cover one or more regions. They will also meet the following criteria:

they will be indicative, given the shifting trends in the agricultural products' processing and marketing sector, both geographically and technically; they will be 'medium-term' programmes (in principle three to five years); if they were to cover a longer period there would be a danger that they would become outdated;

they should include a detailed analysis of the sector's situation in the light of the general economic situation in the geographical area which they cover, and a detailed description of the objectives, the means employed and the effects expected.

In drawing up these programmes both the Member States and the trade should make a comprehensive and careful study of the sectors' requirements and potential so that optimal rationalization and efficiency can be achieved in future investments.

The *projects* which may qualify for EAGGF aid relate to the rationalization or development of the storage, packaging, preservation or processing of agricultural products. Projects designed to improve distributive networks (e.g. regrouping of certain intermediate activities) and to give greater insight into price formation on agricultural markets will also be eligible.

These projects must be part of approved programmes if they are to receive Community aid and must comply with other criteria: long-term profitability of course, but more fundamentally they should also guarantee that the participation of agricultural producers in the resulting economic benefits will be both adequate and lasting.

2.1.36. EAGGF aid for the projects will consist of capital grants of up to 25 % of the investment; this may be increased to 30 % in regions with special difficulties. Community aid will be granted only if the beneficiary contributes at least 50 % and the national authorities provide a minimum of 5 %. In the first three years of the common measure aid may also be granted for projects which are not part of approved programmes; however these projects will be increasingly at a disadvantage.

The cost of the common measure is estimated at 400 million u.a. for the first five years, i.e. 80 million u.a. per year from 1 January 1978. This sum, which amounts to 25 % of the annual allocation of the Guidance Section of the EAGGF, will enable the Community to play an effective role in directing investments in the processing and marketing of agricultural products and in particular to participate in the financing of about 10 % of the investments which are made.

2.1.37. In connection with the adoption of this Regulation, the Council has agreed to speed up the work relating to producer groupings and their associations. It undertook, in a Resolution, to act before 30 June 1977 on the new proposals, including the proposals on the financial effects, which the Commission will make before 30 April.

## Common organization of markets

2.1.38. In the *cereals* sector, the Council agreed in principle to the transfer to Italy of 300 000



tonnes of intervention common wheat (of German origin) and of 50 000 tonnes of intervention durum wheat (of French origin) to deal with supply difficulties in Italy.

2.1.39. On the *sugar* market, in view of the need to promote sales of raw sugar and sugar produced outside the maximum quota to non-member countries, the Commission extended<sup>1</sup> the period of validity of export licences for these sugars from three to five months.

2.1.40. Under the common organization of the markets in *oil seeds and protein*, the Commission fixed<sup>2</sup> the average world price and indicative yield for the 1976/77 marketing year for linseed and soya seed. These two regulations will enable Community producers to assess the amount of the aid and hence their income for the present marketing year; they will therefore have an additional guide when they draw up their crop rotation plans for the future marketing year.

2.1.41. The income grant to *fruit and vegetable* producers has been extended to small-scale farmers. On 14 February<sup>3</sup> the Commission amended its Regulation of 9 December 1969<sup>4</sup> laying down special measures for improving the production and marketing of Community citrus fruit. The conditions for granting supplementary aid have been relaxed to facilitate replanting operations.

2.1.42. On 14 February<sup>3</sup> the Council laid down special measures in respect of the Beneventano variety of *tobacco* within the framework of the Regulation on the common organization of the market in raw tobacco. The measures concern a three-year programme of replanting involving the granting of a special replanting aid from 1977 onwards (500 u.a. per hectare) as well as measures to discourage the cultivation of this variety (reduction in the intervention price and limitation on the quantities accepted for intervention).

2.1.43. The Council has again extended<sup>5</sup> the total and temporary suspension of autonomous

Common Customs Tariff duties on new *potatoes* (subheading 07.01 A II (a)) from 1 to 31 March and for other potatoes (subheading 07.01 A III (b)) from 1 March to 15 April as the situation on the Community market has not improved.

2.1.44. In accordance with the agreement in principle, reached on 20 and 21 December last,<sup>6</sup> on 14 February<sup>7</sup> the Council adopted a number of measures relating to the *beef and veal* sector. In connection with the amendment of the basic regulation, five Regulations were adopted amending a number of implementing measures and repealing others regarding the system of trade with non-member countries.

The Council also adopted<sup>8</sup> the estimate for the period from 1 April-31 December 1977 of young male bovine animals for fattening weighing not more than 300 kg.

## Structural policy

2.1.45. On 15 February, the Council amended,<sup>8</sup> in respect of *France*, the Community list of less-favoured agricultural areas within the meaning of the Council Directive of 28 April<sup>9</sup> on mountain and hill farming and farming in certain less-favoured areas.

The Commission has also issued two opinions on draft provisions notified by the *Irish* and *Italian* governments on the implementation of the Council Directive of 17 April 1972 on the modernization of farms.

<sup>1</sup> OJ L 39 of 10.2.1977.

<sup>2</sup> OJ L 30 of 2.2.1977 and L 42 of 12.2.1977.

<sup>3</sup> OJ L 48 of 19.2.1977.

<sup>4</sup> OJ L 318 of 18.12.1969.

<sup>5</sup> OJ L 48 of 19.2.1977 and Bull. EC 11-1976, point 2245.

<sup>6</sup> Bull. EC 12-1976, point 2244.

<sup>7</sup> OJ L 45 of 17.2.1977.

<sup>8</sup> OJ L 59 of 3.3.1977.

<sup>9</sup> OJ L 128 of 19.5.1977.

## Conditions of competition

2.1.46. Following the initiation on 25 January<sup>1</sup> of the procedure of Article 93(2) of the EEC Treaty in respect of a United Kingdom aid scheme in the pigmeat sector, the Commission took a decision<sup>2</sup> on 17 February requiring the United Kingdom to stop granting this aid immediately.

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2.1.47. At its sittings from 7 to 11 February, *Parliament*<sup>3</sup> delivered Opinions on a number of proposals from the Commission to the Council, the most important of which related to the Community arrangements for the conservation and management of fishery resources, the application of different exchange rates for measures financed by the EAGGF Guarantee Section and special measures to improve the production and marketing of Community citrus fruit. The *Economic and Social Committee*<sup>4</sup> met on 23 and 24 February 1977 and delivered its Opinion on the agricultural price proposals for 1977/78. While endorsing the proposals, it added a number of comments and reservations.

## Transport policy

### Organization of the market

2.1.48. On 10 February the Commission decided to address a recommendation<sup>5</sup> to the Danish Government concerning a draft decree implementing the Council Directive of 12 November 1974<sup>6</sup> on admission to the occupation of road haulage operator in national and international transport operations.

The Commission states in its recommendation that the draft decree and the regulations currently in force in Denmark satisfy the provisions of

the directive as regards the conditions of professional competence, good repute and sound financial standing; it does however draw the Danish Government's attention to certain methods for implementing these conditions, in particular the methods for acquiring professional competence, the issue of a certificate guaranteeing this competence and the way in which an applicant undertaking must satisfy the conditions of good repute and financial standing.

Finally, the Commission recommends that the Danish Government should include in its draft decree a number of measures dealing mainly with the conditions for continuing operations in certain cases, the withdrawal of the authorization, the reasons for refusals and the means of redress.

2.1.49. On 14 February,<sup>7</sup> the Council formally adopted the Directive which will remove all quantitative restrictions on the carriage of live animals in special vehicles; the Council approved the Directive on 16 December 1976.<sup>8</sup>

### Approximation of structures

2.1.50. On 23 February,<sup>9</sup> the Commission authorized the *United Kingdom* and *Ireland* to postpone until 31 December 1977 the application, in respect of national transport, of certain provisions of the Council Regulation of 25 March 1969<sup>10</sup> on the harmonization of certain social legislation relating to road transport. This is the third time

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

<sup>2</sup> OJ L 54 of 26.2.1977.

<sup>3</sup> Points 2.3.7 and 2.3.18.

<sup>4</sup> Point 2.3.56.

<sup>5</sup> OJ L 57 of 2.3.1977.

<sup>6</sup> OJ L 308 of 19.11.1974.

<sup>7</sup> OJ L 48 of 19.2.1977.

<sup>8</sup> Bull. EC 12-1976, point 2287.

<sup>9</sup> OJ L 63 of 9.3.1977.

<sup>10</sup> OJ L 77 of 29.3.1969.

that the United Kingdom and Ireland have been granted a deferment. The requests made by both States and the authorization once again granted by the Commission are based on the provisions of the Act of Accession governing the transitional period for the new Member States, which expires at the end of 1977.

2.1.51. As the Council should adopt by 1 January 1978 a proposal to establish uniform principles for calculating rail costs, the Commission convened the government experts on 9 February. This meeting concluded the analysis stage leading up to the submission of a formal proposal by the Commission.

## Infrastructures

2.1.52. On 18 February the Commission forwarded to the Council its fourth report on the results obtained using the accounting system for expenditure on, and from the survey of utilization of rail, road and inland waterway transport infrastructures. This report, drawn up pursuant to the Council Regulation of 4 June 1970,<sup>1</sup> contains the figures sent to the Commission by the Member States for 1974.

2.1.53. On 17 February the departments of the Commission organized a consultative meeting of representatives of the 'Group of Nine'—the Community's railway companies—in order to draw up a work programme to step up cooperation between railway undertakings. These contacts will be continued and should enable the Commission to send the Council a report on the progress on this programme before the end of 1977.

2.1.54. Following the meeting in October 1976<sup>2</sup> with the rail experts, the Commission organized another meeting with the government experts on 24 February. This meeting dealt with the harmonization of the methods for granting compen-

sation resulting from the tariff obligations imposed on railway undertakings not covered by the Council Regulation of 26 June 1969<sup>3</sup> concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway.

In accordance with the provisions of 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 these undertakings and the Member States, the Commission will send the Council proposals on the subject before the end of 1977.

2.1.55. On 2 February the Commission expressed an opinion on the measures which the United Kingdom proposes in implementation of the Council Decision of 20 May 1975<sup>5</sup> on the improvement of the railways' financial situation. Though this opinion was favourable on the whole, the Commission nevertheless requested that these provisions should be expanded as regards two points: the establishment of the concertation procedure and the methods for covering deficits.

2.1.56. Following the opinion expressed by the Commission on 19 July 1976<sup>6</sup> to the Belgian Government on aid for scrapping vessels, the Belgian Government forwarded a draft royal decree amending the provisions of the Royal Decree of 18 May 1976 awarding a scrapping premium for inland waterway vessels in Belgium. On 18 February the Commission issued an opinion in which it suggests that this draft should be further amended to avoid any discrimination on the basis of nationality.

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<sup>1</sup> OJ L 130 of 15.6.1970.

<sup>2</sup> Bull. EC 10-1976, point 2270.

<sup>3</sup> OJ L 156 of 28.6.1969.

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

<sup>5</sup> OJ L 152 of 12.6.1975.

<sup>6</sup> Bull. EC 7/8-1976, point 2287.

2.1.57. On 7 February *Parliament* delivered its Opinion on two transport policy proposals from the Commission to the Council on the harmonization of certain social legislation concerning the carriage of goods by inland waterway and amendments to the decision on the harmonization of certain provisions affecting competition in the rail, road and inland waterway transport sector.

## Energy policy

### Formulation and implementation of a Community energy policy

2.1.58. The problems arising from the Community's energy situation were examined in February by Parliament,<sup>1</sup> the Energy Committee<sup>2</sup> and the Commission, the latter sent the Council three communications on this subject on 25 February. These communications—which are due to be studied in late March 1977 at a meeting devoted to energy matters—deal with the energy situation of the Community,<sup>3</sup> the intensification of the Community's programme for energy saving<sup>4</sup> and the Community coal market situation.<sup>5</sup>

### The energy situation of the Community

2.1.59. In this Communication the Commission stressed 'the serious implications of present energy trends'. The Commission considers that, if we cannot improve the energy outlook, the Community 'faces not merely the danger of continued insecurity, but also the possibility that in future years important decisions of economic and social policy will be dominated by the constraints on the energy front'.

The Commission confirms that since October 1976<sup>6</sup> the energy situation has deteriorated further. A further increase in the price of oil will cost an additional \$3 000 million per year, and the

nuclear programme has been slowed down abruptly.

Crucial problems are involved in the continued increase in imports of OPEC (Organization of Petroleum-Exporting Countries) oil. World demand for oil may well increase by one-third during the next decade and there can be no assurance that the producers will find it in their interest to produce so much or agree to increase production. This situation would cause strong upward pressure on oil prices, and might sharply reduce world economic growth.

In 1976 the Community consumed 2.5 % less energy than in 1973 while GNP increased. Oil imports were reduced by 7.5 % but the Community was helped by a number of extraneous developments in this favourable trend. As for the future, the latest signs are alarming, notably on the nuclear front. If nuclear capacity in 1985 were limited to the 95 gigawatts already operating, under construction or firmly planned the energy gap could be closed only by increasing imports of oil, to a level of some \$60 000 million a year at current prices. Including coal and gas imports, the Community's energy import dependence would still be 55 % in 1985. To achieve continued economic growth without a significant increase in oil imports, the Commission considers that the following Community action must be taken:

- (a) on energy saving, a far more energetic and effective programme;
- (b) on coal, a programme for increased use and for economic domestic production;
- (c) on nuclear energy, action to resolve public doubts and additional R & D work on safety problems;
- (d) on new sources of energy, a more active and effective programme.

<sup>1</sup> Point 2.3.8.

<sup>2</sup> Point 2.1.61.

<sup>3</sup> Point 2.1.59.

<sup>4</sup> Points 1.5.1 to 1.5.4.

<sup>5</sup> Point 2.1.64.

<sup>6</sup> Bull. EC 10-1976, point 2265.

## Intensification of the Community's programme for energy saving

2.1.60. In its Communication to the Council on the intensification of the Community's programme for energy saving, the Commission, after taking stock of the little progress achieved up to now, lays down the next stages of the programme to be implemented (and the sectors where a solution must be found as soon as possible). It stresses the need for pooling the experience of the various Member States and proposes a number of immediate measures.<sup>1</sup>

## Energy Committee

2.1.61. The Energy Committee met on 4 February under the chairmanship of Mr Brunner, the Member of the Commission with special responsibility for energy problems. It heard a report from Mr Angelini, Chairman of the Fast Reactor Coordinating Committee, on this Committee's activities and its policy guidelines for examining the problems connected in particular with the safety of fast reactors and with the fuel cycle.

The Committee also examined the current situation of the Community coal market and the problems which this raised with regard to the long-term security of supply, and discussed a Dutch memorandum on the role of energy pricing in the achievement of the common energy policy.

The Committee discussed a Commission document and a French memorandum on the rational utilization of energy. The need to step up the work in progress was stressed and the possibility of establishing an *ad hoc* energy-saving committee at the highest official level was mentioned.

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2.1.62. On 8 February *Parliament* adopted two Resolutions<sup>2</sup> relating to a Community energy policy: one on the impact of energy price in-

creases on the competitiveness and productivity of the Member States of the Community and the other on the establishment and possibilities of a system of basic prices for imported primary energy.

## Sectoral problems

### Hydrocarbons

2.1.63. At its meeting on 14 and 15 February the Council formally adopted<sup>3</sup> a decision on the exporting of crude oil and petroleum products from one Member State to another in the event of supply difficulties, after reaching agreement in principle on 21 December 1976.<sup>4</sup>

### Coal

#### *Communication to the Council on the coal market situation*

2.1.64. One of the Communications from the Commission to the Council of 25 February deals with the Community coal market situation. The Community must continue to encourage the consumption of coal in order to reduce oil imports. At present there is a problem of market balance as consumption and production within the Community are tending to drop or stagnate while imports from non-member countries are increasing. If this tendency continued, it could jeopardize the coal aspects of the energy policy adopted by the Council in 1974 and 1975.

Although it has always recognized the need for importing coal, the Commission believes that the situation should be kept under close review and

<sup>1</sup> Points 1.5.1 to 1.5.4.

<sup>2</sup> Point 2.3.68.

<sup>3</sup> OJ L 61 of 5.3.1977.

<sup>4</sup> Bull. EC 12-1976, point 2276.

therefore proposes a number of measures to achieve more effective and speedy observation of market trends:

- (i) Establishment of an annual report on imports of coal from non-member countries and forward assessments of the Community coal market.
- (ii) Periodical examination of the forward assessments of the Community coal market with high-level representatives of the Member States.
- (iii) Appropriate moves to encourage Member States to introduce automatic licensing procedures for coal imports from non-member countries.

### *Industrial loans*

2.1.65. On 8 February the Council gave its assent<sup>1</sup> pursuant to Article 54 of the ECSC Treaty, to enable the Commission to grant a loan for the partial financing of the purchase by the German company *Gewerkschaft Norbert Metz*, of the shares of the mining company Red Ash Sales Company Inc., West Virginia (USA), and of the partial financing of its planned investment. The Commission requested this assent on 23 December 1976.

## Research and development, science and education

### Science, research and development

#### Scientific and Technical Research Committee

2.1.66. The Scientific and Technical Research Committee (CREST) met on 17 February to finalize the procedures for implementing concerted action projects of interest to the Community;<sup>2</sup> the discussions concerned the principles underlying

the concerted action. The aim of this type of project would be to include in the common research and development policy, in the interests both of the Community and its Member States, an increasing number of the research activities conducted at national level in areas which affect the various Community policies.

Decisions on concerted action involving coordination at Community level of national research projects would be taken by the Council. The decision would have to specify the aims to be attained and the national projects to be coordinated. The Commission could be given the task of coordination; it would appoint a project leader and would be assisted by a concerted action project committee made up of persons in charge of coordinating the national contributions to the proposed project.

The Council might also assign to the Commission the task of organizing the exchange of information arising out of the concerted action project research findings and give it a brief to negotiate such international agreements as might prove appropriate or advisable for the purpose of associating with this project those European countries outside the Community which are members of COST (European Cooperation in the field of Scientific and Technical Research).

## Multiannual programmes

### Advisory Committees on Programme Management (ACPM)

2.1.67. The ACPM on *Radioactive Waste*, which deals with direct and indirect action, devoted its meeting of 23 and 24 February to a detailed discussion of the programme carried out in this area. The Committee then had an initial

<sup>1</sup> OJ C 41 of 18.2.1977.

<sup>2</sup> Bull. EC 1-1977, point 2.1.57.

exchange of views on the possibility that this programme might be reviewed.

The ACPM also delivered a favourable opinion on the Commission's action in issuing an invitation to tender to Community firms concerned with the problem of gaseous waste storage.

those in charge of the agricultural advisory services in the Member States had an opportunity to find out about and discuss the potential uses of the modern information systems and techniques which will be taking on the role of an intermediary between the research sector and the farmers.

## Scientific and technical information and information management

### Agricultural and scientific information problems

*2.1.68.* A EUR-AGRIS seminar was held in Luxembourg from 28 February to 2 March. EUR-AGRIS is the EEC Member State wing of AGRIS, an international agricultural science information network which has been in operation since 1975 under the UN Food and Agriculture Organization (FAO) and to which seventy countries currently belong. In particular, the seminar participants, who were representing the national centres responsible for preparing the input for the EUR-AGRIS system, were able with the help of a demonstration to obtain an insight into the techniques of interrogating the system in the conversational mode and also formulating the questions.

*2.1.69.* Up to now the activities of the Committee for Scientific and Technical Information and Documentation (CIDST) and its specialized working party on agriculture have concentrated on the dissemination of scientific and technical information, primarily for the benefit of users at the scientific level. Nevertheless, the fact remains that meeting the needs of farmers is still one of the Commission's basic aims. During a symposium held in Luxembourg on 2 and 3 February

## 2. External relations

### Enlargement

#### Accession negotiations: Greece

2.2.1. On 28 February the third session of the accession negotiations with Greece was held at deputy level in Brussels.

The Community delegation made two statements, one concerning the acceptance by Greece of the Community's obligations in the field of external relations, and a second concerning regional policy and state aids. The Greek delegation made a statement on problems relating to the customs union. The Community statements were in reply to Greek memoranda presented in January,<sup>1</sup> and the Greek statement was in reply to Community statements made on 10 December<sup>2</sup> and 31 January.<sup>3</sup>

2.2.2. The examination of Community secondary legislation was continued throughout February at a series of meetings between the Commission and the Greek delegation. In the agricultural field the examination concluded the sectors of seeds, oils and fats and cotton begun on 31 January, and also covered poultry, eggs and albumin. Other chapters examined were the free movement of capital, economic and monetary union, energy, research and Euratom.

### Multilateral approaches

#### Conference on International Economic Cooperation

2.2.3. Several meetings were held in February to discuss the resumption of the Conference on International Economic Cooperation (CIEC).

The two co-Chairmen of the Conference—Mr Perez-Guerrero (Venezuela) and Mr MacEachen (Canada)—met in New York at the beginning of the month.

The CIEC *Group of Nineteen* developing countries met from 10 to 12 February in Paris with a view to relaunching the Conference. Mr Perez-Guerrero described his meeting with the new US administration. Senior *Community* officials (representing the Commission and the President of the Council) held talks with US, Canadian and Japanese Delegations. It would seem that the new US administration has not yet adopted a definitive position concerning the resumption of the North-South Dialogue. The Community representatives gained a similar impression from their talks with a Japanese Delegation.

Still within the context of the Nine, the high-level group (made up of senior officials from the Member States) met on 22 February. The group's discussions concerned problems involving both CIEC and UNCTAD, problems which seem to be becoming more and more closely linked: while preparing the position to be adopted at the meeting of the Eight industrialized countries (which was finally held on 2 March) within the CIEC, the high-level group also discussed the Community position at the conference on the Common Fund under UNCTAD and resumed its exchanges of views on transfers of resources (matter of the debts of the developing countries).

Following the meeting of the Nineteen in Paris at the beginning of February, the *Group of Eight* industrialized countries taking part in the CIEC also met (on 2 March). The discussions covered the timetable and conditions for the resumption of the Conference and questions of tactics and of substance.<sup>3</sup>

<sup>1</sup> Bull. EC 1-1977, point 2.2.1.

<sup>2</sup> Bull. EC 12-1976, point 2338.

<sup>3</sup> Agreement has since (in March) been reached between the co-Chairmen on the dates and conditions for the resumption of the CIEC.



## Implementation of the UNCTAD IV programme

### Preparatory meetings under the integrated programme for commodities

#### *Jute and jute products*

2.2.4. A secondary preparatory meeting on jute and jute products was held in Geneva from 31 January to 4 February; the first took place in October 1976.<sup>1</sup> The meeting on jute in February was the fifth of these preparatory meetings, prior to the negotiations proper on commodities, in accordance with the Resolution adopted by UNCTAD at its Nairobi meeting.

The discussions were of a technical nature and an initial examination was made of the measures which could help to stabilize the market in jute and jute products, and also to make jute more competitive in relation to synthetic substitutes. A preliminary examination was also made of the possibilities of carrying out research and development programmes and promotion programmes.

In one of the statements, the Community representative remarked that the stabilization of the prices of the products in question was only one of the factors to be examined with a view to improving the world jute market, and that a number of coordinated and complementary measures had to be carried out in order to achieve this objective. A further preparatory meeting will be held in April.

#### *Copper*

2.2.5. *The intergovernmental group of experts*—set up at the preparatory meeting on copper held in Geneva from 27 September to 1 October 1976<sup>1</sup>—met from 7 to 18 February. It examined some basic data relating to the market in copper (production, trade, consumption) and also

possible forms of international action to reduce excessive fluctuations in copper prices: stabilization measures (storage and regulation of supply) and the setting up of a body for consultation between producers and consumers.

In view of the uncertainty which still affects certain data and the differing views which have emerged within the groups themselves (both producers and consumers), it was not possible to reach final conclusions at this stage. The group will continue its work in March and will report back at the next preparatory meeting on copper.

### Common Fund

2.2.6. The third and final meeting to prepare for the negotiations on the setting up of a Common Fund<sup>2</sup> (in accordance with the Nairobi Resolution on the integrated programme for commodities) was held in Geneva from 21 February to 1 March.

As at the preceding meetings, the discussions were of a technical nature. The various possible forms for a Common Fund were compared. Within the group of industrialized countries, the Community and its Member States continued to try and work out the objectives which could be assigned to the Common Fund and to determine the choices which will have to be made at the conference itself (7 March to 1 April).

## Multilateral trade negotiations

### Trade Negotiations Committee

#### *Safeguards*

2.2.7. The Safeguards Group met on 14 and 15 February and continued the discussion of the

<sup>1</sup> Bull. EC 10-1976, point 2317.

<sup>2</sup> Bull. EC 1-1977, point 2.2.6.

proposals already submitted to it—in particular those relating to special and differentiated treatment for developing countries—and of the views put forward by other delegations.

In order to organize its future work more efficiently, the Group agreed that the discussions would centre on the following general aspects: criteria, conditions, retaliation, compensation, types of measures and methods of applying them, internal measures, short-term and cyclical seasonal problems, notification, consultation, supervision, settlement of disputes, and other matters.

#### *Non-tariff measures*

2.2.8. The subgroup on customs matters of the Non-Tariff Measures Group met in Geneva on 21 February. It found that further proposals were necessary if progress was to be made with regard to customs value.

The Community impressed on its partners the need for them to state clearly whether they were resolved to make reasonable efforts in order to seek agreement on this matter: only when this was known would it be possible to study the measures required to progress in the work.

The subgroup accepted the US proposal for notification, consultation and a report procedure concerning specific problems of customs procedures, import documentation and consular formalities and taxes.

#### *Framework*

2.2.9. The Framework Group, which was set up on 5 November 1976 by the Trade Negotiations Committee<sup>1</sup>—on the basis of paragraph 9 of the Tokyo Declaration<sup>2</sup>—and which has now received an official designation, met on 21 and 22 February.

The representatives of the developing countries presented proposals concerning all the items on

the Group's work programme. The representatives of the Community, the United States, Japan and Canada again stated their positions and made some preliminary comments on the proposals of the developing countries. On the whole, the industrialized countries adopted an understanding and cautious attitude with regard to any amendment to the General Agreement; the Group is to meet again at the beginning of May.

## **Law of the sea**

### **Seminar on deep sea mining**

2.2.10. A seminar on the financial and technical aspects of deep sea mining was held from 22 to 25 February in Brussels under the auspices of the European Economic Community in response to a request by certain delegates of ACP countries at the Third UN Conference on the Law of Sea.

One of the objectives of the Law of the Sea Conference is to establish an international regime applicable to exploration with a view to exploitation of the resources in the area of the sea-bed beyond the limits of national jurisdiction. The next session is to be held in New York from 23 May-8/15 July 1977.

The seminar dealt with the recovery of manganese nodules, which contain commercially significant quantities of nickel, copper, cobalt and manganese, and which are predominantly to be found on the ocean floor, especially in the Pacific Ocean, at depths of about 5000 metres.

Companies and semi-governmental agencies from several Member States are involved in the preliminary stages of deep sea mining operations. Representatives of these companies and agencies presented at the seminar accounts of the progress made in their work and of the various problems

<sup>1</sup> Bull. EC 11-1976, point 2301.

<sup>2</sup> Bull. EC 9-1973, point 1106.

which must be overcome if they are to achieve their objective of commencing commercial production from the deep sea bed in the mid-eighties.

## Development

2.2.11. Various questions of interest to the developing countries were dealt with in February in a multilateral context, among them the discussions for the resumption of the North-South Dialogue,<sup>1</sup> the implementation of the integrated programme for commodities<sup>2</sup> adopted in June 1976 by the fourth session of UNCTAD (United Nations Conference on Trade and Development) and various international meetings on commodities.<sup>3</sup> Otherwise the most significant events of the month involved aid to the non-associated developing countries<sup>4</sup> and the adoption of the cereals food aid programme for 1977.<sup>5</sup>

### Development cooperation policy

#### Financial and technical aid for non-associated developing countries

2.2.12. On 18 February the Commission presented to the Council a communication (accompanied by a proposal for a regulation) concerning financial and technical aid to non-associated developing countries,<sup>4</sup> promised in October 1976. This proposal restates and develops the guidelines previously laid down by the Commission, particularly with regard to the objectives, scope and implementation of the proposed aid.

#### Cooperation with non-governmental organizations

2.2.13. At the end of February forty-one of the projects submitted by the non-governmental or-

ganizations (NGOs) specializing in development aid had been approved under the Commission's cofinancing programme. A total of 431 541 units of account was committed to twelve of the projects.

The first meeting between Commission staff and the NGO Liaison Committee took place on February; the items discussed included cofinancing, food aid and informing the public of development issues.

Table 3 — *Food Aid Programme for 1977*

Recipient countries and bodies	Total aid	Community projects	National projects (thousands of tonnes)
<i>Latin America</i>			
Honduras	1	1	
Peru	8.5	7.5	1
Bolivia	2.5	2.5	
Haiti	3		3
<i>Africa</i>	42		42 <sup>1</sup>
Angola	11.5	10 <sup>2</sup>	
Benin	2.5	2.5	
Botswana	0.5	0.5 <sup>3</sup>	
Burundi	4.5	1	3.5
Cape Verde	9.5	8.5 <sup>3</sup>	1
Congo	3		3
Ethiopia		2.5	4
Ghana	3.5	3.5	
Guinea-Bissau	4.5	3	1.5
Guinea	6.5	3.5	3
Lesotho	0.130	0.130 <sup>3</sup>	
Liberia	3	3	
Mauritius	6.5	3.5	3
Mozambique		15	4
Rwanda	5	2.5	2.5
Central African Empire	1	1	

<sup>1</sup> To be allocated at a later date.

<sup>2</sup> Via the UNHCR.

<sup>3</sup> Council Decision of 21 December 1976: Bull. EC 12-1976, point 2327.

<sup>4</sup> National projects to be specified or allocated subsequently.

<sup>1</sup> Point 2.2.3.

<sup>2</sup> Points 2.2.4, 2.2.5 and 2.2.6.

<sup>3</sup> Points 2.2.16, 2-2-17 and 2.2.18.

<sup>4</sup> Points 1.4.1 to 1.4.10 and OJ C 54 of 4.3.1977.

<sup>5</sup> Point 2.2.14.

Table 3 — (continued)

Recipient countries and bodies	Total aid	Community projects	National projects (thousands of tonnes)
São Tomé and Príncipe	1.5	1.5	
Senegal	11	8	3
Somalia	34	25	9
Sudan	3.5	3.5	
Tanzania	15	5	10
Tunisia	26.5	3.5	23
Zaire	15	15	
Zambia	6	6 <sup>3</sup>	
<i>Middle East</i>			
Egypt	150	100 <sup>5</sup>	50
Jordan	21	18 <sup>6</sup>	3
Yemen Arab Republic	6	6	
P.D.R. of Yemen	7	6	1
Lebanon	32.5	25 <sup>7</sup>	7.5
Syria	5	5	7.5
<i>Asia</i>			
Bangladesh	142	100 <sup>8</sup>	42
Indonesia	31.5	10	21.5
Laos			9
Pakistan	49	25	24
Philippines	10.5	7.5	3
Sri Lanka	69.5	30	39.5
Vietnam		30	9
<i>Other Countries</i>			
Malta	5.5	1	4.5
<i>Organizations</i>			
WFP	154.1	55	99.1
ICRC	15	15	
UNICEF	18	15	3
UNRWA	42.5	35	7.5
League of RC Societies	5	5	
Catholic Relief Service	15	15 <sup>3</sup>	
Reserve	183.97	78.370	105.6
Total	1 287	720.5	566.5

<sup>5</sup> Including 25 000 tonnes as a special reserve to be released depending upon the situation.

<sup>6</sup> For Palestinian refugees.

<sup>7</sup> Special reserve for Lebanon which the Commission has been empowered to release in whole or in part depending upon developments (Bull. EC 12-1976, point 2325).

<sup>8</sup> Including 30 000 tonnes as a special reserve to be released following a further examination of the situation.

## Food aid and emergency aid

### Cereals: 1977 programme

2.2.14. On 8 February, the Council approved the cereals food aid programme for 1977 proposed by the Commission in October.<sup>1</sup> The programme involves a total of 1 287 000 tonnes, 720 500 tonnes being granted in the form of Community aid and 566 500 tonnes in the form of national aid. This aid is for the forty-two countries and six international organizations shown in Table 3.

### Emergency measures

2.2.15. On 8 February the Council approved emergency measures<sup>2</sup> for *Syria* (refugees) involving 5 000 tonnes of cereals, 700 tonnes of skimmed milk powder and 500 tonnes of butter-oil. The measures had been proposed by the Commission on 21 January.<sup>3</sup>

## Commodities and world agreements

2.2.16. A number of meetings on commodities in general or on specific commodities were held in February in various organizations. At the beginning of the month the OECD High-Level Group on Commodities met in Paris<sup>4</sup> and a further meeting on jute<sup>5</sup> was held in Geneva as part of the implementation of the UNCTAD in-

<sup>1</sup> Bull. EC 10-1976, point 2315.

<sup>2</sup> OJ L 40 of 11.2.1977.

<sup>3</sup> Bull. EC 1-1977, point 2.2.12.

<sup>4</sup> Point 2.2.24.

<sup>5</sup> Point 2.2.4.

tegrated programme. The FAO Intergovernmental Group on Tea held a meeting at the end of the month in London, where some three weeks previously there had been a meeting of the Committee responsible for preparing the negotiations for a new international sugar agreement.

## Sugar

2.2.17. The Community participated with observer status in a meeting of the Preparatory Committee of the International Sugar Organization which took place in London from 31 January to 4 February. The purpose of the meeting was to assist the Secretariat of the Organization to finalize the draft paper to be put before the UNCTAD conference beginning on 18 April. As expected, the resultant draft is oriented towards the negotiation of an agreement based on export quotas.

In preparation for these negotiations, the Community is shortly to define the position it will adopt at the conference, on the basis of a recommendation to be presented by the Commission to the Council.

2.2.18. Thirty-four importing and exporting countries and the European Economic Community took part in the meeting of the FAO Intergovernmental Group on Tea in London from 21 to 25 February.

The main item on the agenda concerned the economic clauses of an international agreement on tea. The exporting countries were not in favour of an agreement containing conditional export quotas, but they repeated the fundamental objectives to be achieved in order to improve the situation on the world tea market.

In his statement—which reflected the opinion of most of the consumer countries—the Community representative expressed a positive attitude with a view to concluding an international agreement on tea by establishing close cooperation between exporting and importing countries.

The Subgroup of Exporters and the Intergovernmental Group will have to continue their work before the first preparatory meeting on tea—with in the context of the UNCTAD integrated programme for commodities—scheduled to take place in September.

## Commercial policy

### Formulating and implementing the common commercial policy

#### Import arrangements

##### *Relaxation of restrictive measures*

2.2.19. Under the Council Decision of 27 March 1975 on unilateral import arrangements in respect of State-trading countries,<sup>1</sup> the Commission adopted a measure opening a quota for imports into the *United Kingdom* from *China* of men's and boys' woven undergarments.<sup>2</sup>

##### *Safeguard measures*

2.2.20. On 4 February the Commission decided to introduce a provisional *anti-dumping duty* on *ball bearings*, tapered roller bearings and parts thereof originating in *Japan*.<sup>3</sup> This decision was taken, after the views of all those concerned had been heard, on the grounds that a dumping margin had been found to exist between Japanese domestic prices and the prices for exports to the Community of the same products and that Community production was being harmed. The harm consisted in the undercutting of prices by imports from Japan, which were also increasing their market share to the detriment of production and employment in the Community industry.

<sup>1</sup> OJ L99 of 21.4.1975.

<sup>2</sup> OJ C45 of 22.2.1977.

<sup>3</sup> OJ L34 of 5.2.1977.

2.2.21. On 14 February the Council also decided<sup>1</sup> to introduce an *anti-dumping duty* on *cycle chains* originating in *Taiwan*. The duty imposed provisionally by the Commission on 12 November thereby became definitive.<sup>2</sup>

### Specific measures of commercial policy

#### Textiles

##### *Thailand*

2.2.22. *Negotiations* between the Community and Thailand for the conclusion of an agreement on trade in textile products, on the basis of Article 4 of the Multifibre Arrangement (MFA), were started at the end of January. The two sides expressed their respective points of view; the second round of negotiations is to take place at the end of March.

The Community is seeking voluntary restraint of Thailand's exports of certain textile products considered as 'sensitive' and a special consultation clause with, in return, the suspension of the quantitative restrictions in force in the Community for textile products not covered by the agreement.

2.2.23. *Consultations* were held during these negotiations on the subsidiary issue of finding a solution to the market disruption in certain Community countries (France and the United Kingdom) caused by the sudden expansion in Thailand exports of certain knitted and crocheted goods. The upshot of these consultations was that Thailand undertook to limit its exports of these goods to France and the United Kingdom to agreed levels for 1977.

##### *India*

2.2.24. From 28 January to 1 February *consultations* were held between India and the Commu-

nity on measures to deal with the considerable increase in Indian exports to the Community of fabrics and clothes produced by the cottage industry.

Cottage industry products are excluded from the ceilings laid down in the Agreement on trade in textile products between India and the Community, subject to the proper functioning of an agreed system of certificates. However, Indian exports of these products have expanded so substantially as to constitute a threat to the Community market.

The problems posed by exports of other non-cottage industry products which are not covered by voluntary restraint ceilings and have also increased very substantially were also examined.

These consultations, which enabled the two points of view to be compared, will be resumed at Brussels in March.

#### Iron and steel products

2.2.25. On 25 February,<sup>3</sup> the Commission took a Decision derogating from the ECSC High Authority recommendation of 15 January 1964<sup>4</sup> concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community. This will suspend duties on imports of ECSC products originating in *Israel*. It extends the transitional arrangements applying since the Agreement was signed and will remain valid until the Treaty comes into force and at the latest until 30 June 1977.

<sup>1</sup> OJ L 45 of 17.2.1977.

<sup>2</sup> OJ L 331 of 30.11.1976 and Bull. EC 11-1976, point 2308.

<sup>3</sup> OJ L 62 of 8.3.1977.

<sup>4</sup> OJ 8 of 22.1.1964.

## International organizations

### International Atomic Energy Agency

#### Entry into force of the Euratom-IAEA Agreement

2.2.26. The agreement signed on 5 April 1973,<sup>1</sup> within the framework of the non-proliferation treaty (NPT), between the European Atomic Energy Community (Euratom), its seven Member States which do not have nuclear weapons and the International Atomic Energy Agency (IAEA) came into force on 21 February.

The Community and the seven Member States concerned (Belgium, Denmark, the Federal Republic of Germany, Ireland, Italy, Luxembourg and the Netherlands) have notified the IAEA that all the internal procedures necessary for the entry into force of the Agreement have been completed. The regulation necessary for the implementation of this agreement was adopted by the Council in October 1976.<sup>2</sup>

The entry into force of this agreement is of considerable importance for ensuring the Community's regular supplies of fissile materials, notably from the United States and Canada.

#### General Agreement on Tariffs and Trade

2.2.27. The GATT Committee on Anti-Dumping Practices met in Geneva on 23 February and carried out its periodical review of the way in which the signatories are applying the agreements negotiated in the Kennedy Round to make for greater clarity in anti-dumping legislation and practices.

A number of delegations referred to the difficulties caused by the increase in the number of anti-

dumping investigations conducted in *the United States* and stressed the need for international discipline in this field. The US administration had undertaken to implement the agreements concluded during the Kennedy Round negotiations, but Congress did not ratify this undertaking.

At the meeting the Japanese Delegation drew attention to the Commission's recent decision introducing an anti-dumping duty on ball bearings originating in Japan.<sup>3</sup> The Commission justified its decision as being merely a defensive measure where a market was being disrupted; it in no way meant that the Community was abandoning the liberal principles of its commercial policy.

2.2.28. The panel set up by the Gatt Council in September 1976,<sup>4</sup> at the request of the United States, to examine the compatibility with the General Agreement and the economic consequences of measures taken by the EEC in March 1976 regarding the incorporation of skimmed milk powder into animal feed, met for the first time in Geneva on 17 and 18 February. This meeting dealt exclusively with the points of view of the two parties directly concerned—the United States and the Community.

### Organization for Economic Cooperation and Development

#### High-Level Group on Commodities

2.2.29. The OECD High-level Group on Commodities met on 1 and 2 February in Paris.

There was a detailed exchange of views on the preparations for the negotiating conference on the setting up of a Common Fund, provided for in the integrated programme for commodities adopt-

<sup>1</sup> Bull. EC 4-1973, point 2325.

<sup>2</sup> Bull. EC 10-1976, point 2269.

<sup>3</sup> Point 2.2.20.

<sup>4</sup> Bull. EC 9-1976, point 2316.

ed by the fourth session of UNCTAD, in the light of the work on the second preparatory meeting held in Geneva in January.<sup>1</sup> The Group discussed the various means of compensatory financing for export losses sustained by the developing countries (notably the generalization of the Stabex system set up under the Lomé Convention, and the IMF system based on disequilibria in the developing countries' balances of payments).

### Working party on shipbuilding

2.2.30. The OECD Working Party on Shipbuilding held a further meeting on 8 and 9 February in Paris.<sup>2</sup>

The Japanese statements prompted a number of questions from the various delegations and in particular from the Community; on the whole the replies appeared to be rather vague. The OECD Secretariat was instructed to prepare a paper setting out all the aspects of the problem. The next meeting of the Working Party will take place on 22 and 23 March in Paris.

## Mediterranean countries

### Greece

2.2.31. The second EEC-Greece Financial Protocol, for which negotiations had been completed in January,<sup>3</sup> was signed in Brussels on 28 February. The Protocol will enter into force once the contracting parties have completed the ratification procedures.

### Turkey

2.2.32. The EEC-Turkey Association Committee met on 4 February. It had a wide-ranging discussion on the difficulties facing the Member

States in the cotton yarn sector owing to an increase in exports from Turkey. The Community sent the Turkish authorities a memorandum on the subject. The next meeting of the Association Committee will probably take place in March.

2.2.33. At its meeting on 8 February, the Council of the European Communities approved the substance of the third Financial Protocol with Turkey.

2.2.34. On 11 February,<sup>4</sup> Parliament adopted a resolution on the recommendations adopted by the EEC-Turkey Association Joint Parliamentary Committee on 28 April 1976 in Nice and 9 November 1976 in Ankara.

### Cyprus

2.2.35. Mr Chrisophidès, Minister of Foreign Affairs and Mr Piéridès, Minister of Trade and Industry of the Republic of Cyprus<sup>5</sup>, were received on 3 February in Brussels by Mr Jenkins, President, and by Mr Haferkamp, Vice-president of the Commission with special responsibility for external relations.

They discussed the development of the Association between Cyprus and the Community, the first stage of the agreement (which came into force in January 1973) being due to end on 30 June. The two ministers also repeated their call for an early start to the negotiations with a view to including Cyprus in the Community's overall Mediterranean approach.

<sup>1</sup> Bull. EC 1-1977, point 2.2.6.

<sup>2</sup> Point 2.1.7.

<sup>3</sup> Bull. EC 1-1977, point 2.2.33.

<sup>4</sup> Point 2.3.10.



**Malta***Trade arrangements between the Community and Malta*

2.2.36. On 18 February, the Commission presented to the Council a communication, accompanied by a recommendation, on the definition of the trade arrangements between the Community and Malta beyond 1 July 1977. On this date the first stage of the Association Agreement, which was signed in 1970 and came into force on 1 April 1971, will finally expire (after being extended in 1976). The Commission has proposed to the Council that negotiations should be opened with Malta with a view to setting up a customs union.

**Israel**

2.2.37. The Additional and Financial Protocols negotiated between the Community and Israel<sup>1</sup> were signed on 8 February. They were signed by Mr Yigal Allon, deputy Prime Minister of Israel and Minister of Foreign Affairs, Mr Anthony Crosland, President of the Council, Mr Claude Cheysson, Member of the Commission, and the Foreign Ministers of the Member States of the Community.

**Lebanon***Cooperation agreement with Lebanon*

2.2.38. Negotiations with Lebanon<sup>2</sup> for the conclusion of a comprehensive cooperation agreement were completed in Brussels on 16 February, when the text of the agreement was initialled.

The purpose of the new agreement is to establish wide-ranging cooperation between the two parties, designed to contribute to Lebanon's economic and social development. To that end, a set of provisions will be implemented covering trade

cooperation, economic, financial and technical cooperation and the establishment of joint institutions.

The Lebanese Delegation felt that, given the existing situation, the provisions of the future agreement could not meet all Lebanon's needs and particularly the most urgent ones arising in connection with the reconstruction of the country. It considered that the financial provisions, which provide for the commitment of a total of 30 million European units of account, would be an initial step towards meeting those needs. The delegation stated that its Government intended to put concrete proposals to the Community and its Member States very shortly requesting that they make a special contribution to the reconstruction effort. The Lebanese Delegation hoped that the Community and its Member States would make a substantial contribution to the reconstruction effort.

**Portugal**

2.2.31. At its meeting on 8 February, the Council had a wide-ranging exchange of views on the subject of relations between the Community and Portugal, in order to define the joint attitude to be adopted by the governments of the Member States when Mr Mario Soares, Prime Minister of Portugal, tours the nine capitals from 14 February to 12 March. The Portuguese Government announced that these visits would be followed by an official request from Portugal for accession.

This joint attitude reflects the wide consensus among Member States to respond positively to Portugal's resolve to commit itself politically to Europe. Without hiding their concern about the problems which economic integration in the short term would raise for both Portugal and the Community, the Nine decided to collaborate with Por-

<sup>1</sup> Bull. EC 1-1977, points 1.3.6 to 1.3.9.

<sup>2</sup> Bull. EC 1-1977, point 2.2.35.

tugal in seeking out all the possible means of bringing their economies closer together so that Portugal can accede completely and fully to the Community as soon as possible. First of all, the Nine will strengthen existing cooperation with Portugal, on both political and economic matters.

## Euro-Arab Dialogue

### Meeting of the General Committee

2.2.40. The General Committee of the Euro-Arab Dialogue held its second session in Tunis from 10 to 12 February. The European delegation was headed by Mr Richard Faber, Under-Secretary of State at the Foreign Office, and Mr Klaus Meyer, Deputy Secretary-General of the Commission. The Arab Delegation was led by H. E. Mr Ismaïl Khelil, Head of the Tunisian Mission to the European Communities and Mr Hussein Khallaf, Assistant Secretary-General of the League of Arab States.

The main points to be noted regarding the meeting are as follows:

The political debate took place in a relaxed atmosphere; both sides presented their points of view and listened to each other without going out of their way to seek common positions.

It has been found that of the two parts of the dialogue the specifically economic part is increasingly becoming more important than the political part as successive meetings are held. In Tunis the General Committee made considerable progress in this field, on four points in particular:

(i) The problem of the financing of all Dialogue activities, except for actual development projects, is now resolved: the Arabs have pledged \$15 million while the Community will have to provide a further, but smaller, sum which still has to be determined and will become operational via Community budgetary procedures. This sum is intended for project pre-feasibility studies, joint

research projects, technical aid, cultural cooperation and so on.

(ii) The establishment of a Euro-Arab centre for the transfer of technology has been decided in principle. A joint declaration on the transfer of technology between the two regions is to be drawn up.

(iii) The specific terms for a Euro-Arab trade cooperation centre are to be studied.

(iv) A draft multilateral convention on protection of investments against non-commercial risks is to be drawn up.

These results show that a start has been made on providing the dialogue with the array of instruments needed to translate the special relationship into concrete achievements.

The next meeting of the General Committee will be in Brussels in September; Saudi Arabia will take the chair for the Arab side.

2.2.41. At the end of the meeting the following joint communiqué was issued:

### Final communiqué

#### I

1. The General Committee of the Euro-Arab Dialogue held its second session in Tunis from 10 to 12 February 1977. The meeting was opened by H. E. Mr Habib El Chatty, Minister of Foreign Affairs of Tunisia and President-in-Office of the League of Arab States. He addressed the Committee.

2. In recognition of the importance of this Euro-Arab meeting, H. E. the Prime Minister of Tunisia received the Co-Chairmen of the two delegations and the representatives of the League of Arab States, the European Commission and the two delegations.

3. Both sides deeply appreciated the hospitality and warm welcome extended to them by the Tu-

nisian Government and people and all the efforts made to ensure the smooth organization of the meeting.

4. Both sides noted with satisfaction the positive spirit, the objectivity and frankness characterizing this meeting, which they are agreed has succeeded in cementing the idea of the Dialogue, strengthening its foundations and procedures and better acquainting both sides with the areas of joint cooperation. The meeting embodied the joint political will of both sides as underlined by the Foreign Ministers of the European group at their meeting in London on 31 January and the Arab Foreign Ministers in their Cairo meeting on 15 January.

5. This meeting provided both sides with the opportunity to exchange views on all aspects of Euro-Arab cooperation, political, economic, social and cultural. Both sides examined carefully each other's positions and considered extensively a number of important topics related to these aspects of their cooperation.

6. Both sides emphasized their great concern about security in the Middle East and its implication for European and world security. They expressed full awareness of the dangers inherent in the persistence of the current stalemate and of their mutual interest in the establishment of a just and lasting peace in the Middle East.

7. Both sides explained their views on the Middle East problem, including the question of Palestine. They noted with great interest the statements made by each other in this respect. They reaffirmed that a solution to the question of Palestine based on the recognition of the legitimate rights of the Palestinian people is a crucial factor in achieving a just and lasting peace.

8. The European side expressed its conviction that the principles included in the Declaration of 6 November 1973, as elaborated since then in statements made by the Nine, notably on the legitimate rights of the Palestinian people, constitute the basic elements of a Middle East peace

settlement and that these principles must be taken as a whole. The European side restated its view that a solution of the conflict in the Middle East will be possible only if the legitimate right of the Palestinian people to give effective expression to its national identity is translated into fact.

9. The European side reiterated the concern of the Nine over the continued Israeli occupation of Arab territories since 1967. They maintained that the Fourth Geneva Convention was applicable to the occupied territories and opposed the policy of establishing settlements there, which could only prejudice the prospects for peace. They were also opposed to any moves to alter unilaterally the status of Jerusalem. The Arab side expressed its appreciation of this attitude.

10. The European side welcomed the improved situation in Lebanon and expressed support for its independence, unity and territorial integrity. The Arab side expressed its appreciation for this position, which is in accord with the joint Arab will to reconstruct an independent unified Lebanon.

11. The European side took note of the proposal put forward by the Arab side to establish a committee for political consultation between the two sides. The European side undertook to consider this proposal with due attention.

12. The third meeting of the General Committee will be held in principle in September.

## II

The General Committee reviewed the work carried out by the various Working Committees and Specialized Groups since its last meeting in Luxembourg on the basis of reports presented to it by the Co-Chairmen of the Working Committees. It notes that satisfactory progress had been made in a number of fields of cooperation.

The General Committee devoted particular attention to the following subjects on which it estab-

lished guidelines for the future work of the experts.

#### A. Financing the activities of the Dialogue

The General Committee decided to establish an ad hoc group which will be responsible for working out the procedures necessary for the utilization of the financial contributions which the Arab side pledged itself to make in accordance with Resolution No 3536 of 15 January 1977 adopted by the Arab Ministers of Foreign Affairs at the meeting of the Council of the League of Arab States and of a contribution which the European side also pledged itself to make with a view to financing preliminary and feasibility studies and other activities in the Dialogue. This group will submit its report to the Secretariat-General of the League of Arab States and to the European Commission by 31 July 1977 at the latest. This report will be examined at the next meeting of the General Committee of the Euro-Arab Dialogue.

#### B. Transfer of Technology

1. The European side circulated a memorandum setting out their initial ideas in the field of Transfer of Technology including the elements which the European side consider essential for the strategy in this area and the setting up of a Euro-Arab centre for technology transfer as suggested by both sides.

2. The General Committee agreed in principle to establish such a centre.

3. It approved the creation of an ad hoc group with the following mandate:

- elaboration of a draft for a joint declaration on the transfer of technology between the two sides;
- elaboration of recommendations for the establishment of a Euro-Arab centre for the transfer of technology.

4. The ad hoc group will be composed on the Arab side of the president and the members and

experts of the Working Committee on Scientific and Technological Cooperation, and on the European side of the members of the Industrialization Working Committee and members and experts of the Working Committee on Scientific and Technological Cooperation.

5. The group will submit its conclusions in a report to the Secretariat-General of the League of Arab States and to the European Commission by 31 July 1977 at the latest. This report will be examined at the next meeting of the General Committee of the Euro-Arab Dialogue.

6. The General Committee approved the continuation of the Dialogue with a view to bringing the viewpoints on the subject of transfer of technology closer together.

#### C. Commercial cooperation

The General Committee examined the work done by the Working Committee on Trade. It noted that the Arab side had reiterated its request to establish special and preferential relations with the Community through the conclusion of a collective agreement embracing all the Arab countries.

While agreeing on the importance of increasing and diversifying the exports of the Arab countries for the development of the latter, the European side continues to believe that the existing instruments of the Community's commercial policy are capable of solving the specific problems. It confirmed its resolve to reinforce commercial cooperation between the two sides.

The General Committee recommends that the Working Committee continue its work with a view to finding solutions that are satisfactory to both sides.

The European side noted that the Arab side is requesting the setting up of a 'Euro-Arab Trade Cooperation Centre'. It is prepared to examine the specific terms of such a project on the basis

of the information and clarifications provided by the Arab side, especially as regards the aims and operation of such a Centre and particularly its financing.

#### D. Protection and encouragement of investment

The General Committee, subject to conclusions to be reached by the Working Committee on Financial Cooperation:

##### 1. Requests the working Committee on Financial Cooperation:

- (i) to supply it with a summary of the provisions laid down by law or regulation on foreign investment in force in the Arab and European countries;
- (ii) to submit to it a proposal for a decision concerning the dissemination of this information, so as to provide investors of both sides with the practical information they may require.

2. The General Committee requested the Working Committee on Financial Cooperation to submit to it as soon as possible proposals on the scope and content of a multilateral Euro-Arab convention on the protection of investment. This convention would be additional to existing and future bilateral agreements between member countries of the Community and of the Arab League, it being understood that it would not prejudice any more restrictive provisions in those agreements. The Sub-Group on investment protection should consider a wide definition of the term 'investment' to include portfolio investments, short-term investments and monetary claims, etc.

3. The General Committee noted that monetary risks represented a major problem facing Arab assets in the EEC. The General Committee recommends that the Committee on Financial Cooperation continue consultation about possible measures that could be taken in this respect.

#### E. Labour

The General Committee, having noted the efforts made by the two sides to implement that which appears in the Final Communiqué of the Luxembourg meeting, recommends that the Working Committee continue its efforts to:

- (a) Specify the principles governing the living and working conditions of migrant workers;
- (b) promote cooperation in respect of vocational training;
- (c) carry out an exchange of views and information on other social matters.

#### F. Agricultural projects

The General Committee

— notes the progressive and positive results so far achieved both within the Working Committee on Agriculture and Rural Development and by the specialized group for the Juba Valley Development project.

— calls on the Working Committee for Agriculture and Rural Development to study as a matter of urgency the proposals of the specialized group for the Juba Valley Development project and, assuming that the Working Committee agrees on the desirability of implementing the requisite studies for this project, empowers the two Co-Presidencies—as a provisional arrangement pending the establishment of permanent procedures—to recommend the release of the necessary funds for these studies, subject to their availability.

— notes that the Sudanese Government undertakes to submit adequate documentation in respect of the Damazine Meat Development project by 1 March 1977 and in respect of the South Darfur Integrated Rural Development project by 15 March 1977.

— urges the Working Committee to convene as soon as possible the specialized groups which will study the Iraq Potato development project, the

South Darfur Integrated Development project and the Damazine Meat Development project.

#### G. General terms of contracts

The General Committee invites the Working Commission for industry to define and submit principles and general guidelines for the drawing-up, signing and implementation of contracts. These principles and guidelines must enable standard contract provisions to be worked out which can act as a reference for the contracting parties.

#### H. Cultural cooperation

The General Committee, having noted the action already being taken in the cultural field, requests the working Committee:

1. To compile the catalogue of cultural and scientific institutions in accordance with the recommendations of the relevant Specialized Group;
2. To facilitate the exchange of history books in the two regions in order to promote a better understanding of the civilization and history of the two regions;
3. To draw up a programme for increasing cooperation in the information field in accordance with the working paper examined at the Tunis meeting (October 1976).

## ACP States and the OCT

### Lomé Convention

#### Accession to the Convention

2.2.42. On 14 February the Council formally adopted the Decisions<sup>1</sup> on the implementation of the accession to the ACP-EEC Convention of

Lomé of three former overseas countries and territories (OCT)—Surinam, Seychelles and the Comores—Decisions it had adopted in principle at its meeting on 14 January.<sup>2</sup> The accession of the Three States had been approved by the ACP-EEC Council of Ministers in July 1976;<sup>3</sup> it had entered into effect when they deposited their acts of accession.

2.2.43. Following these accessions, Mr James M. R. Mancham, President of the Republic of Seychelles, visited the Commission on 7 February and had talks on questions of cooperation between the Community and Seychelles.

During a visit to Brussels on 10 February, Mr Abdallah Mouzaïr, the Minister of Foreign Affairs of the Comores, signed, together with Mr Cheysson, a financing agreement on the first aid programme for his country and a transfer agreement under the Stabex system for 1975.

#### Activities of the institutions

##### *Committee on Industrial Cooperation*

2.2.44. The second meeting of the Committee on Industrial Cooperation (CIC) took place on 15 February; in attendance were representatives of the nine Member States, of the Commission and of the EIB and representatives of the ACP States.

Agreement was reached on the Committee's Rules of Procedure and on the Financial Regulation of the Centre for Industrial Development (CID); the setting-up of the Consultative Council was postponed until the next meeting, scheduled for mid-March. Lastly, the Director of The Centre for Industrial Development presented its provisional annual action programme and an outline budget.

<sup>1</sup> OJ L 46 of 18.2.1977.

<sup>2</sup> Bull. EC 1-1977, point 2.2.37.

<sup>3</sup> Bull. EC 7/8-1976, point 2347.

## Export earnings from commodities

### Application of the Stabex system

2.2.45. A transfer agreement was signed between the Commission and *Mali* on 14 February; the sum involved was 648 503 EUA and offsets the drop in earnings from exports of cotton that *Mali* suffered in 1975.

Transfers for 1975 now total 72 786 335 EUA. This sum is below the annual instalment of 75 million EUA allocated to the system, with the result that the balance of 2 638 665 EUA is automatically carried over to 1976, as stipulated in the Lomé Convention.

On 7 February, a transfer agreement for the sum of 298 304 EUA was signed between the Commission and the Comores to offset the fall in earnings from copra exports. This State—a former overseas territory which acceded to the Lomé Convention after independence—still receives compensation from the allocation earmarked for the stabilization of export earnings of the OCT.<sup>1</sup>

## Association of the overseas countries and territories

### Application of the Stabex system

2.2.46. The Stabex system of the Lomé Convention has been applied for the first time to the OCT. The Council Decision of 29 June 1976<sup>2</sup> on the association of the overseas countries and territories with the European Economic Community provides for a system of stabilizing export earnings similar to that existing for the ACP States. The following transfer agreements—relating to 1975—were signed in February:

OCT	Product	Amount of transfer in EUA
Belize	sawn wood	139 650
New Hebrides	copra	1 103 499
French Territory of the Afars and Issas	hides and skins	256 894
		<hr/> 1 500 043

In view of the fact that, under the Internal Agreement on the financing and administration of Community aid, the Comoros still receive transfers from the allocation earmarked for the stabilization of export earnings of the OCT, the total transfers to be made under this heading amount to 1 798 347 EUA. They are well below the annual sum allocated to the OCT Stabex system (4 million EUA). The remaining 2 201 653 EUA is automatically carried over to 1976.

## European Development Fund

### New financing decisions

2.2.47. After receiving a favourable opinion from the European Development Fund Committee, the Commission took the following decision on 2 February to finance as a loan on special terms under the fourth EDF:

Ivory Coast, Ghana and Togo—(regional project)—participation in the financing of the construction of a clinker plant for the Société des ciments de l'Afrique de l'ouest (CIMA0—West Africa Cement Company): 18 million EUA. The estimated total cost of this major project is almost 250 million EUA.

The CIMA0 clinker plant is the first regional industrial project on this scale to be carried out in West Africa. The aim is to build a clinker plant

<sup>1</sup> Point 2.2.46.

<sup>2</sup> OJ L 176 of 1.7.1976 and Bull. EC 6-1976, point 2355.

to produce an annual 1 200 000 tonnes at Tabligbo in Togo. The project also includes the work on the support infrastructure such as linking the plant to the existing electrical network, providing the clinker unloading terminal at the port of Lomé, building the 50-km rail link to the port and setting up a housing estate for the workers.

The Government of Togo, Ghana and Ivory Coast have majority holdings in CIMAO and consider the project a top priority one, which can serve as a model for industrial cooperation at the same time as exploiting local natural resources to meet local needs.

This decision brings total commitments under the fourth EDF to 447 690 000 EUA.

## Other countries

### *Industrialized countries*

#### United States

*Mr Gundelach has talks in Washington*

2.2.48. At the invitation of Mr Robert Bergland, the US Secretary of Agriculture, Mr Finn-Olav Gundelach, Vice-President of the Commission with special responsibility for agriculture and fisheries visited Washington from 22 to 24 February.

During the visit Mr Gundelach had informal and exploratory talks with Mr Bergland and senior officials of the new US administration. Following these useful preliminary contacts, further talks will be held at a date to be fixed later.

#### Canada

2.2.49. Talks took place in Brussels on 11 February 1977 between Mr Blair Seaborn, the *Canada*

*dian Deputy Minister for the Environment*, and Mr Lorenzo Natali, Vice-President of the Commission with special responsibility for problems relating to the environment.<sup>1</sup>

#### EFTA countries

##### *Finland*

2.2.50. In February Finland decided to apply *safeguard measures* (countervailing duty equal to the difference between the import price and the basic price) in respect of imports of *rubber boots*. The Commission is at present examining this measure, which is similar to the one adopted in December 1976 in respect of tights, to determine whether it can be justified under the sectoral and regional safeguard clause in the EEC-Finland Agreement.

##### Japan

2.2.51. At the meeting on 8 February the Council heard a report from the Commission on *progress in the talks* being held with Japan and asked the Commission to continue the talks.

2.2.52. At the meeting of the OECD *Working Party on Shipbuilding* which was held in Paris on 8 and 9 February<sup>2</sup> certain measures were proposed by the Japanese Delegation.

2.2.53. Consultations held in Brussels on 7 and 8 February between the Commission and Japan provided an opportunity for examining the possibility of improving access to the Japanese market for *processed agricultural products*. The Community presented a provisional list including certain milk products, preserved meat, biscuits, alcohol, wine and tobacco.

<sup>1</sup> Point 2.1.30.

<sup>2</sup> Point 2:1.7.



The Commission representatives pointed out that this sector was of considerable importance in the general context of the Community's overall trade deficit with Japan. The Japanese Delegation explained the situation of the agricultural market in Japan and the policies pursued in the sector in question.

2.2.54. There was also a meeting in Brussels on 10 February between a Japanese Delegation and Commission staff to consider *fisheries* problems.<sup>1</sup>

## Developing countries

### Asia

#### India

2.2.55. A Commission delegation led by the Director-General for Research, Science and Education visited New Delhi from 1 to 5 February to explore opportunities for *scientific and technological* cooperation between India and the Community.

The discussions covered the research the programmes of both parties and enabled a number of areas of mutual interest to be identified, in which the proposed cooperation could be implemented: new sources of energy, (particularly solar energy), environment, teledetection and scientific and technical information.

The participants considered that there should be a systematic exchange of documentation and research workers in these areas and that in certain cases the two sides should use each other's test installations; the possibility of a joint study on coal gasification techniques was also examined.

## Diplomatic relations

2.2.56. The President of the Council and the President of the Commission received Their Excellencies Mr Joseph Muliro (Kenya), Mr Edgar Ugalde-Alvarez (Costa Rica) and Mr Zine El Abidine Sebti (Morocco) who presented their letters of credence in their capacity as heads of their countries' missions to the European Communities (EEC, ECSC, EAEC) with effect from 8 February 1977.<sup>2</sup>

The new Ambassador for Kenya replaces Mr Daniel Owino who represented Kenya and the two other East African countries at the EEC from 1968 to 1970. The other two Ambassadors replace Mr Eduardo Echeverria-Villafranca (Costa Rica) and Ahmed Benkirane (Morocco) who have been appointed to other duties.

<sup>1</sup> Point 1.2.8.

<sup>2</sup> OJ C 67 of 17.3.1977.

### 3. Institutional and political matters

Parliament

#### Institutions and organs of the Communities

##### Parliament

###### *Part-session in Luxembourg from 7 to 11 February*

2.3.1. The main feature of the February sittings was the presentation by Mr Roy Jenkins of the Commission's Programme. This offered the house the first opportunity to put critical questions to the Commission President since he took office in January.

The other items on the agenda concerned direct elections, energy policy, human rights and fundamental freedoms and economic and consumer policy questions.<sup>1</sup>

###### **General Report for 1976 and programme for 1977** (8 and 10 February)

2.3.2. Six weeks after taking office, President Roy Jenkins presented the General Report on the Activities of the European Communities in 1976 and the Commission's work programme for 1977.<sup>2</sup> An election atmosphere pervaded the debate two days after the Programme Address. Nearly all speakers referred to the 1978 European elections. They all held that this decisive event for the Community was the yardstick by which to measure the programme for the Commission's four-year term and especially its first year of activity.

###### **Parliament's rights of control— withdrawal of the motion of censure tabled in December 1976** (10 February)

2.3.3. In the debate on President Jenkin's Programme Address, Mr Jahn (C-D/D), Chairman

of the Control Sub-Committee, told the House that the Commission had undertaken to provide the Sub-Committee with certain documents which it needed.

When the Commission had refused to hand over certain papers which the Control Sub-Committee felt it ought to have, Parliament had in December threatened a motion of censure.<sup>3</sup> All the Commission required now was a procedure to ensure that such material was treated as confidential. It was felt that this justified suspending the motion of censure.

###### **Direct election: Parliament urges intensive preparations** (8 February)

2.3.4. The Commission's information policy must give top priority to the direct elections. This was the unanimous call voiced in the Resolution on the Community's information policy relating to the preparations for the first European elections in 1978. The Commission was urged to submit this specific information programme by 30 March so that the House could discuss it during the May sittings. One prime concern should be to coordinate the information operations of the Commission and Parliament. The Political Affairs Committee was instructed to draw up a report for the May part-session.

<sup>1</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 57 of 7.3.1977 and the report of proceedings is contained in OJ Annex No 212.

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, DEP = European Progressive Democrats, COM = Communists and Allies; B = Belgium, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

<sup>2</sup> Main features of the Programme Address and the debate, points 1.1.1 to 1.1.18.

<sup>3</sup> Bull. EC 12-1976, point 2403.

### **Fundamental rights** (10 February)

2.3.5. The Council, the Commission and Parliament are to publish a joint declaration on the protection of fundamental human rights. Parliament approved the draft of this declaration, which reads as follows:

'The European Parliament, the Council and the Commission,

Whereas the Treaties establishing the European Communities are based on the principle of respect for the law;

Whereas, as the Court of Justice has recognized, that law comprises, over and above the rules embodied in the Treaties and secondary Community legislation, the general principles of law and in particular the fundamental rights, principles and rights on which the constitutional law of the Member States is based;

Whereas, in particular, all the Member States are Contracting Parties to the European Convention for the protection of human rights and fundamental freedoms signed in Rome on 4 November 1950,

Have adopted the following declaration:

1. The European Parliament, the Council and the Commission stress the prime importance they attach to the protection of fundamental rights, as derived in particular from the constitutions of the Member States and the European Convention on the protection of human rights and fundamental freedoms.

2. In the exercise of their powers and in pursuance of the aims of the European Communities they respect and will continue to respect these rights.'

### **Community law and criminal law** (10 February)

2.3.6. In enforcing Community law, the Community has to rely almost entirely on the legal systems of the Member States. This leads to disparities such as differential treatment of cases, distortion of competition etc. The Commission's powers of sanction under the EEC Treaty are not such as to provide a complete solution to the problem of Community law enforcement. Parliament therefore called for harmonization of existing provisions of national legislation relating to sanctions for breaches of Community law and referred to Article 100 of the EEC Treaty which provides for instances where existing disparities 'directly effect the establishment or functioning of the common market.' The House noted with regret that the ideal solution, namely a Community criminal jurisdiction with its own procedures, could not be achieved in the near future. Parliament therefore called upon the Member States to cooperate urgently in measures designed to ensure that breaches of Community law are the subject of sanctions under their national legislations particularly to prevent fraud upon Community funds.

### **Fisheries** (9 February)

2.3.7. Against the background of the latest Council negotiations relating to Community fisheries policy, Parliament tackled the question of the conservation and management of fishery resources within the Community's territorial waters. The basis of the debate was a report on the Commission's proposal for a Regulation and a question from the Socialist group.

After scrutinizing numerous proposed amendments particularly from Irish members of the Group of the European Progressive Democrats, the House finally agreed a 32-point Resolution. Concerning the question of a common fisheries

policy towards non-member countries, Parliament urged that negotiations be concluded without delay so that fishing by those countries in Community waters would be phased out. Access to the 200-mile Community zone should be strictly controlled by licences issued in return for corresponding licences giving Community fishermen access to the waters of these other countries. The Council and Commission should urgently examine the problem of policing the 200-mile zones. On internal fisheries policy, the House wanted to see catch quotas for each Member State, licencing arrangements to limit fishing, reserved fishing zones and coastal fishing conservation zones policed by the coastal State. The basic prerequisite for all stock conservation measures was an effective structural policy linked to the Regional and Social Funds.

The basis of an internal fisheries policy must be the establishment of scientifically derived quotas and an efficient inspection system based on the national systems and applied on behalf of the Commission. An allocation of quotas according to 'past performance' could not be accepted. The Commission's proposal had a mixed reception; the licencing arrangements were accepted and sanctions rejected.

**Minimum safeguard price for oil;  
energy policy objectives**  
(8 February)

2.3.8. The Community's future energy policy strategy was the subject of a general debate. It was prompted by the decision to be taken by the Council whether to introduce a minimum safeguard price for oil. Underlying the debate were two Committee reports, one of which dealt with the specific question of whether such a minimum price would serve a purpose while the other set out the analysis, made about a year ago, of the consequences of the energy crisis. It emerged from the debate that the two reports were not easy to consider as a pair.

*Minimum price for crude oil as a 'safety net'*

Presenting his report, Mr Giraud (S/F) looked in detail at the possibilities of developing alternative sources of energy and the difficulties of establishing a minimum safeguard price for imported crude oil. The idea of a minimum safeguard price first surfaced in the International Energy Agency (IEA) over a year ago. It was proposed to the governments of the sixteen member countries of the IEA that a price of US \$7 be established. No country would then be able to market crude oil at a lower price. The price of US \$7 per barrel (as against the current import price of about US \$12) was supported by the Commission in its memorandum.

Even if it was not an ideal solution, Mr Giraud felt that as a 'safety net' the proposed minimum price had much to recommend it. It was to be regarded as a political compromise between the countries which had wanted a higher price and those who favoured an even lower one. Mr Giraud was convinced that without such a safeguard it would be impossible to achieve the long-term objective of independence in energy supplies. He emphasized two conditions: (i) the Community must demonstrate complete solidarity and cohesion; there was no question of calling in doubt either the conditions of ownership or the exploitation of energy sources within the Community, and (ii) the safeguard mechanism, as planned, must not be regarded as an encouragement to still higher prices.

Mr Flämig (S/D) emphasized that a minimum safeguard price was no guarantee of sales. Such a price embodied the principle of free competition. Nobody wanted the energy market to be organized in the same way as the agricultural market. Mr Hougardy (L/B) harshly criticized those who were holding up the JET project and bore witness to Commissioner Guido Brunner's exemplary courage.

Mr Cousté (DEP/F), however, called the idea of a minimum safeguard price an 'American inven-

tion' and said that the United Kingdom was the chief beneficiary. Solidarity in bearing the burdens, as expressed in the intended system, must be backed up by solidarity in access. The new oil wealth must benefit all Community citizens, said Mr Cousté. The Giraud report gained the approval of Mr Leonardi (COM/I), who said that on the Guldberg report his Group would abstain.

Mr Lange (S/D) was extremely sceptical. He was afraid of a polarization into producer and purchaser cartels and called the trend towards cartelization of external economic relations irresponsible. Mrs Walz (C-D/D) tried to convince him to the contrary; she contended that the minimum safeguard price was specifically intended to promote investment in replacement energy sources.

#### *Increased energy prices and competitiveness*

Regarding the nature and extent of the problem arising in individual countries and industries of the Community as a result of increases in oil prices in recent years, Mr Normanton (C/UK), on behalf of the rapporteur, Mr Guldberg (L/Dk), made the following points: shifts in incomes had occurred not only between the developing and industrial countries but also within both groups. It would take more than price increases in the raw materials sector to solve the problems of the developing countries. In the last analysis the decisive factors for the competitiveness and economic prospects of the individual countries and groups of countries were international agreements, the pace of technological advance and the ability of countries to adapt to new economic conditions. Parliament came to the conclusion that a continued world-wide improvement in standards of living could only come about via a sweeping reform of the world economy. In the course of this long-term restructuring process, the Community must allow for future growth. This was the only way to solve the present problems (employment, structural change, environmental protection and elimination of social disparities). The

joint guarantee and inclusion of long-term considerations in establishing energy prices was of paramount importance.

For the Commission, Mr Brunner felt that the debate had shown how difficult it was to arrive at a common energy policy on a Community scale. The minimum safeguard price, nuclear energy saving and the relationship between producer and consumer countries were all single facets of the overall problem. Mr Brunner reiterated the warnings which he had already issued; if the Community failed to define an energy policy now, it would soon suffer the consequences. It had apparently forgotten that the increased oil prices had hit the Community relatively harder than the United States or Japan. As for North Sea oil, we had to be realistic; it could cover only 10% of imports.

As in the debate, opinions were also divided when it came to the vote. The Conservatives, the European Progressive Democrats and one German and one French Socialist voted against the minimum price report, while, with the exception of the Communist vote, the report on the effect of increased energy prices on competitiveness was unanimously endorsed.

#### **Industrial policy**

##### *Causes of the crisis in the shipping industry* (10 February)

2.3.9. An own-initiative report by Parliament had been prompted by a motion for a Resolution tabled by Mr Bangemann (L/D) about a year ago. Meanwhile fresh developments such as the collapse of the tanker market, acceptance of the UN Code of Conduct by several States and the Conference on the Law of the Sea had given sharper contours to the problems broached in the Resolution, in particular the need to coordinate shipping and shipbuilding in the Community. The rapporteur surveyed the present difficulties in shipping: the collapse of the tanker market, flag

discrimination and the UN Code of Conduct, surpluses and dumping (especially by Comecon), foreign flags and social conditions. The problems in *shipbuilding* were due to the tanker crisis and Japanese competition. In conclusion, Mr Prescott spoke of the attempts to overcome the problems by means of State aids and action by the OECD and the Community.

In its Resolution, the House stressed the urgency and importance of developing an industrial policy 'embracing the interdependent sectors of shipping, shipbuilding and ship-repairing, including the construction of naval vessels, and commercial policy'

### External relations

*Parliament approves the recommendations of the Joint Parliamentary Committee of the EEC-Turkey Association*  
(11 February)

2.3.10. Mr Klepsch (C-D/D) had drawn up a report on the results of the 21st and 22nd meetings of the EEC-Turkey Association Joint Parliamentary Committee (Nice, 28 April 1976 and Ankara, 9 November 1976), which emerged in the form of six recommendations. These concern the Cyprus and Aegean question and economic, social and financial cooperation. On the question of Turkish workers in the Community, it was stressed that the free movement of workers must be implemented between 1 December 1976 and 30 November 1986 by full application of Article 12 of the Ankara Agreement and Article 36 of the Additional Protocol. The possibility of 'gradual' implementation was considered for the first stage. The Joint Committee had also pointed out that free movement 'must not lead to an uncontrolled mass migration of workers.' The first stage could therefore begin under central surveillance of the mechanism of supply and demand. Parliament endorsed the recommendations.

*North-South Dialogue*  
(9 February)

2.3.11. The statement of the European Council on the North-South Dialogue<sup>1</sup> had indicated that the Community was prepared to make as positive a contribution as it could. The European Progressive Democrats wanted to know what in fact it was doing.

Remarking that 'postponed does not mean simply put off,' Mr Tomlinson the UK Under-Secretary of State and President of the Council commented on the latest deferment of the ministerial session of the North-South Dialogue. Its resumption would depend on whether there was a likelihood of progress on matters of substance. This would require not only positive contributions from the industrial countries, but also an effort on the part of the group of nineteen (the developing countries). Mr Tomlinson declined to give any more precise details so as not to disclose prematurely the negotiating position.

*Violation of human rights in Uruguay*  
(10 February)

2.3.12. In reply to an Oral Question about a year ago, the Commission had assured the House that it would not grant the special trade concessions which Uruguay had requested as long as the Uruguayan Government continued to flout human rights.<sup>2</sup> Reports from Amnesty International indicate that the situation of political prisoners in Uruguay is getting worse and worse. This even led to a decision by the United States Congress on 20 September 1976 to give Uruguay no more military aid. After Chile, Uruguay is thus the second South American country to which the United States, because of repeated violations of human rights, is no longer giving military support.

<sup>1</sup> Bull. EC 11-1976, point 2316.

<sup>2</sup> Bull. EC 5-1976, point 2409.

Against this background, the Socialist Group asked the Commission whether the meeting of the EEC-Uruguay Joint Committee, scheduled for June 1976, had actually taken place, whether the Commission had agreed to grant the trade concessions requested by the fascist government in Uruguay and whether it was prepared to reconsider its commitments in the light of the disclosures by Amnesty International. The Commission also had to face up to the moral issue of whether the Community should not take as firm an attitude as the United States towards Uruguayan junta.

For the Commission, Mr Haferkamp agreed with the questioners in condemning the suppression of human rights. He admitted that the Joint Committee had in fact met, this being a legal obligation under the 1973 non-preferential Agreement. For the Community, any further development of the Agreement was out of the question.

## Financial institutions

*Coordinating legal provisions for transferable securities*  
(8 February)

2.3.13. Parliament welcomed the proposal for a Directive to coordinate laws, regulations and administrative provisions regarding collective investment undertakings for transferable securities as the prerequisite for the free movement of the units of these undertakings within the Community.

## Protecting the environment

*Deferment of the Directive on titanium dioxide waste*  
(9 February)

2.3.14. The further delay in approving the Directive on the discharge of titanium dioxide

waste at sea prompted a question from several members of the Communist Group. This waste, known as 'red mud,' had appeared off the coasts of Italy and southern France. The questioners pointed to the danger of adding an extra burden to the production costs of firms which had already installed or intended to install expensive purification plants in comparison with those which had been authorized by their governments not to do so.

## Consumer protection (7 February)

2.3.15. Several members of the Socialist Group asked the Commission to say what exactly were its plans in-respect of consumer protection. When taking up office, President Jenkins had spoken of more consideration for the consumer's interests.

Answering the question, Mr Burke, the Member of the Commission with responsibility for this sector, indicated that an action programme for consumer protection would soon be made public. Special attention would be paid to consumer information. Mr Burke told the House that a colloquium on this subject was planned for the second half of the year and also referred to Directives now being prepared on consumer credit, advertising and labelling.

Speaking for the Christian Democrats, Mr Jahn (D) called for greater consideration of the consumers' interest already in the planning and preparatory stages. For Lord Bruce (UK), speaking for the Socialists, consumer protection was not enough. A change of direction was required, to orient Community legislation towards consumers. For all too long the Community had gone to great lengths to protect the producer. Mr Cousté (DEP/F) struck a different note. He felt that the producers' and consumers' interests were complementary. Consumers must rid themselves of their complex of perpetual sufferers.

<sup>1</sup> Bull. EC 4-1976, point 2118.

## Transport policy

### *Women on barges?* (7 February)

2.3.16. Parliament opposed discrimination against the employment of women in goods transport by inland waterway. In its proposed Regulation on the harmonization of certain social provisions relating to goods transport by inland waterway, the Commission had incorporated many detailed provisions which would make it harder for women to find work on European waterway vessels. One of the reasons given was that equipment was difficult to handle. The House contended, however, that only in certain stages of pregnancy were special arrangements required. It also considered that many other Articles in the proposal needed to be revised.

## Budgetary and financial matters (11 February)

### *Mutual assistance for the recovery of Community claims*

2.3.17. Parliament once again stressed the urgent need to establish at Community level a system that would ensure uniform and equitable application of Community Regulations governing the collection of own resources and the recovery of claims resulting from operations connected with the EAGGF. Parliament would give its final opinion when a proposal had been submitted for a separate Directive for the recovery of claims relating to VAT, excise duties and other consumption taxes.

### *Conversion rates for EAGGF expenditure*

2.3.18. From 1 January 1977 expenditure in the Community budget arising from application of different conversion rates was to be entered as a separate budget item. Parliament approved this

proposal, which refers to the differences arising from the fact that representative rates are used for the conversion of EAGGF aids into national currencies, while, for entries in the Community budget, budgetary rates are applied to convert expenditure in national currencies.

## Agricultural policy

### *Maize sugar syrups* (11 February)

2.3.19. The Christian Democrat Group asked the Commission about the dangers for sales of Community beet sugar and ACP cane sugar arising from the increased production of maize sugar syrups with a high fructose content. The Commission was urged to extend as soon as possible the market rules applicable to sugar in solid form (saccharose) to cover certain isomeroses and to terminate any measures likely to cause distortion of competition between sugar beet production and that of maize sugar syrups.

### *Arrangements for imported sardines* (9 February)

2.3.20. On the basis of an amendment tabled by the European Progressive Democrats, Parliament accepted the system of minimum prices proposed by the Commission. The Committee on Agriculture had asked the Commission to work out a more flexible proposal which would be fair to the producer and consumer interests and to the exporting countries outside the Community and which above all should prevent price increases.

### *Citrus fruits — tobacco* (11 February)

2.3.21. Parliament agreed that aid granted hitherto to mandarine and orange growers should



be adapted to new criteria. The House also urged that the planned replanting measures for tobacco (Beneventano variety) should be rapidly put into operation.

### Question Time

(8 and 9 February)

#### *Channel Tunnel finally shelved?*

2.3.22. Question Time began with a brief debate on the temporarily shelved Channel Tunnel project. The Commission found itself caught in a crossfire between French, Dutch and British members who wanted to know whether it no longer wished to promote the Tunnel project now that the European Investment Bank had granted a loan to British Railways for the purchase of a new hovercraft for the cross-Channel service.

#### *Ratification and preparation of the direct elections*

2.3.23. The President of the Council, Mr Tomlinson, had no reason to fear any delay in the direct elections set for May-June 1978. Answering a question from two British members, he confirmed that his government would do its utmost to meet the deadline. He knew of no complications in other Member States to cause concern over the election date.

#### *Initial harmonization of conditions governing driving licences*

2.3.24. In answer to a question from Mr Seefeld (S/D), the President of the Council could not yet say when the Directive on the harmonization of laws relating to vehicle driving licences would be adopted. Nor could he confirm the intentions of his ministerial colleague, Mr Rodgers, about stepping up work in the transport sector. Harmonization of driving licences involves the optional is-

sue of a European driving licence for cross-frontier traffic while internal regulations would remain valid for internal traffic.

### Council

2.3.25. In February the Council held three meetings on foreign affairs, economic and financial affairs and agriculture.

#### **435th meeting — Foreign affairs** (Brussels, 8 February)

2.3.26. *President:* Mr Crosland, 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 and Mr Davignon, Members.

*Euro-Arab Dialogue:* The Council approved the Community position for the next meeting of the General Committee of the Euro-Arab Dialogue.<sup>1</sup>

*Japan:* The Council heard a report from the Commission on progress in the talks being held with Japan and asked the Commission to continue the talks.<sup>2</sup>

*Spain:* The Council held an exchange of views on ways and means of regularizing relations between Spain and the Community before the end of the transitional period provided for in the Act of Accession.

*Greece:* The Council adopted the text of the second Financial Protocol with Greece.<sup>3</sup>

*Turkey:* The Council agreed on the substance of the third Financial Protocol with Turkey.<sup>4</sup>

<sup>1</sup> Point 2.2.40 and 2.2.41.

<sup>2</sup> Point 2.2.51.

<sup>3</sup> Point 2.2.31.

<sup>4</sup> Point 2.2.33.

*Portugal:* The Council and the Representatives of the Member States meeting within the Council defined the elements of the joint stance they intend to adopt when Mr Mario Soares, Prime Minister of Portugal, tours the nine capitals during the next few weeks.<sup>1</sup>

*Fisheries:* The Council considered the situation regarding the arrangements applicable to vessels flying the flag of the USSR, Poland and the GDR. It also signified its agreement in principle to a Regulation laying down certain interim conservation and management measures applicable to vessels flying the flag of a number of other non-member countries (Spain, Finland, Portugal, Sweden, Canada and the United States). The Council held a wide exchange of views on the internal aspects of the fisheries policy, which ended in a consensus.<sup>2</sup>

*National aid:* The Council noted a statement by the Danish Delegation on the application of Article 93 of the Treaty, with particular regard to the granting of temporary aid to pig breeders in the United Kingdom.<sup>3</sup> Several delegations indicated that they could not agree to this United Kingdom action.

*Situation of a Danish undertaking in Ghana:* The Council took note of a communication from the Danish Delegation regarding the latest available information on the situation of a Danish undertaking in Ghana.

The Council's other deliberations concerned the Community's external financial commitments, particularly in the Mediterranean area and the Community's position at the Conference on International Economic Cooperation, with special reference to the Common Fund.

#### **436th meeting — Economic and financial affairs** (Brussels, 14 February)

2.3.27. *President:* Mr Healey, Chancellor of the Exchequer of the United Kingdom.

*From the Commission:* Mr Ortoli, Vice-President, Mr Tugendhat, Member.

The Council held an exchange of views on the economic situation in the Community<sup>4</sup> and drew up the general outlines of its work schedule for the coming months.

It also heard a statement from Mr Tugendhat on the budgetary implications of the Commission proposals concerning agricultural prices and related measures for 1977/78.<sup>5</sup>

#### **437th meeting — Agriculture** (Brussels, 14 and 15 February)

2.3.28. *President:* Mr Silkin: Minister of Agriculture, Fisheries and Food of the United Kingdom.

*From the Commission:* Mr Jenkins, President and Mr Gundelach, Vice-President.

*Agricultural prices:* Mr Gundelach introduced the Commission proposals on agricultural prices for 1977/78 and related measures, after which the delegations expressed their initial reactions.<sup>6</sup>

*Fisheries:* Concluding its examination of the interim arrangements for the conservation and management of fishery resources, the Council agreed a series of measures in that sector.<sup>7</sup>

*Structural policy:* The Council adopted a Regulation on common measures to improve the conditions under which agricultural products are processed and marketed.<sup>8</sup>

The Council's other deliberations bore on the wine market situation, developments in intra-Community trade, the potato market and the

<sup>1</sup> Point 2.2.37.

<sup>2</sup> Points 1.2.1 to 1.2.10.

<sup>3</sup> Bull. EC 1-1977, point 2.1.47.

<sup>4</sup> Point 2.1.1.

<sup>5</sup> Points 1.3.7 and 2.1.33.

<sup>6</sup> Points 1.3.1 and 1.3.7.

<sup>7</sup> Point 1.2.9.

<sup>8</sup> Point 2.1.34.

methods of calculating monetary compensatory amounts for pigmeat.

## Commission

### Activities

2.3.29. The Commission held four meetings in February. The main items on the agenda included the work programme for 1977, which was presented to Parliament on 8 February, the fixing of farm prices for 1977/78, fisheries, with particular reference to the negotiations with the Eastern European countries, the review of the Social Fund, the coordination of financial instruments and the Community's energy supplies.

*Farm prices:* The farm price proposals for 1977/78 were adopted by the Commission at a special sitting. They involve an average price increase of 3 %, which will be reflected in a cost-of-living increase of not more than 0.3 %. The need for action to stabilize the milk market is stressed and given expression in the Commission's continued support for virtually all the points in the milk action programme presented to the Council last July. Proposals for the improvement of certain market organizations are to be presented by the Commission by the middle of the year. Measures to strengthen structural policy, primarily to assist the less-favoured areas, will also be proposed.<sup>1</sup>

*Coordination of financial instruments:* The Commission devoted most of a special sitting to the coordination of the Community's financial instruments (the Social Fund, the Regional Fund, the Guidance Section of the EAGGF, ECSC loans and EIB loans, etc.) to ensure that they are used to the best advantage to further the Community's economic and social objectives.

*European Social Fund:* The Commission held an initial discussion in connection with the review of the European Social Fund scheduled for this year under the Council Decision of 1971, which radically reformed the Fund.<sup>2</sup>

*Energy situation of the Community:* The Commission adopted a communication to the Council on the energy situation of the Community for discussion at the next Council meeting. The Commission finds that the chances of the Community and the Member States achieving the 1985 targets set two years ago in an attempt to reduce dependence on imported oil are becoming increasingly remote.<sup>3</sup>

To tackle this situation, the Commission is to present to the Council a fresh batch of proposals on the use of nuclear energy and the promotion of new sources of energy. Still on the same issue, the Commission adopted a report on energy saving with proposals for stepping up existing measures<sup>4</sup> and a communication on the Community coal market situation.<sup>5</sup>

*Implementation of the Euratom/IAEA verification agreement:* The Commission noted that the procedures required to give effect to the agreement between the International Atomic Energy Agency and Euratom and seven of the Member States, had been completed. The Commission, as required by the agreement, has notified the Vienna Agency. Which will now be free to carry out inspections to check the efficiency and regularity of the Euratom safeguards.

*Development policy:* The Commission has adopted its first action programme on development policy. One feature is a general discussion of the objectives and practicalities of action to be taken in respect of the developing countries. The discussion will also cover the forthcoming CIEC talks and any action to be taken by the Commission in this connection.<sup>6</sup>

<sup>1</sup> Points 1.3.1 to 1.3.7.

<sup>2</sup> Point 2.1.20.

<sup>3</sup> Point 2.1.59.

<sup>4</sup> Points 1.5.1 to 1.5.4.

<sup>5</sup> Point 2.1.64.

<sup>6</sup> Points 1.4.1 to 1.4.10.

*Financial and technical aid to non-associated developing countries:* The Commission adopted a proposal to the Council on financial and technical aid for non-associated developing countries. This follows Parliament's decision, in exercise of its budgetary powers, to enter 45 million u.a. for this purpose in the 1977 budget.

The Commission also urged the Council to initiate the conciliation procedure with Parliament in preparation for the adoption of the Regulation.

*1978 budget:* The Commission held an initial discussion on the general policy to be followed for the 1978 budget.

What the Commission intends to do is to identify a number of priority issues on which the joint Council of foreign ministers and finance ministers will have to take a decision. These include the basic budget rules themselves (for example, introduction of the European unit of account from 1 January next) and some of the main budget chapters (for example, social and regional expenditure).

*Social legislation relating to road transport:* The Commission has authorized the United Kingdom and Ireland to defer further the application of the regulation on social provisions relating to road transport, with particular reference to maximum driving time.<sup>1</sup>

### **Relation with workers' and employers' organizations**

2.3.30. During February, Mr Jenkins, the President, and Mr Vredeling, Vice-President, received delegations from the European Trade Union Confederation (ETUC) and the Union of the Industries of the European Community. The main subjects discussed at these meetings—the first since the new Commission took office—were the economic situation and employment.

Under the general programme of consultations on the functioning of the freight transport market, the Commission organized a series of meet-

ings with the International Federation of Transport Executive Staff, the European Centre for Public Enterprise, the Federation of International Furniture Removers and the European Liaison Committee of Common Market Forwarding Agents.

Two joint meetings were also held with trade unions and employers and employers' associations:

- (i) a discussion with the Economic Policy Committee on economic prospects for 1977 and employment, with particular reference to structural problems and policy implications;
- (ii) a meeting to discuss the economic and employment problems facing the footwear industry.

The preliminary consultations of the European Trade Union Confederation dealt with the action programme for women, school-leaving age and retirement age, hours of work and holidays, capital formation policy and safety and hygiene at work.

The European Metalworkers' Federation also held preliminary consultations on employment in the industry, with particular reference to the situation at Alcan Aluminium Europe.

Finally, a meeting was organized with a delegation from the Federation of Building Workers and Woodworkers in the EEC to discuss the situation in the building industry.

### **IXth European Communities Prize**

2.3.31. On 18 February, Mr Roy Jenkins, the President of the Commission, presented the IXth European Communities Prize to three young University graduates:

Michael H. Carl of the University of Freiburg (Breisgau) for his thesis:

<sup>1</sup> Point 2.1.50.

'Die Kompetenzverschiebungen zwischen Kommission und Rat der EWG auf den gebiet der Aussenbeziehungen;'

Mr Paul De Grauwe of the Catholic University of Louvain for his thesis:

'The Interaction of Monetary Policies in a Group of European Countries' presented at the John Hopkins University, Baltimore;

Mr Christian Rochebilière of the University of Paris I for his thesis:

'Budget des Communautés et intégration européenne.'

The European Communities Prize is intended to foster the study and analysis of the process of European integration and is awarded every two years, on the basis of a competition judged by a panel of professors from Community universities, to three doctorate theses (in law, economics and political science) which make a major original contribution to the study of European integration. The prize for each category is FB 150 000.

## Court of Justice<sup>1</sup>

### New cases

*Case 18/77* — Sucres Union SA, Paris v Commission

*Case 21/77* — SA Jean Lion & Cie., Paris v Commission

2.3.32. Like the plaintiff in *Case 12/77*,<sup>2</sup> another two French firms brought an action before the Court of Justice on 8 and 9 February for damages to compensate for the loss which they claim to have incurred as a result of the fact that the exemption from the increases in monetary compensatory amounts provided for in Regulation (EEC) No 1608/74 on special provisions in respect of monetary compensatory amounts<sup>3</sup> was not applied to their contracts of sales concluded

before 15 March 1976 which is the date on which the French Government decided to permit its currency to float but which it did not implement until after that date.

*Case 19/77* — Firma Miller International Schallplatten GmbH, Quickborn v Commission

2.3.33. By its Decision of 1 December 1976, the Commission found that the export prohibitions contained in the distribution agreement concluded between the plaintiff and its foreign licensees and its sales, delivery and payment conditions constituted infringements of Article 85(1) of the EEC Treaty and fined the plaintiff 70 000 u.a.<sup>4</sup>

On 4 February an action was brought before the Court to annul this decision.

*Case 20/77* — Société coopérative Providence agricole de la Champagne, Rheims v Office national interprofessionnel des céréales

2.3.34. The Châlons-sur-Marne Tribunal administratif requested the Court of Justice on 8 February to give a ruling on the validity of Regulations (EEC) No 665/75 and 2727/75<sup>5</sup> (common organization of the market in cereals) in so far as they abolish the production refund on maize meal intended for the brewing industry.

A similar question was asked by the Tribunal administratif of Nancy<sup>6</sup> and the problem was raised in direct actions against the Council.<sup>7</sup>

*Case 22/77* — Fonds national de retraite des ouvriers mineurs, Brussels v Mr G. Mura, Bous-su

<sup>1</sup> For more detailed information see the material published by the Court of Justice in the Official Journal and in the European Court Reports.

<sup>2</sup> Bull. EC 1-1977, point 2.3.32.

<sup>3</sup> OJ L 170 of 27.6.1974.

<sup>4</sup> Bull. EC 12-1976, point 2124; OJ L 357 of 29.12.1976.

<sup>5</sup> OJ L 72 of 20.3.1975 and OJ L 281 of 1.11.1975.

<sup>6</sup> Case 124/76; Bull. EC 12-1976, point 2444.

<sup>7</sup> Cases 64 and 113/76; Bull. EC 7/8-1976, point 2451; 12-1976, point 2434.

2.3.35. In a case concerning the calculation of an invalidity pension entitlement to which had accrued in several Member States, the Mons Cour du travail requested the Court of Justice on 10 February to give a preliminary ruling on whether Article 12 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community,<sup>1</sup> which authorizes the aggregation of benefits must take precedence over the rules governing the reduction of benefits laid down by national law where the Community rules favour migrant workers by comparison with established workers.

*Case 23/77 — Westfälischer Kunstverein, Münster v Hauptzollamt Münster*

2.3.36. The Münster Finanzgericht requested the Court of Justice on 11 February to give a preliminary ruling on the tariff classification of silk-screen prints signed and numbered by the artist.

*Case 24/77 — Geertje Wahl, Hellenthal, v Land Nordrhein-Westfalen, represented by the Schulamt, Kreis Euskirchen, Euskirchen*

2.3.37. A teacher of Dutch nationality who holds a Dutch diploma and who was employed in a school in Germany was dismissed on the grounds that her training was incomplete under German law.

When hearing this case the Bonn Arbeitsgericht requested the Court of Justice on 18 February to give a preliminary ruling on the mutual recognition of diplomas and the compatibility of the ground for dismissal with the principle of freedom of movement of persons.

*Case 25/77 — Commission official v Commission*

2.3.38. On 22 February a Commission official brought an action before the Court of Justice to

annul a vacancy notice for a B1 post and to appoint another official to that post.

*Case 26/77 — Balkan-Import-Export GmbH, Berlin v Hauptzollamt Berlin-Packhof*

2.3.39. In an action involving the payment of levies on cheeses made from sheep's milk imported from Bulgaria the rate of which has been increased on account of the failure to adjust the free-at-frontier prices of those products for the 1976/77 marketing year, the Berlin Finanzgericht asked the Court of Justice on 23 February to give a series of preliminary rulings on the interpretation of several regulations relating to milk and milk products.

*Case 27/77 — Compagnie Cargill, Division Granax, Paris v Office national interprofessionnel des céréales*

2.3.40. In a case involving the payment of monetary compensatory amounts in respect of exports of cereals for which the refund had been fixed in advance prior to 4 June 1973, but which was only paid after that date and which resulted in the compensatory amounts being reduced on account of the devaluations of the dollar and the adjustment of floating exchange rates by certain countries, the Paris Tribunal administratif requested the Court of Justice on 23 February to give a preliminary ruling on the validity of Regulation (EEC) 2042/73<sup>2</sup> in that it discriminates between exporters according to whether they exported their goods before or after 4 June 1973.

*Case 28/77 — Tepea BV (voorheen Theal BV), The Hague, v Commission*

2.3.41. On 21 December 1976, the Commission adopted a decision stating that the verbal exclusive distribution agreement between a Nether-

<sup>1</sup> OJ L 149 of 5.7.1971.

<sup>2</sup> OJ L 207 of 28.7.1973.

lands and a United Kingdom firm constitutes an infringement of Article 85(1) of the EEC Treaty.<sup>1</sup> The Commission also fined the said firms under Article 15(1) of Regulation No 17 implementing Articles 85 and 86 of the EEC Treaty<sup>2</sup> on account of the fact that the Commission was not notified of all the facts.

The Netherlands undertaking brought an action before the Court on 24 February to annul the decision.

### Judgments

*Case 20/76* — Firma Schöttle & Söhne OHG, Oberkollwangen, v Finanzamt Freudenstadt

2.3.42. In an action relating to the levying by the German authorities of a tax on the international carriage of goods by road over short distances, the Baden Württemberg Finanzgericht asked the Court of Justice on 23 February 1976 for a preliminary ruling. This related *inter alia* to whether this tax, which is levied on the basis of the distance travelled in German territory, constituted a tax imposed on products within the meaning of Article 95 of the EEC Treaty.

In its judgment of 16 February, the Court replied in the affirmative, stating in particular that it was irrelevant that the tax was also levied under the same conditions on domestic products that were exported and on imported products. It recalled on this occasion that, for the purposes of applying Article 95, in order to compare the tax on a product circulating internally with that on an imported product, account has to be taken not only of the basis of assessment of the tax, but also of the advantages or immunities inherent in both.

*Case 47/76* — (1) Mr A. De Norre, Geeraardsbergen, and (2) Mrs M. De Clercq, (de Norre) v Brouwerij Concordia NV, Geeraardsbergen

2.2.43. In the action relating to a contract for the exclusive supply of brewery products, the Ghent Hof van Beroep requested the Court of

Justice on 4 June 1976 to give a number of preliminary rulings on Community provisions relating to competition applicable to such contracts between undertakings in a single Member State concerning the following matters: whether a national court is under an obligation to stay proceedings where an exemption under Article 85(3) of the EEC Treaty remains possible; the status to be accorded to a new agreement, the outcome of which is not determined directly by the national court; finally, whether the Belgian Royal Decree of 25 September 1964<sup>3</sup> moderating the onerous terms imposed by brewery contracts was compatible with Community law.

In its judgment of 1 February 1977, the Court stated in reply to this series of questions that agreements to which only two undertakings which are established in the same Member State are party, in which one party agrees with the other to purchase only from the other certain products for resale, and which do not meet the requirements laid down in Article 3 of Regulation No 67/67/EEC on the application of Article 85(3) of the Treaty to certain categories of exclusive dealing agreements,<sup>4</sup> are covered by the exemption by category laid down by the latter to the extent that in the absence of an exemption they would be caught by the prohibition contained in Article 85(1) of the EEC Treaty.

*Case 48/76* — Commission official v (1) Commission and (2) Council

2.3.44. A former Commission official brought an action before the Court of Justice on 8 June 1976 for the annulment of the last subparagraph of Article 3(3) of Regulation 2530/72 introducing special and temporary measures applicable to the recruitment of officials of the European Commu-

<sup>1</sup> Bull. EC 12-1976, point 2125; OJ L 39 of 10.2.1977.

<sup>2</sup> OJ 13 of 21.2.1962.

<sup>3</sup> Moniteur belge of 21.10.1964, p. 11127.

<sup>4</sup> OJ 57 of 25.3.1967.

nities in consequence of the accession of new Member States, and for the termination of service of officials of those Communities, where that article lays down the terms under which allowances in respect of voluntary termination of service are converted into foreign currencies.

The Court dismissed this action in its judgment of 17 February.

*Case 50/76 — Amsterdam Bulb BV, Amsterdam, v Produktschap voor Siergewassen*

2.3.45. The College van Beroep voor het Bedrijfsleven requested the Court of Justice on 17 June 1976 to give a preliminary ruling on whether the fact that the Netherlands authorities had fixed minimum prices in respect of flowering bulbs for export to third countries which are subject to the Community system of minimum prices but for which such prices had not been fixed, is compatible with the Community agricultural provisions.

In its judgment of 2 February, the Court held that Member States are not in a position to allow national bodies having a power to lay down rules, to adopt instruments in which the Community nature of a legal rule and the effects arising from it are concealed. The Court considers that the measure on which the proceedings are based does not derogate from the Community rules, does not limit their scope and seeks to stabilize exchange rates with third countries.

*Case 51/76 — Verbond van Nederlandse Ondernemingen, The Hague, v Inspecteur der Invoerrechten*

2.3.46. In a case relating to the levying of turnover taxes on purchases of goods by way of capital investment, the Hoge Raad der Nederlanden requested the Court of Justice on 18 June 1976 to give a preliminary ruling on the interpretation of the words 'capital goods' in Article 17 of the Second Council Directive on the harmonization of legislation of Member States concerning turn-

over taxes,<sup>1</sup> where that article governs the transition from the systems of turnover taxes to the common system of value added tax.

The Court ruled in its judgment of 2 February 1976 that these words refer to goods which, when used for an economic activity, are distinguishable by their permanence and value, so that the costs of acquiring them are not entered in the accounts normally as current expenses, but are written off over a number of financial years. It added that the Member States enjoy a certain amount of discretion as to the permanence and value of goods and the rules of depreciation to be applied.

*Case 52/76 — Rag. L. Benedetti v Ditta Munari F.lli, Sas*

2.3.47. The Pretura di Cittadella requested the Court of Justice on 25 June 1976 to give a number of preliminary rulings, notably on whether an agricultural intervention agency could, under Article 40 of the EEC Treaty and the rules on competition, buy wheat on terms other than those laid down in Community agricultural regulations and subsequently resell it at prices lower than those laid down in those regulations.

Confirming its earlier decisions on this subject,<sup>2</sup> the Court held in its judgment of 3 February, that such an activity is incompatible with the common organization of markets and is contrary to Article 92 only in so far as it affects trade between Member States.

*Case 53/76 — M. le Procureur de la République, Besançon v Mr C. Bouhelier, Villers-le-Lac, et al.*

2.3.48. In the course of criminal proceedings relating to the forgery of customs documents accompanying exported watches, the Besançon Tribunal de grande instance requested the Court

<sup>1</sup> OJ 71 of 14.4.1967.

<sup>2</sup> Case 60/75, Bull. EC 1-1976, point 2441.



of Justice on 28 June 1976 to give a preliminary ruling on whether the words 'quantitative restrictions on exports and any measures having equivalent effect' in Article 34 of the EEC Treaty must be interpreted as applying also to the legislation of a Member State requiring a licence or a similar certificate in place thereof in respect of exports of certain goods, where that certificate did not give rise to the levying of a charge and where it could be refused if the quality did not meet certain conditions laid down by the authority issuing the certificate in place of the licence.

Explaining more fully its decisions relating to measures having equivalent effect to quantitative restrictions, the Court replied to this question in the affirmative in its judgment of 3 February.

*Case 62/76 — Mr J. Strehl, Neerpelt, v Nationaal Pensioenfonds voor Mijnwerkers, Brussels*

2.3.49. In a case relating to the calculation of a disability pension payable under two bodies of national law, one of which applies the flat-rate system and the other the proportional system, the Hasselt Arbeidsrechtbank requested the Court of Justice on 6 July 1976 to give a preliminary ruling on the interpretation of Article 46 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community<sup>1</sup> and Decision No 91 of the Administrative Commission of the European Communities on Social Security for Migrant Workers.<sup>2</sup>

Following its decision in the Petroni Case,<sup>3</sup> the Court, in its judgment of 3 February, held that the provisions quoted are incompatible with Article 51 of the EEC Treaty in so far as they limit the aggregation of two benefits acquired in different Member States by deducting the amount of one benefit acquired under the law of one Member State.

*Cases 69 and 70/76 — Firma Rolf H. Dittmeyer, Hamburg, v Hauptzollamt Hamburg-Waltershof*

2.3.50. The Bundesfinanzhof asked the Court of Justice on 19 July 1976 for preliminary rulings concerning the tariff classification of residues of oranges and grapefruit obtained after extracting the juice and canned or frozen.

In its judgment of 15 February the Court ruled on the tariff classification of those products.

*Case 72/76 — Landesversicherungsanstalt Rheinland-Pfalz, Speyer, v (1) Mrs C. Topfer, widow, born H. Dontenwill, Mulhouse, (2) Mr J. P. Weber, Steinbach, and (3) Compagnie d'assurance Le Phenix, IARD, Paris*

2.3.51. In an action involving a German social security organization and the person responsible for a fatal road accident in France in which the victim was a German national insured by the German organization, the object of the proceedings being the repayment of arrears of a pension paid by the organization to the widow of the insured, the French Cour de Cassation requested the Court of Justice on 19 July 1976 to give a preliminary ruling on whether the subrogation referred to in Article 52 of Regulation No 3 on social security for migrant workers<sup>4</sup> is governed, in so far as its extent and the apportionment between the organization and the insured are concerned, by the law of the State of the debtor organization.

In its judgment of 16 February, the Court held that the subrogation must be considered on the basis of the law applicable to the debtor organization. However, this right of subrogation includes, of the compensation accorded to the victim or his legal successors by the law of the State in whose territory the accident occurred, only that corresponding to the benefits paid by the debtor institution excluding compensation awarded for consequential damage or on the basis of other harmful factors of a personal nature.

<sup>1</sup> OJ L 149 of 5.7.1971.

<sup>2</sup> OJ C 86 of 20.7.1974.

<sup>3</sup> Case 24/75, Bull. EC 10-1975, point 2444.

<sup>4</sup> OJ 30 of 16.12.1958.

*Case 76/76 — Miss S. Di Paolo, Saint-Josse-ten-Noode v Office national de l'emploi, Brussels*

2.3.52. On 28 July 1976, the Belgian Cour de Cassation requested the Court of Justice to give a preliminary ruling on Article 71(1)(b) of Regulation (EEC) No 1408/71 on employed persons and their families moving within the Community,<sup>1</sup> particularly with regard to the concepts of residence in and return to the territory, the criteria applicable and the time at which the requirements concerning residence in or return to the territory must be satisfied.

The Court held on 17 February that the concept of the Member State in which a worker resides must be restricted to the State in which the worker, although employed in another Member State, continues to reside habitually, the addition of the words 'or who returns to that territory' simply implying that the concept of residence in a State does not necessarily exclude a temporary period of residence in another Member State. It also stated that in order to apply this provision, consideration should be given to the duration and continuity of residence before the party in question moved, the duration and purpose of his absence and his intentions as shown by all the circumstances.

*Case 82/76 — Firma Farbwerke Hoechst, Frankfurt/Main, v Hauptzollamt Frankfurt/Main*

An importer of pharmaceutical products brought an action before the Hessen Finanzgericht challenging an increase in customs duties on the ground that a trade mark had been affixed to the products after they had been imported. The court requested the Court of Justice on 13 August 1976 to interpret Regulation (EEC) No 803/68 on the valuation of goods for customs purposes,<sup>2</sup> and especially Articles 2(2) (persons deemed to be associated in business with one another) and 3(1) (account to be taken of the trade mark with a view to determining the normal price of imported goods).

In its judgment of 17 February, the Court held that a business association arises from an agreement whereby a foreign supplier of goods grants a Community purchaser territorially defined distribution rights on payment of a royalty consisting of a percentage participation in the proceeds of sales. It also stated that an agreement by which territorial distribution rights are transferred on payment of a royalty and the right, granted free of charge, to manufacture an imported product falls within the scope of Article 2(1)(a) of Regulation (EEC) No 1788/69 determining certain exceptions within the meaning of Article 3(2) of Council Regulation (EEC) No 803/68.<sup>3</sup>

*Case 91/76 — Miss J. de Lacroix v Court of Justice*

2.3.54. In its judgment of 3 February, the Court dismissed this action brought to annul a decision of the Court refusing the applicant admission as a candidate for a post of lawyer-linguist.

*Case 66/76 — Confédération française démocratique du travail, Paris v Council*

2.3.55. A French trade union brought an action before the Court of Justice to annul the Council Decision of 1 June 1976 designating the representative organizations responsible for drawing up lists of candidates for the ECSC Consultative Committee.<sup>4</sup>

In its judgment of 17 February, the Court of Justice dismissed this action as being inadmissible.

<sup>1</sup> OJ L 149 of 5.7.1971.

<sup>2</sup> OJ L 148 of 28.6.1968.

<sup>3</sup> OJ L 230 of 11.9.1969.

<sup>4</sup> OJ L 149 of 9.6.1976.

## Economic and Social Committee

### 146th plenary session

#### Opinions

##### *Agricultural prices for 1977/78*

2.3.56. In this Opinion, adopted by 66 votes against 17 with 16 abstentions, the Committee begins by commenting that the retail price of a given product can vary considerably from one Member State to another. The price paid to producers is only one component of the price paid by the consumer. It is in the interest of both producers and consumers to ensure that prices are not excessively increased by the various post-production operations. Producers should not have to bear all the burden entailed in limiting price increases. The Committee therefore asks the Commission and the Council to examine without delay the various components of food prices, and the reasons for the divergences noted.

The Committee observes that the 1977/78 farm price proposals have been made against a particularly difficult economic and social background, overshadowed by the need to improve the employment situation and to damp inflation in the Member States.

Farming has been asked to make a contribution to the drive against inflation which must be considered to be great even if allowance is made for economic necessities. Inflation can be fought effectively only if all sectors make a joint effort. Care should be taken to ensure that the efforts being asked of farmers are not frustrated by failure to take measures to the same end in the other economic and social sectors. Since the Commission does not have the power over these sectors that it has over farming, the Member States should undertake to take the requisite action.

The Committee advances the view that prices should be reviewed if 1977 sees a greater increase in production costs than is currently expected.

On the subject of agro-monetary measures, the Committee welcomes the Commission's continuing determination to re-establish Community-wide markets.

Regarding the measures for the various products the Committee, for the time being, confined itself to the following comments:

The changes in milk-sector prices only partly follow the recommendations of the Committee's Opinions on the action programme and associated measures.

Deferring the presentation of new beef and veal provisions until July will create an uncertainty which will not make for a switch to beef and veal production. This is contrary to what the Commission recommended in its programme for the milk sector.

As regards sugar, the Committee notes the Commission's wish to limit production. The Committee is concerned about the consequences for producers, processors and workers in the sugar trade of reducing quotas in various beet-growing regions.

##### *Illegal migration*

2.3.57. This Opinion, adopted unanimously with two abstentions, stresses first and foremost that the Directive on combating illegal migration must be designed and applied as a major means of amending Member States' laws and regulations on lines which will favour ratification of International Labour Convention No 143 on illegal migration. The Committee attributes particular importance to ratification of this Convention.

The Committee goes on to state what it considers ought to be the main purposes of the Directive:

- (i) *prevention* of illegal migration;
- (ii) *penalization* of those who profit from this fringe labour market, i.e., those who knowingly organize illegal migration or employ workers illegally;
- (iii) *protection* for migrant workers who are the victims of such practices.

The Committee observes that in its present form the proposed Directive would not achieve in full the above objects. It goes on to formulate comments and suggestions:

- (i) the proposed Directive's *scope* should be more clearly defined (express cover for illegal workers 'in transit' through a Member State's territory);
- (ii) *prevention* should be stepped up, especially in terms of information and controls (the two sides of industry to be consulted on such controls);
- (iii) the nature and extent of *action to repress trafficking* should be clearly specified so that the real guilty parties are clearly identified and properly punished in every Member State where they are active;
- (iv) the *protection* afforded migrant workers should be substantially improved, particularly as regards appeals against expulsion orders, safeguards for the rights they have acquired by virtue of periods in employment and, where necessary, pay, social security cover and other social benefits to be regularized for periods for which migrants have been in *de facto* employment;
- (v) *collaboration* between Member States in the field of criminal law should be encouraged with a view to eventual approximation at Community level.

#### *Group accounts*

2.3.58. In this Opinion, adopted by a large majority, with one vote against and six abstentions, the Committee points out that consolidated accounts must provide a true view of a group's po-

sition. This means that all companies forming part of the group, regardless of their legal form, must be included in the group accounts and that the existence of a single economic unit and unified management must be the basic criterion for determining whether companies can be considered to belong to a 'group'

Numerous international organizations have been considering the question of group accounts for a number of years. The Committee trusts that the Commission will endeavour to ensure maximum conformity between international and European standards.

The Committee also proposes that group accounts should be supplemented by a breakdown of capital allocation, providing particulars of the origin and allocation of resources and thus showing where capital is located within the group.

The Committee considers it inappropriate for group accounts to be published in their entirety in the national official gazette and asks the Commission to simplify the formalities regarding the publication of accounts as far as possible, given that firms will be obliged to send a copy of the full group accounts to all interested parties on application.

The Committee feels that the publication of the net amount of the group's turnover broken down by category of product and activity and by geographical market could be prejudicial to the competitive position of small groups. It therefore asks the Commission to reconsider the article in question.

#### *Collective investment undertakings*

2.3.59. The Committee unanimously adopted its Opinion on the proposal for a Council Directive for the coordination of laws, regulations and administrative provisions regarding collective investment undertakings for transferable securities.

Though it regarded the draft Directive as a step towards the coordination of the present laws in

the Community, the Committee regretted that it did not fully match up to the objectives assigned to it in the explanatory memorandum, viz. improvement of the terms of competition, the maximum possible standardization of the rules governing the undertakings in question, removal of restrictions on the movement of units, and greater interpenetration of capital markets.

These objectives would scarcely be achieved, the main obstacles being:

- (i) the rule whereby national authorities could if they wished impose stricter requirements on undertakings situated on their territory;
- (ii) the clauses which allowed national authorities to relax the basic rules.

The Committee also felt that:

- (i) the restrictions on the movement of units would be removed to a large extent, provided other barriers, e.g. in the monetary field, were also removed;
- (ii) the Directive did not provide a fully satisfactory basis for standardization of the rules governing collective investment undertakings.

Despite these reservations, the Committee would nevertheless like the Directive to be brought into force as rapidly as possible.

#### *Toxic wastes*

2.3.60. This Opinion, unanimously adopted with one abstention, approved the Commission's proposal.

The Committee stresses that the proper application of the directive depends on the establishment of suitable sites for the processing and storage of waste, and that waste disposal processes should be selected not on the basis of their cost or economic viability only, but in the light of overall social costs.

The Committee regrets that it has still not been possible to find a uniform solution to the prob-

lems of civil liability in respect of eliminating waste.

The Committee regrets that the Commission has not yet created machinery for involving all interested parties in the discussions on the preliminary draft versions of Directives and in the adaptation of these Directives to technical progress; only certain parties were asked for their views on the preliminary draft in this particular instance. The Committee would urge the Commission to work out a general solution to this problem, which is all the more necessary in the present case since numerous measures will have to be taken to apply this Directive.

#### *Quality of fresh waters suitable for fish-life*

2.3.61. In this Opinion, adopted by a large majority, with four votes against and fourteen abstentions, the Committee supported the aim of the Directive and welcomed the approach of using water quality objectives rather than fixed emission standards.

## **European Investment Bank**

### **Loans granted**

#### *United Kingdom*

2.3.62. A loan totalling the equivalent of £8.3 million (12.5 million EUA) has been granted to the National Water Council (NWC) by the European Investment Bank to improve water supplies in North-West England. The term is 9 years and the interest rate 8<sup>7</sup>/<sub>8</sub>%.

The funds will be passed on by the NWC to the North West Water Authority to help to finance a series of works, estimated to cost around £90 million by their completion. The EIB provided a loan for the same project in March last year.<sup>1</sup>

<sup>1</sup> Bull. EC 3-1976, point 2465.

The combined effect of the project will be to release about 200 000 m<sup>3</sup> more water per day to help to meet the growing industrial and domestic requirements in the NMWA region, which includes the counties of Cheshire, Merseyside, Greater Manchester, Lancashire and Cumbria.

2.3.63. The Bank has also granted the Post Office a loan equivalent to £18.5 million (27.9 million EUA) for development of the telecommunications network in Northern Ireland. The term is 10 years and the interest rate 8½ %.

The loan will help to finance a series of works, at an estimated cost of £58 million, which will permit about 73 000 extra exchange connections to be made. At present the density of telephones in Northern Ireland is below the rest of the United Kingdom: the province has 24 telephones per 100 population compared to a national average of 38.

The project includes 29 new buildings or extensions to existing buildings, 17 new exchanges, 134 extensions to existing exchanges, plus additional telex and datel (data processing) facilities.

## Financing Community activities

### Budget

#### Own resources

##### *Financing the Budget*

2.3.64. On 21 and 22 February a seminar on financial problems was held in Brussels; this brought together financial experts from the offices of the permanent representatives and administrations of the nine Member States of the Community.

The meeting was called by Mr Tugendhat, Member of the Commission, and is part of a general review by the Council bodies of the proposals for amending the Financial Regulation of 25 April 1973,<sup>1</sup> Regulation 2/71<sup>2</sup> implementing the Decision of 21 April 1970<sup>3</sup> on own resources, and the proposal for a Regulation on the introduction of the European unit of account to the General Budget of the Communities.<sup>4</sup>

The aim of the meeting was to consider the problems which will arise when the Budget of the Communities comes to be financed entirely from own resources from 1 January 1978 and to stimulate an informal discussion between national experts and representatives of the Commission.

Without adopting any particular position, participants were able to examine jointly the question of how to meet cash requirements amounting to some 2 000 million u.a. during the first three months of 1978, the first payments of own resources for 1978 not being due until March.

Other matters discussed were the problems raised by the application of the European unit of account to own resources, and the budgetary and procedural implications of implementing the 6th VAT Directive with effect from 1 January 1978.

## ECSC financial operations

### Loans raised

2.3.65. During February the Commission raised the following loans:

— A US \$50 million bond issue. This loan was underwritten by an international banking syndicate. The issue, which is for five years, carries a 7.25% coupon, payable annually and was offered to the public at 99 %.

<sup>1</sup> OJ L 116 of 1.5.1973.

<sup>2</sup> OJ L 3 of 5.1.1971.

<sup>3</sup> OJ L 94 of 28.4.1970.

<sup>4</sup> Bull. EC 9-1976, point 2469.

## Financing Community activities

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— A US \$10 million private placement, underwritten by the same international banking syndicate. The issue carries a nominal interest rate of 8.25% payable annually and is for ten years. It was offered to the public at par.

The bonds of these two loans have been admitted to official quotation on the Luxembourg stock exchange.

— A DM 81 630 000 private placement for 12 years at an interest rate of 7%.







**PART THREE**

**DOCUMENTATION**

# 1. Additional references in the Official Journal

Additional references in 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 10-1976**

### *Point 2252*

Proposal for a Council Decision adopting a multi-annual programme (1978 to 1981) for the data processing sector  
OJ No C 39 of 16.2.1977

## **Bull. EC 11-1976**

### *Point 2113*

Proposals for Council Directives:

- I. on the approximation of the laws of the Member States relating to the windscreen-washer systems of motor vehicles
  - II. on the approximation of the laws of the Member States relating to the defrosting and demisting systems of motor vehicles
  - III. on the approximation of the laws of the Member States relating to the interior fittings of motor vehicles (identification of controls, tell-tales and indicators)
- OJ No C 43 of 21.2.1977

### *Point 2114*

Commission Directive of 30 November 1976 adapting to technical progress Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles  
OJ No L 32 of 3.2.1977

### *Point 2237*

Council Directive of 23 November 1976 on the marketing of straight feedingstuffs  
OJ No L 32 of 3.2.1977

## **Bull. EC 12-1976**

### *Point 2112*

Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit  
OJ No L 38 of 9.2.1977

Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure  
OJ No L 38 of 9.2.1977

### *Point 2113*

Proposal for a Council Regulation instituting a Community export declaration form  
OJ No C 37 of 14.2.1977

### *Point 2116*

Proposal for a Council Directive on the approximation of the laws of the Member States relating to tyres for motor vehicles and their trailers

Proposals for Council Directives

- I. on the approximation of the laws of the Member States relating to heating systems for the passenger compartment of motor vehicles
- II. on the approximation of the laws of the Member States relating to the wheel guards of motor vehicles

Proposals for Council Directives

- I. on the approximation of the laws of the Member States relating to rear fog lamps for motor vehicles and their trailers
  - II. on the approximation of the laws of the Member States relating to reversing lamps for motor vehicles and their trailers
  - III. on the approximation of the laws of the Member States relating to parking lamps for motor vehicles
- OJ No C 37 of 14.2.1977

*Point 2123*

Commission Decision of 21 December 1976 relating to a proceeding under Article 85 of the EEC Treaty (IV/5715 Junghans)

OJ No L 30 of 2.2.1977

*Point 2125*

Commission Decision of 21 December 1976 relating to a proceeding under Article 85 of the EEC Treaty (IV/28.812 Theal/Watts)

OJ No L 39 of 10.2.1977

*Point 2128*

Commission Decision of 20 December 1976 relating to specialization agreements in the production of finished and final rolled products and to the joint buying of iron ore, involving steel-producing undertakings in south-west Germany and the Grand Duchy of Luxembourg

OJ No L 45 of 17.2.1977

*Point 2129*

Commission Decision of 22 December 1976 authorizing the acquisition by Klöckner-Werke AG of a majority holding in Eisenwerk-Gesellschaft Maximilianshütte mbH (Article 66 of the ECSC Treaty)

OJ No L 43 of 15.2.1977

*Point 2140*

Proposal for a Council 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

OJ No C 31 of 8.2.1977

*Point 2217*

Proposal for a Directive concerning the progressive implementation of the principle of equality of treatment for men and women in matters of social security

OJ No C 34 of 11.2.1977

*Point 2233*

Proposal for a Council Directive on bird conservation

OJ No C 24 of 1.2.1977

*Point 2250*

Granting of subsidies by the Guidance Section of the Euro-

pean Agricultural Guidance and Guarantee Fund—Second and last instalment for 1976

OJ No C 41 of 18.2.1977

*Point 2286*

Proposal for a Council Regulation concerning the introduction of a Community consultation procedure in respect of power stations likely to affect the territory of another Member State

OJ No C 31 of 8.2.1977

*Point 2410*

Decision of the European Parliament of 14 December 1976 on the giving of a discharge to the Commission in respect of the implementation of the European Communities' budget for the financial year 1972 and on the report of the Audit Board

Decision of the European Parliament of 14 December 1976 on the giving of a discharge to the Commission in respect of the implementation of the European Communities' budget for the financial year 1973 and on the report of the Audit Board

Decision of the European Parliament of 14 December 1976 on the giving of a discharge to the Commission in respect of the implementation of the European Communities' budget for the financial year 1974 and on the report of the Audit Board

OJ No L 54 of 26.2.1977

*Point 2442*

Case 121/76: Action brought on 20 December 1976 by Mr Alessandro Moli against the Commission of the European Communities

OJ No C 40 of 17.2.1977

*Point 2443*

Case 122/76: Action brought on 21 December 1976 by the Commission of the European Communities against the Kingdom of Belgium

Case 123/76: Action brought on 21 December 1976 by the Commission of the European Communities against the Italian Republic

OJ No C 40 of 17.2.1977

*Point 2444*

Case 124/76: Reference for a preliminary ruling made by judgment of the Tribunal Administratif, Nancy, on 25 November 1976, in the case of S.A. Moulins et Huileries de

Pont-à-Mousson v Office National Interprofessionnel des Céréales

OJ No C 40 of 17.2.1977

*Point 2445*

Case 125/76: Reference for a preliminary ruling made by order of the Hessisches Finanzgericht dated 1 December 1976 in the case of Firma Peter Cremer v. Bundesanstalt für landwirtschaftliche Marktordnung

OJ No C 40 of 17.2.1977

*Point 2446*

Case 126/76: Action brought on 24 December 1976 by the undertaking Gebrüder-Dietz against the Commission of the European Communities

OJ No C 40 of 17.2.1977

*Point 2449*

Judgment of the Court (Second Chamber) of 16 December 1976 in Case 2/76: Maria Mascetti v Commission of the European Communities

OJ No C 40 of 17.2.1977

*Point 2451*

Judgment of the Court of 16 December 1976 in Case 33/76 (reference for a preliminary ruling made by the VIIth Senate of the Bundesverwaltungsgericht): Rewe-Zentralfinanz eG and Rewe-Zentral AG v Landwirtschaftskammer für das Saarland

OJ No C 40 of 17.2.1977

Judgment of the Court of 16 December 1976 in Case 45/76 (reference for a preliminary ruling made by the College van Beroep voor het Bedrijfsleven, The Hague): Comet B.V. v Produktschap voor Siergewassen

OJ No C 47 of 24.1.1977

*Point 2453*

Judgment of the Court of 16 December 1976 in Joined Cases 36 and 37/76 (reference for a preliminary ruling made by the Corte Suprema di Cassazione): Amministrazione delle Finanze dello Stato v S.r.l. Foral (36/76) and D. & C. S.p.a. (37/76)

OJ No C 47 of 24.2.1977

*Point 2454*

Judgment of the Court (Second Chamber) of 16 December 1976 in Case 38/76 (reference for a preliminary ruling made by the Finanzgericht Düsseldorf): Industriemetal Luma

GmbH, a limited liability company, v Hauptzollamt Duisburg  
OJ No C 47 of 24.2.1977

*Point 2455*

Judgment of the Court of 15 December 1976 in Case 39/76 (reference for a preliminary ruling made by the Centrale Raad van Beroep): Bestuur der Bedrijfsvereniging voor de Metaalnijverheid v L. J. Mouthaan

OJ No C 47 of 24.2.1977

*Point 2456*

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